

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-NINTH PARLIAMENT**

**FIRST SESSION**

**THURSDAY, 16 SEPTEMBER 2021**

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**FIFTY-NINTH PARLIAMENT—FIRST SESSION**

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ALP—Labor Party; Greens—The Greens;  
Ind—Independent; LP—Liberal Party; Nats—The Nationals.

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### **Environment and Planning Standing Committee**

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### **Legal and Social Issues Standing Committee**

Mr Angus, Mr Battin, Ms Couzens, Ms Kealy, Ms Settle, Ms Suleyman and Mr Tak.

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### **Standing Orders Committee**

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## **Joint committees**

### **Dispute Resolution Committee**

*Assembly:* Ms Allan, Ms Hennessy, Mr Merlino, Mr Pakula, Mr R Smith, Mr Walsh and Mr Wells.

*Council:* Mr Bourman, Ms Crozier, Mr Davis, Ms Mikakos, Ms Symes and Ms Wooldridge.

### **Electoral Matters Committee**

*Assembly:* Ms Hall, Dr Read and Mr Rowswell.

*Council:* Mr Erdogan, Mrs McArthur, Mr Meddick, Mr Melhem, Ms Lovell, Mr Quilty and Mr Tarlamis.

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*Council:* The President (*ex officio*), Mr Bourman, Mr Davis, Mr Leane, Ms Lovell and Ms Stitt.

### **Integrity and Oversight Committee**

*Assembly:* Mr Halse, Mr Rowswell, Mr Taylor, Ms Ward and Mr Wells.

*Council:* Mr Grimley and Ms Shing.

### **Pandemic Declaration Accountability and Oversight Committee**

*Assembly:* Mr J Bull, Ms Kealy, Mr Sheed, Ms Ward and Mr Wells.

*Council:* Ms Crozier, Mr Erdogan and Ms Shing.

### **Public Accounts and Estimates Committee**

*Assembly:* Ms Blandthorn, Mr Hibbins, Mr Maas, Mr Newbury, Mr D O'Brien, Ms Richards and Mr Richardson.

*Council:* Mrs McArthur and Ms Taylor.

### **Scrutiny of Acts and Regulations Committee**

*Assembly:* Mr Burgess, Ms Connolly and Mr Morris.

*Council:* Ms Patten and Ms Watt.

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**Thursday, 16 September 2021**

**The SPEAKER (Hon. Colin Brooks) took the chair at 2.32 pm and read the prayer.**

**Announcements**

**ACKNOWLEDGEMENT OF COUNTRY**

**The SPEAKER (14:32):** We acknowledge the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, their culture, their elders past, present and future, and elders from other communities who may be here today.

**Members**

**MINISTER FOR WATER**

**MINISTER FOR PREVENTION OF FAMILY VIOLENCE**

**MINISTER FOR MULTICULTURAL AFFAIRS**

**ASSISTANT TREASURER**

*Absence*

**Mr ANDREWS (Mulgrave—Premier) (14:33):** I rise to inform the house that today the Minister for Planning will answer questions for the portfolios of water and police. The Minister for Regional Development will answer questions for the portfolios of women, Aboriginal affairs and prevention of family violence. And I will answer questions for the following portfolios: multicultural affairs, community sport, youth; regulatory reform, government services, creative industries and the Assistant Treasurer.

**Questions without notice and ministers statements**

**COVID-19**

**Mr GUY (Bulleen—Leader of the Opposition) (14:33):** My question is to the Minister for Health. All Victorians have the right to return home, so by what date will the government amend border health orders to allow Victorians stranded at the New South Wales border to return to their homes?

**Mr FOLEY (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:34):** Can I thank the honourable Leader of the Opposition for his question. This is a very, very vexing issue that the honourable member has touched on, made more vexed just this very day when I received a phone call mid-morning from the New South Wales health minister advising me that under their public health orders they were immediately, as of 6.00 pm this evening, locking down the local government area of Albury, understanding of course that Albury and Wodonga are essentially the one community operating within a border bubble and indeed for the health portfolio the Albury Wodonga Health service is operated by the Victorian health service. So in regard to that vexed issue becoming more complicated over the course of today—because of course there are a number of Australian citizens, Victorians, in Albury as we speak, having their return home application processed—it is now further complicated by these events.

Having said that, we are determined to go through a process to get these Victorians home in a safe and timely manner, and it is the safe manner that is particularly the issue. We understand the awful set of circumstances that so many of these people are facing in these difficulties. That is why we are currently processing some 400 applications to get people home from immediately north of the Murray in the border bubble area. Those are being processed as we speak, and quite a number have been processed.

In regard to the many thousands of other Victorians who have put in applications, they are being triaged carefully through a process whereby end-of-life palliative care and funeral arrangements are given priority, and many, many hundreds of those have in fact been processed already. In regard to

the many other applications, some—not many, but some—are in fact applications for people who have resided in New South Wales for many years to move to Victoria permanently. And then there is everything in between: those who want to provide care, those who want to return home for study—a multitude of human reasons. I apologise to all of those Victorians for the discomfort and the difficulties that this has caused them. This is a very, very troubling position. The Victorian government, based on health advice, is processing those in a risk-based, timely manner. We feel a deep sense of urgency to try to process those as quickly and as expeditiously as we can, but to do so in a safe manner. In regard, therefore, to the honourable member's question, the answer is: when it is safe and timely to do so.

**Mr GUY** (Bulleen—Leader of the Opposition) (14:37): I thank the minister for that answer. Noting that many hundreds of Victorians are stranded at the New South Wales border beyond Albury at places such as Moama, Wentworth, Euston and Mulwala and they are doing so at their own cost, many missing health appointments, I ask: with health orders locking these people out of their own state, has the government considered compensating these Victorians, given it has been a government health decision to lock them out of their own state?

**Mr FOLEY** (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:37): Essentially what has locked these people out of Victoria is the global pandemic and the chief health officer's declaration of both New South Wales and the ACT as extreme risk zones in regard to the somewhat earlier and continued high levels of virus transmission in New South Wales, particularly in Sydney, where of course most of the applications for people wanting to get into Victoria are currently coming from.

In regard to those people in the border bubble but on the northern side of the Murray River, that is the area from which several hundred applications are as we speak being processed. Some of them have indeed been processed, and some people have returned home—so not just beyond Albury but, as you said, all the way along the river. This is an important issue that the government is committed to.

#### MINISTERS STATEMENTS: COVID-19 VACCINATIONS

**Mr ANDREWS** (Mulgrave—Premier) (14:38): I am pleased to rise to update the house on the fact that not only have we exceeded our target of 1 million jabs over five weeks but we will today—perhaps this evening or at the latest, I think, early tomorrow—reach the 70 per cent single-dose mark. That is a tribute to every single Victorian who has booked an appointment and who has come along and helped all their fellow Victorians—helped all of us—in our race to 80 per cent double dosed, as outlined in the national plan. Because we have reached that milestone of 70 per cent single dose—and there is significant protection that comes from even a single dose of these vaccines, no matter which one you have administered to you—the chief health officer has been able to provide advice to the government, and the government has accepted that advice, to ease modestly in metropolitan Melbourne and for further easing, again of a modest nature, in regional Victoria.

Essentially, because of the amazing efforts of all of those who are running our 55 state hubs, our GPs and our pharmacists, and because of the amazing efforts of people to go and get vaccinated, we are able to, for instance, increase the distance you can travel from home from 5 to 10 kilometres and the time you can spend out of your home from 2 hours to 4 hours. The sixth reason to leave your home is for outdoor recreational activity, outdoor socialisation activity, where you can connect with those that you have missed the most—five fully vaccinated adults and dependents from a maximum of two homes. If you are not vaccinated, then it can be one other person. That is a smaller group; that is again a statement of the protection that is given by being double-dose vaccinated.

On Sunday we will have more to say about a road map. All of it will be consistent with the national plan. Getting vaccinated fast—acting and being part of that race to 80 per cent—will mean we have more options. I thank everyone who has been vaccinated, and I commend everyone who has not to book an appointment today.

**COVID-19**

**Ms KEALY** (Lowan) (14:41): My question is to the Minister for Health. With rising COVID numbers and more hospitals being exposed to COVID, as well as the furloughing of staff, are there enough ICU-trained nurses and ICU specialists to manage Victoria's growing COVID demand?

**Mr FOLEY** (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:41): Can I thank the honourable member for her question. I am sure I join with her and others to use this as an opportunity to thank all those frontline healthcare professionals, particularly our ICU nurses, who do not grow on trees, who are highly trained and highly specialised, and have amongst the most difficult job of any of us in the state, let alone in our healthcare system.

In regard to the whole issue of workforce in this pandemic, our workforce in these areas—not just in ICUs but in hospitals and in healthcare settings more generally—has had an enormous 20 months. And in regard to the scalability processes that we have indicated in this place for some time now of ICU and, more broadly, ward capacity and indeed treatment in the community capacity for COVID-positive patients, the advice I have is that we have a more than adequate workforce to deal with the demands that we have now. We have in place processes to make sure that we continue to work with not just our ICU nurses but all our clinicians, all our supports and all our technicians to make sure that everybody in that process of a COVID-positive pathway—those who being treated at home, in the community, in the wards or in ICUs—is being provided the expert clinical care that they need to recover.

The truth of the matter is that this COVID-19 variant is really nasty, travels faster and knocks people over in terms of infections quicker and makes them more ill than they would have been with the original forms of this virus. The mechanism through which we can make sure that those nurses, clinicians and others in ICUs and across the COVID-positive pathway delivery get the support they need is obviously to provide them with support, equipment, infrastructure and assistance. But even more important is the issue of keeping those numbers down and to keep those people out of that pathway of care.

The most important thing we can do there is to follow the chief health officer's orders to make sure that we are all vaccinated and that we follow the social-distancing arrangements. It would be irresponsible if, for instance, you were to call for the national plan not to be followed or indeed for the public health orders around lockdown to be abolished. That is the issue that will place those jobs of ICU nurses and others in really, really difficult positions. I look forward to continuing to support our hardworking clinicians, but particularly our hardworking nurses, in this battle against COVID.

**Ms KEALY** (Lowan) (14:44): The government still has not delivered over 3000 of its promised 4000 ICU beds. Noting the crisis in ICU, when do you intend to deliver the rest?

**Mr FOLEY** (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:44): I understand that the opposition have some challenges in appreciating what has now been a consistent theme in my answers when asked various questions on this theme over recent times. The Victorian government's position is that we have the scaling up of ICU and indeed more broadly ward beds and, in an even broader sense, support in the community based on the clinical advice as to when the numbers and expected delays from infections into hospitalisations occur. We are convinced that our plans to deliver that scalability, starting with the issues around—

**Ms Kealy**: On a point of order, Speaker, on relevance, the government and the minister promised 4000 new beds. Over 3000 have not been delivered. Where are they?

**The SPEAKER**: Order! That is not a point of order.

**Mr FOLEY**: For the honourable member's information, there is a little bit of difference between ventilators—4000 that were purchased by the government, in the media release from April 2020 that the honourable member was referring to—versus 4000 beds. (*Time expired*)

**MINISTERS STATEMENTS: MENTAL HEALTH IN SCHOOLS PROGRAM**

**Mr MERLINO** (Monbulk—Minister for Education, Minister for Mental Health) (14:46): I rise to update the house on how the Andrews government is supporting students during the global pandemic. But I will just take you back to before the pandemic. In our first term we more than doubled the investment in student mental health and wellbeing compared to the previous Liberal-National government, which meant that our schools were already well placed to support vulnerable students. But this has no doubt been an extraordinarily difficult 19 months, so we have given schools and students additional supports and tools that they need. Whether it is our \$200 million School Mental Health Fund to provide evidence-based tools to help schools evaluate and diagnose the needs of students, our investment of \$51 million and then \$31 million ongoing—

**Ms Kealy:** On a point of order, Speaker, the minister is deliberately misleading the house. The \$200 million School Mental Health Fund does not roll out until October next year, or 2023 for metropolitan schools. It does not help students today.

**The SPEAKER:** Order! The member for Lowan will resume her seat. She knows that is not a point of order.

**Mr MERLINO:** Voting against the royal commission—that helps students, does it? Voting against funding mental health—does that help students?

*Members interjecting.*

**The SPEAKER:** Order! The Leader of The Nationals and the Premier!

**Ms Staley:** On a point of order, Speaker—a raft of points of order actually—responding to interjections is disorderly. I would ask you to ask the minister to stop. Attacking the opposition in question time is disorderly.

**The SPEAKER:** Order! I ask members to ensure that if they are raising a point of order, it is a genuine point of order, and I ask the minister to not attack the opposition across the table.

**Mr MERLINO:** Mental health practitioners in every single government secondary school and specialist school; mental health training for 1500 staff; expanding our mental health in primary schools pilot with the Murdoch institute; our \$250 million tutor learning initiative, over 6400 tutors supporting our kids; putting wellbeing at the centre of our revised framework for improving student outcomes—but there are other, alternative policy approaches. There are those who think that students are separate from education. There are those who want to sack teachers. There are those who want to ban Safe Schools, a program that saves lives. There are those who deny the onsite transmission of COVID-19 occurs in schools, despite likely transmission in at least 23 schools this year. There are those who voted against sustainably funding mental health. There are those who think that investing in schools is a distraction.

**Mr Guy:** On a point of order, Speaker, on relevance to the house, I think the education minister's attacking of those opposite is frankly—

*Members interjecting.*

**The SPEAKER:** Order! The Leader of the House!

**Mr Guy:** Maybe he has a little bit of angeriness and can calm down a bit and come back to answering his question.

*Members interjecting.*

**The SPEAKER:** Order! The Minister for Education was treading a fine line, and I think he went close to attacking the opposition. The minister has been warned.

**Mr MERLINO:** Thanks. And there are those who have a policy approach suggesting that schools receive too much funding and class sizes should be bigger.

**Ms Staley:** On a point of order, Speaker, rulings from previous Speakers have held that it is out of order to attack someone and then just not use their name right at the end. You cannot have a string of attacks on somebody and leave out their name and that means that you are not attacking the opposition. It is clearly what the Minister for Education is doing. You have asked him not to attack the opposition. He went straight back to it.

**Ms Allan:** On the point of order, Speaker, I do not think it is within the standing orders for the opposition to take a point of order just because they are feeling a bit precious or wanting to admit guilt on a particular policy issue. I have been listening very carefully to the Deputy Premier. He is quite rightly canvassing a range of legitimate policy debates and questions before the Victorian community, and I would suggest that is entirely within the standing orders.

**Ms Ryan:** Further to the point of order, Speaker, I was also listening to the Deputy Premier, and I do not think it is a valid reason to attack the opposition simply because he is a policy-free zone and he has been cut out of his government's own decisions.

**The SPEAKER:** Order! I have warned the minister about attacking the opposition. I do not believe when he stood up he did directly attack the opposition. The minister has been warned, and he is invited to continue.

**Mr MERLINO:** The Andrews government will continue to support students and reject the policies of those opposite.

### COVID-19

**Mr GUY** (Bulleen—Leader of the Opposition) (14:51): My question is to the Minister for Health. Minister, how many category 1 surgeries have been cancelled in the last week due to pressures on the health system due to COVID demand?

*Members interjecting.*

**The SPEAKER:** Order! The Premier will come to order.

**Mr FOLEY** (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:52): Can I thank the honourable Leader of the Opposition for his question. Category 1 surgeries are the most important category of surgery that our hospital system undertakes. They are, as the title would suggest, a very, very urgent and very important category conducted across the private and indeed our public system. As we have responded to dealing with the COVID crisis and this particular outbreak, as I have indicated a number of times, we have responded to that process through a series of graduated responses in different hospital settings—a tiering arrangement essentially. And I have noted a couple of times at least the initial seven, and we are expanding those sites for other locations.

As a result of those arrangements what we have done when it comes to elective surgery, as opposed to category 1 surgery, is allowed hospitals in those streamed arrangements to do swaps with other locations, reschedule or indeed do swaps with the private sector so as to make sure as many of those elective surgeries can keep happening—category 2 and category 3.

In regard to category 1 surgery, the most important surgeries, they have continued to the best of my knowledge. I am happy to go and should inquiries reveal any differently, I will of course report back to the house in due course. We have seen category 1 surgeries continue on largely as is, always subject to the normal vagaries of scheduling decisions that clinicians make around how category 1 surgery is triaged and applied in the particular circumstances of hospitals and in the particular circumstances of individual patients.

**Mr GUY** (Bulleen—Leader of the Opposition) (14:54): With the Premier stating that parts of the health system will need to be switched off to accommodate COVID demand and a number of hospitals in Melbourne’s east advising of the delaying and/or cancelling of category 1 surgery, what advice has the minister received about the threat to many Victorians’ lives from simply switching off some of these lifesaving surgeries?

**Mr FOLEY** (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:54): I refer the honourable Leader of the Opposition to the answer to my substantive question. We are as yet, at this time, beyond the issue of some issues for category 2 and category 3 in some locations. Those decisions have yet to be made, and I am yet to receive any formal advice as to the question the honourable member asked.

However, we need to look to, for instance, circumstances north of the Murray and indeed circumstances that this state went through in the winter of 2020 to look at the various implications of where this might well end up. As the honourable member clearly has as the premise of this question, as COVID cases and demand ramp up, the hospital system needs to manage that safely and carefully in the interests of both patients and, of course, its own staff in regard to how these matters operate.

#### MINISTERS STATEMENTS: RURAL AND REGIONAL ROADS

**Mr CARROLL** (Niddrie—Minister for Public Transport, Minister for Roads and Road Safety) (14:56): I give this statement in my capacity as the Minister for Roads and Road Safety, and I would like to update the house on the record investment the Andrews Labor government is making in regional road maintenance. Thanks to our regional road maintenance blitz literally thousands of kilometres have been resealed and made smoother and safer right across our regional road network. In regional Victoria we have more than doubled state investment in our regional road network. Last financial year we delivered over \$900 million, a record investment in maintenance, on our regional road network. Why? Because we know our regional roads, our high-speed roads, also have a high proportion of fatalities. During the last maintenance season alone we approved more than 2400 kilometres of our regional road maintenance. This is an incredible investment, and I am very pleased about the 1800 kilometres that have been resealed, resurfaced and rebuilt, including the Western, the Northern, the Hume, South Gippsland and Gippsland highways.

Just yesterday I got to meet with the Great South Coast group of councils to discuss their priorities coming through the pandemic and post the pandemic. We had a wonderful discussion about our investment in that iconic Great Ocean Road and the dairy supply chain, and I am very pleased to say that we have got a lot more coming because we do know that regional roads are the lifeblood of local communities. This record investment by the Andrews Labor government is delivering jobs on the ground but also very important safety measures.

On safety, just recently with the federal government I got to announce \$56 million in 29 lifesaving projects across regional Victoria and across our metropolitan network because the commonwealth get road safety, not like those opposite, who forgot to announce a road safety portfolio in the recent reshuffle over last weekend. Road safety is an important area. It has had bipartisan support for decades in this state, and I call on the Leader of the Opposition to put a road safety shadow minister in this house.

#### BUSINESS SUPPORT

**Mr NORTHE** (Morwell) (14:58): My question is to the Minister for Industry Support and Recovery. Minister, under the current COVID rules and restrictions there are still many regional businesses who are forced to remain closed. There are other regional businesses who have chosen to keep their doors closed because it is simply unviable to open, and then there are other businesses who are operating in a limited capacity but incurring a loss due to the COVID restrictions. Whichever way you look, each of these scenarios places regional businesses in a precarious position, as their revenue is compromised yet their overheads and costs simply do not go away. Minister, in a media statement on 8 September the state government announced that business support grants would continue to be

paid out to regional businesses from 2 to 16 September. Can you confirm if regional businesses will receive state government financial assistance and support beyond today, 16 September, and if so, in what form?

**Mr PAKULA** (Keysborough—Minister for Industry Support and Recovery, Minister for Trade, Minister for Business Precincts, Minister for Tourism, Sport and Major Events, Minister for Racing) (14:59): I thank the member for Morwell for his question. It is a very timely one. He is right; I did indicate in the last sitting week that we would have more to say this week, and we resolved that late last night and today. There are about 20 000 or 21 000 businesses in regional Victoria who receive support from either the business costs assistance program (BCAP) or the Licensed Hospitality Venue Fund. The majority of those businesses will receive support over the next two weeks. All of those who have been receiving Licensed Hospitality Venue Fund support will continue to do so until the end of the month, and that will just continue as an automatic payment.

In regard to the business costs assistance program it is a bit more complicated. There are businesses in industries which are clearly operating closer to normal, such as retail, such as gardening services or allied health. Those payments will not continue. But in the sectors where there are substantial ongoing restrictions, whether they be hospitality, beauty services, photographers, gyms, accommodation, the events sector, the creative sector or tourism operators, those BCAP payments will continue for the next two weeks. The Business Victoria website will have a full list of the Australian and New Zealand standard industrial classification codes where that is the case by tomorrow. In regard to the Small Business COVID Hardship Fund, which is operated by Minister Pulford, that is unaffected, and as it relates to the alpine support grants, where we have already indicated that there will be a final payment to take us up to close to the end of the ski season, that will also be unaffected. So in summary I say to the member for Morwell, the Licensed Hospitality Venue Fund, small business hardship fund and alpine support will all continue, and for the majority of BCAP recipients it will continue until the end of September as well. Obviously for Ballarat it continues for all of those regional businesses that have been receiving support until now.

**Mr NORTHE** (Morwell) (15:01): Minister, the current COVID restrictions are still heavily impacting regional businesses, including small and micro businesses, and subsequently that means that employees continue to lose income, work and shifts. Can you confirm if the COVID-19 disaster payments will be made available to employees of regional businesses, and what the state government is doing to work with the commonwealth in supporting employees of struggling regional businesses?

**Mr PAKULA** (Keysborough—Minister for Industry Support and Recovery, Minister for Trade, Minister for Business Precincts, Minister for Tourism, Sport and Major Events, Minister for Racing) (15:01): I thank the member for Morwell for this question. Again it is a timely question, and some very interesting things occurred yesterday, where a number of workers in regional Victoria received notices from Centrelink telling them that they had been cut off payments, which came as a great surprise to this government, given that the Premier's office had conveyed to the Prime Minister's office last week that the Victorian government was more than willing to continue to fund the payments for workers in regional Victoria. That had been conveyed both to the Prime Minister's office and to the federal Treasurer's office, so we were very surprised to learn yesterday that workers had received information from Centrelink telling them that payments would stop. Subsequently, upon investigations being made by the government, it seems that those workers will still be eligible, but they will have to reapply. It is unclear why that will be the case, but they will be able to reapply by the 'I am impacted by a COVID-19 restricted movement/lockdown, but was not living, working or present in a COVID-19 hotspot area' option on the Centrelink website.

#### MINISTERS STATEMENTS: RENEWABLE ENERGY

**Ms D'AMBROSIO** (Mill Park—Minister for Energy, Environment and Climate Change, Minister for Solar Homes) (15:03): I am delighted to update the house on more good news on how our government's renewable energy policies are delivering jobs and investment and lowering energy bills

for all Victorians. When we first came to government in 2014, renewables made up less than 10 per cent of our generation, and investment had ground to a halt. Today the state is the state of choice for investment in clean energy. We have turned Victoria from a laggard, at just 10 per cent power from renewables in 2014, into Australia's leader on clean energy, with a third of our electricity coming from renewables. And the facts speak for themselves: 24 000 jobs created from our 50 per cent renewable energy target; more than a quarter of a million homes having improved energy efficiency through our Victorian Energy Upgrades program, saving an average of \$110 on energy bills each year; 4000 jobs supported by our household energy efficiency package. More than 778 000 households will have solar panels, solar hot water or batteries by 2030, saving even more on their bills. Is it any wonder that Victoria is the home of more renewable energy jobs than any other state? And we have the lowest wholesale power prices in the country and the lowest retail prices in Victoria in more than four years, putting money back into the pockets of hardworking Victorians.

Just 10 months ago the now Shadow Minister for Environment and Climate Change said in this very house that she was very pleased with her leader's planning decisions on wind energy. These were the most draconian planning laws in the world, causing not one new project being built in this state in their term of government. It just shows that nothing has changed. Nothing has changed in 10 months, nothing has changed in 10 years, where there is more of the same from those opposite. That is not our way. We are the nation's powerhouse of renewable energy jobs, and we will keep it that way with our strong and ambitious plans.

### BIG HOUSING BUILD

**Ms RYAN** (Euroa) (15:05): My question is to the Minister for Housing. With 24 hours to check, can the minister now guarantee the Parliament that all his regional housing announcements, other than Horsham, are indeed factual?

**Mr WYNNE** (Richmond—Minister for Planning, Minister for Housing) (15:05): Can I thank the member for Euroa for her question and her obvious keen interest in social and affordable housing in regional Victoria. Yesterday the Leader of The Nationals made some assertions in relation to a housing development at Horsham. He said:

... negotiations on this project collapsed last year.

This is false. This project was very much alive until recent days when the owner of the site decided not to proceed. He also said:

The developer no longer supports the project ...

This is equally false. The developer was committed to this project before the owner of the site reneged on the sale a couple of days ago. This is not going well for you, member for Euroa; tune in. Indeed—

*Members interjecting.*

**The SPEAKER:** Order! I know people are enjoying themselves in the chamber on both sides of the house, but I need to be able to hear a point of order.

**Ms Kealy:** On a point of order, Speaker, thank you very much. The minister is deliberately misleading the house. I have spoken to many people involved in this project who have confirmed that the time frames that he is reporting are absolutely, categorically incorrect.

**The SPEAKER:** That is not the correct way to raise an issue of deliberate misleading of the house.

**Mr WYNNE:** The developer was committed to the project before the owner reneged on the sale. Indeed they are already—this is the developer—‘exploring an alternative site in the area to deliver a similar project’.



It is very regrettable that that termination did occur, but the simple proposition is this: where does the Leader of the Opposition stand, where does the member for Euroa stand, where does the member for Lowan stand—

**Ms Staley:** On a point of order, Speaker, the minister is now debating the question.

**The SPEAKER:** I uphold the point of order. The minister to come back to answering the question.

**Mr WYNNE:** Absolutely I will be answering the question, because the 31 properties that we are proposing to build in Horsham will go to people in most need. I say to those opposite and particularly to those who seek to be supportive of mental health and women and children escaping domestic violence: who do you think these properties are for?

**Ms Kealy:** On a point of order, Speaker, again the minister is deliberately misleading the house—

**The SPEAKER:** Order! I ask the member for Lowan to resume her seat. It is not a point of order.

**Mr WYNNE:** Who do you think those properties are for? Women and children escaping domestic violence and people who are suffering the challenges of mental health. The commitment of this government is to continue to work with our contracted partner, Haven; Home, Safe, who we have a contract with to deliver this project in full, in Horsham, for the people who need it most—and you know it.

**The SPEAKER:** Order! Through the Chair.

*Members interjecting.*

**The SPEAKER:** Order! The member for Lowan has been warned.

**Ms RYAN (Euroa) (15:10):** The minister claims that Homes Victoria has 29 new homes under construction in East Gippsland and 34 new homes awaiting town planning approval. East Gippsland shire does not have planning application for 34 new homes from Homes Victoria or anyone else. How can Victorians trust government announcements on housing when—

*Members interjecting.*

**The SPEAKER:** Order! When the house comes to order, I am going to ask the member for Euroa to repeat the question. I could not hear the question.

**Ms RYAN:** With pleasure. The minister claims that Homes Victoria has 29 new homes under construction in East Gippsland and 34 new homes awaiting town planning approval. East Gippsland shire does not have planning application for 34 new homes from Homes Victoria or anybody else. How can Victorians trust government announcements on housing when they are continually proving to be untrue?

*Members interjecting.*

**The SPEAKER:** Order! When the house comes to order. Members on both sides of the house!

**Mr WYNNE (Richmond—Minister for Planning, Minister for Housing) (15:11):** I thank the member for Euroa for her very timely question. To the member for Lowan: I did not say they were shovel ready.

*Members interjecting.*

**Mr WYNNE:** I did not. So in relation to planning for the Big Build projects, unfortunately the member for Euroa has obviously not kept pace with the planning scheme amendment that the government put in place to fast-track planning for public and social housing developments. We will consult with the local authorities, we will consult with local councils, but planning applications and approvals are in fact a matter for my colleague the minister for the environment up here—and here

she is—not through local councils but through a fast-track planning process. You ought to get yourself briefed on what the process is. How about you come with us and support public and social housing for the poorest in our community, not seek to— *(Time expired)*

**MINISTERS STATEMENTS: GOVERNMENT SUPPORT**

**Mr DONNELLAN** (Narre Warren North—Minister for Child Protection, Minister for Disability, Ageing and Carers) (15:13): I am pleased to provide an update as to the Andrews government's additional support for the most vulnerable in our community. Ever since this pandemic began, we have been supporting vulnerable Victorians, who very much feel the effects of this global pandemic more than most. That is why recently with the Premier we made a \$27 million package announcement to ensure that Victorians are able to access critical supports and the relief they need to stay safe and well until we are all vaccinated.

No Victorian should have to worry about putting a meal on the plate. The \$6 million food relief financial reserve will boost capacity in the community food sector during the coronavirus restrictions. We know that different communities have different needs. Those in Rutherglen will not necessarily be similar to those in Richmond. Through this flexible financial reserve, organisations have the confidence to plan and to purchase goods they might need, like chilled goods, or they can recruit more workers to pack boxes and do deliveries. This builds on the \$35 million the Andrews government announced in February 2020 to expand community food relief.

We also know that unfortunately not everyone has friends or family nearby to support them. An additional \$3.7 million will purchase 3600 Red Cross emergency packs to enable those individuals or families to isolate safely at home. They are ordered through the coronavirus hotline and delivered 24 hours a day within 24 to 48 hours. I can advise that more than 11 000 Red Cross packages have been distributed throughout Victoria during the coronavirus pandemic, and there has also been an additional \$5.9 million for the extreme hardship support package to support those in need, whether they be asylum seekers, undocumented workers or temporary migrants. Delivered by the Red Cross, the program has already assisted over 53 000 people.

But to ensure that no-one is left behind, we have a pack for the opposition leader. He is looking a bit flat, a bit like a calmed lobster—

**The SPEAKER:** Order!

**Mr DONNELLAN:** so we have got a pack with Vegemite to put a rose in every cheek—

**The SPEAKER:** Order! That is the end of question time.

**Ms Sandell:** On a point of order, Speaker, I have 21 questions that remain unanswered. Would the Speaker like me to read them out or send them through to his office?

**The SPEAKER:** It would be preferable if you could provide a list to the clerks and we will follow that matter up.

**Ms Sandell:** I will provide a list to the clerks, thank you. If you could instruct the ministers to respond—

**The SPEAKER:** We will follow those matters up. Any further points of order?

**Ms Vallence:** On a point of order, Speaker, in relation to a couple of questions that are unanswered: constituency question 5831 for the Minister for Disability, Ageing and Carers seeking urgent funding for Victorian volunteer resource centres, including Eastern Volunteers, asked back on 5 May 2021; and constituency question 5901 for the Minister for Health asking for medical advice to keep fitness centres and gyms shut after lockdown 4 was lifted, asked on 10 June 2021. Thank you, Speaker.

**The SPEAKER:** Thank you. We will follow those matters up as well.

**Business of the house****ORDERS OF THE DAY**

**The SPEAKER** (15:16): I wish to advise the house that general business, order of the day 2, will be removed from the notice paper unless the member wishing their matter to remain advises the Clerk in writing before 5.00 pm today.

**Documents****DEPARTMENT OF JUSTICE AND COMMUNITY SAFETY***Review of the Terrorism (Community Protection) Act 2003*

**Ms HUTCHINS** (Sydenham—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (15:17): I table, by leave, the *Review of the Terrorism (Community Protection) Act 2003: Stage Two Report*.

**DOCUMENTS****Incorporated list as follows:**

**DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT**—The Deputy Clerk tabled the following documents under Acts of Parliament:

*Public Health and Wellbeing Act 2008:*

Declaration under s 126

Report to Parliament on the Extension of the Declaration of the State of Emergency—18th Report

*Subordinate Legislation Act 1994*—Documents under s 15 in relation to Statutory Rules 103, 115.

**Bills****OCCUPATIONAL HEALTH AND SAFETY AND OTHER LEGISLATION  
AMENDMENT BILL 2021****SOCIAL SERVICES REGULATION BILL 2021***Council's agreement*

**The SPEAKER** (15:17): I wish to advise the house that I have received messages from the Legislative Council agreeing to the following bills without amendment: the Occupational Health and Safety and Other Legislation Amendment Bill 2021 and the Social Services Regulation Bill 2021.

**Business of the house****ADJOURNMENT**

**Ms ALLAN** (Bendigo East—Leader of the House, Minister for Transport Infrastructure, Minister for the Suburban Rail Loop) (15:18): I move:

That:

- (1) the house, at its rising, adjourns until Tuesday, 5 October 2021, at 2.30 pm, or an earlier day and hour to be fixed by the Speaker;
- (2) if, in the opinion of the Speaker, the date of the next scheduled sitting or a rescheduled sitting should be changed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to set a new day and hour to meet;
- (3) the Speaker will notify members of any changes to the next sitting date.

**Ms STALEY** (Ripon) (15:18): I rise to speak on this procedural motion on the sitting of the house, and I do so largely because of what happened in late August in relation to the sitting of the house. The then Manager of Opposition Business wrote to you and asked, firstly, that the advice be provided by the chief health officer rather than any other person and also that we always have the approach of how

we can sit rather than whether we should not sit. In your response to him at the time you noted that this motion had been passed without debate and that was one of the reasons you gave. I was therefore keen to put on the record the opposition's view that, while we understand this is the procedure that has been followed and it is the way to deal with a pandemic and we do not oppose that aspect of it, it is still the case that we believe that, firstly, any health advice as to the sitting of the house should come from the CHO, or at worst the acting CHO, not some lower level bureaucrat, and also that it should always be in light of how the chamber, how the Parliament, can safely sit, particularly when there are other industries such as construction continuing in various ways. And so therefore we would request that that be taken into consideration. As a result, we will be opposing this motion but we will not be dividing on it. We want to put it on the record that we believe we are at the point where we now need to look at different ways to ensure that the house always sits.

**Ms SANDELL** (Melbourne) (15:20): Just on this matter, I note that the motion says that the Speaker will consult with the Leader of the House and the Manager of Opposition Business and that crossbenchers, Independents and the Greens, are not included in that. However, we would appreciate a heads up. In the last iteration of this we were given no notice, and we heard about the sitting from the media. So any notice that the Independents and the Greens can be provided and any consultation with us would be much appreciated as well.

**Motion agreed to.**

## Bills

### WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2021

#### *Statement of compatibility*

**Mr WYNNE** (Richmond—Minister for Planning, Minister for Housing) (15:21): It has been a hectic day for me. In accordance with the Charter of Human Rights and Responsibilities Act 2006 I table a statement of compatibility in relation to the Water and Catchment Legislation Amendment Bill 2021.

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the **Charter**), I make this statement of compatibility with respect to the Water and Catchment Legislation Amendment Bill 2021 (the **Bill**).

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

#### **Overview of the Bill**

The Bill amends the *Water Act 1989* (**Act**) to provide for recording certain information under the Act, the regulation of the places, rates and times at which water can be taken and to provide a new Ministerial power to deal with instances where a person takes water in excess of the person's authorised amount of water. The Bill makes various other amendments to the Act and the *Catchment and Land Protection Act 1994* (**Catchment Act**).

#### **Human rights issues**

The amendments made by the Bill engage the Charter rights to privacy (s 13(a)), property (s 20) and to the presumption of innocence (s 25(1)).

#### **Right to privacy**

Section 13(a) of the Charter provides that a person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with. An interference with privacy will be lawful if it is permitted by a law which is precise and appropriately circumscribed and will not be arbitrary provided it is reasonable in the circumstances and just and appropriate to the end sought.

#### *The Register—names and or addresses*

Part 5A of the Act provides for there to be a water Register (**Register**), where records and information about water-related rights, entitlements, licences and approvals (**statutory approvals**), and the name and address of who holds statutory approvals, are recorded. The Register also enables the monitoring of, and reporting in relation to, water resource use and the water market. One of the Minister's functions is to create, or enable the

creation of, reports derived from information on the Register, which may be made available to the public subject to certain restrictions.

The name and address of each person holding a statutory approval is required to be recorded in the Register for several reasons. The statutory approvals can be exchanged between people in the water market, subject to the Minister's approval of each transaction in accordance with certain statutory criteria. The record in the Register is evidence of each person's right to transfer or assign the statutory approval to another person. Water shares can be mortgaged and the interests of the parties to a mortgage are protected by recording their name and address against their interest in the Register. Enforcement of each person's compliance with the conditions and other limits on any statutory approval they hold also requires there be record of the name and address of every person who holds each approval.

Part 2 of the Bill amends section 84EA of the Act to allow published reports to include the names of individuals, but not their addresses. The Bill also amends section 84VA of the Act to require that, for water licences temporarily transferred under s 62, the name and address of the person to whom the licence has been transferred must be recorded in the Register. The Bill inserts a new section 84VB to require that, for general place of take approvals and particular place of take approvals (discussed below), the Register records the name and addresses of the approval holder, amongst other information about the approval. The Bill also inserts a new section 84VC to require the recording in the Register of the name and address of persons holding an approved interstate rights and assigned water allocations. Further, the Bill will amend section 84W to broaden the types of records and information in the Register that are publicly available by search, to include all records and information in the Register, except for information that is suppressed by a decision under section 84Y or 84Z or prescribed in regulations made under section 84W. Finally, the Bill will broaden the types of statutory approvals in relation to which the name and address of the holder will be recorded, and allow a report of the Minister to include the names of persons holding statutory approvals.

By requiring the collection of individuals' names and addresses for the additional types of statutory approvals and permitting the publication of persons' names recorded in the Register and in reports, the Bill will interfere with the Charter right to privacy. However, any interference will be precise and appropriately circumscribed. The collection of persons' names is necessary to support a market comprised of exchanges in statutory approvals between people, to protect the interests of each person holding a statutory approval and to enforce compliance with water laws. The Act allows for individuals to apply to a recording body under section 84Y, or subsequently to VCAT under section 84Z, to have personal information about the individual suppressed in certain circumstances. Further, I note that regulations will be made under section 84W which will provide additional safeguards against arbitrary interference with privacy in relation to the collection and publication of information under these provisions.

The Bill allows a report of the Minister to include the names of statutory approval holders in order to increase the public transparency of, and knowledge about, the water market and the most active traders in the market. This will be similar to the published information about water markets in other States and the Australian Stock Exchange and the public availability, by search, of the names and addresses of persons with an interest in land recorded in the Land Register. Under the amendments made by the Bill, the current prohibition on the publication of individuals' addresses in reports by the Minister will be retained. The limitations under section 84EA on what can be included in a public report will be expanded to ensure any information that is the subject of a suppression decision under section 84Y or 84Z, or prescribed under section 84W to not be publicly available, cannot be included in a report.

Any interference with privacy by these amendments will therefore be lawful and not arbitrary. In my view, the right to privacy will not be limited by the amendments made by the Bill, and I therefore consider that the Bill will be compatible with the Charter right.

### **Right to property**

Section 20 provides that a person must not be deprived of their property other than in accordance with law. Any power which authorises the deprivation of property must be conferred by a law, confined and structured, formulated precisely, and accessible to the public to allow people to regulate their own conduct.

### *Ministerial power to give and cancel place of take approvals*

Part 3 of the Bill will insert a new Part 4AA into the Act, to regulate the place, rates and times at which water can be taken from a declared water system. It will provide that the Minister may give approvals of the places at which persons can take relevant water allocations ('general place of take approval') (new section 64FC); and to persons to take their relevant water allocations from their approved place ('particular place of take approval') (new section 64FZJ). Such approvals may be subject to terms and conditions, including a notional rationing rate of taking water and maximum rates of taking water. The Bill provides that the Minister may, on the Minister's own motion, cancel a general place of take approval in circumstances to be set out in the Act (new section 64FS). These circumstances include if the Minister reasonably believes that the approval

holder has not taken water from the approved place for 10 years, or a lesser prescribed period, or if the grounds on which a person may apply for a general place of take approval no longer exist. The Bill will also provide that a general place of take approval will automatically cease to exist if the grounds on which a person may apply for a general place of take approval no longer exist and there is no notional rationing rate fixed to the approval or the rate is zero (new section 64FE).

The Minister's powers to refuse applications for place of take approvals may be seen to interfere with property rights, by limiting a person's authorisation to take water from certain places. However, in my view, refusal decisions do not result in a deprivation of property, as any property rights are only enlivened upon the giving of an approval. Further, even if the decision does result in a deprivation of property, any such deprivation is lawful as the giving of approvals is governed by a clear and accessible process set out under legislation. The Bill will insert new section 64FZM to provide that a person affected by specified decisions of the Minister under new Part 4AA of the Act may apply to the Victorian Civil and Administrative Tribunal (VCAT) for review of the decision.

In relation to cancellation decisions and any automatic cancellation of a general place of take approvals, insofar as existing approvals could be characterised as 'property' under the Charter, cancelling approvals may constitute a deprivation of property. However, the Minister may only cancel general place of take approvals in very narrow circumstances—when the Minister believes the approval has not been used in over 10 years (or lesser prescribed period) or the grounds on which a person may apply for a general place of take approval no longer exist. The automatic cancellation of a general place of take approval may also only occur in very narrow circumstances: when the grounds on which a person may apply for a general place of take approval no longer exist and there is no notional rationing rate greater than zero fixed to the approval. Cancellation decisions by the Minister will also be subject to VCAT review. I therefore consider that any deprivation of property that occurs as a result of decisions to refuse approval applications, or to cancel approvals, is lawful, and the Charter right to property will not be limited by relevant amendments made by the Bill.

*Powers of Minister where water taken exceeds statutory approvals for amount of water that can be taken from an approved place*

Part 4 of the Bill amends the Act to provide powers to the Minister to deduct from a person's current and future rights to take water in certain circumstances where the Minister reasonably believes the person took water in excess of the authorised amount of water they are approved to take from the person's approved place.

With regard to *future* rights to take water, the right to property will not be engaged because no interest in property will have crystallised at the time of the Minister's decision. The Bill inserts new sections 64B(3) and 64D(3) into the Act to provide that a right to take water referred to in these sections is subject to the Minister's power to determine deductions.

The powers of the Minister to deduct an amount of water from a person's entitlement to take water will engage the right to property to the extent that they apply to existing rights to take water. In my view, the right will not be limited. The Minister's decisions will be governed by a clear and accessible process set out under the legislation.

Where the Minister deducts water that a person may take from a different approved place or different licensed place (but in the same water system) to which the person took an unauthorised amount (new sections 64B(2)(b) and 64D(2)(b)), the Bill requires the Minister to give a written notice of each deduction determination to the person to whom the determination applies (new section 64EB).

Where the Minister deducts water that a person may take from the same approved place or same licensed place at which the person took an unauthorised amount (new sections 64B(2)(a) and 64D(2)(a)), the Bill does not require the Minister to give notice of each deduction determination to the person to whom it applies. Instead of a notice requirement in these circumstances, the Bill will insert new sections 64C and 64E to oblige a person proposing to take water from their approved place or licensed place to first find out from their Register account records (and other sources of information) the authorised amount of water they are approved to take from that place. The purposes of these two provisions include placing an obligation on persons taking water under these types of water rights to find out: how much of their authorisation remains available to take; and whether the Minister has deducted an amount of water in the stead of water the person has already taken in excess of their previously authorised amount. A person can view information in the Register at any time on how much water has been recorded as taken at their approved place or licensed place of take, and therefore deducted from their account, and they also receive an account statement at the end of each 12 month water season. Although this new requirement is expressed as an obligation, there is no penalty for a person if they do not find out the amount of water they are authorised to take before they start taking water.

Persons affected by a deduction determination of the Minister may request a statement of reasons for the determination, and apply for VCAT review of a deduction determination: within 35 days of receiving notice

or reasons being given; or, if a person has not received a notice, within 35 days after the end of the water season in which the determination was made (new section 64EE).

As any deprivation of water rights associated with these provisions will be lawful, under a precise, confined and accessible legislation, I therefore consider that the powers are compatible with the right not to be unlawfully deprived of property.

*Restriction and prohibition determinations power*

The Bill amends the Act to enable the Minister to issue a restriction determination or a prohibition determination to apply to persons holding a general place of take approval to restrict the rate of taking water, or prohibit the taking of water, in specific circumstances. The Minister may make a determination restricting the holder of a general place of take approval in a rationing area from taking water ('restriction determination') during a specified period of time or in specified circumstances (new sections 64FZC and 64FZD). The Minister may also make a 'prohibition determination', which prohibits holders of general place of take approvals in areas specified in the determination from taking water during a specified period of time or in specified circumstances (new sections 64FZE and 64FZF). Breach of a determination is an offence (new section 64FZB).

The right to property is engaged by these new powers to make determinations, which may limit persons from exercising rights to take water under their relevant water allocations and therefore constitute a deprivation of property. However, the Minister's powers to make these types of determinations are only available in certain circumstances and the making of any determination will be governed by a clear and accessible process. Restriction determinations may only be made in respect of rationing areas (being declared areas in a declared water system, which may include irrigation districts; refer to new sections 6C and 64FV) and may only limit the rate at which persons can take water during a specified period of time or in specified circumstances.

A restriction determination must not be made unless the Minister reasonably believes: that the amount of water that can be delivered to a rationing area on a daily basis or throughout the water season is not enough, or soon will not be enough, to meet all or any of the following: the demand to take water from the rationing area, the commitments to deliver water downstream of the rationing area; and any water system management requirements; or that other circumstances prescribed in regulations exist (new section 64FZD). A prohibition determination must not be made unless the Minister reasonably believes that prescribed circumstances exist (new section 64FZF). Determinations must be published on the websites of the Department and relevant Authority, and in the Government Gazette. This ensures that determinations will be sufficiently clear and accessible to enable persons to regulate their own conduct. Therefore, any interference with property rights occasioned by determinations will be lawful, and the right to property will not be limited by the amendments.

I therefore consider that the amendments made by the Bill will be compatible with the Charter right to property.

**Right to the presumption of innocence**

Section 25(1) of the Charter provides that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law. The right is relevant where a statutory provision shifts the burden of proof onto an accused in a criminal proceeding, so that the accused is required to prove matters to establish, or raise evidence to suggest, that they are not guilty of an offence.

*Criminal liability of officers for certain offences of a body corporate*

Division 4 of Part 4 of the Bill will replace current section 297 of the Act and insert new section 297A into the Act, which will each provide that an officer of a body corporate may be prosecuted for the body corporate's breach of certain provisions. The Bill will extend the application of the 'reverse onus' elements in sections 33EA, 63A, 288A and 289A of the Act, which were discussed in the Statement of Compatibility to the Water and Catchment Legislation Amendment Bill 2019. The effect of new section 297A is that persons who are officers of body corporates that breach one of the offences under sections 33E, 63 or 289 may be prosecuted personally if the officer failed to exercise due diligence to prevent the commission of the offence by the body corporate. Section 297A, which will apply to the offences of misappropriation of water under sections 33E, 63 and 289, does not require proof of a failure to exercise due diligence for the offence to apply, unless the officer presents or points to evidence that suggests a reasonable possibility that the officer exercised due diligence to prevent the commission of the offence by the body corporate.

Under both sections 297 and 297A, defences that would be available to the body corporate if it were charged with the offence will be available to the officer.

Proceedings against officers under section 297A may engage the right to the presumption of innocence under s 25(1). However, the right will not be limited by the amendments. The amendments only restate the existing provision (section 297) that officers of bodies corporate may be prosecuted under relevant offence provisions. The reverse onus offences themselves (discussed in the Statement of Compatibility to the Water and

Catchment Legislation Amendment Bill 2019) are not altered by the Bill. Relevantly, the presumptions are limited in scope and only impose an evidentiary burden on the accused—that is, once an accused provides some evidence of due diligence, the onus of proof will shift back to the prosecution to prove otherwise. I therefore consider that the amendments do not limit the right to be presumed innocent, and that new section 297A is compatible with the Charter.

For the reasons set out in this Statement, in my opinion, the Bill is compatible with the human rights as set out in the Charter.

**Hon Lisa Neville MP**  
**Minister for Water**

*Second reading*

**Mr WYNNE** (Richmond—Minister for Planning, Minister for Housing) (15:22): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

**Incorporated speech as follows:**

The efficient operation of Victoria's water and catchments sector is key to ensuring reliable, sustainable and affordable water supply for all Victorians.

The Water and Catchment Legislation Amendment Bill 2021 will give effect to committed Government reforms to the water and catchments sector in nine discrete areas:

- Meeting community calls for greater water market transparency by increasing transparency to the public about the ownership and trade of water;
- Strengthening powers to regulate the place, rate and time of taking water. This allows for better management of the system which delivers water to water users, including managing physical, environmental and operational constraints. This includes empowering water users to manage their own delivery risks by providing clear and tradeable delivery rights and improving powers to manage delivery shortfalls;
- Reflect the integration of Western Water Corporation into City West Water Corporation, to sustainably service the fast-growing western region and rename the new corporation, Greater Western Water Corporation;
- Transferring the functions, powers, duties and employees of Port Phillip and Westernport Catchment Management Authority to Melbourne Water Corporation;
- Ceasing the Victorian Catchment Management Council, transferring some functions to catchment management authorities, and providing a mechanism to establish advisory committees for targeted, time bound, place-based catchment management advice;
- Broaden the primary producer requirements for CMA Boards. This will allow persons whose principal occupation is providing advice and engaging in research about primary production to be included in meeting the requirement that at least half CMA board members are people whose principal occupation is primary production.
- Streamlining reporting requirements for Catchment Management Authorities by removing the requirement that a Conditions Report be prepared and submitted before a prescribed date—which would allow the inclusion of the Conditions Report in CMA annual reports to meet this requirement—rather than duplicating with a separate Conditions Report.

**Water Market Transparency**

The Government heard community feedback in 2019 and 2020 which called for more publicly available information about ownership and trade of water to improve confidence that markets are working as they should.

This Bill gives effect to the Government's commitments to increased water market transparency by enabling the publication of individual's names in water market reporting and greater scope to publicly search the Victorian Water Register. For example, this means the Minister could publish the owners of large amounts of water shares, such as those owning over 2 per cent in a system, for both companies and individuals. This increase in transparency of information will improve confidence in water markets.

Information will be published in accordance with relevant privacy legislation and obligations. Regulations will be made to ensure that particular information is not published or searchable in line with community expectations including keeping water allocation accounts and balances private.



### **Regulating the Place, Rate and Time of Taking Water**

The River Murray System has seen significant changes over the past 10–20 years in both supply and demand for water. Changes within the system and changing demand are making it increasingly difficult to move water to where and when it's needed for irrigation and the environment, which can lead to a shortfall in delivery.

Shortfalls occur when river operators aren't able to deliver water to water users—including to irrigators and the environment—where and when they want to use it. This may occur for example when there is increased daily demand during a heatwave and the long distance from the dams means water can't be delivered in time. With climate change expected to increase the frequency of hot days and the duration of warm spells, such peaks in daily demand are likely to continue to increase.

Although such shortfalls in the Murray have been rare, the risk of shortfall occurring is real and increasing. The changes in this Bill will provide a stronger framework for managing these water delivery challenges.

Existing delivery rights in a shortfall are overly complex under the current legislation. Improvements are needed to give water users more certainty about their rights and enable them to manage their own delivery risks.

The Bill will address this by streamlining the existing overly complex provisions that relate to where water is taken from a declared water system. The new arrangements will provide simplified and consolidated approvals under the Act, referred to as 'Place of Take' approvals.

To make sure no one takes more than their fair share during a shortfall, the Bill empowers the Minister to issue a determination to implement rosters and restrictions based on 'notional rationing rates' contained in the new 'Place of Take' approvals. Rationing rates will reflect the existing extraction share conditions (in current works licences). This new power will enable the Minister to respond quickly when a shortfall event arises and as it unfolds—thereby minimising the impact of a shortfall.

To better enable water users to manage their own delivery risks, the Minister will be able to use rules to cap rationing rates where needed and allow users to trade rationing rates within a declared area.

The Bill links these new arrangements to a tiered system of offences for non-compliance, consistent with the current scheme of significant offences in the Act. This will provide for a strong deterrent and enable compliance and enforcement provisions to be effective and consistent. For the two most serious levels of offence, committing an offence knowingly or recklessly, it is not necessary to prove that the person committing the offence knew or was reckless as to whether their actions would result in serious damage or substantial economic loss, just that they knowingly or recklessly committed the relevant offence.

The Bill will also make clear that each person bears their own responsibility to be aware of how much water they are approved to take from a place, before taking any water. If a person takes more than they are approved to take from a particular place, the Minister can deduct the unauthorised amount from that person's current and future rights to take water from that place. The Minister will also be able to deduct the unauthorised amount from water that the person is authorised to take at another place in the same system, after providing notice to the person.

The Bill will also implement COAG agreements to provide a nationally consistent and principles-based approach to personal liability of corporate directors for corporate offences.

The Act already provides that officers of body corporates may be prosecuted under relevant offence provisions - these amendments will mean that for the new offences of taking water without a particular place of approval and other more serious water theft offences, directors of companies will now need to prove to the court that they exercised due diligence or receive an individual penalty. This switches the burden of proof to company directors and increases their personal liability.

### **Targeted Structural Reform of Victoria's Water Sector to Create Cost Efficiencies**

The Bill implements reform of the water sector to ensure sustainability, financial viability, customer affordability and the efficient delivery of services and Government priorities.

The Bill will amend the *Water Act 1989*, *Water Industry Act 1994 Act* and *Catchment and Land Protection Act 1994* to:

- reflect the integration of Western Water Corporation into City West Water Corporation to form a larger and more efficient water corporation to service Melbourne's western growth areas, with the entity to be renamed Greater Western Water; and
- integrate Port Phillip and Westernport Catchment Management Authority into Melbourne Water Corporation to enable the sustainable delivery of key catchment management functions for the Port Phillip and Westernport Region.

**Serviced Properties Technical Amendments**

The Bill will address a technical, transitional issue for the definition of “serviced property”, affecting a small class of properties under the *Water and Catchment Legislation Amendment Act 2019*. The amended definition of “serviced property” and a transitional provision will include the omitted group of properties on the outskirts of the suburban districts serviced by the three Melbourne retailers.

The amendment is backdated to the date on which the definition of “serviced property” under the *Water and Catchments Legislation Amendment Act 2019* came into effect, which was 19 March 2020.

The retrospective nature of this amendment will have no detrimental impact on landowners or water corporation customers as it maintains existing arrangements.

**Cessation of the Victorian Catchment Management Council**

Whilst the Victorian Catchment Management Council has been at the forefront of integrated catchment management advice over the past two decades, a new model of catchment management leadership and advice is required now that the sector has matured.

The Bill will allow for the creation of new targeted, time bound, place-based committees to provide catchment management advice, building on the foundational work undertaken by the Victorian Catchment Management Council, and transfer functions for encouraging cooperation in and promoting community awareness of catchment management to Victoria’s catchment management authorities.

**Broadening of Primary Production Requirement for Catchment Management Authority Boards**

The Bill broadens the primary producer requirements for CMA Boards. This will allow persons whose principal occupation is providing advice and engaging in research about primary production to be included in meeting the requirement that at least half CMA board members are people whose principal occupation is primary production.

**Annual Reporting Requirements**

The Bill removes the requirement for the Conditions Report to be submitted by a prescribed date, and instead requires that the Conditions Report be provided to the Minister as part of the Annual Report due under the *Financial Management Act 1994*. This would allow the inclusion of the Conditions Report in CMA annual reports to meet this requirement—rather than duplicating with a separate Conditions Report.

The new provisions of the Bill will commence on a day or days to be proclaimed with a default commencement date of 1 July 2023.

I commend the Bill to the house.

**Mr WALSH** (Murray Plains) (15:23): I move:

That the debate be adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday, 30 September.**

**ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2021***Second reading***Debate resumed on motion of Mr FOLEY:**

That this bill be now read a second time.

**Ms THEOPHANOUS** (Northcote) (15:23): I am honoured to make a contribution on this bill, and I want to start by acknowledging those members who during this debate have shared their deeply personal experiences of assisted reproductive treatments (ARTs), IVF, conception, pregnancy, childbirth and child loss. These members have spoken with bravery and candour to give every one of us a deeper understanding of exactly what it means to struggle with fertility. It is no small thing to relay these most personal of experiences on a topic that, despite all our progress, still carries unwarranted stigma and taboo. Each time our brave colleagues step up and speak about these things they etch away at that stigma and they bring new understandings and humanity to the public discourse on infertility, on pregnancy complications, on miscarriage and on so many other elements that are not included in the mainstream narrative around parenthood. The contribution of the Minister for Women,

the member for Dandenong, was a powerful illustration of some of the deeply unfair consequences of Victoria's current laws in relation to assisted reproductive treatments and IVF. We are privileged in this Parliament to have the chance to amend these laws and make things fairer and easier for Victorians who want to grow their family.

My husband and I have been fortunate in our journey to parenthood. After months of uncertainty, in the end I only needed to take a medication to stimulate ovulation to get things rebooting after years of being on the contraceptive pill, and then we were able to conceive naturally. But for so many Victorians the road to growing a family is much, much harder. I know so many people who have struggled with fertility and so many wonderful sole parents and same-sex couples for whom assisted reproductive treatments have been critical to having children. Growing a family is not a choice that every Victorian or every couple will make, but the realities of having that choice stripped away from you by chance, by nature or by circumstance are heartbreaking. That is why options like IVF are so important and help overcome the barriers that prevent Victorians from making that deep personal choice to become a parent.

We have heard from others with much more experience than I have about just how physically and mentally taxing the IVF journey is for women. We have heard just how expensive it is and just how isolating it can be. In the Minister for Women's own words:

It is a roller-coaster of hope and despair, and it can leave you feeling utterly broken.

While in a sense no level of legislation or regulation will be able to prevent the inherent uncertainty and the struggle of going through IVF, we can work to make it as fair, as accessible and as compassionate as possible.

In 2018 the Andrews Labor government commissioned an independent review of assisted reproductive treatments in Victoria to be undertaken by Michael Gorton, known as the Gorton review. Eighty recommendations were made to improve the way we support families and provide access to assisted reproductive treatments. We have already begun the process of implementing these recommendations, and as a government we have made some incredible reforms to strengthen our assisted reproductive treatment sector. In a very short space of time we have announced a public IVF service, a public sperm and egg bank and an end to the humiliating police checks and child protection checks for people undergoing IVF. This of course builds on Labor's legacy in the ART space, which has also seen access to assisted reproductive treatments expanded to single women and LGBTIQ couples. Over the years Labor has led changes that reflect not only changing technologies but also changes in our society. We have seen changes in our understanding and appreciation of surrogacy and the donor relationship, and critically we have seen a greater community understanding of and respect for gender equality, diverse gender identities and sexual orientation and the rights of our rainbow families.

A key reform in this bill goes to the recommendation in the Gorton review around the 10-women limit. In short, currently there is a restriction on donating eggs and sperm to more than 10 women. The restriction was designed to reduce the chance of genetically related people in Victoria unknowingly forming relationships, but in practice it means that if a donor has already reached their limit, it prevents same-sex couples from having biologically related children. For example, if two women in a relationship are seeking to have children, they should be treated as what they are—a family. There is a great deal of joy to be found in the wonders of little ones with shared traits and seeing your own face reflected back in your sibling. This bill will create an exemption for existing families to have genetically related siblings from the same donor irrespective of the limit.

I want to turn now to another important reform in this bill, relating to the withdrawal of consent by a donor. This is an incredibly important change to the current state of play, and it warrants explanation. Right now in Victoria a donor can withdraw his consent for the embryo created with his sperm to be used right up until the point at which it is transferred into a woman. You sort of have to do a double take on this one to really comprehend the significance of it, because what it means is that a woman who has gone through the roller-coaster of infertility, who has taken the step to try to conceive by IVF,

who has spent tens of thousands of dollars, who has gone through incredibly invasive medical treatments over months, who in many cases has contributed her own egg, who has crossed that anxious threshold in having finally created a viable embryo and who has all her hopes on the line can then all of a sudden have that snatched away by the donor. It is absolutely heartbreaking, and we are the only jurisdiction in Australia that allows this to happen.

I cannot agree more with the changes in this bill which prevent this from happening. An embryo is not sperm, it is a fertilised egg. A donor has no legal obligation in relation to the child that might eventuate from his donation, yet he currently has the right to extinguish the embryo that would create that child, effectively usurping the reproductive choice from the woman, who has gone through every obstacle to have a choice at all. I can only imagine the immeasurable grief and sense of powerlessness this would create. Indeed some families have even given up on their IVF journey after such a traumatic experience. This law is outdated, it does not reflect community values and it does not recognise the cruelty that it can inflict. We need to do better by Victorians accessing assisted reproductive treatments. The process is hard enough as it is. Under these changes the donor will only be able to modify or withdraw consent up until the moment their donation is used, which applies to either insemination or when an embryo is created. That is a much more sensible arrangement.

There are other reforms contained in this bill which are aimed at removing discrimination and making assisted reproductive treatments more accessible to more Victorians. This includes expanding the range of professionals who can perform artificial insemination to include, for example, nurses under the direction and supervision of a doctor in a registered assisted reproductive clinic. It also means that doctors can carry out artificial insemination outside of registered clinics and patients of these doctors are able to seek pretreatment counselling outside a registered clinic. Fundamentally this will mean more access to treatments closer to home, more choice of clinicians and lower costs for patients. Quality and safety will remain key. Doctors and other health professionals acting under the supervision of a doctor will still be required to provide the same information and meet the same standards as doctors operating out of a clinic.

There are many improvements contained in this bill, but I want to turn to an aspect which goes to language. We all know that words matter and words can hurt, so we are amending the guiding principles of the Assisted Reproductive Treatment Act 2008 to make the language non-discriminatory and more sensitive to Victorians seeking to grow their families. This includes changing 'commissioning parents' to 'intended parents' throughout the act in reference to surrogacy arrangements. This more sensitive language is preferred by those with lived experience and acknowledges the basic humanity of wanting to start or grow a family. This is not a product or a project someone is buying, it is a child and a lifetime of love, care and commitment. We are also clarifying the meaning of 'donor' to make clear that anyone who provides an egg or sperm to their partner is just that—a partner or a parent. So much of the process of going through assisted reproductive treatment can reduce people going through it to clinical units. That can be incredibly hard and make an already incredibly difficult process even more distressing, because the reality is that words do matter; they shape the world we live in and the way our society views issues. These words are dehumanising, clinical and divisive, and if we are honest and true in our commitment to diverse families we need to make sure that the language we are using to describe them in all settings reflects the respect and understanding with which we want to see them treated in our society.

I am proud that this bill will result in the implementation of a further 10 priority recommendations from the Gorton review, with a strong focus on reducing discrimination, improving access and providing more certainty for Victorians accessing assisted reproductive treatment. These are complex policy issues with deeply personal consequences—literally matters of life and death. I thank the former Minister for Health, the member for Altona, for her bold leadership, and I thank the current Minister for Health for continuing with it. I commend this bill to the house.

**Ms SHEED** (Shepparton) (15:33): I rise to make a contribution in support of the Assisted Reproductive Treatment Amendment Bill 2021. I was in my parliamentary office on Tuesday evening when debate commenced on this bill, and I was so impressed to hear the contributions that were made

by the member for Lowan and in particular by the Minister for Women. The minister shared her very personal experiences of attempting to achieve a pregnancy through assisted reproductive treatment (ART) processes. The anxiety, the stress and the devastating emotional pain associated with multiple treatments were shared in a frank and forthright manner and reflect the experiences that I have heard from so many women over the years. So many women have stories to tell about their reproductive journeys. And it is not just women's business always; it is very often a very shared journey that partners go through to achieve a pregnancy that may be so wanted.

I have lived a lot longer than a lot of people in this house, and so in my lifetime I have seen the remarkable advances in women's health and in reproductive capacity through assisted reproduction. I was married in 1974 and had my first child in the mid-1980s after years of wanting to be pregnant but not and struggling with endometriosis, just by sheer luck falling pregnant. The notion of how that would occur, were I not able to, was a very significant feature of those early years in my marriage. I wanted children, we wanted a family, and it was starting to look like that might be a problem.

In those very early days there was very little prospect of a treatment such as we are talking about today. I watched in wonder as the first IVF child was born in 1980. There were headlines; it was truly an amazing thing. It was almost the stuff of science fiction that such a thing could happen. I watched in 1988 when the first surrogate child was born, when Maggie Kirkman asked her sister, Linda, to carry her baby and the child, Alice, was born. These things were truly so amazing.

Over the years the technology in relation to reproductive treatment really roared ahead of the law, and it took the law quite a while to catch up and to start regulating it. After the birth of Maggie Kirkman's first child, Alice, the law was immediately changed to make it illegal, so it took some time for a whole range of procedures and rules to be developed around it to put in place the safety net, I suppose, for the notion of surrogacy to proceed. So all these developments have been quite remarkable, and they have come with a lot of difficulties along the way. I think for all of us who know women who have been on that journey, we have seen how arduous it can be. It has never been better described, in my mind, than by the Minister for Women on Tuesday night.

The advances in women's health more generally have also been remarkable. I think it is really worth thinking about the fact that back in the 1970s and 80s finding a woman doctor to go to was a rarity—and in regional areas so much more so. Finding the sort of treatments that you might have wanted in a regional area was just so difficult and so often intrusive and unpleasant in every way. So many people travelled to the city to get the treatments they wanted, whatever that might be. Just accessing the contraceptive pill, in the early days, was something that was very difficult for young women to achieve—hormonal treatments for conditions like endometriosis, the loss of miscarriage. All these sorts of issues surrounding women's health used to seem such difficult things. And while they are, emotionally, the access to the sorts of services that we have now is really outstanding, and I think we have women's health clinics throughout Melbourne. We even have a small one in Shepparton. I think the opportunities that that has provided in terms of giving access to the sorts of services that women and girls want have been just fantastic.

So this bill seeks to strengthen the current laws and to make assisted reproductive treatment more accessible and inclusive, and it provides that necessary framework in a world that now is just remarkable in terms of what can be achieved. I was really pleased to hear from the second-reading speech given by the minister that this will make reproductive treatment opportunities available in regional areas. Now, the cost of access to treatments such as ART is always added to enormously if you have to travel to Melbourne, if you have to stay for a few days, if you are going through all the processes that are required. So the opportunity for people living in regional communities to be able to access it close to their home, to be able to go home after they have had a treatment, is an opportunity that will be very welcome, and it will expand the opportunities for many people who perhaps give up much earlier than they would have otherwise because of the cost and because of the inaccessibility.

The range of people who will be able to undertake the procedures is also being widened, and it will include nurses and other properly trained health professionals. They will be able to carry out artificial insemination under the supervision or direction of a doctor in an assisted reproductive clinic. While this no doubt will present challenges, it is hoped that some of our major regional centres will be able to take it up, that it will become more widely available and that, I suppose, effectively more clinics of this nature will appear in smaller regional areas.

But I do fear and I want to comment on the fact that we have a massive shortage of doctors looming in regional areas—doctors, nurses and allied health professionals. Everyone out there in regional areas is well aware of this, and it has been exacerbated by an ageing workforce, particularly among general practitioners but also just from the closed borders over the last 18 months. Regional areas have had the huge benefit of overseas doctors being brought into the country and serving time in regional areas, called areas of need, until such time as they may well then choose to go back to the city. I was recently approached by the Murray City Country Coast GP Training body for a briefing on just this issue, and that was in the context of the training programs that are undertaken for regional GPs in regional areas likely being transferred out of the regional training organisations that currently exist—and that was one of them in Victoria—back to the colleges and possibly to more city-based areas. Their concern is that of the 900 supervising GPs that are out there, many of them in regional areas, and the 600 trainees who go through that program, there will be a falling off of numbers at a time when we can absolutely least contemplate that happening.

So many practices—and I talk about Shepparton here—have a lot of old GPs. They are much loved, they have been around for a long time and some of them wanted to retire two or three years ago but are still going because they cannot sell their practice; they cannot even find someone to come in and take over their practice. It is a really serious situation that nobody has addressed properly. There have been programs introduced through universities to get country kids into medicine, to do medicine. These universities are not meeting their quotas, and they are not achieving the outcomes that they talk about. The ideal is there, but the reality is not occurring. I fear that with this assisted reproductive treatment program that could become available, that could be so much more widely available, the paucity of GPs, doctors, specialists and all these allied health professionals in our regional areas may lead to it not occurring in a really fair and equitable way. I hope that the minister will really look to doing something about this and provide some opportunities for this to be dealt with in a way that will ensure that accessibility. Victoria has been at the forefront, and this bill really just puts into place the protections that are needed.

**Mr CARBINES** (Ivanhoe) (15:43): I am pleased to join our debate on the Assisted Reproductive Treatment Amendment Bill 2021 following the member for Shepparton and the member for Northcote. It has been touched on by previous speakers the really heartfelt and empathetic way that people who have lived experience share that with the house—and share that with Victorians for all time in *Hansard*, in a way—giving some greater sense of the impact and the importance of the reforms and the work and the amendments and what they mean for many people who obviously do not have an opportunity to articulate those views in this place but are relying on and counting on individuals here representing their communities to perhaps share their experiences, doing so on behalf of many other people in the community who do not have that opportunity directly but really value it to share an understanding of the journey that many have been on when it comes to assisted reproductive treatment.

I want to touch on a few different elements. Firstly I will just quickly reiterate the proposals in the bill of course and the amendments that will seek to improve access to artificial insemination by expanding the range of individuals permitted to perform artificial insemination. The key element I think in the debate and the discussion relates to addressing discrimination, including by ensuring the limit on using donated gametes—eggs and sperm—enables existing families, rather than only 10 women, to have genetic siblings and allowing a surrogate's partner to be reimbursed the costs incurred as a direct result of the surrogacy arrangement in accordance with regulations. I say from the outset: in people in my electorate that I have spoken to, particularly those who undergo assisted reproductive treatment

procedures and support, there is a level of anxiety in dealing with supply and with what some of the reforms that we are outlining in our amendment bill here mean around access for women. I understand that. That is a very legitimately held anxiety for people who seek access to ART as a treatment. One of the perennial issues is demand and supply and being able to address that.

You could make I think a reasonable argument that in expanding, in an equality sense, those who have the legal capacity and availability to access ART, there is also in the good of that—in the well-intentioned desire for equality in legislation and access and reflecting the community that we legislate on behalf of—still anxiety from some people, in a very contested and limited market, about what the opportunities are and what work we can do as clinicians, as a government and as a Parliament to continue to hopefully encourage the capacity for more supply so that there are greater opportunities for more people. I am sure we are going to see this through not only the medical treatment capacity and the amendments in our bill but also our desire and our election commitment around access through the public health system to ART so that more people can afford and have access to it. What we also need to be doing is making sure what avenues might be able to provide greater opportunities around supply so that more people can have access and hopefully success in having a family. They are I think legitimate anxieties, but they are couched in an understanding that the amendments around equality are so very important. Perhaps there is more that we can do to provide greater support in relation to those matters.

As the minister said in the second-reading speech, we have:

... always been at the forefront of assisted reproductive treatment innovation both in Australia and internationally. We led in-vitro fertilization and donor treatment procedures in the 1970s and 80s, and Australia's first IVF baby was born in Victoria in 1980.

I will just touch on that too, because in earlier parliaments I was a member of the Law Reform Committee, which did a range of work in a parliamentary inquiry, the inquiry into access by donor-conceived people to information about donors. That led—going right back to that work in the early 1980s—to retrospectively providing the opportunity for access to genetic history for those donor-conceived people who, legitimately of course, as adults and voters themselves these days, did not always have access to that history to find out who their families were under the law. That has changed now, but what our Law Reform Committee work did in 2012 was recommend that there should be retrospective legislation to address those anomalies. Through some good work from the then Attorney-General, the former member for Box Hill, and a former Premier and member for Hawthorn, Ted Baillieu, there was some shift in access for those donor-conceived offspring. Then further to that, not only through a private members bill from the former Leader of the Government in the upper house, Mr Jennings, but also through some work that was done on the Labor Party platform heading to the 2014 election, some commitments were made then by of course the member for Altona, a former Minister for Health, in implementing legislation in this place that provided that retrospectivity, provided that equal access to information about genetic heritage for people who were donor-conceived back in that early pioneering time when perhaps equality of access to information was not provided. So it has been a long journey but also a very significant part of what this Parliament has done in an equality sense under the law, even though it required a level of retrospectivity.

Going back to the last election, of course, that commitment we made as a re-elected Andrews Labor government was to make sure more Victorians can start a family and discover the joy of parenting through IVF without the high costs:

An IVF cycle can cost up to \$15 000. But while people with fertility issues are eligible for Medicare rebates, they can still be left thousands of dollars out of pocket just for following their dreams of starting a family.

This is in the Premier's media release of 13 November 2018. It continues:

About 13 000 Victorians were treated at IVF clinics in the last financial year, but less than 10 per cent accessed services at the state's only bulk-billing clinic.

Of course we have made significant financial commitments, including announcing \$70 million to establish Victoria's first public fertility care service, including a public sperm and egg bank, addressing a further two recommendations in the report by Michael Gorton, AM. Obviously as Parliamentary Secretary for Health I have been to community engagements with Michael, and I commend him for his work and the points that he has made in relation to thanking the clinicians, counsellors, scientists, researchers, legal experts and leaders in the field who are passionate about improving the patient experience and who contributed to the review.

There are lots of, to be frank, vested interests, many for good reasons, but also it is very important to protect consumers—and it is sometimes rough language to bring it down to that—and to ensure that for consumers, particularly with medical procedures, for whom emotionally this is really important and a last opportunity for them to seek a medical intervention to have a family, there are accountabilities for the providers of those services, particularly because of the expenses that are involved and the sacrifices that families make and the emotional journey that they are on, and that there is a lot of transparency and accountability on those medical providers. I think with the further opening up of these services in the public realm for more people across the community to have access, that does break open some not particularly competitive—that is perhaps not the right word—or some closed practices that will benefit around equality of access, accountability around the services and the supports for families and patients who need to know that they are not being taken advantage of in their most vulnerable time, when they are making very careful judgements both financially and clinically about their desire to have a family. There need to be strong supports and accountabilities there.

The last point I did want to mention, if I had a moment, was just around a couple of other quick matters. One of those was not directly addressed here, but I think it is a further matter to deal with. That is around altruistic donors in Victoria. Many overseas clinics, to ease the administrative burden, will pay a small amount for costs reasonably incurred. It also lessens the burden on the donor, provided their giving is an altruistic act. When you look at the amount reimbursed it is quite clear the intent is an altruistic act, but Victoria requires extensive evidence. The law is the same as in other states such as the ACT, but they do not require the same documentation. It is this process in the Victorian Assisted Reproductive Treatment Authority on the Victorian side that perhaps leads to many months of delays and lots of toing and froing with overseas banks and the donor, so I think that is another element that we could look at further to provide support to people who are seeking ART. I commend these continued reforms to the house as we have supported other reforms to ART.

**Mr TAK (Clarinda) (15:53):** I am proud to speak and make a contribution to the debate on the Assisted Reproductive Treatment Amendment Bill 2021, and I am honoured to follow the hardworking member for Ivanhoe in his capacity as the Parliamentary Secretary for Health and to follow other speakers from all sides in this house. In March last year I was lucky enough to have the chance to make a contribution on similar amendments in the Assisted Reproductive Treatment Amendment Bill 2020. There were some very moving and passionate speeches that day, and we have seen it again this week. I am very honoured once again and grateful to many of our previous speakers for sharing their personal life experiences, especially the powerful contribution from the Minister for Women. I can see that the Minister for Multicultural Affairs is here, who also shared her journey, which was very heartfelt.

I am very proud to be a member of this government, a government that is committed to fairness and equality in all areas of life, and assisted reproductive treatment is one such example. Victoria has been the leader in this space, even in a global context. We led IVF and donor treatment procedures in the 1970s and 1980s, and Australia's first IVF baby was born in Victoria in 1980, as the member for Shepparton has already talked about.

Forty years on from that it is estimated that there are some 25 000 women and their partners who access assisted reproductive treatment in Victoria each year. We are establishing public IVF and Australia's first public sperm and egg bank to give more Victorians the chance to start building their families. That commitment to establish public fertility care services, which the member for Ivanhoe



has already talked about, is an investment of \$70 million over three years in the 2021–22 budget—\$50 million of this investment will fund statewide public fertility care services and \$20 million will go towards public infrastructure for the service. Fair and equal access to treatment regardless of bank balance just makes sense, because everyone should have the opportunity to start their family, to experience that amazing gift. I was very glad to support similar legislation last year, the legislation that removed unfair and harmful police checks for those going through the assisted reproductive treatment process, and I am glad to support this bill.

This is another important bill, the objective of which is to implement priority recommendations from the Gorton independent review of assisted reproductive treatment. The implementation of the priority recommendations will make the lower cost treatment of artificial insemination more accessible, reduce the barriers for all people seeking to have a family, including LGBTIQ people, and improve access for individuals seeking treatment. Again, we are talking about reducing discrimination and making assisted reproductive treatment fairer and easier to access for all Victorians regardless of their sexuality, gender identity or relationship status. We are here again resolving to remove the unnecessary barriers to treatments and to make lower cost treatment easier to access.

I had the opportunity last year to read and reflect on the Gorton review and the stakeholder submissions that were made. The review was commissioned by the Andrews Labor government in 2018. An interim report of the review was released, as we know, in November 2018, with the final report released in July 2019. It was a comprehensive report that resulted in some 80 recommendations, and I am happy to see that this bill implements 10 priority recommendations. One of those is recommendation 3 which states:

It is recommended that s. 8 of the Act be amended such that artificial insemination may be carried out by (i) a doctor; or (ii) by a person acting under the direct or indirect supervision and direction of a doctor who is carrying out artificial insemination on behalf of a registered provider.

This is an important change, one which will enable artificial insemination to be carried out by a person acting under the supervision and direction of a doctor in a registered clinic. It is expected that the procedure will generally be carried out by an appropriately trained nurse, but it could also be carried out, for example, by a medical intern. We heard the member for Shepparton state in her contribution the difficulties experienced sometimes in regional areas with a shortage of medically trained doctors to carry out this procedure. It is important that people from all walks of life, wherever they live, can access this treatment. The review notes that more complex cases for assisted reproductive treatment may already be carried out by a person under the supervision and directions of a doctor in a registered clinic. There was little justification for the inconsistency that restricted less complex artificial insemination cases to doctors only.

Importantly this change will assist those seeking access to lower cost treatment and a less-invasive option for artificial insemination. It should particularly benefit single women, LGBTIQ people and people in rural and regional areas—again a commonsense change that will help make assisted reproductive treatment fairer, more affordable and easier to access for all Victorians. It will also give patients greater choice. Importantly for patients who prefer a female practitioner to perform the procedure for religious, cultural and other reasons, the chances will be greater for accessing a female practitioner where the procedure can be performed by health professionals in addition to doctors. And this is very relevant especially to the multicultural community, such as in my constituency in the electorate of Clarinda—religious and cultural considerations are extremely relevant to my constituents—and also in our culturally and linguistically diverse electorates, such as in Clarinda once again.

I would just like to say that there are other changes, but the changes are all positive changes, again, regarding equality and fairness for all Victorians. In the time remaining I would just like to again say thank you to all of our speakers and to the minister for bringing this bill forward. There have been some really moving contributions, and this really just shows how important this bill is. They have also given us all cause to reflect. I am proud to support this bill and the implementation of the priority recommendations from the Gorton review, which will lower the cost of treatment and make treatment

more accessible; reduce barriers for all people seeking to have a family, including LGBTIQ people; and improve access for individuals seeking treatment regardless of their background, where they live and where they come from. This government continues its history of supporting and working to make assisted reproductive treatment fairer, more affordable and easier to access for all Victorians, and I commend the bill to the house.

**Ms RICHARDS** (Cranbourne) (16:03): I rise today to speak on the Assisted Reproductive Treatment Amendment Bill 2021, and I reflect that in my very short tenure as a member of Parliament we are at our best when we are grappling with complex and deeply personal issues. I want to pay credit to the contributions from both sides of the house—in fact all sides of the house—and of course begin perhaps by acknowledging the contribution from the Minister for Women. I was very pleased to be in the chamber when the minister gave her heartfelt contribution, and I think the generosity of that contribution is something that many of us have reflected on as part of this debate. But I do not think it can be overstated, the importance to other people who are deep in the darkest night of the soul and really right in the middle of these challenges that the minister spoke about with extraordinary passion and insight. Those really deep feelings but also her experience were a revelation to me, and perhaps a revelation to others as well, and I really do hope that others will take the opportunity to watch, listen to and read that contribution, because I think when they do, other people and particularly people who are right in the middle of the extraordinary challenges associated with assisted reproductive treatment or other fertility challenges will take great heart from being in company with people who are able to express those feelings in a place like this.

I do want to commend the members for Lowan and South-West Coast as well for their generous and considered contributions. I also caught the members for Tarneit and Footscray talking about the real-life burden that is often experienced. There are lots of words like ‘gametes’ and ‘embryos’, but these contributions and the experiences of people are the experiences of families, of children, of women, of men and of people from all parts of the state, people who are toiling away in complex jobs and people who are waiting for that phone call. I think that that has been expressed so beautifully in fact—real humans, real hopes and dreams and real pain.

I did catch the member for Northcote as well, and I thought that the member’s insights into the stigma associated with language were pertinent and something that I really think is important for us all and a good and important reminder. I was very fortunate as well to hear the member for Shepparton. She always makes considered contributions, but I loved the way the member for Shepparton provided an eyewitness account of the history of the reforms. I remember especially some of the reforms that governments of all persuasions and all levels did struggle to catch up with, especially as they related to surrogacy. It had a particularly personal interest for me, but I thought that that insight into how science was moving quickly and the law and reform was struggling to keep pace with science was an important reflection.

I also remember that there was a lot of concern that this was going to be the end of morality—that when we were starting to have the opportunity for people to be able to experience support with their fertility that was going to be the start of something evil. Instead it has been the start of something so much more wonderful. The best and the most moral expectations of women are what the community should expect in all things.

I do commend the Minister for Health for the work that has gone into bringing about this reform, and his team—the public servants, the servants of the public. How important it is that they have been able to bring this to us. I of course also am grateful to the member for Altona and the role that she had when she was the Minister for Health, because I know that she does bring a lens of humanity to her reform agenda. Another person who has been really important in bringing this reform to us today is Michael Gorton, AM, in his role as an eminent person who has undertaken a really landmark review of assisted reproduction. That was initiated in April 2018. I am grateful to the scientists, researchers, nurses, clinicians, doctors and counsellors who have been involved in this important work. I did, I think, hear the member for Dandenong refer to them as ‘angels’.

This bill provides more certainty for people intending to use assisted reproductive treatment, and it does provide balance with the consent of donors over their reproductive donations. The bill brings into law something that the 21st century has already acknowledged and finally reflects the values of the community and the nature of donor relationships. It does, importantly, align Victoria with other jurisdictions.

As with many people, I have experienced the pain of yearning for a child and have seen very close up what can happen when that is so much more difficult for so many. The amendment bill we have before us today addresses discrimination against single women, against same-sex couples and against LGBTIQ+ people. Now, this is not some sort of political posturing. It is not a choice based on the grounds of what is popular politically. These are amendments on the grounds that these groups of people have had difficulty accessing services and support that they would ordinarily be able to access if not for their marital or partner status, their sexuality or their gender identity.

The bill expands the circumstances in which a deceased person's gametes can be used with their consent and makes consequential changes to the Status of Children Act 1974. This bill also ensures treatments such as artificial insemination are made more accessible and allows nurses—highly trained nurses who are clinicians—under supervision to perform this treatment. It clarifies consent requirements for access to donated eggs, sperm and embryos and includes the assumption that consent is withdrawn if a couple become separated.

Partners of surrogates are also allowed by this amendment bill to be reimbursed for costs incurred because of their partner's surrogacy. This is again something that does reflect our government's focus on fairness. There are so many ways that we can be blind to inequality, and it is really important that we do listen and reflect on that scientific approach that comes when we do undertake a review like the Gorton review and the department's consultation with key stakeholders on the implementation of the priority recommendations.

Last Friday—and I have spoken about this before this week—we brought together a group of over 65 women from the south-east of Melbourne, mostly from Cranbourne. I was joined by the clever member for Bass and a woman from the member for Narre Warren South's office, and we held a women's virtual afternoon tea. We held this with a very eminent obstetrician and gynaecologist to talk about the effect of vaccination on fertility and particularly what effect the COVID-19 vaccines can have on fertility. I do want to say that what that highlighted to me—not that I think it needed to be highlighted but perhaps sometimes it does shine a light on things—was how cautious so many women are about making sure that they can stay healthy and that their children, whether unborn or future children, will also be healthy. To have 65 women join us as part of that discussion and have a really powerful scientific response to the concerns about the effect that the vaccine can have on fertility does demonstrate that we have in mind the best interests of women and the best interests of those who are struggling with fertility. This is a safe and great bill. I commend it to the house.

**Mr FOWLES** (Burwood) (16:13): It is my pleasure to make a contribution today on the Assisted Reproductive Treatment Amendment Bill 2021. I do so following my friend, a fine Labor woman, the member for Cranbourne. I will be followed by another fine Labor woman, the member for Thomastown. I have to say there have been so many fine Labor women who have been involved in the carriage of this bill to date and with the formulation of many parts of it.

I want to acknowledge up-front the contributions of the members for South-West Coast and Lowan. They gave considered and thoughtful contributions. It is really pleasing when those sorts of contributions can be made in this place and we can find ourselves in broad agreement on the thrust of legislation as important as this.

I want to especially acknowledge my friend the member for Dandenong, the Minister for Women. She gave an extraordinarily brave speech, a very personal speech—a speech that must have been painful in part to write and deliver. It was searingly personal, and it was exceptionally brave. I want to pay

particular tribute to the clarity of her argument and her willingness to draw upon personal experience to embellish the understanding of every Victorian in relation to the challenges that women face in accessing assisted reproductive treatment.

I want to acknowledge, too, the contribution of the member for Tarneit—again, a contribution that was illuminating and enlightening but drawn from personal experience. I also want to acknowledge the work of the member for Altona in her previous roles in assisting with a range of legislative reforms in this broader topic area and acknowledge, too, the very thoughtful contributions of the members for Northcote and Footscray on this issue. It is terrific that Labor has so many amazing women to draw upon when debating legislation such as this. I am acutely conscious of the fact that I of course am not, but I think it is terrific that we have got such depth and strength in the women's caucus within the Victorian parliamentary Labor Party.

The world's first IVF baby was born about 30 hours before me, so if you are looking for a date and point, I am it. The oldest product of an IVF conception is my age to within 30 hours and, well, haven't we all been on a journey in that time since 1978. It has been an extraordinary journey for so many couples that has resulted in the great gift of family. It has been an agonising journey, sadly, for many couples who despite the incredible interventions of this stunning technology have been unable to conceive. It has also been a journey that has not been without political difficulty. There are a number of ethical issues raised by the application of this technology that I think have been very, very well resolved, at least in this jurisdiction. But nonetheless it has been the cause of considerable debate amongst parts of the Victorian community and parts of the global community, and I appreciate that there are strongly held views on both sides of this debate. But what I would say is that the opportunity to allow people to start a family is something that we should all embrace in this place, and I think it is absolutely terrific that it has been in many respects Australian scientific advancement that has allowed that to happen.

I want to reflect briefly on the experience a family member of mine had with IVF. I am fortunate that in a very, very large family I can normally find one person who is the subject of or is affected by just about any bill that goes before this chamber. I had a conversation with her this week that was illuminating for me. I always had a sense that the process of accessing assisted reproductive treatment was really difficult, was really harrowing and took a really long time. What I did not understand was just how harrowing, just how expensive, just how difficult and just how time consuming it was. It is extraordinary the sacrifices that principally women make in furtherance of this goal of starting a family. My family member's experience was relatively straightforward at first. First there are what are known as stim cycles—the stimulated cycles, when the egg collection happens. Of course it happens under general anaesthetic. You have got a bunch of injections in advance of it, you are bloated and uncomfortable and you feel awful afterwards, and it costs \$12 000 or \$13 000. In a typical cycle you might only harvest 10 or 12 eggs and you might end up with none of those eggs fertilised, but at typical rates you might end up with three of those eggs, say, that are successfully fertilised, but those three might become only two or one or zero once you roll forward five days and assess whether they have become an embryo.

This is the agony, I think: that you make all of this emotional investment, all of this financial investment and all of this investment of time and energy and you might yet find yourself in a situation where there are no viable embryos to implant. Or of course at the next stage you might actually have viable embryos to implant and then the pregnancy itself might fail, and that is an agony I cannot profess to imagine in any way. That is an acute piece of agony for those going through it.

In my family member's experience, she ended up having six stim cycles—so, again, each of them at sort of 12 or 13 grand—plus the transfers, so that is an additional procedure. You have the stim cycle to harvest the eggs; you have the transfer part to insert embryos into the uterine wall—that is a separate process at sort of 3 grand a go. And she had six stim cycles that resulted in no pregnancies, no pregnancies at all. At that point you are well in financially, you have made an enormous commitment to the process, you have had to endure any amount of personal pain but you have got all this financial

overlay as well, which is very, very challenging. She was fortunate. She changed provider, she got some genetic testing done—that is another 600 bucks an embryo by the way—she had one stim cycle with them, three embryos were tested and were good and she had two transfers for two pregnancies at that point. So she has her daughter, and she is pregnant now with her second child. So it is an ultimate success, but it made it clear to me just how long and difficult and expensive this process can be. Now, there are Medicare rebates of course, but in their circumstances that is some \$70 000 in out-of-pocket expenses, which is obviously well beyond the means of many families, and for those who can afford it, it becomes a very, very large impost.

I am very pleased that, in order to address this, the Victorian government has committed to establishing public fertility care services with an investment of \$70 million over three years. I thank the Minister for Health for his commitment to this issue and for committing to establish a public sperm and egg bank in Victoria, the first of its kind in the nation. By establishing public fertility care services, we are going to allow more Victorians to achieve their dream of becoming parents through assisted reproductive treatment.

Of course it is not just IVF. This bill makes some amendments to make access to artificial insemination more easily available. It makes amendments that make it easier for lesbian couples to have genetic siblings but where each of the two partners might each have a pregnancy and carry one child or multiple children. It does much to improve the current framework, including in relation to donor sperm and the rights of donors. Sadly I have run out of time. I could readily go on, but I do commend this very, very important bill to the house. I thank every one of the people who worked so hard to bring it to the chamber, and I wish it a speedy passage.

**Ms HALFPENNY** (Thomastown) (16:23): I also rise to speak in support of the Assisted Reproductive Treatment Amendment Bill 2021. As the member for Burwood fleetingly talked about, the first Australian IVF baby was born around 40 years ago in Victoria. Victoria is seen as one of the leading states in assisted reproductive treatment, with over 30 per cent of treatments currently being performed in Victoria at the moment. In some ways, when I get up to talk about this bill, having heard the contributions by so many colleagues and friends that have had experience with assisted reproductive treatment, it is sort of difficult to follow them, because of how eloquently and how personally they explained their situations—the stress, the anxiety, the roller-coaster of emotions, the treatment itself and going through these things in order to have children. I, for example, was very fortunate to be able to conceive my two boys without having to undertake such treatment, but of course we all know, in most cases, people very close to us that have undergone some sort of assisted reproductive treatment. And while we do not have the direct experience, you can see some of the awful toll that it takes upon families and individuals.

So looking at this legislation—and I think this has also been raised by previous speakers—it really is a piece of legislation that I think embodies social reform and also shows how far our society has come. We know that Labor is the party of reform, and the current Victorian Andrews government has really even accelerated the pace in the type of social reform that we have seen since being elected to office in 2014. But when we look at it—as I think was also mentioned by the member for Shepparton and others—assisted reproductive treatment legislation 40 years ago was very controversial. It was really around how we fought on the rights for women and women's right to have children through assisted means, but when we look back now, we missed out on so many other people just as deserving within our society—and what I am talking about of course is the LGBTIQ community. And whilst this legislation 40 years ago was very progressive in allowing, basically, heterosexual couples to have access to this treatment, it was denied all others. Whether it was single women or same-sex couples, they were denied access even though they are just as good as parents—and we certainly all know that.

So this legislation is part of the response to the Michael Gorton landmark independent review into assisted reproductive treatment. That review came up with 80 recommendations for reform, and our government is considering all of them. But at the moment this legislation that we are debating today is looking at the implementation of 10 priority recommendations from that review. What we are

talking about in terms of this legislation is the values of our Labor government—that is, laws to reduce discrimination and to ensure a more inclusive and fairer Victoria. That commitment to fairness and equity and equal access is the main tenet of the legislation and the changes that we are making today. The idea is to make sure that we provide an accessible framework for Victorians that want to start a family and that they are supported every step of the way on their fertility journey. Of course accessibility and affordability are at the heart of this bill, with amendments in place to ensure Victorians can access treatments and it can be free from discrimination.

Just as a couple of examples of the amendments—and I know other speakers have gone into detail with these; I will also just go through some of them just to outline them for the purpose of this speech—we are talking about improving access to artificial insemination by expanding the range of individuals permitted to perform artificial insemination. This is of course extremely costly when you have to go to a particular private clinic where there are only particular specialised medical practitioners that are able to perform these procedures. So we are widening the number of health professionals that can actually perform—with training—these procedures, on the basis of reducing the cost and increasing accessibility. It is also about ensuring that for people in regional areas—and Deputy Speaker, you would know all about the problems in many aspects of health for Victorians in regional areas or in any regions where sometimes health is not as accessible as it is in the big metropolitan areas. So this idea of an increase in the number of health professionals that can support and assist with artificial insemination will increase accessibility and also reduce the cost. Also the bill talks about making sure that when there is counselling required prior to treatments, again, we are expanding the number of organisations qualified to provide that advice and counselling prior to any treatment being taken.

We also look at some areas where, while they may have had good intentions a long, long time ago, looking back now you just wonder how it sort of ever happened. For example, there is legislation now that talks about what is called the 10-women rule, and it is about how many egg or sperm donations from the same donor can be used. This has prevented, for example, same-sex couples from perhaps having their children through assisted reproductive treatment have siblings from the same embryos or sperm, and this has also occurred when it is two women. It means that those women are treated individually. Of course it is about language and about purpose, and I guess in the wording within the legislation it is sort of assuming that two women are not one family but two individual women. This sort of language hurts, and it just builds on the long history of discrimination and persecution of families that have not been what, in the past, society thought they should be. So these are some of the areas where this legislation will make big differences in order to support those families and individuals that are using assisted reproductive treatments in order to have families and have children.

We all know that this treatment is very difficult. We know that it is very emotional. We know that it can often be very painful and often not successful. So I think any legislation that we introduce that makes that a little bit easier for those wanting children through assisted reproductive treatments, supporting them and making sure that each and every individual is treated equally and is able to access such treatment, is really supporting one of the most fundamental rights that all Victorians, all people, all humans, should have. And this bill goes that little bit further in providing that access and removing some of the discriminatory wording and actions that have been in the legislation for far, far too long.

**Ms HORNE** (Williamstown—Minister for Ports and Freight, Minister for Consumer Affairs, Gaming and Liquor Regulation, Minister for Fishing and Boating) (16:33): It gives me great pleasure to rise to speak on this bill because it is one of those bills where behind every piece of legislation there is a story, and for every bit of this Assisted Reproductive Treatment Amendment Bill 2021 there is a plethora of intensely personal and life-changing stories.

The Andrews Labor government is committed to improving our state's assisted reproductive treatment laws, and this bill is the next step on our path to making it fairer and easier for more Victorians. Community values and reproductive technologies have come so far over the past few decades, and this bill builds on the work of this government and past Labor governments to expand access to reproductive technologies. Whether it be giving single women and LGBTIQ couples legal access to

assisted reproductive treatment or removing the requirement for separated but not yet divorced women to seek consent from their spouse for treatment, this government has a proven track record when it comes to these issues.

In 2020 we removed the need for those seeking access to IVF to undergo police checks before accessing treatment, removing the discriminatory distinction between those who can conceive naturally and those who cannot. Assisted reproductive treatment clinics still need to ensure the welfare and best interests of the child intended to be born are paramount when deciding to treat a woman, and this guiding principle continues to be important to the way that we address this matter beyond all else.

This government is working hard to ensure Victorians have an IVF system they can trust and rely on by removing any remaining barriers to access, including financial stress, which has been combated by our commitment to create a public IVF system in Victoria. As part of the Victorian 2021–22 budget \$70 million was invested to establish public fertility care services, which will help up to 4000 Victorians every year, saving them on average \$10 000 each. When people accessing this service need our support the most, we will be there to provide it, making it a little bit easier on them at what is undoubtedly one of the toughest times in their lives.

IVF and other assisted reproductive treatments can be a life-changing experience for so many, granting people the gift of parenthood. However, it is clear that for too many people fertility is fraught with challenges and heartache. I know this all too well, having watched my sister start her family through IVF. As I said at the start of my contribution, behind everything that goes on in legislation there are those stories. If I could just talk for a moment or two about the story and the journey that my sister went on, it was at a time of her life when it was incredibly difficult for her to access fertility treatments. She was living in regional New South Wales, and just that access to those services was so hard and so complicated. However, after an incredibly long period of trying and finally falling pregnant she gave birth to my most wonderful nephew. His name is Miles Maguire, and I think he is now a young man of 15 years of age. Unfortunately I have not seen Miles for quite a while, because he does live interstate, but the joy that this young man gives my family and gives his cousins, my children, as well as our parents, is just second to none.

That is what this bill is ultimately about. It is about creating families, it is about giving joy to other people and it is about making sure that people who do want to become parents have that opportunity to become parents and enjoy the richness but also the frustrations that at times that can deliver. But that is part of life's journey. We all have, and I know you yourself, Deputy Speaker, as now a grandmother of five—

**The DEPUTY SPEAKER:** Seven.

**Ms HORNE:** Of seven. You certainly can appreciate those life journeys along the way. I cannot imagine how Grandma is going to survive the next school holidays with those seven little ones underfoot. But it is nothing but a joy, is it not? So with this in mind I know firsthand just how hard it is for families struggling with fertility and the importance of making sure that we remove any remaining barriers to access for as many people as possible.

In April 2018 the then Minister for Health, the member for Altona, initiated a review into our assisted reproductive treatment laws led by Michael Gorton, AM. This was the first review of its kind in over a decade, and during that time community standards and technologies had evolved significantly, making it an extremely timely review. Following the landmark Gorton review this government is considering all 80 recommendations to identify further reforms, and I am so proud that this bill will result in the implementation of a further 10 priority recommendations, getting us further down the path to a fairer and more equitable system.

This bill contains a suite of reforms based on reducing discrimination, improving access, providing more certainty for Victorians accessing assisted reproductive treatment and facilitating fair and just allocation of care under these circumstances, meaning intended parents will not be discriminated

against on the basis of their sexual identity, and it will improve and modernise language in the Assisted Reproductive Treatment Act 2008.

Right now, if two women are in a relationship and are seeking assisted reproductive treatment to start their family in Victoria, the current 10-women limit that exists means under the law a female couple are treated as two separate entities for the purpose of accessing treatment instead of being viewed as one family unit. It is outdated and can inhibit these families from having genetically related children. Shifting to a 10-family donation limit will ensure that LGBTIQ couples and families using surrogacy can continue to use the same donor, even if each child is carried by a different woman. Changing this limit to no more than 10 families will mean that family units have greater freedom and surety to plan for the future and raise their young families, allowing more families to have related children using the same donor. It will also mean these families can rightly be treated as they are—which is families—for the purpose of accessing IVF treatment, and it brings our IVF system in line with community values on this matter.

This bill will also allow a surrogate's partner to be reimbursed for costs incurred as a direct result of the surrogacy, an important step in making it fairer for all involved. A pregnancy is a big deal for those around the surrogate as well as for the surrogate themselves. This government previously broadened the range of expenses that surrogates can be reimbursed for, and while surrogates have been able to get some of the associated costs reimbursed for over a decade in Victoria, this reform will allow their partners to also be reimbursed for costs such as missed days of work to attend medical appointments for the surrogate, travel expenses and similar costs. This government stands with Victorians in expanding access to IVF and surrogacy, making it fairer and easier. I will leave my contribution here, as I congratulate the ministers for leading the charge on the important reforms and bringing and delivering them for Victorian families.

**Following speeches incorporated in accordance with resolution of house of 14 September:**

**Ms COUZENS (Geelong)**

I am pleased to contribute to the Assisted Reproductive Treatment Amendment Bill 2021.

I want to thank the Minister for Health on this significant amendment. The Andrews Labor government is committed to strengthening Victoria's assisted reproductive treatment laws, and this bill is an important next step to make assisted reproductive treatment fairer and more accessible to Victorians.

Victoria has always been at the forefront of assisted reproductive treatment innovation—we led in-vitro fertilization and donor treatment procedures in the 1970s and 80s, and Australia's first IVF baby, Candice Reed, was born in Victoria in 1980.

And 40 years on from that, we are establishing public IVF and Australia's first public sperm and egg bank, to give more Victorians the chance to start and build their families without having to worry about their bank balance.

Starting a family should not rely on the size of your bank balance.

When we announced the move to establish public IVF I received many messages from people in the Geelong community, and many were very emotional and excited about this opportunity.

Jillian said 'Great news Christine, money should never be a criteria for being blessed with a precious little baby, well done Labor'.

Kristel said 'This is going to bless so many people. It's devastating the struggle to get pregnant. You go through life thinking you'll be good until it's time to start trying and you discover it's not so easy. So, thank goodness this is now happening. Thank you'.

Ebony said 'omg! This is going to change so many lives'.

There were many descriptive words such as brilliant, awesome, amazing, hopeful, and many more. People in Geelong clearly understand the significance and life-changing opportunities of this bill.

As a global leader in assisted reproductive treatment, it is not surprising that around 30 per cent of treatment cycles in Australia each year occur in Victoria.

The Infertility (Medical Procedures) Act 1984 came into operation on 1 July 1988 and was the first legislation worldwide to regulate assisted reproductive treatment and associated human embryo research.



And now, with the Assisted Reproductive Treatment Amendment Bill 2021, we continue with our commitment to provide a robust framework and adequate safeguards to ensure Victorians accessing assisted reproductive treatment are protected and supported on their fertility journey.

These changes build on the work of the Andrews Labor government and previous Labor governments, from giving single women and LGBTIQ couples legal access to assisted reproductive treatment, to our landmark 'right to know reforms'.

We have seen reforms that recognise the needs of donors, intending parents and people conceived through donor conception—reforms that have navigated developments not only in technology and medicine, but also in our society more widely. Reforms that recognise that all Victorians, including Geelong constituents, deserve an equal chance at accessing treatments, free from discrimination and supported at every turn.

We also recognise that in spite of all of these advancements, there is still more work to be done.

Following the landmark review into assisted reproductive treatment by Michael Gorton, AM, this government is closely considering all 80 recommendations to identify further reforms in this space, and to ensure that we maintain a high-quality, honest system.

Our staged approach to implementation means that we can properly consider how each recommendation will work in practice and provide the best outcomes for Victorians accessing assisted reproductive treatments, donor-conceived children, donors and service providers.

I am proud that this bill will result in the implementation of a further 10 priority recommendations, with a strong focus on reducing discrimination, improving access, and providing more certainty for Victorians accessing assisted reproductive treatment.

We know that for any Victorian accessing assisted reproductive treatment it is an emotional rollercoaster, full of the highest highs and the lowest lows.

But for some Victorians, this journey is also tarnished by uncertainty, discrimination, and barriers to access. For some, this journey is simply too difficult to navigate.

For LGBTIQ couples seeking assisted reproductive treatment, the barrier of the current '10-woman limit' is outdated, discriminatory and in practice often prevents these families from having genetically related children.

If two women are in a relationship, they should not be treated under the legislation as two separate women for the purposes of building their family. They should be recognised as just that—a family.

Unlike those opposite, this government is in the business of equality, and we will continue to make the necessary changes so that no Victorian feels excluded, unsafe, or discriminated against on their fertility journey.

We know that the current laws that allow donors to revoke consent up until an embryo is transferred into a person are a great source of anxiety, uncertainty and distress for many people undergoing treatment.

This law is outdated, it does not reflect our community values and our understanding of donor relationships, and it is not present in any other jurisdiction in Australia.

In addition to this uncertainty, the removal of consent after embryos have been created often results in the recipient's own eggs going to waste after, in many cases, tens of thousands of dollars going towards their creation.

Victoria is the only jurisdiction that allows donors to withdraw consent at any point—a law that has been described by some as 'cruel and crushing'.

For some Victorians, going through this ordeal once is so emotionally and financially damaging that they cease their assisted reproductive journeys entirely.

This amendment is about ensuring that Victorians who are undergoing the emotional rollercoaster of assisted reproductive treatment do not have to face the anxiety of not knowing if consent will be withdrawn past a certain point, or the heartbreak of going through this experience.

This bill will amend the act to provide more Victorians with better access to low-cost treatments.

Changes expand the range of individuals who can perform artificial insemination, including nurses and other health professionals under the supervision and direction of a doctor in an assisted reproductive treatment clinic.

The bill also removes a barrier that requires counselling prior to artificial insemination to occur only in a registered clinic—this will enable doctors outside of registered clinics to provide artificial insemination services, as they are already permitted to do under the act.

These changes will particularly benefit single women, LGBTIQ Victorians and rural and regional Victorians seeking the less invasive treatment option of artificial insemination.

Treatments will be available closer to home, and the costs of more complex assisted reproductive treatment procedures can be avoided for some Victorians who will seek out more accessible artificial insemination procedures.

Quality and safety, and patient-centred care, will remain central to our assisted reproductive treatment system with the introduction of these changes.

Almost 15 years ago, the Assisted Reproductive Treatment Act 2008 gave rights to surrogates to be reimbursed for reasonable costs associated with the surrogacy arrangement. These expenses were limited to medical, travel and legal expenses.

In 2019, amendments to the act in response to Gorton review findings expanded on these costs, recognising that the costs incurred as a result of surrogacy often go beyond these three categories and can also include insurance premiums, counselling expenses, lost earnings, accommodation and childcare.

This bill goes beyond the Gorton review recommendation in response to feedback from stakeholders that highlighted the costs that are often incurred by the partner of a surrogate.

We know that a pregnancy is an experience often shared with others, and this also applies to surrogacy arrangements, where a surrogate's partner may cover legal fees, travel costs, and take time off work to attend appointments and other milestones.

These changes will ensure that a partner of a surrogate is also able to receive reimbursement for these costs.

This bill also further builds on the rights of surrogates, expressly clarifying that a surrogate has the same rights to manage their pregnancy and the birth of the child as any other pregnant person.

This recognises the fundamental human rights of surrogates to bodily autonomy and to make decisions relating to their own bodies.

This amendment is central to our values in Victoria surrounding surrogacy, and the understanding that surrogates are more than their ability to carry a baby.

I am proud that the Andrews Labor government has also responded to a number of recommendations regarding access and affordability through our commitment to establishing public fertility care services, with a funding injection of \$70 million to make starting a family a reality for so many Victorian families.

This funding will also see the establishment of our first public sperm and egg bank, going some way to improve access and make the process of starting or building a family simpler for many Victorians.

To all who have shared their stories, in this chamber and in my community of Geelong, thank you.

I commend the bill to the house.

**Ms CRUGNALE (Bass)**

Every day I give thanks for my two sons. My adorable warriors, no longer short in stature and growing daily into fine young people. Never for a moment do I regret having them in my life. They teach me to be a better person.

I also recognise that there are those who chose not to have children. They are my friends, my family, and I listen to their stories. I understand their reasons, and their lives are complete—full and rewarding. They are happy with their decision.

Yet there is a third group of people, and my heart aches for them. We have heard the detailed journey and extraordinary story of our Minister for Women, whose contribution is a must listen to all. Members in this chamber have brought their personal journeys to this chamber floor, their experience, their raw emotions.

They are the people who dream of being a parent, some realised, some not, some still trying. I know them too, and hear their stories of hope, of patience, and of longing to hold their child. I have not walked in their shoes.

An estimated 25 000 women access assisted reproductive treatment in Victoria each year, seeking out services that can help to achieve their quest to have a child with or without a partner, the pure emotion of their longing colliding with the technical science of the procedures they undertake. They may not be successful in their journey, but as a government I am proud that we are doing everything we can to assist them and make it easier.

That is why this legislation is so vital. Firstly, it addresses current discrimination, particularly against single women, same-sex couples and LGBTIQ people, making it easier to access for all Victorians regardless of sexuality, gender identity or relationship status—doing away with the 1950s notion of who a family should be, or what a family should look like.

As Michael Gorton, AM, noted in the introduction to his 2019 *Final Report of the Independent Review of Assisted Reproductive Treatment*, it is now more than 20 years since leading fertility specialist Professor John McBain challenged Victorian legislation that limited IVF to married women. It is 13 years since the landmark

legislation, the Assisted Reproductive Treatment Act 2008, was introduced into Parliament by another great Attorney General, Rob Hulls. It only just passed the upper house by one vote.

Michael Gorton's introduction is a heartfelt message. He talks of the compromise reached in the original legislation and the frustration this caused—in his words—to 'patients, surrogates, donors, donor-conceived people, clinics, doctors, counsellors and regulators'.

This current legislation will make it easier to access treatment by removing unnecessary barriers, reducing the cost and increasing accessibility for those who live in rural and regional Victoria.

This is such an emotive subject, particularly around the issue of deceased loved ones. It is not our place to be judgemental—it is our place, and our duty, to treat all Victorians with fairness and compassion. The posthumous use of eggs and sperms raises such complex ethical issues and the government will consider all aspects of them—ensuring that the expressed wishes of the deceased person are upheld.

It will offer respectful terminology. A person providing that key cell called a gamete, to have a child through surrogacy, will no longer be a 'commissioning' parent, a label better suited to someone ordering furniture or bespoke artwork. This person will now be an 'intending' parent. There is kindness and respect in this language. A person who provides eggs or sperm for use by their partner will be identified as a partner, not a donor. As indeed they should be.

Another recommendation is the alteration of the '10-woman limit' to 10-family limit. Currently the act restricts the number of gametes donated by one person to 10 women. This limits the opportunity for both women in a same-sex relationship to bear children using gametes from the same donor. Similarly, men in a same-sex relationship are discriminated against as they cannot use the same donor with a different surrogate, if the limit has been reached.

Changing this to 10 families means that same-sex couples can have genetically related children. Feedback supports this end to discriminatory practice and values the worth of families being able to have biologically related siblings. The review sensibly recommends reviewing this number in five years, in the event of an increased donor supply.

Among the many organisations and people consulted along this journey is the much respected Australian Nursing and Midwifery Federation union. Their input supported the amendment to enable nurses to carry out the relatively simple procedure of artificial insemination at a registered clinic—safely, and under the supervision of a medical doctor—making the process cheaper, and more accessible for rural and regional families.

Another key issue addressed in this bill is that of surrogacy rights. It is right and proper that surrogates are not paid. Who could determine the appropriate sum of money involved in carrying a pregnancy for another woman? However, it is not right and proper that a surrogate woman and her partner should be out of pocket for expenses that are incurred. This legislation redresses that.

Intending parents will be required to reimburse the surrogate couple for expenses. Consultations with the former Department of Health and Human Services identified legal costs and loss of earnings as a burden to a surrogate couple, resulting from taking unpaid leave. These agreed costs will now be paid by the intending parents.

The legislation further protects the surrogate by confirming that she can manage the pregnancy and birth of the child and has the same rights as any other pregnant person. This is in response to feedback to the Gorton review. Some surrogates felt they had to comply with demands for more invasive treatment because the intended parents requested it and were paying for medical expenses. The peak organisation representing LGBTQ+ parents and their children—Rainbow Families—support this amendment.

I return to the beginning of this address, when I spoke briefly about the often long and difficult journey that is travelled in assisted reproduction. The hours that are spent in consultation, in counselling and in procedures. The travel expenses, the loss of income and the economic costs that can run into the thousands, if not the tens of thousands.

It is the role of government to lead, not to follow. It is the role of government to make changes that help its citizens, not to react and respond to populist causes. I say a very special thankyou to our Andrews Labor government for the allocation of funds in the 2021–2022 budget.

A pledge of \$70 million over three years to establish public fertility care services, providing those Victorians the chance of becoming parents when and where they need it. Included in this is \$3.5 million to deliver Australia's first public sperm and egg bank.

Obviously, careful planning is key to service provision and submissions will be called for over the next few months. More services will be progressively offered from next year as a result of an allocation of \$50 million, and \$20 million will help existing public health services make improvements and purchase equipment.

Like other public health services, public fertility care will be free for most people, and expanded to regional Victoria. My electorate of Bass says thank you—whether in the outer metropolitan suburb of Pakenham, or the regional towns of Lang Lang and Bass.

Because infertility doesn't have a postcode, it doesn't have a socio-economic status or a cultural background. It just has heartache and another Mother's Day or Father's Day of longing.

Thank you to everyone who helped bring about this legislation, especially to former Minister for Health, the member for Altona, for beginning this work and to the current Minister for Health for continuing and introducing this legislation to our Parliament.

**Ms EDWARDS (Bendigo West)**

I'm pleased to make a contribution to the Assisted Reproductive Treatment Amendment Bill 2021.

I would like to acknowledge and thank the Minister for Women for her carriage of this bill to this house and for her courageous and heartfelt contribution to the bill.

Personal stories are extremely difficult when you are a member of Parliament, but the minister has given all of us a genuine and lived experience view of what it is like to undergo ART (Assisted Reproductive Treatment). Her honest and heartfelt journey along this challenging path is truly inspiring and eye-opening for many, and I sincerely thank her for her contribution.

Can I also acknowledge the work of the former health minister, the member for Altona, for her determination to bring about positive change for so many in this field of medicine.

Victoria has always been at the forefront of ART innovation both here in Australia and indeed internationally. This bill builds on the strength and commitment of Victoria's ART laws to make them more accessible, inclusive and to provide a robust framework with important safeguards to protect those who are using ART in this state.

The reforms in this bill reflect changing community expectations and the importance of legislative change to accommodate those expectations.

The bill highlights and recognises the great diversity of people who seek ART in Victoria.

Four of the amendments are focused on reducing discrimination and opening up the opportunity of ART to all Victorians irrespective of gender identity, sexuality, marital or relationship status.

Importantly, the bill removes unnecessary barriers and makes treatment more accessible, particularly for people who live in rural and regional areas.

It is over 10 years since this Parliament passed the Assisted Reproductive Treatment Act 2008. Since then, much has changed not just in terms of social evolution but also massive strides in reproductive medicine, health regulation and within the reproductive treatment industry itself.

The report by Michel Gorton, AM, in 2018 provided a comprehensive set of recommendations, and the Andrews government is continually looking at ways to amend the 2008 act to reflect those recommendations.

Several amendments have passed this house to reflect the Gorton review and changes needed.

The report also highlighted the cost associated with accessing ART. In response the Andrews government has committed to establishing public fertility care services with an investment of \$70 million over three years.

Many years ago, back in 1988, Linda Kirkman, a Bendigo woman and friend of mine in the Bendigo Nursing Mothers Association (now the Australian Breastfeeding Association) gave birth to her niece—her sister Maggie's child.

Alice was conceived from her mother Maggie's egg, fertilised by a sperm donor, gestated in Linda's womb.

This was the first time in Australia that IVF surrogacy occurred—or gestational motherhood, as Linda prefers it to be called.

These women were absolute trailblazers in this field, but their journey and that of their partners and family was traversed with little support and with a need to navigate through the comprehensive social, legal, medical, ethical, and emotional and psychological minefield that was in front of them.

I share some of their story now so that we can be reminded of how far we have come in the ART field and pay a debt of gratitude to them for showing the way and for their love and commitment to each other, to their children and partners, and for courageously and with resolve leading the way with ART and surrogacy:

Success in such a potentially hazardous venture as surrogate motherhood depends on more than the skills of IVF doctors and scientists. Linda, Maggie, and their husbands had considered every aspect of what might happen; mentally walked through each moment in the near and distant future; envisaged all kinds

of possible outcomes. It was like embarking on one of those interactive books with choice points and alternative endings: turn to page 10 if Maggie becomes a mother and page 15 if Linda decides she can't go through with it. They thought and talked about what would happen during IVF, such as whether Linda would ever go with Maggie to early morning clinic sessions, and whether Linda would have hormone treatment or use her natural cycle. What if IVF failed? If Linda became pregnant, would they accept screening tests for abnormalities? How would complications with the pregnancy be managed? What would it be like at the birth of the baby? Who would hold the baby first? What if there were twins? What if the baby were disabled? What if Linda felt too attached to the baby to relinquish it? What if Maggie and Sev died before or soon after the birth? How would they all feel at various milestones (decisions about schooling, teenage rebellion) as the baby grew up? What if the adults differed in aspects of the child's upbringing? Every imaginable permutation was pondered and discussed many times until they felt confident in their understanding and agreement.

From the outset Maggie and Sev adopted the attitude that Linda was giving them an extraordinary opportunity, but if she felt unable to proceed or couldn't relinquish the baby it would not be a loss. Their relationship with Linda and Linda's well-being were paramount. This was fundamental to ensuring that Linda was able to make choices without duress, including backing out of the arrangement at any point. The whole extended family was committed to Linda's well-being, and if this meant that Maggie and Sev remained an aunt and uncle and not a mother and father, so be it.

...

Linda's attitude to the pregnancy was one of 'all care but no responsibility'. Her intentions in gestating this baby were of profound significance in the outcome: to produce a niece or nephew, not a daughter or son. All the same, the possibility of attachment to the baby had to be accepted.

...

The pregnancy wasn't uneventful; one of their contemplated fears came true. At 29 weeks gestation, Linda haemorrhaged and was admitted to hospital with a diagnosis of placenta praevia. She remained in or near a hospital for the next seven weeks, until the premature birth by caesarean section, and for a week afterwards. From the outset Maggie spent every day with Linda, plus every night once Alice was born. When Linda left hospital, she and Maggie spent several weeks together, mostly to help Maggie as a new mother but also because they'd been together so much it was hard to part.

Linda's support included helping Maggie to establish breastfeeding, a process that began (with the advice of lactation consultants) as soon as Linda's pregnancy was confirmed. Where possible, it's every child's right to be breastfed; Alice didn't need to be deprived because of her unusual arrival in the world. Maggie eventually lactated without the use of drugs, helped by a small group of wonderful new mothers who donated breast milk while Maggie's supply developed.

Linda and her sister Maggie did not have any law or legislative frameworks to work within. In fact, their journey and their experience has helped to create what we now have and continue to add to—and that is legislation such as this, before us today, that supports all people to participate in ART and surrogacy.

I commend the bill to the house.

#### **Ms KILKENNY (Carrum)**

- I am very pleased to be able to contribute to the debate on the Assisted Reproductive Treatment Amendment Bill 2021.
- While I was preparing for today's contribution on this bill I read over some of the contributions on this bill made in this place this week. Not only were they considered, thoughtful and informative but some of them were very personal as well. And I want to particularly acknowledge and thank the Minister for Women, the member for Tarneit and the member for Footscray for choosing to share their personal stories with us all.
- And I must say it is a powerful thing, and a humbling thing, when members of this place can speak directly, with firsthand and personal experience on issues such as assisted reproductive treatment in Victoria. And when they do, we can have even more confidence that the changes being proposed really are going to make a difference, and have a positive impact, in the lives of people who use these services.
- And again, this of course serves to further reinforce the absolute imperative that our places of Parliament reflect the diversity in our communities.
- The bill before us continues the really important reforms to assisted reproductive treatment in Victoria. The bill before us continues the implementation of more of the recommendations set out in the final

report by Michael Gorton, AM, following his independent review of the Victorian assisted reproductive treatment framework in 2018.

- His report, titled *Helping Victorians Create Families with Assisted Reproductive Treatment: Final Report of the Independent Review of Assisted Reproductive Treatment*, was released by the Minister for Health in July 2019.
- The landmark review by Michael Gorton, setting out a package of reforms and 80 wideranging recommendations, is part of a major push to make sure ART services in Victoria are more accessible, safer, and of a higher quality, as well as free from discrimination, for thousands and thousands of Victorians.
- Victoria's ART industry has much to be proud of. The industry has literally supported tens of thousands of Victorians to create families. We have seen significant clinical improvements to fertility care, world-leading research into in-vitro fertilisation (IVF) practices as well as improved health outcomes for persons born through ART.
- So much has changed over the past decade or so—particularly around social attitudes, reproductive medicine, health regulation and the desire and commitment for ART to be focused on person-centred care, with greater transparency, disclosure and information around procedures, treatments and evidence-based responses to better equip patients to make informed choices.
- The number of Victorians accessing ART services has been growing over the past decade. Legislative changes have assisted with this, removing barriers for women and families wanting to access ART.
- The Assisted Reproductive Treatment Act 2008, introduced following a three-year review by the Victorian Law Reform Commission, gave single women and same-sex couples legal access to ART in Victoria and enabled altruistic surrogacy. The legacy from these reforms lives on.
- And more recently, following the Gorton review the Andrews Labor government has already implemented several recommendations of the final report.
- In 2020 amendments were made to remove the requirement for a woman and her partner to undergo police checks before accessing treatment. This was in response to significant stakeholder and industry feedback that this requirement was utterly offensive.
- Removing that requirement removed the discrimination levelled only at women accessing ART services—a requirement that never existed for people who conceive without ART.
- In 2019, the act was amended to remove a discriminatory requirement that required a married woman who was separated from her spouse to seek her spouse's approval to access ART using donor sperm.
- Further, the Gorton review identified cost as the single biggest barrier to accessing ART in Victoria. An initial IVF cycle can cost an average of \$5500. This is just unaffordable for so many Victorians. This year's budget will address this, delivering \$70 million to establish public fertility care services, meaning 4000 Victorian patients will be able to access the program for free each year starting next year. The funding also includes \$3.5 million to deliver Australia's first public sperm and egg bank.
- This funding will help transform the whole system for so many thousands of Victorians who have been locked out of accessing what has become a critical medical service.
- The bill before us continues this great work—implementing a further 10 recommendations identified in the Gorton review for priority implementation and improving access for so many Victorians.
- The changes to be introduced will include allowing existing families to have related siblings related to their existing children using the same donor. Currently, donors can't donate to more than 10 women. However, this has been found to discriminate against women in same-sex relationships. So there will be a change to a 10-family limit to make sure same-sex couples and families using surrogacy can continue to use the same donor.
- The bill will also reduce discrimination by enabling all people whose partners have died to use their eggs, sperm or embryos in accordance with their deceased partner's wishes to have a child through a surrogacy arrangements.
- There will be changes to language to clarify that a person who provides eggs or sperm for use by their partner, whatever their gender identity, sexuality or relationship status, is identified as a partner, and not a donor.
- This is important. Language can be a powerful discriminator. It can also be insensitive. So the term 'commissioning parents' will be replaced with 'intended parents'.
- The bill will also see changes to who can perform certain services. Nurses and other health professionals within registered ART clinics will be able to carry out procedures and doctors outside registered clinics

will be able to carry out artificial insemination for the first time. This will help reduce costs and give more Victorians better access to services.

- And, as we heard so powerfully from the Minister for Women, there will also be greater certainty for people undergoing IVF through changes that would only enable donors to withdraw consent up to the time the eggs or sperm are used in treatment or to create an embryo.
- These are important changes. And they are profound changes for thousands of Victorians.
- We know from the lived experience of so many Victorians that undergoing fertility treatment is an incredibly emotional and deeply challenging experience.
- The reforms we are implementing will help to alleviate some of the uncertainty, whilst at the same time will operate to strengthen our laws in order to make ART fairer and more accessible to Victorians who are hoping to create a family.
- I commend the bill.

**Mr FREGON** (Mount Waverley) (16:42): I move:

That debate be adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned until later this day.**

### SUBURBAN RAIL LOOP BILL 2021

#### *Second reading*

**Debate resumed on motion of Ms ALLAN:**

That this bill be now read a second time.

**Ms STALEY** (Ripon) (16:43): I rise to lead the opposition's response to the Suburban Rail Loop Bill 2021. I will of course spend my time talking about what this bill does, but I think we need to start by being very clear as to what this bill is not doing. It does not hire a single construction worker, and it does not set a tunnel-boring machine going. It does not allocate a single dollar to build the Suburban Rail Loop. It is, however, a huge bill. It is 204 pages, and it establishes a new principal act. The Liberal-Nationals will not oppose this bill.

I will start by describing the bill. There are nine parts to the bill. Part 1 specifies preliminary matters, including definitions, objectives and the commencement provision. Part 2 establishes the Suburban Rail Loop Authority (SRLA) as a statutory body corporate, and that authority will take over all the functions, staff and administrative matters from the Suburban Rail Loop Authority administration office that was established in 2019. Part 3 of the bill provides the Minister for the Suburban Rail Loop the power to declare areas of land that are proposed to accommodate the Suburban Rail Loop infrastructure and related precincts as Suburban Rail Loop planning areas. Part 7, through amendments to the Planning and Environment Act 1987, then allows the Suburban Rail Loop Authority to act as a planning authority for the land which part 3 has declared as part of the Suburban Rail Loop.

Those parts are some of probably the most contentious parts of the bill, and they are certainly ones we have had significant responses on, even in the short time the bill has been released, from various communities along the line, with their concerns about how an authority can declare land subject to itself and then act as the planning authority.

Part 4 recognises this project is a very big intergenerational project that will be delivered in stages, and it therefore refers to the progressive development of the Suburban Rail Loop program and makes provision for its component parts. That will mean that different parts of this project will be declared as Suburban Rail Loop projects without the whole thing having to be declared at the beginning, and also that it will effectively have standalone components within the bigger project.

Part 5 specifies the power of delegation by the minister and then sets up confidentiality provisions for the staff of the authority. It also specifies who can enforce the offences created in the act, and what evidence can be regarded as proof, and the general regulation-making powers available under the act.

Part 6 is largely transitional. It provides for the transfer of property from the Suburban Rail Loop administrative office to the Suburban Rail Loop Authority.

Part 8 is the amendment of the Major Transport Projects Facilitation Act 2009. This is also I think a part that needs to be brought to the attention of the house. What this does is, and I read from the explanatory memorandum:

Part 8 provides for amendments to the **Major Transport Projects Facilitation Act 2009**. Amendments are made particularly to Part 6 of the **Major Transport Projects Facilitation Act 2009** to provide a number of additional powers for projects to which that Act is applied ...

To be very clear here, that means that this bill creates additional powers under the Major Transport Projects Facilitation Act for all projects that are declared under that act. They are not simply for the Suburban Rail Loop. The Suburban Rail Loop Bill is amending the Major Transport Projects Facilitation Act, and of course that act is not simply this project. So any of the changes that are made there—and there are significant changes made to what constitutes project land—are largely changes about how projects that are major transport projects control the land which they are working on.

Part 8 also creates some changes in relation to the value of rights more than 15 metres below land and therefore applies to all of these projects. It puts that value at nil. Again, we have received some commentary in terms of the consultation that suggested that 15 metres may constrain some of the major multilevel car park projects that will be planned along this route and that setting that value to zero may have an impact on that. However, the government has assured us that their modelling comes to the conclusion that there is no value to land below 15 metres below the ground.

Then part 9 of the bill amends several other acts to account for the existence of this new authority.

Fundamentally, though, this is about a project—a very big project, a multigenerational project. It is a multibillion-dollar project that was dreamt up in the Premier's office before the 2018 election. When the Premier unveiled what had previously to that point been called Operation Halo in August 2018, he said it would cost about \$50 billion and be built by 2050. The government now says that half of it will cost \$50 billion and that half will not be done until 2053. The investment and business case that the government has recently released only includes costings for the first two sections—that is Cheltenham to Box Hill and then Box Hill to the airport—and it then has the other half of it. The airport through the western suburbs is just regarded as a future project. This is in fact not a loop; it is at best a half semicircle—we are not going all the way round. If a Victorian lives in the western suburbs of Melbourne, it is very unlikely on this basis—unless they are very young at the moment—that they will ever, ever see this project in their lifetime, because the government has not planned for anything past the airport and has not made any pretence of that. All of their documents in relation to economic benefits, the cost—all of those things—stop at the airport, and in fact many of the benefits that the government is claiming in this project come from getting the line to the airport.

Interestingly—or perhaps not interestingly, I suppose; it is just an illuminating point—while we have the first two sections of this project costed, and I will come back to that in a moment, there is no breakdown between the first two sections as to the benefits. All of those benefits have been aggregated together, and one would have to come to the conclusion, therefore, that the first section, the section that goes from Cheltenham through to Box Hill, does not stack up and it therefore needed the benefits that come from an airport rail connection to get it across the line—and it only just gets across the line in terms of its benefit-cost ratio. There is not much fat there, and I will come to that in a moment.

Many infrastructure commentators and analysts have commented about big infrastructure projects—not specifically this one. They have said it before this one came out, and they have then used this one as an example. Infrastructure should be planned for where it is needed. It is one of the reasons that we



have Infrastructure Victoria and Infrastructure Australia. It should not be the other way round—that an election promise is made and then it is back justified—and it especially should not be when we are talking in excess of \$100 billion. When we are signing Victorians up for decades of infrastructure spending on one project, it is incumbent on government to make sure of that choice, because when you make a choice to do this thing it means you are also making a deliberate choice not to do something else. So it is absolutely incumbent on government to always seek to test whether any project is the best choice amongst others, and that is not what occurred here. And, as a result, we have a situation where this project is not a priority project for Infrastructure Australia or Infrastructure Victoria, and it is not mentioned in *Plan Melbourne*.

Now, if we think about how big this project is, I go to a piece by Alan Davies. Dr Davies is the principal of a Melbourne-based economic and planning consultancy, Pollard Davies Consulting. He has had a look at this project, and he has said:

... it's way more than enough to double the size of Melbourne's tram network. It's more than the estimated cost of building a High-Speed Rail line from Sydney to Melbourne. It's around three times the \$17 billion the Rudd government spent on the BER program to avoid Australia being strangled by the GFC.

And yet, is this the best project? This is masses of money. It means we do not get other things, and as Dr Davies goes on to say:

The glaringly obvious alternative is Melbourne Metro Stage 2.

That is a project that Infrastructure Victoria and Infrastructure Australia all say is needed.

Then we think about this project itself. The loop is only going to have 15 stations spread along 90 kilometres, and as a result, it is not going to attract many walk-ups. The business case makes that point, actually, in the way it describes the benefits. It suggests that there will be—in 2056 I may add, some time away—more than 430 000 orbital journeys occur per day. Now, 430 000? There are 12 million journeys a day already, so we are not talking a big number of journeys here for our \$100 billion; we really just are not. This is not a project that is delivering huge benefits. It has benefits; there is no question about that. There is no question that this project provides benefits. The question is: are they the biggest benefits for the dollars that it requires to be built?

It is also true that only about 5 per cent of Melbourne's employment is currently around the centres that they are building the stations at, and while part of the program is of course to increase jobs in those centres, we are still not talking about most of Melbourne—and none of regional Victoria. So most of Victoria, most Victorians, will not benefit from this project. Then when you say that and you say, 'Well, it's so much money', is it the right project given that the whole of the western suburbs will not benefit, regional Victoria will not benefit and there are plenty of people who live in the eastern suburbs who will be beyond this loop and will not benefit either?

As the Grattan Institute notes, and I think this is quite amusing in one sense, for the kind of money that this will cost, and this is just the \$50 billion for the half of it, we could fund Uber trips for the next 20 years for everyone who works in one of the 15 suburbs nominated for a new station, or we could have an awful lot of timetabling improvements, high-capacity signalling, station and interchange upgrades, electrification of the Melton, Clyde and Wallan lines and other improvements. In other words, there are plenty of other projects—needed infrastructure projects—and these have to be evaluated against this one, and that has not been the case. As a result, Tim Colebatch labelled this as 'the worst transport project Melbourne has ever seen'.

I think at this point it is important to think about the costing side, and I have been talking about how it constrains us as a state from other options. But that is assuming that it gets built for the \$50 billion or so that is in that investment case, because the Grattan Institute has also found that every time an infrastructure project comes out of an election promise, projects announced close to an election have cost overruns 23 per cent higher on average than similar projects announced at other times. We know this government's record on infrastructure spends. We have got the Metro Tunnel—\$3.4 billion it is

running in its cost blowout. The Level Crossing Removal Project is \$3.3 billion over cost. The West Gate Tunnel—we do not even know. We are up to \$1.9 billion in cost overruns, but many would say it could be double that. That is three projects which together will cost less than this, and they have already blown out by that amount.

That becomes important when we go to the business case. The business case finds that the total cost of this project will be between \$30.7 billion and \$50.5 billion and the total benefit, according to how this has been calculated—and there is some controversy over that, but these are the numbers in the document—is \$48.5 billion to \$58.7 billion, so the benefit-cost ratio for this project is 1.1 to 1.7. It does not take much for people to understand that this project does not need to blow out very much from its \$50 billion, if it has only got a 1.1 cost-benefit ratio, for that to be underwater. You do not need to be a mathematical genius to know that. This project only comes across the line of being net cost-benefit positive if there are no cost blowouts. But this government has never run a project without cost blowouts, and especially it has never run a project of this size without them. So we are not going to see this project delivered for \$50 billion. There is no chance of that given this government's history. It will be far more, and this project will not have a positive benefit-cost ratio. I will leave it to the government members to look through all the things they have said about projects that do not have positive benefit-cost ratios. They have been fairly voluble on that topic. It is coming right back at you.

I just want to mention one other thing about the business and investment case. The case makes a lot about the additional activity levels that will be created around these stations. Page 189 of the business case shows that if this project is built, the population in what is known as the eastern section, which is Cheltenham to Box Hill, will rise from 131 000 people to 306 000 by 2056. It helpfully breaks it down by station. I do think people in Burwood, for example, need to know, need to have the information provided to them, not buried in this document, that their current population of 22 000 people is expected to go to 44 500—more than double. They are the ones that will be wearing the urban infill. That is what this document says. There will be an additional 22 500 people in Burwood. But then Box Hill currently has a population of 29 000 people. This document says that by 2056 Box Hill will have 77 500 people. They are going to put another 48 500 people into the Box Hill precinct, into those towers around Box Hill. Now, I do not think that the communities of Box Hill and Burwood really have had this pointed out to them. But I can assure you we will be pointing it out to them, because they are the ones that will be wearing that cost of congestion, and it will not all be taken away by the fact that they have got a shiny new train station.

I now come to problems with the bill, and I think they can be put into a few categories. I will start with what is part 2 of the bill. Now, part 2 sets up the Suburban Rail Loop Authority. This will have a board, and it will have a chief executive. It is highly constrained in what it can do without the permission of the minister, the Treasurer and in some cases the Premier to the extent that the board is required to come up with a plan of works, effectively, submit that to the minister, then the minister has to sign off on it and then the board has to do what the minister has signed off on. That in itself is not unusual. I have sat on a government board that operates in a similar way. However, the trouble with this is this is a giant project that is by no means not controlled by its minister.

As we go through this I think we will have a situation where the minister will often want to say, 'That is the Suburban Rail Loop Authority. They did that. We didn't do that; they did that'. Well, the fact is the minister, the Treasurer and the Premier are involved at every major decision-making point in this Suburban Rail Loop Authority, despite the fact that the Suburban Rail Loop Authority is going to be yet another Labor mates gravy train. It is just going to be fabulous to be appointed to this board, because it will have significant assets, significant payments to its directors. Its chief executive is mooted to be on \$800 000 a year. This is absolutely another Labor mates gravy train that is being set up here.

I then come to part 3 and part 7. This is where the bill provides the power to declare land as Suburban Rail Loop land, and then part 7 lets the SRLA act as the planning authority. There has not been very much time between when this bill was introduced and today to get feedback from many stakeholders.

However, we have received some. The mayor of Whitehorse has responded to our request for comments, and he notes:

There is potential for SRLA to take over planning control from Council for approximately a quarter of the Whitehorse municipality.

He notes that there is:

... a lack of clarity regarding the extent of developments/precincts to be managed by SRLA and how these will be determined. In particular the proposed declaration of planning areas could be anywhere up to 1.6km from each proposed station using no logical boundaries.

He also notes the problem with land below 15 metres and the problem with car parks. We do have concerns about these planning laws. We do think it is fundamentally flawed to have an authority able to declare what it thinks is the area it wants to have control over and then become the planning authority for that. We have checks and balances in planning for a reason, and this bill is deliberately overriding that. We do not think that is a good idea.

Similarly, the expansion of the Major Transport Projects Facilitation Act 2009's powers for all transport projects we think is overreach. This has been put into this bill when really there should have been an amendment bill to that act rather than being stuck in here as part 7 of the Suburban Rail Loop Bill, because it is far more far reaching than that.

But overall the biggest problem we have with this is that the bill does not set up scrutiny of this project by the Parliament or by any committee of the Parliament, yet we are talking about the biggest project that this state has ever seen. For that reason, I will move a reasoned amendment. I move:

That all the words after 'That' be omitted and replaced with the words 'this house refuses to read this bill a second time until the government re-establishes a public works committee to oversee all major public works in Victoria, including the Suburban Rail Loop, given the massive cost overruns, serious time delays, contractual disputes and inadequate business cases for the Suburban Rail Loop and other major projects'.

Now, there used to be a public works committee and the Public Works Committee of the Victorian Parliament operated between 1935 and 1982. It was a significant committee. I have but a small sample of its many, many inquiries, but one I suppose that I really noted was its inquiry and report on the proposed provision of an underground city railway. This was in 1954. They also did an inquiry on the eastern railway. They did a couple of inquiries on the abolition of level crossings, one on Napier Street, Fitzroy.

This committee added enormous oversight to these projects, these big projects for the time. There is no reason why we should not think about how we should have a special oversight for a project the size of that of the Suburban Rail Loop Authority. There is no reason that the government should not consider our proposal to re-establish this committee. One would hope that they would be so proud of their infrastructure delivery and this project that they would like to see a standing committee of this Parliament look at the many things that go both well and badly when you do a project of this size. So we would hope that the government would support the reasoned amendment and go away and re-establish the public works committee, a joint committee of the Parliament.

I live in hope that we will see that, but I also am a realist and I suspect we will not get that support. However, without that, we are facing in Victoria the largest project that this state has ever seen, with no proper accountability mechanism, no oversight mechanism of this Parliament. I think that is abrogation of our responsibility as parliamentarians. The government should not be afraid to have more oversight put onto this multigenerational, multibillion-dollar project. They should welcome it. I look forward to seeing how they support my reasoned amendment, and with that I conclude my remarks.

**Ms WARD (Eltham) (17:13):** Thank you, Deputy Speaker—Acting Speaker McGuire, sorry. Good to see you in the chair. Of course you can have a promotion. I am happy to promote you, member for Broadmeadows. And it is actually quite nice for you to be in the chair, because I know how strongly you have advocated for this project, how desperate you are to see this project in your community, how

much you push for this project to be connected for your community. In fact you would love Broadmeadows to be the starting point, and we know this. We know that you cannot have airport rail connected quickly enough and that you want to have suburban rail come through, connecting the people of Broadmeadows with the rest of the city by public transport as quickly as it can.

Now, I am extremely happy to speak on this bill. It is a fabulous project. It is a project that this city has not only embraced but has waited for for a really long time. It is interesting just to hear the cynicism, to hear this fear, from the other side—to be so conservative that any challenge, any change, any vision is met with disdain, with fear and with scepticism. We need a government that is visionary, we need a government that wants to build things and we need a government that wants to make things happen. And it is only with governments like ours, with Labor governments that look to the future, that want to invest in people and that want to create opportunities, that we find projects like this not only being developed, not only being imagined, but actually being realised. And we have seen this with our level crossing removals and the huge success of those and how many of those have been delivered quickly and efficiently across the board.

I want to go back to something that the Premier said at the memorial service for our fantastic past Premier John Cain, someone for whom I know so many people in this house have great respect. The Premier said about John Cain:

Just as he had once modernised our party, John set about modernising our state.

And this is a legacy that Labor governments have built on, of this Premier who was brave, who built our city loop. I vaguely remember when the city loop was opened. I was not that old, but I do remember what it was like. I do remember pulling up to Princes Bridge station and having to walk across to Swanston Street to jump onto the loop, which evolved over time and became a much better connection. But the way it helped people move around our CBD was transformative. The way it helped connect other suburbs across the city was absolutely transformative. Just as I am sure that conservatives met that with scepticism, I bet you that every single one of them has used the city loop, and I bet you every single one of them has taken the city loop for granted and that they have forgotten what it was like or have no idea what this city was like before it and how it has changed. And we know that this will happen with the Metro Tunnel. The Metro Tunnel will continue to transform how we move around as a community. This Suburban Rail Loop will absolutely change how we move around, and it will be fantastic. It will be incredible. The advantages that we have here are just amazing.

Now, the previous speaker spoke about this project being dreamed up. How many people in this city have spoken about having a train ring, having a train that connects through our suburbs? How many people have screamed for a train connecting Doncaster? How many people hate the traffic when going down Springvale Road to get to Monash? There are so many blocks in this city when we try and move around using cars as our vehicle. When we open up train networks, when we improve train networks, when we open things up, that gets transformed, and I cannot understand how the speaker opposite could talk with disdain about the fact that it will only move 430 000 people a day—that nearly half a million people being underground on that one line is insignificant. Well, it is not. You tell those people using that train every day that their journey is insignificant.

I see the member for Glen Waverley is here. The member for Ripon was talking about how we need to focus on projects where they are needed. Now, I would bet you quite a lot of money—in fact quite a lot of the slabs of beer that our Premier has urged us to get onto when the time is right—member for Glen Waverley, that the people in your community love this project; that they want to see that connection; that they want to be able to get the train across the city, not just the spoke that takes them into the CBD; that they want to be connected to places like Burwood and that they want to be connected to Monash, to Cheltenham, to Box Hill and eventually to Doncaster, to Heidelberg, to La Trobe University. Acting Speaker McGuire, I know that you have had these conversations with La Trobe University, as I have. They want this project to happen yesterday. The way that it feeds into their plans for their education precinct, the opportunities that they know this will offer—they want this

project yesterday. They do not want it to be slowed down. They do not think it is inefficient. They think it is absolutely worth doing, and so many people do. This city does. This city voted for this project. This state voted for this project.

I will talk to you about how this transforms our regional community. My mum and dad live in Traralgon. This project will take half an hour off their journey if they want to go to Box Hill Hospital, for example. They will be able to get the train to my house.

Now, the way that the member for Ripon was talking was that there will be people who will not be around when this project is finished. That is good government. Good government is delivering projects that will be here for the people of the future. Good government is about creating infrastructure that looks to the future. We have people complain day after day that governments do not futureproof, governments did not think of this, governments did not plan. This is exactly what this project offers and exactly what this project does.

It will help our regional community access services, particularly health services, so much more easily in this city. Now, I did—and I reckon you might have too, Acting Speaker McGuire—have a bit of a sideways glance at the member for Ripon when she started talking about positive cost ratios, once she started talking about the benefits of this project, once she started talking about between \$1.10 and \$1.70 returned for every taxpayer dollar invested and that perhaps this was not good enough, that perhaps this could, you know, have cost blowouts and be a disaster. Well, I want to understand from the member for Ripon how her party could endorse a major infrastructure project that only returned 44 cents in the dollar, that was actually going backwards. If there was a cost blowout, there was a cost blowout before that project even began.

This project has so many benefits. There are so many things about this project that I love, but one of the things that I really love is the activity precincts that these train stations will create. These train stations will create hubs in themselves. They will become activity centres. They will be places where we can get off the train and we can go to the pharmacist, we can go to the supermarket, we can pick up kids from child care, we can buy a new pair of shoes, we can go to the greengrocer—where we can do a whole bunch of things within that train station precinct. And not only does that create more jobs, not only does that create more opportunity, it makes transport safer. It creates passive surveillance around train stations. It creates economic hubs—and economic hubs in our suburbs.

Now, we are all, I think, in this house in agreement that 20-minute suburbs are what we are after. We are after having communities where people do not have to travel distances to get to school, to get to work or to get to health care. These stations and this train line are part of that transformation and part of creating those opportunities. For people to scaremonger, to create fear and to be so sceptical about this project I find quite surprising. I really do. I have not found one person in my community who has said, ‘Oh my God, this isn’t going to be built for years. Please don’t do it’. They have said, ‘Can you please hurry up and get this built? Can you please hurry up and put the shovel in the ground? When is it going to happen? When am I going to have this station? Because I want it. I want this project. I voted for this project, and I want this project’. This project creates economic opportunity, it creates social opportunity, it helps us rely less on cars to get around and it will reduce carbon emissions. This is a fabulous project that people are excited about. That is why it deserves the support of this house, and that is exactly what I am doing. I support this bill.

**Mr D O’BRIEN** (Gippsland South) (17:23): I have been looking forward to the opportunity to say a few words on this particular bill and this particular project. We are going to hear obviously a cavalcade of those opposite telling us what a wonderful project it is, what genius it was by the Premier of the day to put forward this project at the last election and how it is going to transform the state, yada, yada, yada. I actually think—and I have said this before in this place—it is a good idea. If you go to any major city around the world with a good metro system, they do not have a hub-and-spoke model; they actually have circular or orbital or cross lines. If you think of the tube in London and the Metro in Paris, you can go anywhere. They have, though, been developed over 130-odd years.

But I do think it is a good idea. As I have said before, I also think it is a good idea that I buy a Caribbean island to live on, but I cannot afford that. I cannot afford that, and this state cannot afford this project at this time. And there are serious questions as to whether it is the right project either now or in the future. One of the reasons for that is the expectation that Melbourne will just continue to grow exponentially, and I think very, very clearly the pandemic has changed the world, it has changed Victoria and it will change Melbourne. We saw data in the last 24 hours that shows that Victoria was the only state to actually go backwards in terms of population growth in the past 12 months. We saw data in the last few months that showed dramatic increases in people moving out of Melbourne to other states and more particularly to regional Victoria. That is where I want to I guess focus my comments.

My very grave concern—and I think it is held with very good reason, particularly under this government—is that this project will suck up capital in this state for decades to come, and that capital will be sucked up at the expense of the needs for infrastructure in rural and regional Victoria. We see it already. I do not have to just talk about this project. Right now, I can tell you, I can just tick off four projects: level crossing removals, North East Link, Metro Tunnel and the West Gate Tunnel—\$54 billion of megaprojects in metropolitan Melbourne right now. \$54 billion, those projects are, each one of them blown out. Even the North East Link started as a \$5 billion project and is now \$16 billion. All of them have blown out, and that is before you even start thinking about this Suburban Rail Loop. We got told it was probably about \$50 billion. It is very clearly now closer to \$100 billion just for the first two stages, for the east and the north. When you go further to the west, God knows how much it will cost, and there is no justification.

I will not go over the ground that the member for Ripon did, but there is no question that the business case, the benefit-cost analysis, is rubbery in the way it has been presented and more importantly in the way that it ignores the fact that there will be cost escalations. You can call them cost escalations, but we all know we are talking about blowouts. That will happen, and we have seen it on those four projects I talked about—level crossing removals, North East Link, Metro Tunnel, West Gate Tunnel. I mean, the West Gate Tunnel—how much is it going to cost at the end of the day? It just continues to grow in cost. That cost is going to come at the expense of the things that we need in rural and regional Victoria, and that is why I am actually opposed to this project at this time. Like I said, in principle I actually support it. It is actually a good idea. But when you boil it down—the needs of this state, the need for this project—it does not stack up.

I can go through a couple of projects that do need doing. One that I have been going on about for a long time now is a dedicated line for Gippsland trains. We have got that with Bendigo, Ballarat and Geelong with the regional rail link. We do not have a dedicated Gippsland line, and as a result our trains go along pretty smartly until they hit Pakenham, and then they get stuck behind Metro trains. And whether it is a single or a dual dedicated line all the way in, whether it is additional passing lanes, whether it is parts of a tunnel—whatever it might be—we do not know the detail, because this government will not even consider a business case, will not even consider actually having a look at the detail of what could be done to address this issue.

I fear that what is happening is we are seeing an additional station put in at Pakenham, which the minister keeps going on about—‘This will make it easier for Gippsland train lines’. I think what she is actually saying is that we will eventually stop Gippsland trains at Pakenham and you will have to get off and get on a Metro service. And if that is not the case, what also worries me about this project is these super-hubs, one proposed at Clayton, which the minister talks about being great for Gippslanders. If it is not Pakenham, my fear is that this government will say eventually, ‘Okay, Gippsland trains—V/Line—are all stopping at Clayton. You’ve got to get off and get on the Suburban Rail Loop or continue on on a Metro train into the city’.

I know that the Minister for Transport Infrastructure actually has talked up the notion that if you are coming from the country, there will be benefits for you here, because if you are going to Box Hill, it will only be one change to get off on the Suburban Rail Loop at Clayton and go around to Box Hill. I hate to tell the minister, but if you are going into the city to go to Box Hill now, it is still only one

change—you just go to Flinders Street and you get off and come out. So some of the purported benefits that they are spruiking for Gippsland are wrong, and I have a genuine fear that the government ultimately will want to terminate Gippsland trains early, which is not acceptable, absolutely not acceptable. Gippsland passengers will not accept that. Geelong, Ballarat and Bendigo do not accept it, and so neither should anyone else. So that is a project that we should be doing.

Again, my concern is about the capital question. There are so many projects in my electorate or across Gippsland that will desperately need funding in years to come. A Traralgon bypass has been on the agenda for 25, 30 years and yet continues to stall. That is going to be—who knows—\$400 million or \$500 million for a full bypass of Traralgon, but it needs to be done. The Leongatha heavy vehicle alternative route—I have been talking about that this week in here and in the media—is probably only a \$15 million project if you do it properly, but we cannot even get planning money for it at this stage. Sale rail services—you know, East Gippsland and Wellington have got a population of about 80 000, 90 000 people. Ballarat and Bendigo have about 100 000 people, yet they have got 19 and 17 services a day. We have got three—three services a day—to Sale from Melbourne. So additional services we need.

South Gippsland Highway is a basket case, as I said yesterday—and the Minister for Roads and Road Safety is here again, so I will repeat it. South Gippsland Highway and access to Wilsons Prom—Meeniyar-Promontory Road and Foster-Promontory Road: these are the sorts of things that we could be spending money on. And it still continues to come up that the previous Labor government promised to return rail to Leongatha. It was going to cost \$70 million, and they said that was too expensive. This is now a \$100 billion-plus project, and those small but really important projects in my electorate and right around regional Victoria, I fear, will just continually get overlooked because of this project.

It is interesting too. I had a briefing with Infrastructure Victoria just recently on their most recent report, organised by Mr Davis in the other place. Of course Infrastructure Victoria never mentioned this project. This is the body that the Premier set up. He stood right there in the box opposite me and told this Parliament, ‘We’re going to take the politics out of infrastructure’. And I laughed when the very first Infrastructure Victoria report came out recommending congestion tolls, congestion taxes. I think it came out at about 8 o’clock, and it was ruled out by about half past 8. So that is really taking the politics out of infrastructure. And yet here we have the biggest infrastructure project the country has ever seen, let alone the state, and it has not been recommended by Infrastructure Victoria, so I find the government’s justifications for this project pretty amusing.

This project, as I said, in principle would be good, but the world has changed. I think the population of Melbourne will change. We need to have more focus on regional Victoria and decentralising our state. This project is not going to help, because it is going to suck up capital for decades and decades to come. Regional Victoria will miss out. That is not something I am prepared to accept, so I support the reasoned amendment put and I do not support this project.

**Mr CARROLL** (Niddrie—Minister for Public Transport, Minister for Roads and Road Safety) (17:33): It is my pleasure to rise and make a contribution on the Suburban Rail Loop Bill 2021. At the outset can I congratulate the Minister for Transport Infrastructure for introducing this bill to the Parliament but also for the work she has done with the Suburban Rail Loop Authority and Frankie Carroll—no relation. This project is really, really important for Victoria’s future, and it is about building for the next generation and the next generation and the generation after that. Building transportation infrastructure is at its core about building environments for the future and for communities of the future. This is the most ambitious public transport project that this state and indeed this country have seen for decades, and it will transform in future how we move around the state.

One of the books I have been reading—one of a couple of books since I became the Minister for Public Transport—has been Paul Mees’s book *Transport for Suburbia*. I should comment too that I did not know until recently that he was a lawyer before he became essentially a transport advocate and transport planner, and I have come to realise that quite a few good lawyers have made the transition from practising law to transport policy, including Janette Sadik-Khan in New York. But the premise

of Paul Mees's book is all about having public transport go where the motor vehicles go—that ease of transportation—and that it is not always about how many people work or live there; it is about the ease of commuting, the opportunity for everyday Victorians and Australians living in outer suburbia to have public transport within their reach. And that is what this bill sets up. It is a focus on essentially land use planning and making sure that we can actually get on with delivering this most vital project for Victoria's future.

We do know that density, particularly around residential areas, does arouse many, many strong emotions. But low-density suburbs, particularly those that have often lacked that train infrastructure, the rail infrastructure, should have every opportunity to access world-class transportation infrastructure. I noticed Mr Mees, in his book, talked about where he grew up, in Vermont South, essentially—

**Mr Angus** interjected.

**Mr CARROLL:** yes, *Neighbours* territory and outer suburbia—and what it means to have world's best access to public transport. I grew up in Airport West, and I take issue with the lead speaker on the other side saying this does nothing for the western suburbs. This will be a game changer, as is airport rail, as is the West Gate Tunnel and as is the next-generation tram project that we are now building the new facility in Maidstone for. This will transform not only, in the beginning, the south-east, this will transform lives and communities right around this great state of ours. And it needs to because if you do look at the figures, Victoria's population is scheduled to grow and surpass New South Wales's. We are one day going to be a city of 9 million, the same size as London. Anyone who has been to London has got to see, above and beyond, that they have more than a hub-and-spoke rail system. Their public transport goes right out into the suburbs.

The Andrews Labor government, in many respects complementing the level crossing removal program—where we are scheduled, way past everyone's expectation, to get on and deliver 85—are almost building a city underpass now with the level crossing removals and the Metro Tunnel. Add that to the Suburban Rail Loop and Melbourne will be, on a world scale, one of the most outstanding cities to get around on public transport. And why shouldn't we be? Because it is good for the environment, it is good for people that live near it and it has many different social benefits.

Not one speaker from the opposition yet has caught on that coming through the pandemic we are seeing more movement on public transport in our suburbs than we are in the CBD. You only have to look at the Productivity Commission report that has come out in the past 24 hours that suggests that our suburbs will continue to grow strongly and that work from home will continue to deliver and grow momentum, hence why a project like the Suburban Rail Loop that is delivering suburban railway lines and extending them right around our great state is so important. I get the figures on public transport every day, and our buses and our trams in the outer suburbs have been among the most resilient forms of public transport through the pandemic compared to the metro rail, and that is something that transport planners have to—I have to—think of and navigate as we continue to make investments and continue to look at different policy ideas that we can bring to the table.

I also wanted to take up the reasoned amendment from the opposition. It does not make a lot of sense at all. In particular, if you actually read the second-reading speech or you look at the statement of compatibility with the human rights charter, there are judicial review processes. Above all else there is a thing called a state election. At the last election, overwhelmingly the public endorsed this project. I suspect from today—showing how we are so committed and so serious on this project—they will continue to endorse it in November next year. If there is a change of federal government to a party that believes in climate change—I have got the Minister for Energy, Environment and Climate Change right next to me—this project gets more cars off city streets, and that is what it is about. At the last election federal Labor committed a significant proportion of funds to this project, and I think an Albanese Labor government would do the same. This is because it is game-changing infrastructure that will make a real difference to people's lives.



I did want to talk a bit about equity because this project is also about equity. The Minister for Transport Infrastructure herself spent a lot of time in her second-reading speech talking about equity because we know it will be about jobs. But you think also about the university precincts, as an alumnus of La Trobe University, the Parliamentary Secretary for Transport, the member for Eltham, spoke about. La Trobe University and Monash University are so excited. Tomorrow I will actually be meeting with the vice-chancellor of Victoria University, and no doubt we will talk about transport planning, airport rail and suburban rail and what it all means for Victoria University. We know our university sector is doing it tough at the moment. We know that Melbourne, a bit like Boston, is known for its universities. You think of a world-class rail system hooking up our universities, our tertiary sectors—it is just a first-class project that the Andrews Labor government should be very, very proud of. When we talk about equity too, it is about ensuring the public transport options that our frontline workforce, our students and everyday Victorians in the outer suburbs should have access to.

One thing I do take issue with too is the lead speaker for the opposition—I could not believe this, but she quoted the amount of Uber trips you could do if you put this funding towards Ubers. I mean, it beggars belief. She is talking about Ubers on the suburban rail project. This is all about moving away from car dependency to public transport. I am still getting over the contribution that the shadow minister made.

We do know the Suburban Rail Loop has been overwhelmingly endorsed by the Victorian public. We know this project gives certainty from a planning and land-use perspective, with lots of consultation and lots of judicial review processes embedded in the legislation. This is about getting on and delivering what Victorians so resoundingly voted in and asked for last time, a 21st-century model for transport for outer suburbia. You are going to hear from my colleagues on this side of the chamber talk about the differences that it makes in their communities, and we cannot wait to get on with this project.

I just want to close by saying well done to the transport infrastructure minister, to the Premier as well and to all the members that led this policy, took it to an election and got it resoundingly supported, and this is why it is so important that we are putting this legislation through the Parliament. Let us have some debate. Let us have some real ideas from the opposition. I have been the public transport minister for some time now, and I still am yet to get any questions from the opposition, because we are making world-class transportation infrastructure— (*Time expired*)

**Mr ANGUS** (Forest Hill) (17:43): I rise this afternoon to speak on the Suburban Rail Loop Bill 2021. I note that the main purposes of the bill are to establish the Suburban Rail Loop Authority, to confer on the authority the appropriate functions and powers for the authority to plan and deliver the Suburban Rail Loop and development associated with the Suburban Rail Loop and to enable the authority to operate or manage the operation of the Suburban Rail Loop or to manage development associated with the Suburban Rail Loop. We know that it is a very weighty tome, some 204 pages—very weighty in size, and extraordinarily weighty in terms of potential cost. And that is what I particularly want to focus a lot of my commentary on this afternoon.

I want to start off by looking a little bit at the background of this particular project. I think it is well summarised in an interesting article that appeared in the *Sunday Age* on 15 August 2021, just a few weeks ago, a special report. It was entitled ‘Left out of the loop on suburban rail plan’, and I thought that it went through very well some of the background in relation to this particular project, particularly the fact that it traced back to where this project came from. I quote from the article. It says:

*The Sunday Age* has traced the likely genesis of the loop to a conversation between three men in the business-class galley of a flight to Hong Kong in 2015.

Well, isn’t that a marvellous way to set up the infrastructure of this once great state here in Victoria, that it is done on an international flight by three blokes in the galley. It goes on:

What began as three friends sharing a fine bottle of wine on an Airbus A330 became a discussion about the future shape of Melbourne ...

Unbelievable. The article starts off talking about the secrecy in relation to it. I will quote again from the article. It says:

... the senior transport bureaucrat responsible for its design was legally gagged from telling his boss about it.

It goes on:

... board members of the government agency responsible for its delivery were unaware of it until the Premier's announcement before the 2018 election.

The Premier:

... kept all but a handful of ministers in the dark about the 90-kilometre train line.

It goes on:

... troubling questions hang over the project.

Its timelines, budgets and ambitions are still not clearly spelled out ... the cost is reckoned to finally land at double the \$50 billion estimate.

We can see there what an extraordinary start there was to this particular project. This article, as I said, encapsulates a lot of the key issues and concerns rather well. It talks about how basically the whole background to it is a Labor mates project. It goes on:

Among the inner circle were Labor's go-to board director James MacKenzie, former Labor political adviser Tom Considine and a friend of Andrews, then PricewaterhouseCoopers chief Luke Sayers.

It goes on:

Transport experts question whether the loop is the best way to spend transport dollars. Its timelines, budgets and ambitions are even now not clearly spelled out.

And it just goes on and on. It talks about the fact that the project was concealed from the departmental secretary who was responsible. It goes on to talk about the surprise in the underlings and indeed some of the more senior members of the public service when they found out about this particular project. It goes on, and let me quote this section:

Even inside the Andrews government, information about what was being cooked up in the PwC tower was known to only a handful of ministers.

A \$50 billion project was kept secret through a whole range of different provisions, making people sign on in terms of non-disclosure agreements and all sorts of situations like that. It goes on further and talks about various aspects of the project:

Is it a precinct project or a transport project?

That is a pretty good question there. It talks about:

... the authority, which has since hired seven former Andrews government ministerial advisers or DPC staff.

I would really encourage all members in this place and all Victorians to read this article. I think it is most insightful. It goes on:

It's very difficult to think of a comparable example of a project of this scale that has been announced with virtually no public discussion, no analysis, no preliminary deliberations or planning documentation ... What level of demand will there be for the Suburban Rail Loop? That's a pretty fundamental question.

We can see here, I think, a classic example of the Labor Party and what they do. They say, 'Ready, fire, aim'. We have got a situation where the project has been announced and it is now up to the people left holding the baby, so to speak, in terms of the project to somehow make it work, regardless of whether it is sensible or whether it is financially responsible or anything else to do with it. There has been a whole range of newspaper articles in relation to this, and again I think this provides a lot of important information for the community here in Victoria. We can see in the *Herald Sun* on Friday, 20 August 2021, an article there says:

There is no price for the second stage, but it's likely to cost more than stage 1 ...

It goes on and talks about a whole range of deficiencies and other potential major issues with the project. It concludes by saying:

“We know Labor’s costings are always wrong, they are always underestimating the true cost,” he said.

“Like with the Metro and the West Gate Tunnel, they are routinely billions of dollars out.”

That is the key point that I want to bring out today: the fact that we know that Labor cannot manage money. We know that there are countless documented examples. I can look at my list of the top 26 examples of Labor budget blowouts on infrastructure projects. Of those 26, 20 of them are Department of Transport projects, and they have blown out by tens and hundreds of millions of dollars and in some cases billions of dollars. So we know that this is going to be an absolute financial disaster for all Victorians.

We can see there are lots of other newspaper articles. There was a good one, also an opinion piece, by Matt Johnston in the *Herald Sun* on Friday, 20 August 2021. I will quote from it. He says:

Now it seems like money is make-believe; that we’re playing a giant game of Monopoly with Treasurer Tim Pallas as Rich Uncle Pennybags doling out \$200 as we pass Go.

And it just quotes it rather well. It goes on. Lots of other experts have queried the costings, and there was a great article in the *Age* on Tuesday, 24 August, which I commend to members and all Victorians. I quote from that as well. It says:

The Andrews government’s flagship Suburban Rail Loop is not good value for money, experts warn, as questions are raised over the way the government calculated the multibillion-dollar project’s benefit-to-cost ratio.

It goes on. I have not got time to go through all that, but I just want to come to a conclusion by talking about the councils and some of the concerns from the councils. I note that the mayor of the City of Whitehorse, which is one of the municipalities within my district, Andrew Munroe, has come out publicly, and I will quote from him. He says:

However we are concerned that the SRL Bill, which puts forward broad ranging powers, has the potential to take power from councils without proper scrutiny or consideration of the local impacts ...

That was in the *Herald Sun* on Wednesday, 15 September—yesterday.

I note that the authority has got the ability to take over the controls within a 1600-metre radius of where they are going to be operating, and I was looking at that before because that is an extraordinarily large area. You might be surprised to know, but that 1600-metre radius results in an area of 804 hectares. That is nearly 2000 acres in the old language, so that is a massive area that this authority is going to have responsibility and control over in suburbia. So I think of the City of Whitehorse and I think of the City of Monash, and they are going to be subject to this.

Just in conclusion I note that the Auditor-General has tabled two reports in the last few weeks, both in August—the *Major Infrastructure Program Delivery Capability* report and the *Integrated Transport Planning* report—which both identified a range of deficiencies in the way the department manages projects and give anybody looking in any detail at this project absolutely no comfort that this project can be managed and run efficiently and effectively. I support the member for Ripon’s reasoned amendment which she has proposed. Much more work needs to go into this. The reasoned amendment outlines the concerns that we have, and that is what I support.

**Mr FREGON** (Mount Waverley) (17:53): I rise with exuberance on the Suburban Rail Loop Bill 2021, and I have shown and stated my excitement about this project ad nauseam. I would say it and the announcement of it greatly assisted my presence in this house. It is not just about the infrastructure that you build as a government, it is about the change that it makes to the people you build it for—and public transport is about giving access to everyone. It is inclusive, but it is also transformative. It can play a pivotal role in improving urban life for everybody, and that is exactly what the Suburban Rail Loop will deliver.

Now, I can remember the campaign trail leading up to the 2018 election. It was morning in what would have been late October, from memory, and I was at the Mount Waverley train station doing as we do—talking to people at the train station in the morning on their way into work. I got a call from the campaign team informing me that there was going to be an announcement—I believe it was in Box Hill, and I think you were there, member for Burwood—and it was explained to me what this announcement, which was the Suburban Rail Loop, was.

I had to pick my jaw up off the asphalt, because I did not ever think—I had just not conceived—that we would actually do such a thing as this project. To put it in context, one of the previous members was talking about London. I was in Tokyo in 1984, which is quite a while ago, and obviously the Tokyo transit system is world class. London, again, is world class. Big cities a lot bigger than ours, especially back then, but big cities, world-class metro systems—Paris, Beijing. As the Minister for Public Transport rightly said, we are becoming a city of towards 9 million people. We are growing, and we are going to grow, and we cannot expect and do not expect that we will all grow within the CBD.

One of the previous members was referring to our COVID period and how that will affect our growth. There are some aspects of what he was saying that are right. I think some people will look at moving to different areas. Working remotely will have an effect. There will be changes. But we will grow across the board. The Monash area, which my electorate of Mount Waverley is in, is already the second-biggest employer outside the CBD, and it will continue to grow. Having rail connections—and we are just talking about the first eastern part from Mordialloc to Clayton to Monash to Glen Waverley to Burwood to Box Hill—is transformative. It will affect all of us—especially in the eastern area when we are talking about that part—every day.

I have said before in this house that I grew up in Ferntree Gully, and the member for Ferntree Gully is in the house, on the Belgrave-Lilydale line. I think parts of that date back to before the 20th century, so 18-something or other. I reckon that if you started to cost the Belgrave-Lilydale line in today's money, if you had to buy all that land, it would be a little bit expensive. I appreciate that members on the other side talk about the cost, because this is a large cost. But that is not a reason not to do it. As has been said before, there is a cost to not building it too. There is a cost to keeping us locked into the spokes of our public transport system. This unlocks that, and yes, it will take a long time, and yes, it is expensive, but it is a commitment that we took to the Victorian people and to the people especially in the eastern suburbs and said, 'This is the idea. This is the vision. This is what we will do'.

I spoke to countless people not just that morning in Mount Waverley but throughout the whole campaign and since—doorknocking in Glen Waverley and Mount Waverley, talking to people—and occasionally you find someone who has not heard about it. There are not that many of them, but there are some. I remember there was one guy who was a truck driver. I was talking to him—this was probably in June last year before lockdowns. I said, 'Have you heard about the Suburban Rail Loop?'. He said, 'No, I haven't heard about it'. So I explained it to him. 'This is what we are looking to do'. I told him it is going to take decades to do the whole thing and it is going to cost a lot of money. But he as a truck driver immediately just went to, 'Yes, that's a good idea'. And that was it. And that is the response that I get from so many people, that they see the inherent value of this. The bill we have in front of us today establishes the Suburban Rail Loop Authority, and it confers on that authority powers that other members have spoken about. But what this bill also does is it is another step along the way that shows the people of Victoria and the people in my electorate of Mount Waverley that we are doing what we said we would do, and that is an important thing that we need to continue doing and we are continuing to do.

I listened to the previous member speak. I sat here to listen to them because it is so monumental as a project that it is important that we all have our say. I appreciate that we are already at 6 o'clock, so there is not that much time left in the day. I am sure we will get more chances to speak about this project as it goes on. But I heard their arguments, and what I did not hear is 'We support it' or 'We don't support it'. I heard 'Well, I'm sort of in favour of it, but, but, but, but, but, but, but'. In fact if I remember correctly, the lead opposition speaker, the member for Ripon, started her address with 'We

don't oppose this bill'. She finished her address with, 'But we're going to put in a reasoned amendment that says everything after the word "That" goes away'. I would say that means you are opposing the bill. To that point, on the reasoned amendment, there is a committee that already exists, but I will let others speak to that.

We have a choice as Victorians. We had a choice in 2018, and we chose this project. Certainly those that are affected by the first stage seem to have chosen it quite a lot. They see the value of it. I believe even Mr Davis in the other place sent a letter out to people informing them that the Suburban Rail Loop would actually increase the price of their property. He made some other arguments that I do not agree with, but I have actually used Mr Davis's letter. I had one group of people come to us who were concerned that this might have an adverse effect on the price of their property, and I said, 'Well, actually the opposition thinks that it's going to go up, and I think they're probably right'. People want this. People in my electorate want this, and I definitely want this. I commend the bill to the house.

**Mr MORRIS** (Mornington) (18:03): I thought the member for Mount Waverley had actually been here long enough to appreciate that a reasoned amendment can be moved and in the event that it does not succeed, then the position can be not opposed. That is what the member for Ripon made very clear to start with. We would prefer the reasoned amendment. We would prefer the public works committee to get up. I understand that the support of the government is of course going to happen, but in the unlikely event that the government does not support that, then we will not be opposing the bill.

The second point in the debate that I just wanted to come to before I speak on the bill itself is the member for Eltham, in opening for the government, made an interesting claim that John Cain was the man responsible for the underground rail loop in Melbourne—interesting to claim. The trouble with that argument is that the first sod was actually turned in 1971. For those who do not have memories quite as long as mine, Henry Bolte was the Premier in 1971. Most of the construction occurred under Premier Hamer and it was pretty much finalised under Premier Thompson. I cannot remember whether John Cain opened it or not; he may well have.

**Mr Pearson:** Yes, Flagstaff in 1985.

**Mr MORRIS:** Okay, the minister at the table says he did get to open it. But he certainly did not initiate it, so let me just make that clear.

As others have said, this bill establishes the Suburban Rail Loop Authority. It is pretty stock standard, and it enables the authority to operate and to manage the operation of the line. Where the bill gets interesting I think is here. Without going into the detail of the bill, and just referring to the final few words of the long title, the bill will 'manage development associated with the Suburban Rail Loop'—manage development associated with the Suburban Rail Loop. So does this mean that the government is going to be acting as a developer? Because if that is the case—there are some issues with the project itself, and I will certainly come to those—and if this bill is intended to facilitate turning the government of Victoria into a land development corporation through the vehicle of the Suburban Rail Loop Authority, then that is problematic.

The second point on that issue is around—it might be part 5 of the bill—the way the area affected by the project is defined. Basically it is a declared area or an area declared by the authority or the relevant minister, which effectively gives the authority planning powers. Local councils and local communities can potentially be and are likely to be totally sidelined by this bill. We saw a media release on 2 September talking about how communities are to play a key role in the Suburban Rail Loop. The fact is nothing could be further from the truth. Local municipalities are being sidelined, and we are talking about key areas. If we take just one example, take Box Hill. If the City of Whitehorse is excluded from having control over planning in the vicinity of this development, then the community is totally excluded. Certainly there is a need to work together. You need to have the opportunity to get that synergy, but to have council sidelined the way that is proposed in this bill is absolutely disgraceful.

The next point I want to make is: why are we being rushed? The bill was second read last Wednesday—Wednesday of last week. A bit over seven days later it is going to the guillotine at 7.30 tonight. The house will have had, if we debate this bill until the end—and I do not know what the government's intentions are, but if we do—less than 3 hours of debate on a bill for a project of such significance that it, in the words of the government, dwarfs anything else that the state has ever done. I have got to say when you look at other major infrastructure projects—Snowy Hydro, for example—what we get in terms of bang for our buck in this bill is pretty damn limited.

Now, we know the government has form on major projects. We know they have got form on debt blowing out, and I thought the Auditor-General's recent report *Integrated Transport Planning* was relevant to this debate. The report is on the Victorian integrated transport plan, and effectively the Auditor-General found there was not one. He found that there were 11 published documents plus 21 others and that the government relied on that ragtag documentation and called it an integrated transport plan. In fact two of those documents are not yet complete. As I mentioned, 11 of them are published, the rest are held by government and not available to the community. So the fact is in terms of integrated transport planning the state has no plan. The Auditor-General found no whole-of-system approach and zero transparency, yet the government fronts up last week with this bill and wants to wave it through in a matter of hours when the Auditor-General has clearly indicated that the government has form.

Of course we also know that there is no independent advice. Infrastructure Victoria is simply a cheer squad for the government. They are not objectively identifying priorities. They are simply putting forward the views that are being transmitted to them. I know government members have consistently claimed that Infrastructure Victoria is independent, that it gives independent advice. But the fact is out of a board of seven, three are secretaries of departments: the Secretary of the Department of Premier and Cabinet, the Secretary of the Department of Treasury and Finance and the Secretary of the Department of Environment, Land, Water and Planning—three men who work directly for the Premier. Now, you cannot tell me that they are going to give independent, public advice contrary to the wishes of the government. It just does not happen. So to suggest that the priorities stack up and that somehow this project fits in because Infrastructure Victoria thinks it is okay is absolutely false.

The next point I want to make is that the project is hugely expensive. Is it justified? Is it going to be \$50 billion? Is it going to be \$100 billion? It is going to be \$150 billion? We do not know—and, as I said, there is no independent advice, there is no prioritisation. Now, I have said repeatedly in this chamber I have no problem at all borrowing money to invest in infrastructure. But it has got to stack up, it has got to provide value for money. It has got to be needed, it has got to either add to the economic capacity of our state or add to the livability of the state. It has got to be needed, and it has got to be near the top of the pipeline, which we do not know in this case. And it has got to be procured effectively. Obviously procurement is still to come, but there is absolutely no evidence that this project clears any of those other hurdles at all.

Now, we have got this massive business case. Others have referred to it. Two points I want to make just very simply on this. It says clearly in the key findings document that the Suburban Rail Loop comprises three sections, yet the advice prepared is prepared for two of the three sections. Why is that? I think the member for Ripon referred to the issue of what stacks up and what does not. But you cannot have a complete business case which does not identify what are clearly two separate but connected projects. Does each of them stack up?

The second point I want to make on this is the discount rate. The government says quite up-front in this document on page 293 that if you used the normal 7 per cent discount rate it would not stack up. So they have dropped the discount rate to 4 per cent. Wonderful—suddenly it stacks up. It does not. Simply because you fudged the numbers does not mean it is right. It means you fudged the numbers. It is marginal at best on 4 per cent. It is going to be way out of the ballpark on 7 per cent. So there are some significant issues with this proposal. That in fact is why the member for Ripon has proposed this

reasoned amendment, why the opposition is proposing a public works committee—because we desperately need something to oversight all public works.

We are seeing enormous cost overruns. We had the capex figures withheld from the late budget last year. We saw them this year and—surprise, surprise!—some had blown out by 100 per cent, and the total of the major projects had blown out by over 100 per cent. We have got grossly inadequate business cases, and the one I have just referred to is clearly one of those. We have seen totally inadequate planning. The Auditor-General has confirmed that. We have seen a total lack of transparency. Again, the Auditor-General has confirmed that. We need parliamentary oversight as an absolute prerequisite for this project and we need parliamentary oversight for the other blown-out major projects the government has put forward.

**Mr KENNEDY** (Hawthorn) (18:13): I am pleased to contribute today to the debate on the Suburban Rail Loop Bill 2021. As a regular user of trams and trains, my contention will be that this bill provides the framework that is needed for what is a game changer in the provision of public services right across Melbourne and that it will also transform the way Melburnians live and work. I would particularly like to make the point that I have probably travelled more tram kilometres and more train kilometres than this entire Parliament put together. When I grew up—it must have been prophetic—I did not learn to drive a car. I have existed entirely on public transport, and I am very proud of that fact now, at my ripe old age. So I know the value of transport.

I think often a lot of people talk about it, but they hardly ever get a train or they hardly get a tram. I certainly do not see them on the Belgrave line. I just think we underestimate it. When I came down from Sydney in my late 20s and lived in Ivanhoe, I remember thinking, ‘Yeah, the trains are pretty good’—and away we went. But then when I moved to Hawthorn, I discovered that there was this third line that exists, and I thought, ‘What foresight is that, how much would that have cost in those days?’. Well, now, this third line runs an express service from Lilydale and from Belgrave right through. Sadly it goes through Hawthorn, does not stop. But what an impressive arrangement that we are witnessing here on that line and I understand on other lines that have this so-called third line down the middle. I offer that as a classic example of where people would have had foresight in terms of the money, the cost and thinking it through, and now we have seen the benefits of that third line. I think what we are dealing with here is not unlike that sort of adventure.

Before going on to some of the details, I would like to just say that it is all very well for the opposition to come up with all these various alternatives. The member for Gippsland South, for example, thought that a train to Sale—surprise, surprise—would be a better investment and so on and so forth. We all have our own ideas of what is a better investment, and often it is fairly close to home. I suppose I am biased therefore, being in Hawthorn. I think we have got to really think carefully before we just jump onto ‘It’ll cost too much’ and all that sort of thing, because sometimes when we have that sort of cost talk, we are talking as though we are the treasurer of a local tea club. These are really big projects, and an enormous amount of work has gone into their cost and into the cost benefit of them. I think we can see that in the documentation that we have been given.

I also worry when people throw around words like ‘Labor mates’. I have often thought a good film would be *Labor Mates and Liberal Mates*. It could be a musical; I would enjoy it. But I think it is just a bit too easy always to be using that sort of phrase—‘so-and-so’s mates’ and so on—and I just think we have got to get away from that.

The member for Forest Hill offered what he thought was a truism: ‘We know Labor figures are always wrong’. He was quoting there from some learned chap in the *Age*. Well, blow me down. What do you do about that? The answer is: you cannot just trade in generalisations. You have got to be able to offer hard data and really get in amongst it.

I also was concerned—this one is departing from my original prepared speech—at all this business about councils: ‘Councils shouldn’t be rushed’. Some councils are famous as blockers. They are

famous in that, if it is not their political complexion in the current state government, they just oppose everything or go slow or there are all these problems et cetera and so forth. We have got to recognise that some great work is done by some councils and that for other councils it depends on what flavour of government is there, whether it is Labor or Liberal in government. If it is not one or the other, they can certainly be caught out on go-slow and game playing and all that sort of stuff. I think it is fair enough to make sure that there is respect on both sides between government departments and council officers and so on. I certainly think that is the case. But I do not think that can wag the dog in this. This is bigger than that. This is bigger than a few bruised egos in a council and a few bruised egos in a government; it is much bigger than the bruised ego business, I think.

I want to also just say that I think we have got to recognise the importance of transport. The other side, for example, relates very strongly to notions of rugged individualism, which are things we used to hear about the United States, didn't we, last century. If you are big on rugged individualism, you will be big on transport and you will be big on long-term planning of transport to make sure that it is effortless to go from home to work or home to entertainment or whatever it might be. And then there was all this talk about secrecy. Again, it is one of the ones you always seem to throw in in this place, I have noticed. If it is not 'Labor mates', it is 'secrecy', and if it is not that, then it is 'Don't rush' or that sort of thing. Well, let us leave that as it is.

Let us go to the details of the bill—this exciting bill—in the small amount of time that I have got left now that I have dealt with some of the initial feelings of certain people. As a vital part of the implementation of the largest transport infrastructure project in Victoria's history the government has determined to provide a robust structure to ensure the Suburban Rail Loop's objectives in providing seamless travel around Melbourne are met. To that end the bill establishes, dare we say it again, the Suburban Rail Loop Authority with a principal purpose to plan and deliver the Suburban Rail Loop program and associated urban development and also enables the authority to operate and manage the operation of the Suburban Rail Loop. The bill provides for Suburban Rail Loop projects to be undertaken by the authority.

The bill will form a new principal act by defining the objects, functions and powers of the authority as well as defining rules and procedures within which the authority will operate. Set out in the bill is the governance structure for the authority, including its board, procedures, committees and the delegation of its functions, duties and powers. So you really just cannot be too tolerant of the people who say, 'Oh, we don't know what it's about, we've got no idea, there's no accountability, there's nothing'—you know, on and on and on. In fact it is very highly organised—in prospect and, I am sure, in delivery as well.

Another aspect of the bill is that it provides for the authority to access powers under other acts. This will be done through the application of the Major Transport Projects Facilitation Act 2009 to Suburban Rail Loop projects. The bill also makes related and consequential amendments to a range of other legislation, including the Planning and Environment Act 1987 and the Transport Integration Act 2010.

Finally, the bill also makes amendments to the Major Transport Projects Facilitation Act, particularly part 6 of that act. Additional powers in that facilitation act will be provided for in the bill that will be available to Suburban Rail Loop projects and other transport projects to which that act applies. So the aim of the bill is to facilitate the planning and delivery of the rail loop program, just to repeat.

The other thing that can be said in the short term is that it will be reshaping metropolitan Melbourne over decades through the creation of new employment and activity centres, delivering more jobs closer to where people live, as the Minister for Transport Infrastructure succinctly put it, by providing a critical transport connection between these key health, education and job precincts in our suburbs. I must say that it is a very exciting project. It is a big project. It will have to be carefully managed. There have to be in-built checks and balances, without a doubt. I think my only regret is that it is a 30- or 40-year program there and there is a chance I will not be there to be part of the cutting of ribbons and that sort of thing, but so be it. I commend the bill to the house.



**Mr ROWSWELL** (Sandringham) (18:23): I also rise to speak on the Suburban Rail Loop Bill 2021, and I do so noting that the Suburban Rail Loop, as is currently planned, commences within the electoral district of Sandringham, which I have the great honour and privilege to represent in this place, at in fact the Sir William Fry Reserve, just next to Southland shopping centre, a Westfield shopping centre, there on the corner of Bay Road and Nepean Highway. I raise that because for me in addressing this bill today I do so not through the lens of other members who have addressed this bill to talk about the potential statewide benefits of this but through a particularly local lens and through the lens of a local member advocating on behalf of their community.

Members of my community were shocked to receive in their letterbox a missive coming from a state government department effectively announcing by letterbox drop the Suburban Rail Loop. They were shocked by that because they did not know the scope of the project; they did not know the impact it would have on the community. They did not know much about it at all other than what they received in their letterbox. And so what I undertook to do as a local member was to draw together members of my own community and to ask them what they thought about this and consult with them on the matter, something which, sadly, the state Labor government did not do prior to the announcement of the Suburban Rail Loop in the first place.

And in doing so I met with some 140-odd members of my local community via a Zoom call, and there were many questions that my community members raised, the majority of which I submitted on their behalf to the Minister for Transport Infrastructure and now Minister for the Suburban Rail Loop in a letter dated 23 October 2020. Over three pages I outlined roughly 30 questions, maybe more, that were asked on behalf of the community following that meeting that I had with local members of my community. Lo and behold, the response that we got back from the minister was disappointing. Needless to say, the claim made in the minister's response, received on the fifth of the following month, 5 November 2020, was that by posing the questions on behalf of my community I in fact opposed the development of the Suburban Rail Loop, when in fact what I was doing was presenting to the minister and presenting to the government the questions—the genuine questions, the legitimate questions—of my community in relation to this project.

I am concerned about the clear inability of this government to explain this project in a way that can be understood by the community. In fact in its messaging the government has stated this project will connect every major railway line. Now, I wrote to my friend the Minister for Public Transport at the time, asking for clarification on how the government defined 'major', because the claim by the government was of course to 'connect every major railway line'. Given that the Sandringham line as well as the Frankston line are in my district and the Suburban Rail Loop seeks to connect the Frankston line only, I was keen to understand what the government's definition of 'major' was, as it omitted the Sandringham line from its planning. Of course I sought clarification about this, and the response was, well, less than adequate. The Minister for Public Transport wrote back to me on 4 March this year with lots of very useful information about timetabling and other such things and information about the Metro Tunnel and the creation of room for more passengers et cetera—but nothing which actually went to the substance of my question and my purpose in writing to him, which was to ask him a pretty basic question: what is the definition of a major train line? Once again my community was left in the dark and without a substantive answer to a pretty basic question.

I go on to the fact that my community has just come out of two pretty major rail developments at both the Mentone and Cheltenham stations, the removal of the level crossings—and thank goodness, through the course of a concerted community campaign, we were able to achieve rail-under-road solutions at both of those crossings. But if in fact the way that those projects were managed is an example of what we are in for with the Suburban Rail Loop, then it is less than adequate.

I think of Alan Cook, who is a local business owner in Cheltenham and owner of the Hot Bird, which is a charcoal chicken place and does great chicken and great chips. If you are ever in Cheltenham, get to it; I highly recommend it. Alan wrote to me when the Cheltenham level crossing works were being

undertaken. He ended up with a bus stop permanently outside his shop after that project—a bus stop permanently outside his shop. He wrote to me and he said:

Why is there a standalone bus stop for a singular route which is only in use for 12 minutes a day?

Well, that is a very good question that Alan asked, which I posed to the government and which the government was not able to respond to me on. Well, if this is symptomatic of the way that the government chooses to manage major projects, then should this Suburban Rail Loop go ahead? We are in for a really big surprise.

Of course there is the matter of the lack of planning and the lack of a business case. The business case was effectively put together after the project was announced. Now, in my private sector experience, whenever we sought to spend any private sector dollars the first thing we did was figure out whether it was worthwhile to spend it, if there was a business case in fact to spend it. And what the government has done in this case is announce the project and then retrofit a business case to suit its purpose. Now, lo and behold, that business case says that it is a worthwhile project, but the same people charged with the delivery of the project are the people who undertook the business case to justify the project after the project was announced. Now, this would not fly in the private sector. It would not, but because it is the government, because it is the public sector, we apparently need to put it to one side and accept it. It is not the right way to do business, but it is the Labor way to do business, and we should do better.

Now, specifically on this lack of planning and the lack of a business case, where the Suburban Rail Loop is due to start is at the Sir William Fry Reserve. It is on the corner of Nepean Highway and Bay Road in my electorate, just down the road from the former Gas and Fuel land, some 6.3 hectares of state-owned land that this Labor government has earmarked for high-density high-rise development. Now, lo and behold, there is a value-capture piece to the Suburban Rail Loop, and at the Sir William Fry Reserve, which currently houses a very well used skate park with lots of green space and a natural amphitheatre as well—the home of the Kingston council’s carols by candlelight for many, many years—the Labor government want to slap this Suburban Rail Loop. On some estimates about 40 per cent of the existing Sir William Fry Reserve will be assumed by the Suburban Rail Loop development, therefore taking away further precious green space, further precious parkland, and taking away the regional home of a skate park from my community.

Now, of course, as you would expect me to do as a local member, I wrote to the government about this as well. I wrote to the Kingston council about this. The Kingston council are unclear about the effects specifically of this. In fact the then acting chief executive officer wrote to me, saying:

Council has highlighted the importance of the regional youth skate facility, an active youth precinct at Sir William Fry Reserve and is advocating for the SRLA to consider the impacts on existing uses within the reserve through the EES process.

The local government authority have no clue as to what the impact of the Suburban Rail Loop will have on our community, a lasting impact. Now, I am not opposed to major infrastructure projects—far from it—but there needs to be a process. There needs to be due process. There needs to be a proper process considered that takes on board the concerns of the community. When we are building generational projects—projects that will last for many, many decades ahead—we have one opportunity to get it right. My fear with this Suburban Rail Loop project is that a bunch of it has been retrofitted to suit a government announcement, a political announcement, and that is not good planning.

**Mr FOWLES (Burwood) (18:33):** It is a very great pleasure indeed to rise and speak on the Suburban Rail Loop Bill 2021. I have got lots to say. I got have lots to say about this, but I will start with the contribution from the lead speaker of the opposition, the member for Ripon. Now, I feel a bit sorry for the member for Ripon, to be honest. She has had better years, I think. She has been redistributed into a very difficult position for the next election. The prior opposition leader threw her under the bus with all that tinfoil hat nonsense, then—

**Mr Riordan:** On a point of order, Acting Speaker, just on relevance, the critiquing of the member for Ripon is not part of the Suburban Rail Loop (SRL), and I think people in glass houses probably should not throw stones about being relegated to certain spots. If you could just draw the member's attention back to his task at hand. I know it is a very hard sell for him to say anything positive about this project, but it is his task this afternoon. He might get back to it.

**Mr Pearson:** On the point of order, Acting Speaker, I have been in the chamber now for about 35 minutes, but it has been a wideranging debate. We talked about John Cain. We have talked about Rupert Hamer. We talked about Henry Bolte. It has been a wide, expansive debate, and the member was merely making a comment about the member for Ripon's reasoned amendment.

**The ACTING SPEAKER (Ms Suleyman):** At this point I am ruling that there is no point of order, but I just remind members to continue to observe the rules. Thank you.

**Mr FOWLES:** Thank you very much, Acting Speaker. I offer no criticism of the member for Ripon. I merely say that recent circumstances explain why she is a bit down in the mouth in relation to this bill, the lack of enthusiasm for the project and the admission during her submission that she was slightly lost: being one of the two most senior women in the parliamentary Liberal Party, both of whom were demoted as a result of the recent shenanigans, seeing a bunch of blokes promoted—

**Mr Riordan:** On a point of order, Acting Speaker, the member for Burwood has lost his notes and he is instead insisting on his obsession with the member for Ripon. And while I can understand why he might have an obsession with the member for Ripon—she is a fine representative of her community, and there is a lot to talk about with her and her achievements in Ripon—I do not think Ripon has a lot to do with the Suburban Rail Loop. I know that the member may find it difficult to find positive things to talk about with this piece of legislation, but he is welcome to. We invite him to return to the topic at hand and to leave his imaginings about the member for Ripon to himself, and perhaps he can think about them later tonight when he is in the comfort of his own presence.

**The ACTING SPEAKER (Ms Suleyman):** Thank you, member for Polwarth. As I indicated earlier on, at this stage I do not see a point of order, but it has been a wideranging debate. So, member for Burwood, please continue.

**Mr FOWLES:** Well, I am loath to provoke further obfuscation from those opposite, but I will say that there is a distinct lack of enthusiasm for this project from members of the opposition—a distinct lack of enthusiasm—as can be ascertained by their demeanour and their somewhat scattergun attacks on this bill and on the project which the bill clearly references. So with all the po-faced naysaying going on and lots of reference to 'Oh, well, you know, if not this project, it needs to be assessed against other projects', what I have not seen is one decent idea from those opposite—one idea, one even half-decent idea—about what they would do as an alternative. Because what we have is a growing city, what we have is the need to make sure that this growing city is accommodated and what we have is a complete paucity of suggestions from those opposite.

I can recall with absolute clarity the moment I found out about this project and, whilst I am prone to some exuberance, I was seriously excited. I was bouncing around in the kitchen, much to the chagrin of my wife, who simply did not understand what was going on at that point, because I had just been told about this. I was excited. I was Big Kev excited—I was polyester shirt Big Kev excited. The reason I was so excited was that this is a genuinely game-changing project. I was not excited particularly about the politics, although they fell out beautifully for those on this side of the house in the fullness of time. I was really, really excited about the visionary nature of the project, about the ability to cast one's eyes, to lift our eyes, to the horizon and to look further into the future than any government has, any Victorian government has, in my lifetime—to actually look so far down the track as to actually have a view and a vision of this city and what it is going to look like not before the next election or even the election after that but actually casting generations hence.

As the Premier has said, he will not be the Premier who opens this project, but he will be darned if he is not the Premier who kicks it off, and that is why I am so delighted to be rising today to be speaking on a bill that establishes the Suburban Rail Loop Authority. It is an unbelievable project. It is a project that is city changing and game changing. Do not take my word for it, take the word of all of those voters who so resoundingly endorsed this project at the 2018 election. If you look, in fact, along the Suburban Rail Loop, there were a number of seats that flipped from Liberal to Labor that line up with the Suburban Rail Loop line. So as I say, the project is visionary—it is what you need; you want governments thinking long term—but the politics fell out okay. I think it can be absolutely said that the good voters of Mount Waverley and the voters of Burwood and the voters of Box Hill all took a view about the completely benign policy platform that was being put forward by those opposite and the visionary policy platform—the forward-thinking policy platform and the game-changing policy platform—that was put by the Premier, and they endorsed it; they endorsed it in numbers.

I know from when the member for Mount Waverley and I were down at Jordanville station on many mornings during the course of the campaign that if there was one policy that resonated throughout the course of the 2018 campaign, if there was one policy that genuinely captured the imagination of our prospective constituents as they were then—and you do not see a great deal of this in modern politics—it was this one, and it was because it is a beauty. It is an absolute beauty. And, hey, the member for Gippsland South agrees with me; he says it is a good idea. The member for Sandringham got up and said, ‘I think it’s a good idea’. There are plenty of people who think it is a good idea, but only this side of the chamber has had the courage to actually convert it from idea to reality, to actually get cracking on delivering what will be a city-changing project.

Now, the member for Ripon has moved a reasoned amendment. She wants to bring back the Public Works Committee, a committee that was last a committee of this place in the early 1980s. I wonder what else we might be keen to bring back. Are we going to bring back the Melbourne and Metropolitan Board of Works as well? Perhaps we will bring back the Gas and Fuel towers; we will get rid of Fed Square. We will bring back the horse and cart or bring back the member for Bulleen—hang on, they did that. Are we going to bring back the State Electricity Commission of Victoria perhaps? I might actually support that idea. Perhaps we can bring back all the schools that Jeff Kennett closed down, or all the hospitals. But in all seriousness, there exists a committee that does this: it is called the Economy and Infrastructure Committee, and it quite specifically looks at infrastructure, major projects and transport projects. It belies the truth of this reasoned amendment, which is that the Liberals have been caught flat-footed on it. They should have just endorsed it full-throatedly from day one. They have been trying to manage the politics of it ever since, and they have failed in that regard. They have failed in that regard absolutely.

In the limited time I have left—not least because of the outstanding filibuster work of those opposite during my speech—I want to talk a bit about a few hypothetical cases of constituents of mine. There is Sam the student. He lives in Surrey Hills and he currently gets the train to Richmond, then a second train to Huntingdale and then a bus to get to Monash University. That takes an hour from Surrey Hills—an hour. But with the SRL route in place it will be a little trip from Surrey Hills to Box Hill on the train, then you swap trains and you are out at Monash Uni in 25 minutes.

Bev from Burwood has got limited mobility and has regular medical appointments at the Monash Medical Centre. Currently she has to take the route 75 tram to Middleborough Road and then the 703 bus to the Monash Medical Centre, and she needs some assistance getting on high-floored trams—currently 55 minutes. The SRL route, a step-free trip—no steps required—from the Burwood SRL station to Clayton, would be 15 minutes. Gary from Glen Waverley works in Box Hill. The current route and duration is a 20-minute drive; that is what we are competing against. Well, the direct train trip from Glen Waverley to Box Hill will be just 10 minutes. These are just a few examples of why this project and this bill ought be supported.

**Mr HIBBINS** (Pahran) (18:43): I rise to speak on the Suburban Rail Loop Bill 2021. This is a bill that will establish the Suburban Rail Loop Authority as a statutory authority to plan and deliver both

the Suburban Rail Loop—the tunnel and the trains and the stations and what have you—and the surrounding precincts for development, which is obviously very critical to this project. It gives the Minister for the Suburban Rail Loop and the government very significant planning powers when it comes to those precincts, and it also makes a number of changes to the Major Transport Projects Facilitation Act 2009 which will be in place for all major projects.

The Suburban Rail Loop, as everyone knows, is a massive train line, a massive tunnel, around the city due to be completed at some point around 2050 or what have you, costing between \$50 billion and \$100 billion—I think those are the estimates. The Greens certainly welcome significant investment in public transport and the aim of this project to create that polycentric city which is often talked about. This project certainly goes to this.

I will make a few points about the Suburban Rail Loop. Number one: the development of this project—this very, very expensive, very grand vision and project—must go alongside continuing, and in fact increasing, the investment within the current metropolitan train network. If this is going to be a train line that connects every other train line in the city or every major train line—and I take the note from, I think it was, the member for Sandringham that the Sandringham line should also be considered a major train line in the city—then no, we cannot ignore the existing network and the existing outdated, unreliable, ageing technology on those rail lines, because there is no point in having the big Suburban Rail Loop with its new automatic trains running at high frequency if the connecting trains are running every 20 minutes or half an hour during the day. That will add 40 minutes to your journey if you have to get on, if you are using one of the examples that the member for Burwood used. That is not going to get people on our trains, nor if there is overcrowding that is preventing people getting on the trains in the first place or if there is unreliability which means that people are not catching them. To get the best out of the Suburban Rail Loop the investment in our existing train lines is going to have to continue. This cannot be used as a reason or excuse to put off the significant investment that is still needed in our existing train network. I would estimate that there is probably about \$50 billion-plus needed—probably similar to the initial stated cost of the Suburban Rail Loop—for upgrades that need to happen to the existing rail network over the next 10 years or so. This is for everything, including the high-capacity signalling across the entire network. Obviously it is being introduced on the Metro Tunnel. It does need to actually go across the entire network.

Melbourne Metro 2 again is a highly recommended project by a number of experts—Infrastructure Victoria, the City of Melbourne and a number of other advocates. Certainly this project cannot be delayed any longer. I know a lot of advocates have been pushing for it to start as soon as possible—for the planning to commence and for it to be completed by the end of the decade. That is a really critical project that will unlock capacity across the north and the west and feed into Fishermans Bend. That cannot be put off because of the Suburban Rail Loop. And of course you have got all the other sorts of electrifications and track duplications and more level crossing removals, which I am sure the government loves. They all need to continue. They go hand in hand—

**Mr Pearson:** Are you opposed to the level crossing removals?

**Mr HIBBINS:** What are you talking about? Are you even listening?

**The ACTING SPEAKER (Ms Suleyman):** Order! Member for Prahran, through the Chair.

**Mr HIBBINS:** Acting Speaker, I just ask that if the member for Essendon is going to interject, he actually listen to what I am saying in the first place. So that is going to have to continue. I was actually saying that they are going to make sure that the level crossing removals continue, which I am sure the government loves. I am actually saying that they should continue.

**Mr Pearson:** Do you love them like we love them? That's the question.

**Mr HIBBINS:** I do not think I could; that is a high standard to set, if I could love them as much as you guys. Send me an invite to the ribbon cutting or something like that and maybe I will. But look,

they go hand in hand; a world-class metro goes hand in hand with the Suburban Rail Loop. High-frequency public transport will be needed to ensure that the Suburban Rail Loop actually realises its full potential. That is absolutely critically important.

I think a number of members have come in here and pointed out other public transport projects that they would like to see also being built, and it is a reasonable ask, I think, for communities, for residents, now to say, 'Look, if you can spend \$50 billion to \$100 billion on the giant tunnel, well then, those small, easy-to-fix transport issues like your local pedestrian crossing, your tram stop that's inaccessible to parents with prams or people with a disability or those separated bike lanes that so many people need in the communities—they need to be fixed, and they should be fixed, and they can't be just left unfixed whilst we've got billions of dollars being spent elsewhere'. There are hundreds of smaller projects; I am sure all members could point to them. I think it is fair for people to say, 'Look, if you can build this giant \$50 billion to \$100 billion tunnel, well then, our smaller projects' needs should be fixed as well'.

Now, the development of the Suburban Rail Loop was, let us face it, not ideal—suboptimal, if you could talk in transport bureaucracy. It was developed without the Department of Transport in secret in the absence of an overarching transport plan. It just happened to run through a few marginal seats or the next set of long seats to get, which of course the member for Burwood said obviously voters were very excited about at the next election, and I am sure there were probably a few focus groups involved too. But I would just point out that in developing a project like this—again, as the Victorian Auditor-General's Office and the Victorian Auditor-General pointed out—in the absence of a plan, again there is the risk of not getting the full benefits of the project itself, the Suburban Rail Loop itself. It must be viewed in the context of an entire statewide plan rather than just an individual project to ensure the full benefits of the Suburban Rail Loop are realised.

It risks of course the big risks of cost blowouts and what have you, and I am concerned that the government now in managing those is looking to de-scope some other projects or not get the best outcome that is possible to save money. That is a concern. And I will point out as well that we also need to look at the bigger picture, the wider picture, of what we are actually trying to achieve here. Is it cutting carbon emissions? Is it mode share—reducing the share of cars on the road? Is it reducing pollution? On the one hand we have got the Suburban Rail Loop. Yes, the statement is it is going to take hundreds of thousands of cars off the road, but then just up the road the North East Link is putting 100 000 cars back on the road—more cars. So which is it: are we taking cars off the road or are we putting cars on the road? And that is where a clear, established transport plan for the state with clear aims of mode share, of emissions reduction, of pollution reduction comes into play to make sure of the benefits and that there is a clear vision and it is not simply individual projects or an individual project but in fact an entire holistic vision for the state meeting those targets.

Now, one of the main parts of this bill is the declaration of land and related precincts as the Suburban Rail Loop planning areas, and this means that areas around the station will be under the control of the Suburban Rail Loop Authority. And this provides for the then Minister for Planning or the Minister for the Suburban Rail Loop to be able to approve developments and what have you without the normal checks and balances of environmental assessment or planning laws, and of course this is of concern. Once an area is declared or proposed for development as a loop development area, it is all systems go and powers are handed to the planning minister and the Suburban Rail Loop minister. The authority will be exempt from normal notice and publication requirements that apply to the development of planning scheme amendments if it is deemed warranted or in the interests of Victoria or any part of Victoria to make such an exemption appropriate by the planning minister. And, as is already possible with major projects under the Major Transport Projects Facilitation Act 2009, these planning scheme amendments will not be subject to revocation by Parliament when they are tabled. Now, we are talking about very large areas of land across Melbourne that will be under the control of the minister without the need to go through thorough community engagement, local planning laws or environmental assessments, and this is of concern.

Certainly this is a significant project. The areas around the stations which are earmarked for developments are going to have significant and long-lasting effects on communities, and it is important that local planning laws and local communities are respected. There is no doubt that there is a trend now from this government to centralise planning authority to give themselves more powers over communities. We see it in this development facilitation program, which is happening under the cover of COVID, where the minister is calling in projects. We have got plans to reform the planning scheme to give the planning minister more power and to take away third-party rights for projects it has deemed of state significance. This is of concern, and it is certainly a trend of this government to centralise power when it comes to planning. I just point out to the government that if it wants more certainty, if it wants a more streamlined planning system, it should look at the planning system as a whole and move to one that is more prescriptive, a more mandated planning scheme that gives everyone confidence in terms of what can be developed where and the size and the scale rather than, quite frankly, the porous discretionary scheme that we have now, and not just exempt itself from local planning laws because it does not like them.

Another concern around this bill is the ability to compulsorily acquire land, including recreational land such as cultural, sporting and recreational or similar facilities, which are currently prohibited from acquisition. So there is a concern around the potential loss of valuable community green space. The bill also extends the application of the facilitation act to allow for the potential compulsory acquisition of land that is under native title, which is concerning. It also grants the loop project exemptions from protecting the Yarra River, just as other major projects are exempt. So it allows the project to function without the need to act consistently with any part of the Yarra strategic plan or the Yarra protection principles, which, again, undermines the work that is being done to protect the Yarra. This is, again, part of the pattern of the government wanting to bypass environmental laws and environmental protection when it comes to major projects.

There is in this bill expansion of the powers of the Major Transport Projects Facilitation Act for all projects. That is a range of measures, but the Major Transport Projects Facilitation Act itself is something that the Greens opposed at the time when it was introduced back in 2009. It basically meant that 11 bits of environmental and planning law were subsumed by a new piece of legislation that gave the Premier and the Minister for Planning essentially absolute power. I mean, let us just look at the acts that were subsumed by this, or taken out of the equation: the Coastal Management Act 1995, the Conservation, Forests and Lands Act 1987, the Environment Protection Act 1970, the Flora and Fauna Guarantee Act 1988, the Forests Act 1958, the Heritage Act 2017, the National Parks Act 1975, the Planning and Environment Act 1987, the Road Management Act 2004, the Water Act 1989 and the Wildlife Act 1975—and it is really telling that the government is now making changes to give itself more powers for major projects but it is not acting on the multiple independent recommendations that have occurred over the last decade to strengthen the environment effects laws for infrastructure.

We have some of the weakest environment effects laws in the country. They have been called a rubber stamp—a rubber stamp for destruction. They are not in there to protect the environment but actually just simply to facilitate development that could put the environment at risk. It does not necessarily mean stopping projects, although that should be the power of our environment effects laws. They should be strong laws to ensure that when we have infrastructure it is built in a way that does not significantly or negatively impact our environment. So, as recommended by parliamentary committees in this place and by the Auditor-General, we need stronger environment effects statements, environment effects laws, for major infrastructure. They need to be strengthened. They need to give, yes, powers to stop bad projects, but also when there are conditions put on projects, they need to be binding and with significant penalties for breaches. I think the best example is the North East Link. The EES made some recommendations, and the minister essentially ignored them, with a significant environmental impact upon that project. One would have thought that in embarking on the Big Build the government would have actually taken the time to improve those laws as recommended, as I have stated, many times over the past decade, but I think they have deliberately kept them weak whilst our urban nature dies a death by a thousand cuts.

So, look, we certainly support the Suburban Rail Loop. There is a real risk that it will not reach its full potential if it is developed in the absence of a statewide transport plan. It is critical that to reach its full potential the existing rail network investment continues and in fact increases. It cannot be used as an excuse not to invest in those other critical projects—the high-capacity signalling and the Melbourne Metro 2. In fact those projects are actually critical to making the Suburban Rail Loop work and reach its full potential. Victorians should rightly expect, if we can have the megaprojects like the Suburban Rail Loop, the North East Link, the West Gate Tunnel and the Melbourne Metro Tunnel, that those smaller scale neighbourhood improvements like the safer bike lines, like the accessible tram stops, like the safe pedestrian crossings, also should go ahead and should not be neglected any longer. Certainly I warn against the government's further moves to concentrate planning authority and their moves to weaken environmental laws, and we will address those concerns further in the other place.

**Mr TAK (Clarinda) (19:00):** I am very excited to rise today to speak on the Suburban Rail Loop Bill 2021. This is an exciting bill for our community in Clarinda and for all Victorians. We have heard the Suburban Rail Loop is not just about delivering new infrastructure but about change that is made possible by the infrastructure. This project is critical, and today we have heard many stories of the change and the huge benefits this project will bring to Victoria and for my constituents in Clarinda. The SRL will deliver a new 90-kilometre orbital rail line connecting major metropolitan lines from the Frankston line to the Werribee line via the airport, and it will change how people move around Melbourne, transforming our public transport system and giving people better access to the growing employment, health and education precincts in our middle suburbs. The SRL will also support up to 2400 jobs during the construction of the project stage from Cheltenham to Melbourne Airport and will attract many thousands of jobs to the neighbourhoods associated with new train stations, creating more jobs closer to where people live and more access to these jobs if you live in the middle or outer suburbs or in regional Victoria.

As we know, Clarinda district will be home to a new transport super-hub at Clayton station, which will allow commuters to travel in four different directions, with direct access to key education, health and jobs precincts. Our station platform will sit about 18 metres below ground level. Passengers will be able to seamlessly interchange between the new SRL station and the existing metropolitan station without having to touch off. It is an amazing investment in our community, and the benefit that will flow to my constituents is very significant. Allow me to say that it is expected that by 2025 there will be more than 9000 train transfers a day at Clayton's super-hub, so some 150 000 boardings at Clayton every day by 2036, comparable to Caulfield station in 2018.

Further, a journey between Cheltenham and Clayton will take less than 10 minutes, creating a direct connection to vital health and medical facilities, including Monash Medical Centre and of course to the Monash hospital. Continuing along the line, by 2035 a trip on SRL east between Cheltenham and Box Hill will take approximately 22 minutes, less than half of what it takes today to travel by public transport. These are really massive travel time savings. What is more, jobs in Clayton are expected to almost triple to around 55 500 by 2056. This is substantial. That is an amazing statistic and one that is extremely welcomed by my constituents, and this statistic is also an example of the 'more jobs closer to home' concept. Clayton is one of our city's greatest multicultural and medical hubs, with its diversity of restaurants, cafes, grocery stores and general value.

This investment is a wonderful opportunity to contribute to, build and progress our community, so together with my friend the hardworking member for Oakleigh we have the privilege to co-chair the Clayton precinct reference group, working together with several local community representatives to provide input and feedback during planning and delivery of the Suburban Rail Loop east. And you can tell how excited the community representatives are to take part in the reference group. It is really important for me to have that meaningful engagement with the community across all elements of the delivery of the SRL. These include the proposed stabling facility in Heatherton, and I know that there is concern in our community about the potential impact of the facility. I will continue to engage with the community to make sure that there is dialogue and consultation so that any negative impacts are



mitigated. The environment effects statement, the EES process, is also continuing, and I also made a submission to the draft EES scoping requirements. I encourage everyone to continue to engage in that process. I understand that the EES should be publicly exhibited in late 2021, this year, for anyone to make a submission, and an independent inquiry hearing should be conducted in early 2022.

I will also work with the community to deliver the sandbelt chain of parks, a 355-hectare chain of parks from Warrigal Road in Moorabbin to Braeside Park in Dingley Village, with walking and bike trails and adventure play areas for local kids. We have secured a funding commitment of \$24.8 million and are very excited to see the project delivered for our local community. So it is an exciting time for our community and for Victoria.

Just over the weekend we also received the announcement that the Mordialloc Freeway will be ready to go for summer. More fantastic news is the freeway is 90 per cent completed, and its official opening should take place at the end of spring. The Mordialloc Freeway will save motorists more than 7 minutes in the morning peak and 10 minutes in the evening between the Dingley bypass and Springvale Road. Six freeway bridges have been built over Springvale, Governor, Lower Dandenong, Old Dandenong and Centre Dandenong roads and the Waterways wetlands. I am really excited, and it is just another example of this government getting on and getting things done. It is another example of a transport project that is going to change the way we move around, and it is great work by the team at Major Road Projects Victoria. A big thankyou to the team and the Honourable Minister for Transport Infrastructure.

I am also delighted to support this bill and to support the delivery of important projects for our community, namely, the Suburban Rail Loop. The objective of the bill is twofold. Firstly, the bill creates the Suburban Rail Loop Authority, which will plan for and deliver the Suburban Rail Loop program, and it provides the authority with the power it will need to fulfil its functions. The bill defines the objectives, the functions and the powers of the authority and defines the rules and procedures under which the authority will operate. The bill sets out the governance structures for the authority, including its board, procedures and committees and the delegations of its functions, duties and powers. As we know, the existing Suburban Rail Loop Authority has already been established, and this was done as an administrative office in the transport portfolio as an interim measure for the scoping and planning of the Suburban Rail Loop infrastructure and the associated present development that is proposed to occur over the next 20 years.

With the remaining time I just would like to take a quick snapshot of the business and investment case, which will allow me to revisit some of the major findings. There will be more than 430 000 passengers each day and more than 600 000 car trips daily off the road. It will cut travel time by 40 minutes on average for a one-way trip. There will be 24 000 jobs created in construction and more jobs closer to home in addition to jobs in the station precincts. But most importantly there is the \$58.7 billion in economic, social and environmental benefit to the state. So you can see this is gigantic. It is once in a generation, and I am wholeheartedly excited with this project. The business and investment case demonstrates the significant benefit the Suburban Rail Loop program can deliver to the Victorian community.

Finally, the scoping and planning work that has been done to date has identified the planning and development functions and power that will be needed by the authority over the life cycle of the project. For that end, this work has informed the content of the bill. It was not possible to determine the content of the bill before this work was done. Lastly, I can say that the bill will make some of the new and modified project delivery powers developed for use on the SLR program available. I commend the bill to the house.

**Mr WALSH** (Murray Plains) (19:11): I rise to make a contribution on the Suburban Rail Loop Bill 2021 on behalf of the Liberals and the National Party. The Suburban Rail Loop Bill 2021 facilitates the planning and delivery of the Suburban Rail Loop program and associated developments,

as has been talked about by a range of people in this house. Can I say at the start that I actually support the reasoned amendment moved by the member for Ripon, which is:

That all the words after ‘That’ be omitted and replaced with the words ‘this house refuses to read this bill a second time until the government re-establishes a public works committee to oversee all major public works in Victoria, including the Suburban Rail Loop, given the massive cost overruns, serious time delays, contractual disputes and inadequate business cases for the Suburban Rail Loop and other major projects’.

I lament the standard of administration of major capital works projects in this state and particularly lament the job that the Minister for Transport Infrastructure, the former Minister for Major Projects, has done in Victoria. If you think about the cost overruns in this state of the major projects, something in the order of \$23 billion, \$23 000 million, and you think about what that would buy in our communities collectively—there are 88 members in this house, and most people could come into this house and say they want an upgrade of a health service in their electorate. They would definitely want some upgrades to some schools in their electorate. They would definitely want some sporting clubs to have some upgrades. \$23 000 million would do a lot of upgrades in our communities. That is just what the overruns are on the projects; that is not the cost of the projects.

I think the member for Ripon’s reasoned amendment about re-establishing a public works committee across the chambers would be a good thing. If you think back to particularly the 1970s and 80s and then into the 90s, the executive government of this state actually answered to the Parliament—actually answered to the committees of the Parliament. We have found, particularly at the moment with the numbers that the Labor Party have in this house—and I accept they have large numbers in this house—they believe that the executive government does not have to answer to the Parliament. Parliament is a nuisance to the current government. They actually do not really want Parliament to sit. Tragically, with COVID, they have used COVID as an excuse for Parliament not to sit. They have had the numbers in the upper house, with the crossbenchers, to get the emergency powers that we have all seen used indiscriminately across our communities. As the old saying goes, power corrupts and absolute power corrupts even more, and we have effectively had a corruption of power in this state. The government believe they can do anything they want.

On this legislation before us, we all support major infrastructure projects and we all support improvements, whether they be in road projects in the state, whether they be metro or regional. We all support public transport projects, whether they be metro or regional, again. But we have seen that the fact is now that the government of the day, the Andrews government, do not believe they need business cases. They just believe they can make a press release, they can set up an authority—as in this case with this legislation—and that is enough. The executive government of the day actually should be answering to the Parliament. They should be bringing the information back to this Parliament. They should be accountable to this Parliament. The minister at the table, the Assistant Treasurer, has made a number of speeches about this issue—about how important the democracy of this state is—and it is important that we actually come back to that.

Again, we see with this legislation there are a lot of pages to it, but it is effectively enabling legislation where all the detail will be done by the authority and where things in the future will be done by regulation. But we do not actually know the detail of what is going to be spent on this project. I believe that we need the Parliament of Victoria to actually take control of the affairs of this state again and for the executive government to actually be accountable to the Parliament again in the future. That is why the establishment of a public works committee of this Parliament, I think, is an excellent idea. You would actually find there was some accountability again. You would actually get the bureaucrats that run this state coming and presenting to a committee under oath, and under oath is an important part.

**Mr Pearson** interjected.

**Mr WALSH:** I beg your pardon?

**Mr Pearson** interjected.

**Mr WALSH:** Again the minister at the table interjects.

**The ACTING SPEAKER (Ms Suleyman):** Order!

**Mr WALSH:** I know, Acting Speaker, it is disorderly to take up interjections, but I actually do have to take up that interjection. The government of the day actually does not treat the Public Accounts and Estimates Committee with the respect it deserves. There are no answers at PAEC anymore. It is a bit like the Parliament. PAEC is almost a nuisance to the government. Because the government has the numbers, because with a group of crossbenchers they can basically get anything they want through the upper house, they believe they can do anything to Victoria irrespective of what the rest of the community think. They show no respect to the Parliament of Victoria. They show no respect to the committees of the Parliament. We have the deputy chair of PAEC sitting here at the table with me, and I think he would agree with me that you do not get answers at PAEC anymore. It is effectively filibustering because they actually do not want to give real answers, and when they come under pressure they just defer to a departmental official to give the answer, which is not an answer in any case. I think we need to re-establish that the executive government answers to the Parliament and the Parliament's committees rather than the other way round.

When it comes to major projects in this state, from my recollection when we were in government, most projects are developed up on what is called a P50, so 50 per cent of probability being on cost, and once they have been agreed to in principle they go to a P90, where there is more rigour to the costings. If you look at the major projects in this state, they have been done on about a P-50 rather than a P+50 because they have blown out by so much.

I would like to spend a couple of moments talking about a project that was very dear to my heart and very dear to my community's heart, which was the Murray Basin rail project. The government inherited the project from the Liberal-Nationals when they were in government. It was fully funded, yet somehow they have taken \$440 million and made an absolute mess of the project. It is less than half done, it has not been done satisfactorily and all the money is gone. The minister of the day, the minister for major projects, has effectively said now, 'I wash my hands of it. I am not going to have anything to do with this project in the future. It is a project for a future government to resolve'. That project would have delivered the upgrade and the standardisation of the freight networks of north and west Victoria. That would have been of huge benefit to the industries, the towns and the cities in that area if it had been done properly. But tragically it has not been.

In the short time that I have got left, can I just touch on the West Gate Tunnel Project. The West Gate Tunnel Project started out as a thought bubble back in 2014 about having a diversion off the freeway. It was not all that much money, but then it morphed into the West Gate Tunnel. From memory, I think it was supposed to be opened before the November 2022 election. I will be very surprised if that project even seriously gets started by the November 2022 election, because it has just dragged on for so long and it is now billions and billions of dollars over budget. It is an absolute disaster how that project has been managed.

And what we have before us today is a bill to set up an authority to spend \$50 billion, \$100 billion, \$150 billion—who knows how much money?—into the future. Yes, we support major infrastructure projects in Victoria, but is this the project that we should be actually supporting at the moment when particularly in the COVID recovery we need so much money going to other issues to make sure that our communities are stronger and can recover from COVID and into the future? I support the reasoned amendment moved by the member for Ripon and would actually urge members on the other side of house to support that reasoned amendment, because if they actually believe in democracy, believe in the executive government being accountable to the Parliament, they will support that reasoned amendment to make sure there is actually proper scrutiny over major projects here in Victoria.

**Mr EDBROOKE (Frankston) (19:21):** It is an absolute pleasure to rise this afternoon and speak on the Suburban Rail Loop Bill 2021. We have heard from those prior to me that this bill will go a

long way to ensuring that the Suburban Rail Loop Authority has the governance and legislation it needs to operate. This is an absolutely visionary project. Like many on this side of the house, I can talk about where I was when I first heard about it. Like the member for Burwood, I was in the kitchen and jumping up and down because in my community this means so much. But for Victoria this is obviously about a growing city—Melbourne, a city with charisma—and a growing state and changing the way we move around that city now and for the future.

We have heard a little bit about democracy in the last 5 minutes and where democracy is in this state; all you would have to do to find out where democracy is in this state and how healthy it is would be to go back to the last election, 24 November 2018, when this project was resoundingly endorsed by people in Victoria. It was popular for a reason, and that is because it is visionary. It is not too often you hear about a project where you will not have significant deadlines and openings and ribbon cuttings in three- or four-year government terms. This is one, as the Premier said, he is proud to start, but of course he will not be the one to cut the ribbon on this project.

We have heard a lot about what this means to other suburbs, and I will endorse this on behalf of Frankston fairly soon. I would just say, having visited Japan—quite recently, I guess, in a COVID sense—a few years ago, they have got the Shinkansen, or the bullet train. We have got the Snowy Hydro project in Sydney. We have got, just off the top of my head, the Sydney Harbour Bridge. There is the San Francisco bridge. I am sure there were detractors for all of these visionary projects. I am sure there were people every day who talked them down and said, ‘We don’t want this’ or ‘There’s something wrong with it’ or ‘We won’t say we don’t want it, but we’re not sure about how to do it’. It is governments like this that actually get off that fence and commit to these things. These are things that if they were easy would have been done a long time before now.

Hearing what I have heard over the last couple of hours from the opposition, it just goes to show there is no vision there. The most vision they have got is in fact to recycle the old leader they had not long ago, who led them to the biggest thumping electorally they have ever had. This government does not work like that. This is a truly game-changing project. I guess let me put it like this: where are the people that talked down things like the Shinkansen bullet train and some of the other major projects in the world? We could talk about Victoria, we could talk about Australia nationally or we could talk about the world—where are those people? You do not hear about them, because no-one cares about them, because they did not have that vision and they did not have that aim to make their communities better.

This is a project where we are talking about hundreds of thousands of jobs along the network. It is a huge ring, and every major developed city in the world has something like this, an orbital ring of rail, whether it be Tokyo or whether it be London. I mean, spending time in Japan really opened my eyes to what we should be doing, and that is why it is such a pleasure to be talking about this today. We are the government that is the catalyst for this project and is getting this project started. In Japan of course they have got various levels of railway, but getting people in Japan to use a modern, effective railway that is on time is very, very easy. It is something that is used every single day. Some people obviously do not have cars, like in many cities we have talked about. That is because it is so handy, it is so easy, it is so well designed and it is so well built.

Now, from a Frankston perspective, I mean, selling this to the Frankston community at election time was pretty simple. People saw this as a no-brainer. So instead of, if you have to go to Monash University, having to go into the city to one of the city railway stations and taking a line back out, you basically get off and swap lines at Cheltenham station, get on the loop and away you go, from 2035 onwards for that section of line. It is really hard work to actually bring this kind of level of commitment to the community. Many, many people—and we have heard obvious examples of that today—do not understand where our community will be in 2035 or 2050. It is really hard to get your head around change. But we need to be creating those systems and putting those networks in place for that change now, because it is going to be too late soon.

You know, again, listening to some people on the other side of politics about this today, I thought that some of them would be embracing this, that some of them would be saying, ‘Yes, I want this kind of vision for Melbourne in the future; I want my kids, grandkids, whoever, to be able to work and live and play in a city that is this well-connected—to be able to live outside the city but still be so well connected with the city’. The way we do things is changing, and we need to change with that, and this project certainly does that. Indeed for I think it was probably 5 minutes there I heard a member of the opposition talking about *Herald Sun* articles—indeed reading *Herald Sun* articles. Well, if you want to be the person whose vision is just reading out *Herald Sun* articles and reciting what a reporter thinks should happen in the future, so be it. But the reporter’s job is really to report what has happened in the past usually. I will every day listen to my community, and my community endorse this to the hilt.

We have people every day on the peninsula—and I am not just talking 140 000 people in the Frankston local government area, I am talking about all the way down the peninsula—who will be able to get a train or a bus to Frankston station and be able to go east, to friends, to family, for education, to health precincts and to education precincts. And to hear people on this side of politics today talking about how exciting that is for their community is just so inspirational.

The people of Victoria spoke at the election. They resoundingly endorsed this. To hear people questioning democracy is just ridiculous. This is one of the largest projects that maybe Australia will ever see, and it will set our state up. Not just Melbourne—it will set our state up for the future, and this is long needed, well needed. I am sure there were people in the Hamer and Bolte years that did not like the fact that there was going to be a city loop, did not think it was necessary. ‘It’s too damn hard. We don’t want to do it.’ People find excuses everywhere not to do hard work, and, well, they usually sit over that side of the benches in my experience. This will be hard work, but it will provide work for many, many people too. There are many, many jobs in this. We are talking 430 000 passengers daily when complete, from Cheltenham all through Melbourne on rail. We are talking a business and investment case of nearly \$58.7 billion in economic and social benefits as well as environmental benefits. A significant role will now be played by the Suburban Rail Loop in our post-COVID recovery, with up to 24 000 jobs being provided by this project alone.

And for those who stand up on the other side of politics and talk about how they believe that this side of politics cannot deliver projects, well, I reckon I can almost go to every one of your cities—at least in the metro area—every one of your seats, and look at a level crossing that has been taken away. Nearly 30 level crossings are gone. There is so much that this government is doing, and I look across and I cannot think of one thing at least in Frankston or Victoria that was visionary that actually happened during the term of government of those opposite. It is not surprising, then, to hear them talking this project down. This project enjoys the widespread support of people in Frankston and Victoria, and I commend this bill wholeheartedly to the house and cannot wait to see it start.

**Following speeches incorporated in accordance with resolution of house of 14 September:**

**Ms ADDISON (Wendouree)**

I welcome the opportunity to contribute to the debate in support of the Suburban Rail Loop Bill 2021.

I would like to begin by thanking the Minister for Transport Infrastructure, her ministerial office and the Department of Transport for what they have done to bring this bill to the house. I would also like to thank them for the mountain of work that is going into building an orbital rail line through the suburbs of Melbourne. This line, crossing from the south to the east, through the north and into the west, will reshape how Victorians can travel, where we can live and work and what services we can all access.

I am very pleased to join my metro parliamentary colleagues in contributing on this bill, especially given how significant and transformative the Suburban Rail Loop will be for so many electorates and communities. This visionary public transport project is our state’s biggest infrastructure project, and I am glad that it will bring benefits close to home for so many of my colleagues.

We committed to the Suburban Rail Loop prior to the 2018 election, and I am proud that we are now getting on with delivering it. The benefits of this project are amazing—creating jobs, linking our hospitals and

universities and making Melbourne a fundamentally more interconnected city. And this unprecedented undertaking is providing a huge economic stimulus to our state.

The Suburban Rail Loop is the largest infrastructure investment in Victorian history precisely because it will need to support Victorians for generations to come. Our state is projected to grow to a population of at least 11.2 million people by 2056, with around 9 million in the greater Melbourne area alone—comparable to the current size of the city of London.

The Suburban Rail Loop provides a unique opportunity for us to develop our transport infrastructure in a way which will support this future growth, as well as to shape exactly how and where our city will develop in the decades ahead. To maintain our much envied way of life we need to think ahead on exactly how we want Victoria to grow. This is the way to ensure Victorians will have the opportunity to work near to where they live, and it is also the way to safeguard the vibrancy and accessibility of our state's capital.

The Andrews Labor government understands that we can't just keep running more and more trains into the Melbourne CBD, further overloading an outdated hub-and-spoke train network which shuttles all traffic towards the city loop. The type of transformative investment which the Suburban Rail Loop embodies will instead focus on, and even enhance, the character and the functionality of local communities so that they may continue to be safe, vibrant and attractive neighbourhoods as Melbourne's population grows. We are working with these local communities and will continue to do so as this project progresses towards completion.

The full business and investment case of this infrastructure project shows that the Suburban Rail Loop will support some 24 000 jobs across Victoria. And this already impressive figure is dwarfed by the 550 000 people that will be connected to jobs in the areas surrounding the new loop's stations.

The Suburban Rail Loop will help deliver reduced travel times for more than 80 per cent of Melburnians. It will deliver short, rapid and dependable journeys for Victorians—and more of them at that—while also slashing commuter times across the state.

This very important infrastructure project will change the way that people travel right across Melbourne, with many new destinations and connections for commuters to take advantage of. These enhancements to the train network will help to increase patronage, which will in turn encourage more people to shift from their normal travel routine of cars to public transport. The resultant decrease in traffic congestion will advantage all road users and will have positive flow-on effects for our public transport networks and our broader logistical operations. With the first trains expected to run in 2035 the business and investment case details just how this project will eliminate approximately 600 000 car trips every day and how it will slash public transport travel times by an average of 40 minutes for a one-way trip.

The business and investment case also highlights how Suburban Rail Loop east, between Cheltenham and Box Hill, and Suburban Rail Loop north, from Box Hill on to the Airport, will deliver up to \$58.7 billion in economic, social and environmental benefits to the state. The rail line between Cheltenham and Melbourne Airport is expected to carry more than 430 000 passengers per day when SRL north is complete, taking thousands of cars off our roads daily. It will connect to a convenient, fast and direct link to Melbourne Airport for the more than 30 000 passengers to be carried to and from the airport each day. Planning work is also set to continue for the Suburban Rail Loop west, which will fully integrate with the government's record transport investments in the west—including the Melbourne Airport rail project.

At this point, and having acknowledged the many benefits the Suburban Rail Loop will provide for Melbourne itself, it is worth stepping back and reflecting on its impacts for all Victorians. Better rail access to more parts of Melbourne—particularly Melbourne Airport—from all of Melbourne's major suburban areas will also lead to flow-on benefits for regional Victorians, including those in my electorate of Wendouree.

As my constituents and I know only too well, accessing our state's main airport by public transport currently involves a trip by train right into Melbourne's Southern Cross station only to transfer across to buses and immediately head back out of the CBD, often battling traffic to boot. It is a long and inefficient trip, and one which hampers the ability of regional Victorians to enjoy full and equal access to air travel. It is for this reason that I eagerly await the new transfer point these projects will deliver at Sunshine in Melbourne's west.

Residents in Ballarat are also very familiar with travelling into Melbourne by car, whether that be for work, for study, for services or for socialisation. By making rail journeys more convenient and accessible the new Suburban Rail Loop will provide a threefold benefit by reducing our state's reliance on cars, lowering their environmental impact and forestalling the traffic increases that can accompany a growing population—to the benefit of all transport infrastructure users.

In Ballarat we are huge fans of trains, particularly train manufacturing. We are proudly building 25 X'Trapolis 2.0 trains thanks to a \$986 million announcement in the 2021 Victorian state budget. I thank the Premier and Treasurer for their ongoing support of regional manufacturing and secure, well-paid, skilled jobs in Ballarat.

These network trains are designed for Melbourne and will be manufactured in Ballarat. The nearly billion-dollar investment to build trains at Alstom in my electorate of Wendouree was most welcomed by the Ballarat community. The project's local content requirements will support jobs, training, local businesses and regional Victoria.

I would also like to thank the Deputy Premier—the Acting Premier at the time—and Minister for Transport for coming to Ballarat in May to make this announcement.

I particularly wish to acknowledge the strong advocacy and support of the Australian Manufacturing Workers Union; the Electrical Trades Union; the Rail, Train and Bus Union; and Ballarat Trades Hall Council for rail manufacturing in Ballarat. I would also like to acknowledge the Alstom site delegates, Ash, Luke, Blair and Robo.

The benefits of the Suburban Rail Loop are widespread and varied, and the Andrews Labor government is getting on with the task of bringing those benefits to Victorians. The Suburban Rail Loop Bill 2021 is an essential component of this. It establishes the SRL Authority, along with its requisite governing arrangements; it facilitates the necessary planning, development, management and more via amended planning regulations; it defines the process for declaring SRL projects; and it amends the Major Transport Projects Facilitation Act 2009 to pave the way for this infrastructure.

This is important, essential legislation supporting a fundamentally important infrastructure project, and I commend the Suburban Rail Loop Bill 2021 to the house.

**Mr BRAYNE (Nepean)**

I rise today to speak on the Suburban Rail Loop Bill 2021.

The Andrews government is committed to delivering transport projects that make travel easier and more convenient for all Victorians.

Access to good public transport services is the mark of an equitable society, and Victoria's public transport network is important to so many Victorians.

Public transport helps us get to work, it helps us access important services and it helps us see our friends and families.

In short, a good public transport network helps to connect all Victorians. And Victorians understand this.

That is why they supported the Suburban Rail Loop and Victoria's Big Build at the last state election.

And that is why this government has been busy planning, designing and consulting on the Suburban Rail Loop.

This project is not just another transport project.

It is not just another rail line or another way for Victorians to get from A to B.

The Suburban Rail Loop is a multigenerational project that will reshape Melbourne and help us prepare for Victoria's growth.

The project will transform Victoria's public transport system and make it easier and more convenient for all Victorians to get to work, to access services and to see their loved ones.

Melbourne is growing, and it is essential that we invest in our infrastructure for future generations.

To do this, the Suburban Rail Loop will connect all the major train lines via the Melbourne Airport.

From the Frankston line to the Werribee line, our public transport network will become more connected than ever.

I know that for many in my electorate of Nepean this project will be welcomed.

So many people on the Mornington Peninsula rely on the Stony Point and Frankston lines to connect them to the city and to the rest of our state.

This new project will make it so much easier for them to get to their destination without having to take the journey into and out of the CBD.

That means less time spent travelling and more time spent doing what is important to us.

It also means that access to housing, jobs, schools, universities and hospitals will be improved and that, more than ever, Victorians will be connected by a strong public transport system that is on par with the world's biggest cities.

Furthermore, as Victoria recovers from the COVID-19 pandemic it is essential that we are generating a pipeline of work and economic stimulus.

The Suburban Rail Loop will provide 24 000 jobs across Victoria and once completed will connect Victorians to approximately 550 000 jobs across our state.

That is the multigenerational change that this government is committed to delivering through this project.

I will now turn to the specifics of the legislation.

The Suburban Rail Loop Bill will ensure that this transformational project proceeds with the statutory powers that are necessary to complete the construction of the 90-kilometre orbital rail loop that will run through many of Melbourne's middle suburbs.

The bill will also provide statutory powers that are necessary to support the development of the broader precincts that surround each station on the Suburban Rail Loop.

The Suburban Rail Loop is Victoria's largest infrastructure project and is subjected to 11 different local government planning schemes.

Given its scope the project will need its own legislation to ensure that the new rail line and associated developments are delivered effectively and consistently.

As such, the fundamental purpose of the bill is to establish the Suburban Rail Loop Authority, whose primary object will be to plan and deliver the Suburban Rail Loop project.

The bill will also enable this new authority to operate and manage the operation of the Suburban Rail Loop as well as enabling the authority to undertake projects associated with the Suburban Rail Loop.

To establish the Suburban Rail Loop Authority this bill sets out a range of functions and processes, including but not limited to:

- the authority's functions and general powers;
- the establishment of a board of directors and a process for appointing a CEO;
- corporate planning and reporting requirements; and
- necessary powers to delegate and employ staff.

In essence, the bill brings all aspects of the Suburban Rail Loop together in one piece of legislation and establishes a governing board that is dedicated to coordinating and delivering this transformational project.

As such, this single point of coordination will ensure that the best possible outcomes for Victorians are achieved.

Coordinating with stakeholders and the community will remain a priority for this new authority, and it will continue to work with government agencies, local councils and other key stakeholders as this project is delivered.

I will now turn to the powers that this bill will provide to the Suburban Rail Loop Authority.

The bill provides the Suburban Rail Loop Authority with a range of powers that are necessary to plan and deliver the Suburban Rail Loop project.

In order to provide the authority with these powers amendments to the Planning and Environment Act 1987 are included in the bill. These include but are not limited to:

- providing the Suburban Rail Loop Authority with the power to act as a planning authority for land that has been subject to a Suburban Rail Loop planning declaration;
- requiring municipal councils to prepare planning scheme amendments in Suburban Rail Loop planning areas to obtain the consent of the Minister for the Suburban Rail Loop; and
- requiring the Minister for Planning to consult with the Minister for Suburban Rail Loop on matters relating to planning scheme amendments in a Suburban Rail Loop planning area and the establishment of advisory committees in relation to such amendments.

These powers are necessary for the delivery of this project and will ensure that this transformational project is delivered in an efficient and consistent manner.

Furthermore, to support the delivery of Suburban Rail Loop projects the bill provides new powers to be established via amendments to the Major Transport Projects Facilitation Act 2009.

These include but are not limited to:

- the provision of powers to investigate land and plan for the development of the project before project areas have been designated;
- the extension of powers relating to land management, land acquisition and land disposal powers;
- the clarification and modification of powers that allow the authority to temporarily access and occupy land;



- the provision of additional road management powers; and
- the provision of powers to remove vegetation that is a risk to the safety of those working to deliver the project.

The combination of all these powers will allow the Suburban Rail Loop Authority to achieve its aim of coordinating and delivering this transformational project for all Victorians.

And Victorians can be assured that a proper process is being followed by the Suburban Rail Loop Authority throughout the delivery of this project.

The government has undertaken business and investment cases that have investigated the benefits that are likely to be achieved from undertaking this project and that ensure that these benefits exceed the costs that the government invested into this project on behalf of the community.

The Suburban Rail Loop project will also be subjected to an assessment of an environmental effects statement. This process will allow the potential impacts of this project to be considered and will help to develop ways of minimising or mitigating any disruption to the environment and wider community.

This bill does not provide any short cuts to delivering this multigeneration investment.

Rather, this bill provides the Suburban Rail Loop Authority with all the necessary powers to deliver a transformational project that will fundamentally change how Victorians travel across our state.

Once again the Andrews government is committed to improving transport outcomes for all Victorians.

Victoria's Big Build is the centrepiece of these improvements, with the program delivering so many important road and rail projects across our state.

Whether it be level crossing removals, regional rail upgrades, new suburban roads or the Suburban Rail Loop, this government is working hard to connect Victorians to their work, their communities and their loved ones.

With Victoria recovering from the pandemic and growing year after year, the Suburban Rail Loop will give Victorians more access to their jobs, education and healthcare, all while creating thousands of jobs and stimulating economic growth.

Access to good public transport services is the backbone of an equitable society, and the Suburban Rail Loop will provide opportunities to all Victorians, wherever they live.

This bill will allow us to move closer to delivering this project for Victoria's future generations and ensuring that our state is prepared for the future.

I am proud to say that I support this legislation, and I commend this bill to the house.

**Mr CHEESEMAM (South Barwon)**

It is with pleasure today that I rise to speak on the Suburban Rail Loop Bill 2021, a bill which represents the ambition and the boldness of the Andrews Labor government and our commitment to the Big Build program.

The Suburban Rail Loop Bill 2021 facilitates the planning and delivery of the Suburban Rail Loop program and associated developments. The Suburban Rail Loop program is the program for a new orbital rail line through Melbourne's suburbs that will integrate with existing and planned public transport and road networks. The program will be comprised of separate and specific Suburban Rail Loop projects.

The bill establishes the Suburban Rail Loop Authority with a primary object to plan and deliver the Suburban Rail Loop program and associated urban development as well as to enable the authority to operate or manage the operation of the Suburban Rail Loop. The bill provides for Suburban Rail Loop projects to be undertaken by the authority.

The bill will form a new principal act. It will define the objects, functions and powers of the authority and define rules and procedures within which the authority will operate. The bill sets out the governance structure for the authority, including its board, procedures, committees and the delegation of its functions, duties and powers.

The bill also provides for the authority to access powers under other acts, principally by applying the Major Transport Projects Facilitation Act 2009 to Suburban Rail Loop projects. The bill also makes related and consequential amendments to a range of other legislation, including the Planning and Environment Act 1987 and the Transport Integration Act 2010.

The bill also amends the Major Transport Projects Facilitation Act 2009, particularly part 6 of that act. The bill provides for additional powers in that act that will be available to Suburban Rail Loop projects and other transport projects to which that act applies.

This is fundamentally a bill to establish a new statutory authority and provide it with the powers it needs to plan, develop and deliver the state's biggest infrastructure project—a project that will play a significant role in Victoria's recovery from the pandemic, generating a pipeline of work and economic stimulus.

The scale and ambition of the Suburban Rail Loop demands a different approach from government. It's an unprecedented undertaking and is truly a game changer for this city and state.

The Suburban Rail Loop will reshape Melbourne's urban form over decades by creating a range of new employment and activity centres, delivering more jobs closer to where people live and providing a critical transport connection between these key health, education and jobs precincts in our suburbs.

The Suburban Rail Loop Authority administrative office, established in 2019 to plan for the Suburban Rail Loop, will become a statutory body corporate with the powers it needs to plan and deliver the state's biggest infrastructure project and oversee the transformation the Suburban Rail Loop program will activate over the next 20 years.

Victorians are telling us they want the Suburban Rail Loop started, and we're doing the important work needed to get construction underway by 2022.

Victoria's Big Build is delivering an unprecedented pipeline of major road and rail projects—level crossing removals, the Metro Tunnel, regional rail upgrades and new suburban and regional roads—to connect Victorians to work, study and each other and deliver jobs for thousands of Victorians.

As Victoria continues to grow the Suburban Rail Loop will make sure that we grow in a sustainable way, creating a city of centres which brings world-class health care, education and jobs closer to where people live. Importantly it will deliver a fairer state by connecting communities and creating opportunities for all Victorians, no matter where they live.

Victorians know how important this project is today and for generations to come. The Suburban Rail Loop is the project our state needs for the future, and the time is now upon us to deliver it.

I commend this bill to the house.

### **Ms CRUGNALE (Bass)**

It is with great pride that I speak on the Suburban Rail Loop Bill 2021. This is fundamentally a bill to establish a new statutory authority and provide it with the powers it needs to plan, develop and deliver Victoria's biggest infrastructure project, a project that will generate a pipeline of work and economic stimulus, creating up to 20 000 jobs during construction and kickstarting the careers of 2 000 apprentices, trainees and cadets. The Suburban Rail Loop will not only transform our state but also play a major role in our economic recovery from this pandemic.

While also improving the connectivity of Victoria's public transport network, the Suburban Rail Loop will also reshape Melbourne into a 'city of centres'—supporting growth in precincts outside the CBD that will provide more high-quality jobs, greater and more diverse housing options, and better access to services and amenities. The Suburban Rail Loop will link every major rail line from the Frankston line to the Werribee line, via the airport, connecting Victorians to jobs, retail, education, health services and most importantly each other.

For constituents in my electorate and for millions of families in the booming eastern and south-eastern suburbs, this will mean that users of the Cranbourne and Pakenham lines will be able to get to the airport without having to change trains, while the vast majority of Victorians will be able to get to the airport with just one interchange from their closest station.

Victorians resoundingly endorsed the Suburban Rail Loop at the 2018 state election, when it was first announced prior to the elections. Victorians are now telling us that they want and are eagerly waiting for construction on the Suburban Rail Loop to begin and we're doing the important work needed to getting construction underway by 2022. This is one of many promises that the Andrews Labor government is committed and driven to fulfilling as a part of its broader Big Build project.

Those local to my electorate would have already seen the commencement of major construction for a vital upgrade to duplicate the track along the Cranbourne line as part of a \$1 billion upgrade.

With 11 level crossings already removed on the Cranbourne line, work is now well underway to duplicate eight kilometres of track between Cranbourne and Dandenong, using more than 22 kilometres of Australian steel rail and more than 16 000 new sleepers.

The fully duplicated track will allow for trains to run every 10 minutes on the Cranbourne line—which, together with the Metro Tunnel and new bigger trains, will create capacity for 121 000 extra peak passengers every week across the Cranbourne and Pakenham lines.

Across Melbourne, 75 level crossings are being removed by 2025—and the Cranbourne line will be the first to be level crossing-free. The duplication of the Cranbourne line is due for completion by 2023 and will pave the way for planning for a future extension of the line to Clyde.

Likewise, three more level crossing removals have also been fast-tracked—at McGregor Road, Main Street and Racecourse Road in Pakenham—as part of an accelerated construction program to make travel safer and easier, and boost jobs and the economy.

The three sets of boom gates will be gone in 2023/2024 and two new stations will be built as part of a \$15 billion investment to upgrade the Pakenham line that will improve safety, reduce congestion and allow more trains to run more often.

The three Pakenham level crossings will be removed by raising the rail line over the roads, introducing new community spaces for locals to enjoy.

A new Pakenham premium station will provide better connections between metropolitan and regional train services along with upgraded facilities and improved security.

A second station will also be built at Pakenham East and the metropolitan rail track will be extended by two kilometres, boosting transport connections for the growing east and paving the way for more frequent and reliable train services from Gippsland.

Currently, Pakenham is a major bottleneck where V/Line and Metro trains merge onto shared tracks, and V/Line trains are often delayed behind Metro trains turning around at the end of the line. Pakenham East will include separate turnback tracks for Metro trains, and dedicated V/Line tracks—avoiding this congestion and improving service reliability.

The new Pakenham East station and tracks will also futureproof the Pakenham and Gippsland lines, allowing more services to be added in the future.

A completed Suburban Rail Loop will see the creation of transport super-hubs at Clayton, Broadmeadows and Sunshine—which will connect regional services to the Suburban Rail Loop, so passengers outside Melbourne won't have to travel through the CBD to get to the employment, world-class hospitals and universities in the suburbs.

Furthermore, the Suburban Rail Loop will not only be a vital and city shaping rail network, but an opportunity to optimise liveability, productivity and amenity through precincts around Suburban Rail Loop stations.

The Suburban Rail Loop Bill will provide certainty and ensure streamlined planning and construction of the 90-kilometre orbital rail loop through Melbourne's middle suburbs, and support development of the broader precincts around each Suburban Rail Loop station. The Suburban Rail Loop Authority will become a statutory body corporate with the powers it needs to effectively deliver the state's biggest public transport investment and precinct development, which are essential as Melbourne grows to a city of 9 million people by 2056. The bill brings all aspects of Suburban Rail Loop together in one place to deliver integrated transport and land use outcomes in line with existing legislation.

The bill also provides for the authority to access powers under other acts, principally by applying the Major Transport Projects Facilitation Act 2009 to Suburban Rail Loop projects. The bill also makes related and consequential amendments to a range of other legislation including the Planning and Environment Act 1987 and the Transport Integration Act 2010.

The bill amends the Major Transport Projects Facilitation Act 2009, particularly part 6 of that act. The bill provides for additional powers in that act that will be available to Suburban Rail Loop projects and other transport projects to which that act applies.

This legislation will ensure a consistent approach is adopted to achieving the best outcomes across all precincts. Local communities, key stakeholders and councils will be involved every step of the way, with the first meetings this month of precinct reference groups for each Suburban Rail Loop station area—forums to address local issues and to help shape associated development.

The next round of public engagement on further project detail starts this month. There'll also be opportunities for formal submissions to be made in relation to the rail infrastructure as part of the environment effects statement process, with hearings to be held by an independent assessment panel next year.

This legislation continues on the pattern of reform that the Andrews Labor government has been driving in this state for the last seven years, a pattern of reform that places fairness, social responsibility and the constant improvement of economic outcomes at the centre of this government's agenda. With this additional reform, the Andrews Labor government continues to show once again that the best interests of Victorian people sit squarely at the centre of our vision for this state.

The Suburban Rail Loop is not a standard transport project. It's more than a rail line. It's the way we'll reshape Victoria's growth for future generations. I commend the bill to the house, and I wish it a speedy passage.

**Mr DIMOPOULOS (Oakleigh)**

The government has been busy planning, designing and consulting on the Suburban Rail Loop (SRL) project, a project that will ensure our state has a world-class integrated rail network, worthy of this world-class city.

Local communities across Melbourne will gain better access to the city, and of the city. It will provide Melbourne with enormous economic opportunities.

This multigenerational project will transform Victoria's public transport system, connecting our suburbs and making travel easier and more convenient for all Victorians.

The SRL will help deliver Plan Victoria's vision to turn Melbourne into a poly-centric city of 20-minute neighbourhoods—with an integrated transport network—allowing more Victorians to work closer to home, gain better access to essential infrastructure like schools and hospitals, and avoid congestion.

The 20-minute neighbourhood is all about 'living locally'—giving people the ability to meet most of their daily needs within a 20-minute return walk from home, with access to safe cycling and local transport options.

The SRL will connect every major train line from the Frankston line to the Werribee line via Melbourne Airport, improving access to housing, jobs, schools, universities, and hospitals in Melbourne's middle suburbs.

The SRL will reduce hundreds of travel hours for Victorians every week. That's more time for families to be together, to exercise, for going out and supporting local businesses.

The SRL *Business and Investment Case* released last month shows that SRL will support 24 000 jobs across Victoria and connect people to around 550 000 jobs in the precincts around the stations, with first trains expected to run in 2035.

This project will deliver decades of secure employment, and once completed bring uplift to local communities, providing much needed attention and revitalisation to local businesses across metropolitan Melbourne.

The SRL will also take 600 000 car trips off our roads every day; slash public transport travel times by an average of 40 minutes for a one-way trip; and stimulate \$58.7 billion in economic, social and environmental benefits to our state.

The environmental impact alone from taking these cars off the road merits this project, but the efficiency in travel times, the reduction of road accidents, the reduction on impacts on our roads and the increase in economic participation make this project one of the most significant in the state's history.

The SRL will deliver a new 90-kilometre orbital rail line and strategic land planning and development initiatives in SRL precincts, giving Victorians jobs, cultural and civic spaces and homes closer to a train line and changing the way our state travels forever.

This project is about accessibility and it is about visibility, connecting the great parts of our city together, increasing and encouraging movement and exploration between so many wonderful communities across this city—this, one of the most diverse in the world, this city with some of the best cafes, restaurants and bars in the world.

The SRL east, from Cheltenham to Box Hill, will be complete by 2035 and combined with the completion of SRL north, it will create a long pipeline of work during delivery and attracting more than 160 000 additional jobs to the broader station precincts.

The rail line between Cheltenham and Melbourne Airport will carry more than 430 000 passengers daily when complete, taking more than 600 000 car trips off our roads every day. The SRL will connect to a convenient, fast and direct link to Melbourne Airport; the line will carry more than 30 000 passengers to and from the airport each day.

The current travel time to the airport by car from my electorate is around 40 minutes without traffic, up to an hour with traffic—that's about \$80–\$100 in a taxi. The current avenue through public transport, with the support of the SkyBus is an hour and a half in low traffic, in traffic. The SRL promises to drastically reduce that time and cost.

I'm very fortunate to live in and represent a community that has unique assets that are of not just statewide but of national significance. Monash University, the largest university in Australia—the main campus of which is in my electorate right next to where we propose to put the SRL Monash station; the Australian Synchrotron, the only facility of its kind in Australia—brought into existence by another proud Labor government, that of Steve Bracks and John Brumby; and of course the Monash heart hospital—again the first heart hospital in Australia and one of only a relatively small number in the world; and Monash Health—the

largest hospital and health network in Victoria. What do these anchors have in common? They are all located adjacent to both the proposed Monash SRL and Clayton SRL stations.

And I haven't even started on the extensive ecosystem of private businesses that together constitute what I have previously called the Silicon Valley of Australia—the amazing ingenuity, innovation, discovery and imagination that private enterprise and academia collaborate on every day in this incredible part of Melbourne.

It is not accident the SRL route takes in this extraordinary part of Melbourne. It is an enormous economic, jobs and science and academic hub. In fact, it is the largest employment hub in Victoria outside of the Melbourne CBD.

And I haven't even started on the importance of the precincts that are at the core of the SRL—not just train stations, precincts and hubs of economic and civil life.

While I am parochial about my part of Melbourne and Victoria, the SRL serves a greater part of Melbourne and a greater part of the Victorian community. Everybody has a stake in this project. The Premier has talked about oak tree projects, where the people, the government that planted the seed and nurtured the oak tree in the early years will not sit under its shade. This is the best type of project because it is intergenerational and it is focused on the needs of this generation and future generations rather than on short term political cycles. These types of projects and reforms are one of the hallmarks of our government, the Andrews Labor government. We have planted oak tree seeds in other areas too—Metro Tunnel, universal three-year-old kinder, the mental health 10-year reform that commenced this year in earnest, and that is just to name a few.

I could not be prouder of the Minister for Transport Infrastructure, the Premier and the Treasurer—the whole government—in taking this bold journey and I know the Victorian community is with us on this journey.

This bill seeks to do important work particularly in relation to establishing some of the necessary architecture for this bold intergenerational project.

- The Suburban Rail Loop Bill will provide certainty and ensure streamlined planning and construction of the 90-kilometre orbital rail loop through Melbourne's middle suburbs, and support development of the broader precincts around each SRL station.
- The declaration of SRL planning areas will provide the SRL Authority and SRL minister with the planning powers needed to develop SRL infrastructure and precincts and protect them from conflicting developments that could impact on the achievement of the SRL objectives.
- The Suburban Rail Loop Authority (SRLA) will become a statutory body corporate with the powers it needs to effectively deliver the state's biggest public transport investment and precinct development, which are essential as Melbourne grows to a city of 9 million people by 2056.
- This legislation will ensure a consistent approach is adopted to achieve the best outcomes across all precincts.
- SRL is Victoria's largest infrastructure project and the project alignment would be subject to 11 different local government planning schemes.
- The scale, ambition and duration of the project means it needs its own legislation to ensure the new rail line and associated development through Melbourne's middle suburbs is delivered effectively and consistently.
- The legislation establishes SRLA as a separate state entity with a governing board dedicated to coordinating and delivering this multi-generational project.
- SRL projects will be delivered using existing transport project delivery powers under the Major Transport Projects Facilitation Act.
- Establishing a dedicated agency to support large long-term projects requiring significant community and stakeholder engagement is not new—this process has seen how successful the Level Crossings Removal Authority has been in utilising these types of powers to achieve great outcomes for the community.
- This process brings together all elements of Suburban Rail Loop into one place, so we achieve the best possible coordinated outcomes in these communities.
- Some changes to the Major Transport Projects Facilitation Act (MTPFA) are also proposed to support the delivery of SRL projects.
- These changes are proposed to address issues and inconsistencies that were identified following the delivery of projects across the state over the last decade.

You wouldn't need this bill if you didn't have imagination and courage; we need this bill because our government has imagination and courage.

I commend the bill to the house.

**Mr HAMER (Box Hill)**

I am pleased to make a contribution in support of the Suburban Rail Loop Bill 2021, which is yet another step forward in the delivery of the biggest transport infrastructure that Box Hill, and indeed our state, have ever seen.

The Suburban Rail Loop will enhance Box Hill as a place to live, work and study—freeing our city from the radial network which has constrained us for so long.

From the opening of the Box Hill station in 1882, Box Hill has always been a focal point for economic activity and transfer of goods and services in the east. Box Hill was designated as a district business centre in the 1954 metropolitan planning scheme, and since that time Box Hill has consistently been considered a strategic centre in Melbourne metropolitan planning policy since. This has continued through to the current iteration of the metropolitan plan, *Plan Melbourne 2017–2050*. In each plan, the important regional role of the centre for the provision of employment, services and increased development has been reiterated.

And anyone who has visited Box Hill in recent years knows that the place is booming. Over the last 10 years, the Box Hill metropolitan activity centre has grown in population from 6400 in 2006 to 8500 in 2016. Over the same period of growth, employment has grown at a rate of 2.3 per cent per annum. Growth in the health and education industry sectors was particularly strong. These sectors added an estimated 2500 and 600 jobs respectively between 2006 and 2016.

By 2036, the population of the activity centre is forecast to grow by between 8400 and 10 100 people above 2016 levels. The resulting employment growth forecasts for the 20-year period to 2036 are in the order of 8400 to 11 000 additional jobs, with the largest employment growth forecast in the health sector, followed by office-based employment.

Box Hill already has one of the highest job densities in Melbourne outside the CBD and has one the busiest transport interchanges outside the CBD. There is no place quite like it, and it is no wonder that so many people are choosing to live or set up their business in Box Hill.

But there is a challenge that needs to be overcome. For too long, Melbourne's radial transport network has funnelled commuters in and out of the CBD, but has failed to connect our suburbs, especially in the so-called middle belt.

Transport projects, particularly those of the scale of the Suburban Rail Loop, are never an end in themselves. But it is a great enabler—a great enabler of jobs and a great enabler of accessibility to those who wish to partake in the broader economy while not being forced into multiple car ownership.

The Suburban Rail Loop changes the game. It is more than just a rail project—it will transform the Box Hill area for the better, achieving two significant goals.

It means, firstly, that residents in my electorate will have fantastic access across the city without needing to travel into the CBD, whether that is students accessing Deakin and Monash University, healthcare workers travelling to Monash Medical Centre in Clayton or travellers heading to Melbourne Airport for their next adventure.

The Suburban Rail Loop will also ensure residents from across our city can get to Box Hill easily for work, education, healthcare or simply to enjoy one of the excellent restaurants.

The scale of the benefits of the project is difficult to comprehend. The Suburban Rail Loop will generate up to \$58.7 bn in economic, social and environmental benefits for Victoria, adding \$50 bn to our gross state product. The Andrews Labor government has already committed \$2.2 bn in the 2020–21 Budget towards this critical project, and the recently released *Business and Investment Case* highlighted the return on investment this project delivers for our community.

The Suburban Rail Loop Bill 2021 is the next step towards getting tunnel boring machines in the ground by establishing the Suburban Rail Loop Authority (SRLA) as a body corporate with responsibility to plan and deliver this project.

This significant step forward includes the creation of governance structures, the ability for the SRLA to employ staff and the required financial controls to ensure the effective delivery of the project.

Crucially, the Suburban Rail Loop Bill 2021 amends planning regulations to specify how SRL planning areas are declared and managed, giving certainty to communities, not just in Box Hill, but along the entire alignment.

Furthermore, this important bill defines the process for the declaration of construction stages after the necessary planning, environment and heritage approvals have been obtained.

The Major Transport Projects Facilitation Act 2009 is also amended in this bill, ushering in a host of positive reforms for our community. These include providing greater clarity around planning permit requirements, land use management and designation of the SRL project area.

Ultimately, the Suburban Rail Loop Bill 2021 allows for consistency in planning across the numerous local government areas on the alignment, while continuing to uphold the strong planning, environmental protection and land acquisition arrangements already in force across the state.

These steps are a significant move forward as we deliver the SRL for Box Hill, and indeed our state. I am proud of the commitment of the Andrews Labor government for delivering the bold infrastructure agenda that those opposite say is just too difficult. This bill, and the power of work happening right now, proves them wrong.

SRL is a complex, multi-generational project which runs through multiple local government municipalities. The scale, ambition and duration of the project means it needs its own legislation to ensure the new rail line and associated development through Melbourne's middle suburbs is delivered effectively and consistently.

Under the Suburban Rail Loop Bill (SRL bill), Suburban Rail Loop Authority (SRLA) will move from the Department of Transport and be established as a body corporate for a public purpose with overall responsibility to plan and deliver SRL.

The legislation will allow for consistent planning across the project area, giving SRLA the necessary tools to plan, procure, and deliver this critical project, delivering the best possible outcomes for Victorians.

Stakeholder and community engagement remains a core priority for SRLA and it will continue to work closely with government agencies, local councils and other key stakeholders.

Finally, I do want to touch on some of the fearmongering that has been spread about the provisions that will be used in relation to planning and consultation for this project. Most of the planning provisions that will be used already exist. For example, the project's environment effects statement, the land acquisition and many other aspects of this project are occurring and will occur under existing legislation.

This legislation provides for consistent planning and certainty across a large project area. It provides the tools to plan, procure and deliver the transport and precinct elements of this critical project—delivering the best possible outcomes for Victoria.

A project area must still be specified or designated before compulsory acquisition can occur, as is currently the case. And the Land Acquisition and Compensation Act 1986 will still apply to compulsory acquisition. Councils can and would continue to be able to claim compensation for land they own that has been divested for the purposes of a declared project. Suggestions to the contrary are simply incorrect and designed to create fear and division amongst our community.

I commend this bill to the house.

**Mr McCURDY (Ovens Valley)**

I rise to make a brief contribution on the Suburban Rail Loop Bill 2021.

This bill has various elements to it which I will cover briefly and talk about some of my concerns.

The first part of the bill specifies preliminary matters including definitions, objectives and the commencement provision.

Part 2 of the bill establishes the Suburban Rail Loop Authority as a statutory body corporate. The authority will take over all functions, staff and administrative matters from the Suburban Rail Loop Authority administrative office, which was established in September 2019 to provide interim governance arrangements for the Suburban Rail Loop program.

Then thirdly the bill provides the Suburban Rail Loop minister with the power to declare areas of land that are proposed to accommodate the Suburban Rail Loop infrastructure and related precincts as Suburban Rail Loop planning areas.

There are various other parts to the bill which I won't go into here.

I do have some major concerns with this build. The total cost will eventually be in the vicinity of \$150 billion. That is a staggering amount of money, but if you consider Labor's track record on building this cost will be at least \$200 billion and more than likely much higher. We know Labor cannot manage money, and blowouts and overspend are just part of life of Labor in both Victoria and Australia.

And to justify that let's look at the current build, or as many call it, Melbourne's big waste, not because the projects are not needed but because Labor continue to over spend and waste billions upon billions of dollars on every project.

Current projects are \$23 billion over budget and growing. Now, let's be clear: this is not \$23 billion in total cost, this is \$23 billion over budget.

In the Ovens Valley electorate we have been waiting for projects for years and in many cases decades.

If we were to divide the \$23 billion overrun/blowout across all 88 of the Victorian electorate districts, each electorate would be in line for a \$261 million windfall for each district. Now, that could build 20 new schools or eight upgrades to hospitals, and that's just in the Ovens electorate.

That amount of money would give towns like Wangaratta, Yarrawonga and Cobram facilities like they have never seen before. Myrtleford, Bright and Mount Hotham would also be beneficiaries like we have never seen before.

So you can imagine when you think about a \$150 billion to \$200 billion spend in Melbourne, that means regional Victoria will miss out on so many much-needed projects.

Yarrawonga needs a new bridge over the Murray River, an upgrade to their hospital, the local community house needs a new building and the final stages of the P-12 college are 10 years overdue, and that is just a tip of the iceberg. Cobram needs a \$30 million hospital upgrade, a major upgrade at the secondary college. So when we think about the dollars involved in Melbourne projects that cost billions and projects in the Ovens Valley that are millions of dollars you can see why as a local member in regional Victoria there is more to Victoria than Melbourne.

Wangaratta, which is the main hub of the Ovens Valley, needs a massive injection, but if I were to reel off every project ever dreamt of, including a second bridge over the Ovens River, upgrades of football grounds to AFL standards and of course soccer and other sporting precinct upgrades, we would set up this regional city for the next 10 to 20 years. And of course the largest employer in Wangaratta is Northeast Health. This wonderful health facility has had modest upgrades and small injections by the Labor government, but what this health service needs is a significant upgrade or even a greenfield build to be capable of servicing this growing community.

And Myrtleford and Bright are both communities that this government has left behind, and aged care, hospital upgrades and sporting grounds are needed badly. The Great Alpine Road carries enormous traffic load, and overtaking lanes and other improvements are well overdue.

And so while Melbourne talks in billions of dollars in projects, the Ovens Valley would be thrilled with \$250 million plus if the current overrun on Melbourne projects was split across the state.

We know Labor's costings are always wrong, always underestimating the true cost. Like with the Metro and the West Gate Tunnel they are routinely billions of dollars out. When these factors are taken into account the benefits and costs ratio figures fade to massively negative.

The Auditor-General recently demonstrated why state estimates can't be relied upon.

The new taxes and borrowings are at the core of the problems with the Suburban Rail Loop.

The figures in so-called scenario A are so bad that the cost of borrowing doesn't equal state tax receipts until 2077. New babies born today will be grandparents when the debt is paid back.

The total cost in scenario A is so rubbery it ranges between \$30.7 billion and \$50.5 billion—imagine estimates that vary by 61 per cent.

Scenario B is out there beyond 2083. It's ongoing, off the end of the graph presented. From \$35.1 billion to \$57.6 billion—also a 61 per cent variation.

Labor needs to come clean about the special new taxes. Who will pay and how much?

This so-called investment case lacks any real integrity, it's not worth the paper it is written on.

A further point relates to the proposed intense development, still ill-defined, near the proposed stations with the government proposing tens of thousands of people be located in high-density nodes.

And so I am not one who is opposed to building infrastructure or improving outcomes for Victorians, but we need to ensure that waste and mismanagement is brought under control. The lack of accountability by the Andrews government is a major concern. Twenty-five per cent of Victorians live in regional Victoria, and regional Victoria receive approximately 8 per cent of the budget. There is more to Victoria than just Melbourne, although I fully support Melbourne infrastructure investment, but this Andrews government really must be fair. The Ovens Valley and all other regional electorates are Melbourne's playground, and investment must keep pace for a well-balanced state. I commend the bill to the house.



**Mr McGuire (Broadmeadows)**

The Victorian government is defining a multigenerational, multibillion-dollar project while responding to the catastrophic events of our times: a once-in-a-century pandemic, and recovery from the world's worst recession since the Great Depression.

This bill facilitates the planning and delivery of the Suburban Rail Loop designed to connect Melbourne's middle suburbs and the long-awaited rail link to the Melbourne Airport.

The Member for Eltham highlighted my advocacy to fast-track Broadmeadows and the people of Melbourne's north to the airport.

This vision is defined in the Comeback strategy I have proposed for Broadmeadows that reimagines the Broadmeadows town centre and railway station as a catalyst for economic and social development where it is needed most. The Broadmeadows Revitalisation Board 4.0 has unanimously endorsed this plan. In this contribution, I want to define its value and advocate for it to be fast-tracked in budgets or collaborative investments through the Australian government's election commitment to a city deal for Melbourne's north-west.

My concern is that history does not repeat, abandoning Broadmeadows.

The Bolte government introduced a bill in 1965 to buy land for a proposed link to Melbourne Airport at Tullamarine. In March 1964, when questioned in Parliament about the estimated cost of implementing the proposed plan to link the Tullamarine jetport by rail to Melbourne, then Minister for Transport, Edward Meagher, indicated the cost would be £1.5 million for the construction of a new railway between Jacana and the airport. Subsequent plans headed in the same direction: go down the Broadmeadows train line and turn left.

We have come a long way since then in cost and consequence. Instead of being first in significance for the rail link to Melbourne airport, the state district of Broadmeadows will be last to benefit from the current plan for the Suburban Rail Loop.

The plight of Broadmeadows must be redressed. Australia turns to Broadmeadows in times of existential threat from wars and disasters to economic peril and pandemic, but too often when the catastrophic event has passed, Australia turns its back, abandoning Broadmeadows like an orphan to entrenched disadvantage and compounding complexities. It is in our national interest to change this predicament, as outbreaks from the pandemic have proved.

The Brumby government reaffirmed the strategic significance of Broadmeadows in Melbourne's transport infrastructure and economic development.

Planning minister Justin Madden declared in September 2010: 'Broadmeadows central activity district is set to become Melbourne's 'capital of the north'.

The Brumby government underwrote this vision with an \$80.3 million investment to redevelop the Broadmeadows railway station as part of a revitalisation plan building key infrastructure, stimulating change and creating jobs.

Many of the ministers who supported this plan are key ministers in today's government, so I am sure they still endorse the even more urgent need for this strategy to be implemented.

Such investment is even more important because of the one-term coalition government's reverse Robin Hood strategy against Victoria's poorest, most disadvantaged community.

Then planning minister, now recycled opposition leader, the member for Bulleen, played Robin Hood in reverse, cancelling the Broadmeadows revitalisation.

He shunted the funding down the train line to secure the vote of then member for Frankston, Geoff Shaw, and to sandbag a seat the coalition still lost.

This triumph of politics delivered a double jeopardy for Broadmeadows, with the loss of this catalyst investment in the community of greatest need.

This decision was a triumph of politics over rational decision-making.

New investments are required for redress. The Broadmeadows metropolitan activity centre was classified as a place of state significance under *Plan Melbourne*. It needs to be designated a key employment cluster for Melbourne's north. The Comeback strategy defined how the Broadmeadows Revitalisation Board 4.0 can help coordinate funding from the three tiers of government to maximise the opportunity for Broadmeadows to become an employment cluster of state significance. Funding opportunities include:

- i. Unprecedented spending in federal and Victorian budgets by May 2021.
- ii. The allocation of almost \$4 billion in the federal budget to the national disability insurance scheme (NDIS) 2020–21.
- iii. The Victorian government's \$2.7 billion building works package.
- iv. The Victorian government's \$500 million Working for Victoria Fund.
- v. The Victorian government's Jobs Victoria Innovation Fund.
- vi. The Hume City Council's capacity to invest at record low interest rates.
- vii. The Australian government's \$1.5 billion investment for modern manufacturing.

An airport rail link would fast-track economic recovery post COVID-19 and the proposed third runway at Melbourne Airport. The Victorian government is negotiating a share of the \$10 billion National Rail Program, an Australian government funding commitment to urban rail projects. Funding was premised on a business case highlighting the strategic value of the Broadmeadows station:

- the best rate and integration with existing transport networks;
- easing congestion on the Tullamarine Freeway;
- competition and other modes of road transport, levels of patronage; and
- airport corporation priorities.

These imperatives align. The Australian government made a commitment of up to \$5 billion to a half-share in the project to build a rail link to the Melbourne Airport in the 2018–19 budget as the highlight of its infrastructure and job creation in nationally significant projects.

One of the transformative projects for economic recovery and jobs in Melbourne's north is the Somerton intermodal rail hub. This is a key feature in the Victorian government's fast-track plans to create a national distribution network. It will complete the metropolitan rail freight network, linking to the \$125 million on-dock rail, allowing shuttles to run directly to the port of Melbourne. This hub will enable more efficient movement of goods via intermodal terminals such as Somerton. This is a particularly important project in making rail freight cheaper for businesses and taking trucks off suburban roads. It would play a key role in developing the Australian government's inland rail project, offering a significant change in the capacity and capability of the national freight rail system. Economic benefits total \$22.5 billion for an investment of about \$10 billion, according to the case for inland rail prepared by Australian Rail Track Corporation and PricewaterhouseCoopers. Their analysis projected an economic benefit-cost ratio of 2.62, which would increase gross domestic product by \$16 billion. This is an important next step in how we create the big picture for economic development, particularly in Melbourne's north, where one in 20 Australians is predicted to live soon. Boasting Australia's largest concentration of advanced manufacturing, Melbourne's north also features the highest proportion of undeveloped industrial land in Melbourne, about 60 per cent, defining it as the most sustainable and affordable region to cope with population growth for economic recovery. Proximity to the heart of the city, affordable land and blue-chip infrastructure provide the opportunity capital craves to help economic recovery and stimulate jobs.

The Andrews government subsequently upgraded the Broadmeadows train station after the Brumby government's \$80.3 million investment in the Broadmeadows central activity district a decade ago to help transform Broadmeadows into the 'capital of the north' by redeveloping the station, building infrastructure and creating jobs. The opportunity now exists for a more strategic redevelopment. Broadmeadows has similar features to Ringwood station, including three platforms, connection to a bus interchange and a location next to a major shopping centre. Hume City Council has agreed to a similar \$60 million redevelopment.

Designation of Broadmeadows as a super hub in Australia's biggest transport infrastructure project, the Suburban Rail Loop, provides a defining opportunity. Broadmeadows railway station already acts as a link to Melbourne Airport. Travellers from throughout Victoria arrive at the station, then catch the 901 bus to the airport.

Express trains could be scheduled post COVID-19 to run from Southern Cross station to Broadmeadows, connecting with buses designated for each terminal at Melbourne Airport. This service would provide a quick, inexpensive public transport option until the designated rail link to the airport is built via Sunshine. This proposal would benefit most of the airport workforce living in Melbourne's north. Broadmeadows railway station has the added value of a V/Line service connecting commuters from northern Victoria.

VicRoads and Hume City Council have finalised the deal to remove the loop road at Camp Road. This initiative will provide major opportunities, opening the entrance to the Broadmeadows town centre, the construction of a multideck car park and other facilities around the Broadmeadows station precinct.

Key infrastructure is required for jobs in Melbourne's north by unlocking the development potential between Broadmeadows and Campbellfield, one of the biggest areas for industrial and manufacturing employment in the region. Connections between the Broadmeadows town centre, the Northcorp industrial area and the rest of Campbellfield are poor. The presence of Pascoe Vale Road and the two railway lines act as a barrier between the east and west of Broadmeadows. These connections deliver infrastructure that will unlock the value and enable employment.

Proposals include additions to the local connector road network from the Merlynston Creek crossing, to a new Campbellfield railway station, a Merlynston Creek road crossing linking the old industrial areas with the modern manufacturing precinct through to Belfast Street and a pedestrian and cyclist bridge with bus access at Broadmeadows railway station.

Vision, plan, investments and advocacy have succeeded in Broadmeadows being defined as a priority precinct for the proposed city deal for Melbourne's north-west. Such a deal would redress inequality and deliver new infrastructure, promoting industries and jobs.

This plan incorporates a northern connection via Broadmeadows to deliver all options necessary for the rail link to Melbourne Airport. This adds to the Victorian government's preferred route via a new super hub in Sunshine, connecting suburbs and regions to Australia's only curfew-free international airport.

It paves the way for Australia's biggest public transport proposal, a new underground rail network circling Melbourne's suburbs. The Suburban Rail Loop is designed to connect every major train line from Frankston to Werribee through Melbourne Airport. Victorians would no longer have to travel into the CBD under the proposal, featuring up to 12 new underground stations and connecting suburbs with major employment centres, universities, TAFEs, hospitals and retail precincts.

It embraces the super hubs, designed to provide better access to jobs, education and health outside the central business district, transforming Sunshine, Broadmeadows and Clayton into 20-minute cities.

It accelerates smart city investments by driving powerhouse precincts, including Broadmeadows and La Trobe University, to provide affordable housing and access to lifelong learning, skills and jobs. The Australian government would become a practical partner where jobs and growth are needed most, preventing rust belts and converting them into brain belts, changing the population mix and turning disadvantage into aspiration, as defined in the Comeback strategy.

It would also add value by harnessing the multiversity partners in Broadmeadows to deliver micro-credentials, just-in-time training for job aspirants, TAFE certificates and degrees while coordinating priorities that fast-track results under the triple-helix collaboration between research, industry and government.

Hume City Council, a member of the Broadmeadows Revitalisation Board 4.0 that I chair, make these points.

The location and design of transport interchanges within activity centres have a significant bearing on the centre's capacity to service community needs and lever further investment and development.

A poor transport interchange, which is difficult to access and not of the highest quality, will affect people's choice to use public transport or spend time in these centres.

It is essential that the government work in partnership with councils and public transport providers to achieve the best possible outcomes for transport connections, links and interchanges within railway station precincts along the Suburban Rail Loop.

Within Hume, the state government's plans for the Suburban Rail Loop will make Broadmeadows much more accessible to Melbourne's other regions and connect Broadmeadows to Melbourne Airport.

Council is seeking these plans to be brought forward. If unable to schedule earlier, the redevelopment of the Broadmeadows railway station should be prioritised and funding committed now.

Hume City Council is seeking the following action:

- The Victorian government to commit to bringing forward investigation of the alignment of the SRL route and location of the super hub planned for Broadmeadows. This is critical to inform the current and future growth of Broadmeadows town centre.
- The Suburban Rail Loop to be integrated with improved pedestrian environments within the Broadmeadows railway station precinct to enhance the quality of the centre's public realm and consolidate Broadmeadows's designation as a metropolitan activity centre and as the 'capital of the north'.
- The Victorian government to work with Hume City Council and public transport providers to prepare a Broadmeadows railway station masterplan which integrates the Suburban Rail Loop into the Broadmeadows metropolitan activity centre.

- Information currently available confirms that the SRL North component of SRL and Broadmeadows railway super hub will not be delivered for more than 30 years, which is an unacceptable time frame for Broadmeadows. Not bringing forward the railway station's redevelopment will constrain the greater revitalisation of Broadmeadows.

**The SPEAKER:** Order! The time set down for consideration of items on the government business program has arrived, and I am required to interrupt business.

**Ms STALEY (Ripon) (19:30):** I move, by leave:

That sessional order 15 be suspended to allow the bells to be rung for 1 minute per division to remain in place until the house adjourns.

**Motion agreed to.**

**The SPEAKER (19:31):** The house is considering the Suburban Rail Loop Bill 2021. The minister has moved that the bill be now read a second time. The member for Ripon has moved a reasoned amendment to this motion. She has proposed to omit all the words after 'That' and replace them with the words that have been circulated. The question is:

That the words proposed to be omitted stand part of the question.

Those supporting the reasoned amended moved by the member for Ripon should vote no.

**House divided on question:**

*Ayes, 35*

Allan, Ms  
Blandthorn, Ms  
Brayne, Mr  
Bull, Mr J  
Carbines, Mr  
Carroll, Mr  
Cheeseman, Mr  
Connolly, Ms  
Crugnale, Ms  
D'Ambrosio, Ms  
Donnellan, Mr  
Edbrooke, Mr

Edwards, Ms  
Foley, Mr  
Fowles, Mr  
Fregon, Mr  
Halfpenny, Ms  
Hall, Ms  
Halse, Mr  
Horne, Ms  
Hutchins, Ms  
Kilkenny, Ms  
Maas, Mr  
McGuire, Mr

Pakula, Mr  
Pearson, Mr  
Richards, Ms  
Scott, Mr  
Spence, Ms  
Staikos, Mr  
Suleyman, Ms  
Tak, Mr  
Thomas, Ms  
Ward, Ms  
Wynne, Mr

*Noes, 14*

Battin, Mr  
Burgess, Mr  
Hodgett, Mr  
McCurdy, Mr  
Newbury, Mr

O'Brien, Mr D  
Riordan, Mr  
Rowswell, Mr  
Smith, Mr R  
Staley, Ms

Vallence, Ms  
Wakeling, Mr  
Walsh, Mr  
Wells, Mr

**Question agreed to.**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**The SPEAKER:** The bill will now be sent to the Legislative Council and their agreement requested.

**Register of opinion on motion***Ayes*

Ms Addison, Mr Andrews, Ms Couzens, Mr Dimopoulos, Mr Eren, Mr Hamer, Ms Hennessy, Mr Kennedy, Mr McGhie, Mr Merlino, Ms Neville, Mr Pallas, Mr Richardson, Ms Settle, Mr Taylor, Ms Theophanous

*Noes*

Mr T Bull, Ms Kealy, Ms McLeish, Mr Northe, Ms Ryan

**GREAT OCEAN ROAD AND ENVIRONS PROTECTION AMENDMENT BILL 2021***Second reading***Debate resumed on motion of Ms D'AMBROSIO:**

That this bill be now read a second time.

**and Ms VALLENCE's amendment:**

That all the words after 'That' be omitted and replaced with the words 'this house refuses to read this bill a second time until the government has provided adequate time for consultation with stakeholders to assess the impact of this bill and has released the proposed regulations'.

**The SPEAKER (19:40):** The minister has moved that the bill be now read a second time. The member for Evelyn has moved a reasoned amendment to this motion. She has proposed to omit all the words after 'That' and replace them with the words that appear on the notice paper. The question is:

That the words proposed to be omitted stand part of the question.

Those supporting the reasoned amendment moved by the member for Evelyn should vote no.

**House divided on question:***Ayes, 35*

Allan, Ms  
Blandthorn, Ms  
Brayne, Mr  
Bull, Mr J  
Carbines, Mr  
Carroll, Mr  
Cheeseman, Mr  
Connolly, Ms  
Crugnale, Ms  
D'Ambrosio, Ms  
Donnellan, Mr  
Edbrooke, Mr

Edwards, Ms  
Foley, Mr  
Fowles, Mr  
Fregon, Mr  
Halfpenny, Ms  
Hall, Ms  
Halse, Mr  
Horne, Ms  
Hutchins, Ms  
Kilkenny, Ms  
Maas, Mr  
McGuire, Mr

Pakula, Mr  
Pearson, Mr  
Richards, Ms  
Scott, Mr  
Spence, Ms  
Staikos, Mr  
Suleyman, Ms  
Tak, Mr  
Thomas, Ms  
Ward, Ms  
Wynne, Mr

*Noes, 17*

Battin, Mr  
Burgess, Mr  
Hibbins, Mr  
Hodgett, Mr  
McCurdy, Mr  
Newbury, Mr

O'Brien, Mr D  
Read, Dr  
Riordan, Mr  
Rowswell, Mr  
Sandell, Ms  
Smith, Mr R

Staley, Ms  
Vallence, Ms  
Wakeling, Mr  
Walsh, Mr  
Wells, Mr

**Question agreed to.****Register of opinion on question***Ayes*

Ms Addison, Mr Andrews, Ms Couzens, Mr Dimopoulos, Mr Eren, Mr Hamer, Ms Hennessy, Mr Kennedy, Mr McGhie, Mr Merlino, Ms Neville, Mr Pallas, Mr Richardson, Ms Settle, Mr Taylor, Ms Theophanous

*Noes*

Mr T Bull, Ms Kealy, Ms McLeish, Mr Northe, Ms Ryan

**The SPEAKER:** The question is:

That this bill be now read a second time and a third time.

**House divided on question:**

*Ayes, 35*

Allan, Ms  
Blandthorn, Ms  
Brayne, Mr  
Bull, Mr J  
Carbines, Mr  
Carroll, Mr  
Cheeseman, Mr  
Connolly, Ms  
Crugnale, Ms  
D'Ambrosio, Ms  
Donnellan, Mr  
Edbrooke, Mr

Edwards, Ms  
Foley, Mr  
Fowles, Mr  
Fregon, Mr  
Halfpenny, Ms  
Hall, Ms  
Halse, Mr  
Horne, Ms  
Hutchins, Ms  
Kilkenny, Ms  
Maas, Mr  
McGuire, Mr

Pakula, Mr  
Pearson, Mr  
Richards, Ms  
Scott, Mr  
Spence, Ms  
Staikos, Mr  
Suleyman, Ms  
Tak, Mr  
Thomas, Ms  
Ward, Ms  
Wynne, Mr

*Noes, 17*

Battin, Mr  
Burgess, Mr  
Hibbins, Mr  
Hodgett, Mr  
McCurdy, Mr  
Newbury, Mr

O'Brien, Mr D  
Read, Dr  
Riordan, Mr  
Rowswell, Mr  
Sandell, Ms  
Smith, Mr R

Staley, Ms  
Vallence, Ms  
Wakeling, Mr  
Walsh, Mr  
Wells, Mr

**Question agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**The SPEAKER:** The bill will now be sent to the Legislative Council and their agreement requested.

**Register of opinion on motion**

*Ayes*

Ms Addison, Mr Andrews, Ms Couzens, Mr Dimopoulos, Mr Eren, Mr Hamer, Ms Hennessy, Mr Kennedy, Mr McGhie, Mr Merlino, Ms Neville, Mr Pallas, Mr Richardson, Ms Settle, Mr Taylor, Ms Theophanous

*Noes*

Mr T Bull, Ms Kealy, Ms McLeish, Mr Northe, Ms Ryan

**BUILDING AMENDMENT (REGISTRATION AND OTHER MATTERS) BILL 2021**

*Second reading*

**Debate resumed on motion of Mr WYNNE:**

That this bill be now read a second time.

**Motion agreed to.**

**Read second time.**

*Circulated amendments***Circulated government amendments as follows agreed to:**

1. Clause 2, line 5, omit “50” and insert “49A”.

## NEW CLAUSES

2. Insert the following New Clause to follow clause 49—

**‘49A Limitation on time when building action may be brought**

- (1) In section 134(2) of the **Building Act 1993**, for “12 years” substitute “15 years”.
- (2) For section 134(2)(b) of the **Building Act 1993** substitute—

“(b) the building action has become or becomes prohibited on or after 16 July 2019 but before 1 December 2023 by this section as in force at any time before the commencement of section 49A of the **Building Amendment (Registration and Other Matters) Act 2021**.”.

3. Insert the following New Clause to follow clause 52—

**‘52A New section 284 inserted**

After section 283 of the **Building Act 1993** insert—

**“284 Transitional and saving provision relating to the Building Amendment (Registration and Other Matters) Act 2021**

- (1) Any right to take a cladding building action that expired under section 134(2) as in force immediately before the commencement of section 49A of the amending Act is taken for all purposes never to have expired and continues until it expires under section 134(2) as amended by section 49A of the amending Act.

- (2) In this section—

*amending Act* means the **Building Amendment (Registration and Other Matters) Act 2021**.”.

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

**The SPEAKER:** The bill will now be sent to the Legislative Council and their agreement requested.

**ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2021***Second reading***Debate resumed on motion of Mr FOLEY:**

That this bill be now read a second time.

**Motion agreed to.****Read second time.***Third reading***Motion agreed to.****Read third time.**

**The SPEAKER:** The bill will now be sent to the Legislative Council and their agreement requested.

**Business interrupted under resolution of house of 14 September.**

**The SPEAKER:** The time appointed under the resolution of the house for me to interrupt business has now arrived. The house is now adjourned.

**House adjourned 7.56 pm until Tuesday, 5 October, at 2.30 pm.**

**Members statements**

**Following statements incorporated in accordance with resolution of house of 14 September:**

**TONY CAHILL**

**Mr PALLAS** (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations)

I wish to acknowledge to the house the passing of Tony Cahill, a long-time comrade and resident of my electorate of Werribee.

Tony was always an active member of the Labor Party.

He was passionate for the trade union movement and a firm believer in the right to a 'fair go' regardless of your background.

He dedicated his time to standing up for the working class and promoting a fairer and more just place for all in society.

He shared his views with vigour and loved to debate the rights and wrongs in the world of politics.

Tony was dedicated to serving on local committees and was resolute in supporting our local community.

He was always there helping at election time, convincing people of the value of their vote.

Tony loved to meet up and have a chat with his mates over a game of darts.

Sadly, ill health slowed him down in the past year. I'm grateful he had the opportunity to talk with his mates on the phone in recent weeks before he passed away peacefully in a care facility.

Above all, Tony spoke fondly of his daughters, Tara and Nadine, and his grandchildren, Jade and Ethan.

Sincere condolences to his daughters and their families, and extended family and to those who share the sadness of his passing.

Rest in peace, Tony.

**HON. ROSEMARY VARTY, OAM**

**Ms VALLENCE** (Evelyn)

It is with great pleasure that I pay tribute to the Honourable Rosemary Varty, OAM, Yarra Valley local and former member of the Legislative Council and inform Parliament of her recognition in this year's Queen's Birthday honours list, receiving the Medal of the Order of Australia for her service to the community and to lawn bowls—a tremendous and well-deserved honour.

Rosemary served our community as the member for Nunawading Province and later Silvan Province, and served Victoria as Cabinet Secretary in the Kennett government. She also dedicated years of service as a director and president of Bowls Victoria, a councillor in the former City of Box Hill and a board member of the Mont De Lancey Historical Trust, and contributed to the design of Healesville hospital's sanctuary garden and the Seville Water Play Park.

Rosemary is passionate about our community and is an inspiration, mentor and friend to many, including me. Congratulations, Rosemary!

**COVID-19**

**Ms VALLENCE** (Evelyn)

This week the Victorian Liberal-Nationals announced a positive new plan to get students back in classrooms across Victoria. Under the Andrews Labor government's six yo-yo lockdowns, some Victorian students have lost over 150 days of face-to-face learning.

This has had a devastating impact on the educational and social development of young people, and on their families and school communities. Our children and teenagers have been hardest hit as a result of the COVID-19 pandemic and the government's harsh restrictions, including school closures, no community sport or activities and the banning of playgrounds.

Our sensible plan to safely get kids back in the classroom will give hope to students for a return in time for the commencement of term 4, with priority vaccinations for willing teachers, rapid testing and fast-tracking of classroom ventilation works, so we can start to get students' education and development back on track.



Together with experts in education and youth mental health, we're urging the government to act or risk creating a lost generation of our youth.

### BELLARINE ELECTORATE SCHOOLS

**Ms NEVILLE** (Bellarine—Minister for Water, Minister for Police)

The Bellarine is fortunate to be serviced by great schools right across the peninsula.

And as their local member I have been pleased and proud to have worked with each and every one of these schools in upgrading their facilities.

Only in recent times, several local schools have completed major building projects and, in doing so, fulfilled more of our 2018 state election commitments.

In Ocean Grove, Our Lady Star of the Sea earlier this year opened its \$4 million multipurpose building, a project joint funded by the school and the state.

Just next door, Surfside Primary School last year completed its \$1.3 million refurbishment of 10 classrooms and its library and student amenities.

At the secondary level, thanks to a funding partnership between the state government and St Ignatius Secondary College, the school is set to construct its state-of-the-art teaching and learning centre.

This is in addition to the state government contributing \$4 million dollars since 2018 towards the college's new gym and multipurpose hall.

In Drysdale, Bellarine Secondary College is now very close to completing its \$8.9 million VCE Centre, providing A-grade facilities for students undertaking their most important year of schooling, while Newcomb Secondary College is also close to completing a \$5.4 million upgrade that will benefit many students from Leopold.

I take this opportunity to congratulate and thank all these great schools, led by their principals, Kerry Sells, Peter Walsh, Michael Exton, Wayne Johannsen and Phil Honeywell.

And only this week, Clifton Springs Primary School, led by principal Meg Parker, was announced as a finalist in the 2021 Victorian Education Excellence Awards.

As I said, the Bellarine Peninsula is blessed to have so many quality schools, and my thanks go to each one of them.

### COVID-19

**Mr McCURDY** (Ovens Valley)

Yarrawonga and Cobram communities are again being ignored by the government for Melbourne. Not permitted to cross the river to exercise, including golf and junior basketball, is causing huge issues within our border towns. It is ludicrous that a NSW golf course 100 metres from the Victorian border is unusable by Victorians. It's time the lacklustre ministers in the Victorian government stood up against the Premier, who rules like a dictator.

### COVID-19

**Mr McCURDY** (Ovens Valley)

As Darryl Kerrigan from *The Castle* said so eloquently, 'It's not a house, it's your home'. Over 5000 Victorians still in NSW remain stranded and refused entry to Victoria, which is an absolute disgrace. What kind of state Premier bans people from coming home. It's time to tell the Premier he's 'dreamin'' and let Victorians come home. They are prepared to be tested or vaccinated or isolate, whatever is required, but let them come home. This is abuse of power and must stop now.

### COVID-19

**Mr McCURDY** (Ovens Valley)

Business Victoria continues to fail many businesses in the Ovens Valley—many still unable to open partially or fully and yet no compensation from the government for Melbourne. Our small businesses deserve the same benefits that Melbourne small businesses receive. But under the Premier, 'You're on your own'.

**COVID-19****Mr McCURDY (Ovens Valley)**

Another week goes by and still no changes by the government for Melbourne. Only 10 patrons indoors and 20 outdoors is unviable for many pubs, clubs and wineries.

Ninety per cent of all Labor MPs in Victoria have never run a small business and will never understand what it's like. In regional Victorian we're not officially locked down, but people and business feel that we are locked up! Freedoms removed and being banned from seeing your family is not normal. Where is the mental health advice that shows the catastrophic results these rules will cause?

**AFGHANISTAN****Mr DONNELLAN (Narre Warren North—Minister for Child Protection, Minister for Disability, Ageing and Carers)**

This week I wrote to the Prime Minister and immigration minister to call for much-needed action to relieve the ongoing suffering of the Afghan people. Scott Morrison's failure to help the Afghan community, first as the immigration minister and now as Prime Minister, is needlessly costing lives every day.

Recently the Prime Minister told us, 'We won't be able to get everyone out' and 'We wish it were different'. Yet when Scott Morrison was immigration minister, he flouted his legal obligation to decide the status of refugees within 90 days. Many Afghans have been waiting for up to nine years.

Whether it is organising COVID vaccines or saving our brave Afghan allies from Taliban reprisals, the Prime Minister never thinks it's a race. He won't pick up the phone to Pfizer and he won't sign applications to reunite shattered and desperate families. He won't fly planes to evacuate our allies, but he will dodge lockdown to fly home for Father's Day.

This Prime Minister makes a mockery of Australian values. What happened to having 'boundless plains to share' for 'all who've come across the seas'?

I know that in my community, Afghans who came by boat are only free so long as their fleeting and fickle temporary protection visas last. Over 4500 Afghans in Australia languish in this farcical fantasy of ever-elusive freedom.

The federal government needs to dramatically increase the number of partner, humanitarian and family reunion visas. They need to increase staffing to ensure the estimated 12 000 applications made in recent weeks are dealt with now, not in 10 years.

The Afghan people deserve to feel safe, dignified and permanent in Australia.

**COVID-19****Mr TILLEY (Benambra)**

I want to pay homage to the electorate workers in opposition offices across the state, and in particular the team in Benambra.

In 15 years in this place I've never seen the level of frustration, anxiety, fear and dread that this government has spread across people in all walks of life and of all ages with its inability to communicate and manage outbreaks.

This week we have a border trucking company exposed to a tier 1 site in Melbourne, or was it a tier 2? Were they exposed? Should they self-isolate? Should their immediate families be locked down?

These were important questions that they simply couldn't get an answer to.

Two drivers from the company were identified as close contacts of a COVID case at Melbourne pallet factory. They were notified five and six days after the incident. That was five and six days of interacting in the border community, five and six days in which they travelled interstate. This is a company that delivers across the nation.

The drivers did the right thing. They isolated, their families isolated. They got tested.

Then informally they were told it wasn't a tier 1 site at all.

They sought clarification with the COVID hotline. They sat on the phone for six hours one day, four hours the next. They sent emails to the contact tracers managing their case—no answer.

Today, they have finally been given clear directions, but frankly this wasn't good enough.

This could have been a disaster for the border community.

It could have been a disaster up and down the eastern seaboard, and all because you couldn't pick up the phone, couldn't return emails.

The negligence of this government makes it look like you almost want to see the virus spread to regional Victoria.

My message is clear: make your messages clearer.

### MENTAL HEALTH FUNDING

**Ms D'AMBROSIO** (Mill Park—Minister for Energy, Environment and Climate Change, Minister for Solar Homes)

- During these times of global health challenges, there is considerable stress on Victorians, which in many instances has impacted and exacerbated their mental health and wellbeing.
- We can be proud of the Andrews government's unprecedented funding and support provided towards the improvement of mental health service delivery for those Victorians who need it most.
- Our government has urgently responded to recommendations from the Royal Commission into Victoria's Mental Health System with a \$492 million investment to deliver 144 new acute public mental health beds.
- Recently, I was pleased to host a roundtable discussion together with my colleagues, the member for Oakleigh and Parliamentary Secretary for Mental Health along with the member for Thomastown, which involved more than 50 critical stakeholders from the sector including Headspace, the Multicultural Centre for Women's Health and Suicide Prevention Australia.
- The roundtable discussion provided valuable expert feedback regarding the incidence of mental health in our community and the response to the royal commission's recommendations. This feedback, along with the feedback from the wider community across our state, will continue to inform our work as a government.
- I wish to extend my thanks to all who participated, as well as to thank every mental health worker and support person across Mill Park and Victoria who are on the front lines, working towards the wellbeing of our community. We know mental health issues do not discriminate and can affect us all, which is why it is important that we continue to rally together to address this important issue.

### BUS ROUTE 402

**Ms SANDELL** (Melbourne)

Right now, with the pandemic and ongoing restrictions, public transport in Melbourne has become a lot quieter.

But we know this won't always be the case. Now is the perfect time to identify and fix the gaps in our public transport network so that once we are vaccinated and Melbourne opens up everyone can get where they need to go.

One of the big public transport gaps in my electorate of Melbourne is getting from east to west or west to east across the inner city.

At the moment, the 402 bus helps to fill this gap.

The 402 bus goes from Footscray, through Kensington, North Melbourne, Parkville, and Carlton and terminates at St Vincent's Hospital. It's one of the busiest bus routes in the city, especially used to access the hospitals, university and entertainment areas like Lygon Street.

But unfortunately, the 402 bus still stops relatively early in the evening, around 9.30 pm even on Friday and Saturday nights.

That's why I'm advocating to the state government to add additional services every 30 minutes until midnight on weekdays.

I'm also calling for additional services to run the bus all through the night on Friday and Saturday nights and for the route to be extended into East Melbourne or Richmond to enable better access east-west across the inner city.

While buses are often considered the poor cousin of trams and trains, they play a vital role in helping us move around Melbourne. It's been great to see recent improvements to the bus network, like more 505 services to Parkville Gardens, which the member for Brunswick and I advocated for.

Now I look forward to working with the government to improve the service provided by the 402 bus.

### COVID-19

**Ms HUTCHINS** (Sydenham—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support)

I rise to give my thanks to staff across Victoria's corrections and youth justice centres for their dedication and hard work through the pandemic.

Prisons and youth justice centres are challenging spaces to work in and I am proud of the passion and expertise evident in our workforce.

This has been true especially during the pandemic, with staff overseeing mandatory 14-day quarantines and extra safety measures to prevent the spread of COVID in prisons. We know that prisons are high-risk settings for COVID, making staff efforts all the more valuable. They are truly on the front line in our fight against this virus.

Members of our workforce have also rolled up their sleeves and have been to get their vaccinations in huge numbers. In fact, as of this week, 75 per cent of staff across Victoria's correctional centres and youth justice centres have received at least their first vaccination and more than half are fully vaccinated.

To all of our staff—thank you. Your efforts are seen and recognised. Everyone in Victoria is immensely grateful for how you are keeping our community safe.

I'd also like to thank the CPSU for their efforts encouraging vaccinations to our workforce—this leadership has enabled us to keep staff, those in custody and our broader community, safe.

### COVID-19

**Mr HODGETT** (Croydon)

I rise today on behalf of the Victorian school camp industry, who have been decimated due to the continuing lockdowns, resulting in the cancellation of all school camps. I am informed the outdoor education industry is worth \$374 million to the Victorian economy annually and employs over 4880 staff per week. They make a significant contribution to our economy.

I have been contacted by many families across Victoria who operate these school camps, who are struggling without a plan from the government to reopen face-to-face learning, which in turn will see a return of excursions and school camps.

The impact has been enormous across the entire state as most school camps are situated in regional areas. When Melbourne schools are locked down our regional camps are in lockdown by proxy. Even with the easing of restrictions in regional Victoria and with preps to grade 2 and year 12s having returned to school, the outdoor education industry has seen no benefit as it is grades 3–6 who attend school camps.

This industry needs certainty that schools will return to face-to-face learning and hence a return to school camps in term 4. We all know that school camps facilitate education learning through adventure activities, promoting life skills, connection, diversity, wellbeing, and physical literacy, which are even more crucial for our school children's mental health after the last year and a half of lockdowns and remote learning.

If the government continues with their blanket lockdown of metropolitan Melbourne schools, it is imperative that the school camp industry remain supported and is included in the ongoing business costs assistance program and the emergency COVID payments for their staff.

I have been very vocal and a strong advocate for the reopening of schools with a COVID-safe plan and a return to face-to-face learning. A follow on from this would be the resumption of school camps, which would have a positive flow-on effect for the school camp industry.

They, like everyone, need certainty; they need a plan, hope, information and a road map that sees support and a way forward for the Victorian school camp industry.

**RECOGNITION OF SERVICE TO VICTORIAN EDUCATION**

**Mr PEARSON** (Essendon—Assistant Treasurer, Minister for Regulatory Reform, Minister for Government Services, Minister for Creative Industries)

I rise to acknowledge the outstanding and longstanding service of five educators in my electorate of Essendon.

This week, hundreds of Victorian teachers, principals, school administrators and policymakers are being recognised for their dedication to students, families and learning through the Recognition of Service to Victorian Education program.

These individuals have stepped up again and again to give to our young people the gift of themselves and the gift of learning. And during the last 18 months, this has never been more crucial as our amazing education staff have supported students through a once-in-a-century pandemic.

There is a Chinese proverb which says: ‘If you are planning for a year, sow rice; if you are planning for a decade, plant trees; if you are planning for a lifetime, educate people’. This is what the Andrews Labor government is committed to in all its work in schools and education and we are proud to continue our commitment and our work to Victoria as the Education State.

In Essendon, we have some absolutely stellar educators and I would like to congratulate these five wonderful individuals and express my gratitude and that of their communities for their service.

- Christine Nash from Essendon Primary School is honoured for 40 years of service.
- Jennifer Skinner from Strathmore Secondary College is honoured for 40 years of service.
- Heather McKenzie from Strathmore Secondary College is honoured for 45 years of service.
- Maria Pollard from Strathmore Secondary College is honoured for 45 years of service.
- Christopher Bassios from Strathmore Secondary College is honoured for 50 years of service.

Their service to education and schools has brought over two centuries of dedication and expertise to the many thousands of students who have crossed their paths.

I look forward to the opportunity to congratulate them in person.

***SHEPPARTON EDUCATION PLAN***

**Ms SHEED** (Shepparton)

The goal of the *Shepparton Education Plan* is to transform education in Shepparton-Mooroopna to help young people get the best possible educational opportunities from birth to post-secondary school. The focus has primarily been on the secondary education system because the system needed to be fixed. We had four secondary colleges in Mooroopna and Shepparton with several experiencing falling enrolments, below-average educational outcomes, low aspiration and attendance issues. The out-of-date schools were no longer fit for purpose.

In 2017 the Victorian government announced the *Shepparton Education Plan* and work got underway. The community has watched in awe at the building of the new single campus of Greater Shepparton Secondary College on Parkside Drive in Shepparton. It will be the largest secondary college in regional Victoria and its facilities are outstanding.

The main construction, which was closely watched during COVID-19 restrictions, is now completed. As the fit-out and planning for relocation of the three campuses to the new campus is underway, students are getting a taste of what next year might look like for them. There is great excitement from grade 6 students who will be transitioning to secondary school in 2022 and existing students on other campuses are delighted with what they see on their excursions through the new buildings.

The *Shepparton Education Plan* is about providing educational opportunities to all students at every stage in their life. I am now looking forward to pursuing the funding for a technical school, the redevelopment of Verney Road special school, and an autism facility to cater to the needs of students on the autism spectrum who are in the mainstream school system. I look forward to continuing to work with the Victorian government to ensure that the educational opportunities for all children in my electorate are met.

**ALLAN ROBINSON****Ms WARD (Eltham)**

I rise to talk about someone very special to our community, a person I wish we could replicate a million times over. This person is Allan Robinson.

Allan retired recently after working in education for four decades. He is a kind, gentle person who has dedicated his life to education and changing lives of many for the better. A testament to how important Allan has been to thousands of kids is shown through the endless fondness and often love his students have felt for him.

As an educator, as a basketball coach and as a principal, Allan has always kept young people at the forefront of his thinking and actions—always: what was best for them.

Allan has shown determination, enthusiasm and ambition to do better and improve Montmorency Secondary College. He turned the school around, from having declining enrolments to being one of the best schools in Melbourne. The academic achievement of the school, the students and the wider school community all saw wonderful improvements through Allan's dedication.

His ability to build communities is just so important and will be missed.

No student was ever too difficult for Allan. Whether a school refuser, someone with bad grades or a student who left another school, there was always a place for them at Montmorency. Allan's dedication to educating everyone, no matter what, came through in these situations. It took a lot of effort, with Allan getting to know the students, their families and their friends, getting to know their footy club or scout group, putting in every effort to ensure that the students succeeded at his school. For so many kids, their education was made possible by Allan.

Since being elected, Allan has worked closely with me to improve the school. Thanks to his tireless advocacy the school has undergone an extensive \$14 million modernisation of Monty's learning facilities and is now in the midst of building a new sports complex. These will leave a lasting impact on generations of students to come.

As a community, we can never thank him enough for all he has done and all the times he volunteered hours to help kids be the best people they can, to imagine what they could be. Allan loves his community with all his heart. We are so grateful for this, and with a full heart we say: thank you Allan.

**COVID-19 VACCINATIONS****Mr BLACKWOOD (Narracan)**

Recently an anomaly in the COVID directions was changed so that people could not travel outside Melbourne metro to regional towns to access COVID vaccination.

It is now not permitted for people to travel outside their own area for vaccination. Prior to this change it was discovered that people were travelling from hotspot areas in Melbourne after booking a vaccination in country Victoria using a loophole in the directions.

This was impacting on the ability of country people to get a vaccine and put country people at great risk of being infected with the delta variant.

However, another oversight by the CHO, when he issued directions to country vaccination centres not to book in people from Melbourne metro, means that residents on the fringes of regional areas who would normally travel to their regional centre to shop and access medical services are now not able to access a vaccine from the regional vaccination centre or their regular GP.

I have written to Dr Sutton and he has agreed to review this anomaly. However, in the meantime hundreds of residents in Garfield, Bunyip, Nar Nar Goon and Tynong have had their appointments for vaccination cancelled.

This is another example of how stupid it is to have the small farming communities to the north, east and south of Nar Nar Goon included as part of Melbourne metro.

I have been calling for common sense on this classification of these towns and areas for over 18 months. Nothing has happened, despite the Chief Health Officer agreeing to review it back in May last year.

Now it is having a very serious impact on the ability of residents in these areas to protect themselves and others around them from COVID infection.

The farming areas on the fringe of Melbourne metro must be reclassified as regional.

**THORNBURY PRIMARY SCHOOL****Ms THEOPHANOUS (Northcote)**

Today I would like to draw attention to a wonderful school within my community, Thornbury Primary School. Over the last two years I have had the immense pleasure of getting to know this strong and unique school as well as forming a close working relationship with its passionate leadership team.

When you walk through the gates at Thornbury Primary, one of the first things you will notice is how much their commitment to respect, inclusion and diversity permeates every aspect of their school.

Indigenous perspectives, history, culture and Koori language learning are infused throughout the curriculum in a way rarely seen within the education system and even reflected in their school uniforms.

A lovely partnership with students from Croxton special school allows students with an intellectual disability to spend time learning in the mainstream setting and be embraced as part of the Thornbury Primary family.

And Thornbury's unique Steiner stream—one of only a handful in the public school system—caters to students who benefit from a slightly different way of learning and growing, with a focus on self-direction and creativity.

Each one of these programs is emblematic of what I love and admire about Thornbury Primary—from teachers to students to parents and school leaders, everyone is made to feel welcome and valued.

That is why it was my absolute pleasure to stand in front of the school assembly earlier in the year to announce that Thornbury Primary will receive \$200 000 as part of the Victorian Labor government's inclusive schools program for a new play space.

This will mean that their 30-year-old rusted and outdated playground is finally going to be replaced with brand new equipment and areas that every student, no matter their level of ability, can play and learn on.

It was an honour to support Thornbury Primary to access this grant. And now, as we look to the future, I'm looking forward to continuing to work alongside the school community to understand and elevate their needs and aspirations.

That includes backing their current application to the Minor Capital Works Fund for the repair and upgrade of student bathroom facilities, which have deteriorated significantly over time.

An upgrade and redesign of the bathrooms would not only deliver a substantial benefit to the students who use them but also align with Thornbury Primary's longstanding commitment to ensuring every student has access to a safe and welcoming school environment.

While I cannot guarantee any outcome in a competitive grants round, I will continue to work hand in hand with Thornbury Primary on their vision for the future.

**WOMEN'S HEALTH****Ms RICHARDS (Cranbourne)**

I am pleased to update the Victorian community on the success of a recent women's health virtual afternoon tea.

I held the virtual event in partnership with the Multicultural Centre for Women's Health and was joined by the member for Bass and a staff member from the office of the member for Narre Warren South. The keynote speaker was the highly regarded obstetrician and gynaecologist Dr Midia Alias, who used her scientific expertise and an open conversational style to facilitate discussion of COVID-19, COVID-19 vaccines and the impact that this pandemic has had on women, children, families and loved ones.

Dr Alias and the Multicultural Centre for Women's Health representatives and educators Amira Rahmanovic, Nicki Duang, Gagan Kaur Cheema, Sohaila Safdari and Huda Al Saba delivered presentations that covered a broad range of topics related to COVID-19 and women's health, including the continued importance of cancer screening and how to care for our own mental health and the mental health of our little ones.

It can be hard to navigate caring roles without accessible and accurate information, especially in an environment where women need to be vigilant about both our physical and mental health. This information session and discussion space is particularly important to ensure that we have the knowledge and information that we need to be confident in our care for ourselves and others.

The clinicians and presenters were women proficient in a wide range of languages, making the event accessible for a broad range of culturally and linguistically diverse communities. In addition to their extensive experience as clinicians, they speak Arabic, Assyrian, Dinka, Arabic and Sudanese Arabic, Hindi, Punjabi, Dari, Farsi and Hazaragi.

The diversity does not stop there. With representation from both the Cranbourne youth advisory committee and the Italian and Turkish senior citizens groups, there was a wide age range with cross-generational contributions bringing nuance to discussions of screening and fertility.

In addition to the health presentations, Robin Penty from Cranbourne Royal Botanic Gardens took us on a virtual tour of the gardens, assuring us that there is no admission fee to enter and it is still open to the public during the COVID-19 pandemic.

I would like to take the opportunity to thank the following people for their insights.

- Thank you to:
  - o the member for Bass
  - o Laura, representing the member for Narre Warren South
  - o Tania Sacco from Hampton Park Progress Association
  - o Sylvia Coombe from Fijian Community Association Victoria
  - o Machid from Hazara Shamama Association of Victoria
  - o Yei Okoth from Community Abundance Incorporated
  - o Tayla Hansen from Australian Support for Family Violence
  - o Jenny Philipps from Korus Connect, Community Connector at Cranbourne Park shopping centre
  - o Liz Barton from Aged Care Reform Now
  - o Meha Siva from the Sri Lankan Tamil community and Casey Multifaith Network
  - o Abiola Ajetomobi from the Asylum Seeker Resource Centre
  - o Paulien from Voices of Casey community choir
  - o Rachel Biar from Centre for Multicultural Youth
  - o Gail Moore from Sudanese Australian Integrated Learning
  - o Rabbecca Mphande from AfriAus iLEAC and President, Nelson Mandela Day Commemorative Committee
  - o Anyieth Makuei from the South Sudanese-Australian Academic Society
  - o Trishula Nagarajan from Women's Health in the South East
  - o Gula Bezhan from Afghan Women's Organisation Victoria
  - o Valle Motta from Cranbourne Italian Senior Citizens Club
  - o Nurten (Kim) Hasan from Hampton Park Turkish Seniors Group
  - o Asmaa from Wellsprings for Women
  - o Ozlem and Ellen from the Cranbourne youth advisory committee.

I am very fortunate to represent the Cranbourne community and particularly grateful to the women of the MCWH for their support in hosting this important virtual discussion on the impact of COVID-19.

## AFGHANISTAN

### Mr KENNEDY (Hawthorn)

On 18 August it was Vietnam Veterans Day, which reminds us of the service, humanity and bravery of our young soldiers. I think especially of a school friend, Peter Murray, who at age 20 was conscripted in October 1967, went to Vietnam with the 1st Battalion of the RAR the following January and tragically died of wounds in Long Binh on 9 July 1968.

Now we sadly witness the tragedy of the 20-year war in Afghanistan. As a young man in previously more peaceful times, I travelled from Pakistan through the Khyber Pass into Kabul. The image of the poverty and cheerfulness of the locals has never left me.

The work and goodwill of our male and female soldiers in supporting villagers in Afghanistan and Vietnam should not be dismissed. Nor should we ignore the personal support we received from many locals throughout these long periods of time.

Now is the time for us to step up and support our Afghan brothers and sisters. I strongly encourage the federal government to follow the examples of Canada and the UK and provide 14 000 extra humanitarian visas.



**COVID-19****Ms KILKENNY (Carrum)**

Everyone is experiencing and trying to live with these lockdowns and restrictions in their own way. For some, this may be one of the most difficult and distressing times of their life. For others, apart from working at home and having restricted movement, there may be little to worry about.

There is no one-size-fits-all. And at the end of the day, each of us personally has no direct control over other people's behaviour.

But each of us has the power to share empathy and kindness and be there for one another. And it is worth reflecting on this: despite everything, despite the negativity in the media that tends to focus on those who break the rules, most of us have followed the rules. And we've done it not because we hold grave fears for our own personal health and safety, but because we actually care about our communities and those more vulnerable amongst us.

And that's a pretty good thing.

And now, as the school term draws to a close this week for hundreds of thousands of younger Victorians, let's reflect on how amazing they have really been. Whilst perhaps not fully understanding the gravity of the pandemic, these younger Victorians have done something none of the rest of us have had to do. They have given up sport, and friends, and play dates and school.

So let's support them. And be honest with them. When things are difficult, let them know. Ask them to explore their fears and frustrations. And, importantly, continue to be amazing role models for these extraordinary young people.

And best of all, let's call out and celebrate the goodness and kindness in them—like Rachael, Maddy and Aaliyah, three wonderful girls from Seaford who made hundreds and hundreds of paper flowers and wrote personal notes and delivered them to mail boxes around Seaford, sharing happiness and warmth and friendship.

I am so proud of these girls, and our young people. And I look forward to the day when they can get back to school, with their friends, and build on their own unique and special learnings and experiences from these lockdowns.

**CLARINDA ELECTORATE SCHOOLS****Mr TAK (Clarinda)**

I'd like to take the opportunity to again say thank you to all of Clarinda's students, teachers and parents for their amazing efforts during the pandemic and in remote learning.

I know remote learning has been extremely challenging for so many families.

So again, my sincere thanks to everyone for their patience and dedication over the last year and throughout the pandemic.

I know all of Clarinda's schools are working to provide support for every student to every extent possible, continuing to support students' mental health and wellbeing, identifying those who need help catching up and extending those who have progressed.

**ERIN BEISSEL****Mr TAK (Clarinda)**

I would also like to say a huge congratulations to Clarinda Primary School's Erin Beissel, who has been named as a finalist in the 2021 Victorian Education Excellence Awards.

Erin has been nominated in the Outstanding Primary Teacher category. And she is one of the 41 local principals, teachers and support teams named among the most outstanding educators in Victoria—what an amazing achievement.

The Victorian Education Excellence Awards show our community what makes Victorian public education great and how we value the contribution of everyone working in our schools.

I'm extremely proud of the contribution being made by Erin and all of the finalists.

Best of luck and thank you.

**Constituency questions**

**Following questions incorporated in accordance with resolution of house of 14 September:**

**EILDON ELECTORATE**

**Ms McLEISH** (Eildon) (6019)

My question is to the Minister for Health.

I have been contacted by countless constituents who are struggling to navigate how to secure a travel permit and exemption from Mansfield and nearby localities in Victoria to Albury, NSW for medical procedures, some of which have been critical. Being referred to and treated in the health precinct of Albury/Wodonga is typical rather than unusual.

Many people have found the application process difficult to locate online, unclear who they need to contact, stressful and time-consuming. This is concerning as medical procedures are usually time sensitive. They have concerns that they will not be able to return to Victoria or that they will be required to quarantine for 14 days. If you are an essential worker, these options are particularly worrying.

Will the minister clearly outline each step of the process that needs to be followed for people to easily cross the Victoria/NSW border for medical purposes and safely return home?

**PASCOE VALE ELECTORATE**

**Ms BLANDTHORN** (Pascoe Vale) (6020)

My question is for the Minister for Education, and the question I ask is: what is the latest information on how the tutor learning initiative is supporting kids through remote learning?

The coronavirus pandemic has brought many and varied challenges to school students right across Victoria—indeed right across Australia. Periods of remote learning—including through the current outbreak—have been a necessary part of keeping the community safe and well.

Learning at home is challenging for all involved—for our students, teachers, parents and support staff—requiring significant patience, adaption and focus. In transitioning between different modes of learning, our educators continue to do such an incredible job, connecting with students and maintaining meaningful links between students and their peers.

I am aware from many parents, principals, and teachers in my community that the Andrews Labor government's tutor learning initiative has been a vital part of responding to the impacts of remote learning, delivering tailored educational assistance to individual students who are feeling the effects of changed learning conditions and who may have fallen behind. This program provides the targeted additional support required to ensure our kids continue to access a first-rate education and stay on track—providing the best possible learning and development opportunities.

And I know many in my community would like to see such a program continue as we eventually see students return to school and into 2022.

As such, I'm keen to find out more about how this program has and can continue to support students in and around my electorate.

**GIPPSLAND EAST ELECTORATE**

**Mr T BULL** (Gippsland East) (6021)

My constituency question is to the Minister for Public Transport and the information I seek is: what COVID checking practices are in place on V/Line services to Gippsland?

It has been brought to my attention that only very limited, if any, effort is being made to check that passengers boarding trains to East Gippsland from metropolitan Melbourne are doing so in accordance with COVID restrictions on travel.

The state government has put a strong onus on business operators to check IDs and accommodation houses, to check the home residence of those booking in—but it does not seem to be applying the scrutiny it demands of others, to its own services.

A lot of vulnerable people use the train to access important medical appointments in the metropolitan area and they deserve to have a higher level of protection.

A further issue is that the wearing of masks is also not enforced.

I ask the minister to outline what checking practices are in place that cover all V/Line services.

### SUNBURY ELECTORATE

**Mr J BULL** (Sunbury) (6022)

My question is for the Minister for Education.

Minister, what is the latest information on the design and construct at Kismet Park Primary School in my electorate?

Minister, you will recall this government announced \$460 000 to deliver an all-weather sports oval—this was warmly welcomed by students, staff and the school principal—and I ask the minister: what's the latest information on this terrific project?

### POLWARTH ELECTORATE

**Mr RIORDAN** (Polwarth) (6023)

My question is to the Minister for Health. Can the minister tell the long-suffering hospitality businesses in Polwarth, which includes the Otways and Great Ocean Road region when opening and operating directions under the current state of emergency will reflect the health advice that other businesses get to operate under. The hospitality businesses in regional Victoria are now expected to trade with highly restricted trading rules that are so prohibitive most are unable to trade. It is not possible for most hospitality to operate with only 10 people inside.

At the same time supermarkets and liquor stores are able to trade with no restrictions on numbers or throughput. The minister has had 18 months to understand the health advice. It is now clear about the need for some density limits, but the hospitality industry has demonstrated throughout the numerous lockdowns that they can operate safely, and still work safely with a density limit of 1 to 2 square metres.

I call on the minister to immediately review the 10 inside, no matter the size of venue and the 20 outside no matter the size of the venue.

We cannot allow the COVID pandemic to lead to an economic pandemic.

### SOUTH BARWON ELECTORATE

**Mr CHEESEMAM** (South Barwon) (6024)

My question is for the Minister for Roads and Road Safety. Victoria's road network is one of the finest in the country, and the quality of our roads directly impacts our economic success. Our roads get commuters to work, get trucks to construction sites, and get tourists to our beautiful coastal areas like my electorate of South Barwon.

Vital infrastructure projects like the Barwon Heads Road duplication are being funded thanks to this government, which will cut travel times and improve the flow of traffic. Two dangerous and congested level crossings in my electorate will also be removed, making our roads safer and more efficient. On top of that, this government is investing millions in regional roads to keep them in great shape for regional and rural Victorians.

I was very proud that in the last budget, over \$265 million was provided for Victorian roads, improving intersections and travel times, and planning for the future of our road network. I was happy to see much of this funding directed to our regions, including in my electorate.

My question to the Minister for Roads and Road Safety is this: how much road maintenance funding has been provided to the electorate of South Barwon by the Victorian government in this parliamentary term?

### MILDURA ELECTORATE

**Ms CUPPER** (Mildura) (6025)

My constituency question is for the Minister for Agriculture.

Could the minister provide information on the government's plan to address accommodation shortages for seasonal workers in the coming harvest?

Harvest is an incredibly important time of year, and our international workforce is essential not just to our farmers, but to the fabric of our entire regional economy.

Of serious concern in my electorate is the severe shortage of suitable housing for seasonal workers, coupled with the COVID-safe obligations existing accommodation providers face.

The efforts being made by the state through both the Seasonal Workforce Accommodation Program, and the Seasonal Harvest Sign-on Bonus are commendable—but worker shortages will still remain.

While there are accommodation pilots in Robinvale, Mildura and Boundary Bend, there will continue to be a shortfall in living spaces unless further significant investments are made.

I understand arrangements are being finalised with the Tasmanian government regarding the quarantining of Pacific Island workers to help boost the Victorian seasonal workforce.

But the issue is what happens after quarantine, when our Pacific Islander workforce competes with a potential intake of workers from ASEAN countries as part of the federal government's new ag visa scheme.

Our local table grape industry estimates the shortfall in worker beds to be between 7000 and 8000. We need a plan to address this. What is the Victorian government's plan?

### CARRUM ELECTORATE

**Ms KILKENNY** (Carrum) (6026)

My question is for the Minister for Education. It was great to see legislation introduced into Parliament this week to integrate VCAL into the VCE certificate from 2023.

Two new senior secondary options are being created:

- the vocational major will be a new two-year vocational pathway program that will replace intermediate and senior VCAL and will be embedded in the VCE system;
- and secondly the Victorian Pathways Certificate will replace Foundation VCAL, with a focus on engaging vulnerable students at risk of leaving education or students with additional needs.

I am particularly excited by these reforms and what these mean for students in my electorate of Carrum who are hoping to pursue a more hands-on approach to learning in their senior years.

Carrum Downs Secondary College in my electorate has a very high performing VCAL program, with many students engaging with local TAFEs, RTOs and employers to support them in their applied learning.

My question to the minister is: how will the introduction of these new certificates benefit the students at Carrum Downs Secondary College as well as all secondary schools in my electorate?

### FOREST HILL ELECTORATE

**Mr ANGUS** (Forest Hill) (6027)

My constituency question is to the Minister for Health.

Minister, will you rule out the use of so-called 'vaccination passports' to determine who can and who cannot attend faith gatherings?

I have been contacted by several faith leaders who are extremely concerned that the Victorian government will introduce restrictions on who is able to attend public faith gatherings. They consider that should such a restriction be proposed, it would be discriminatory and restrict the fundamental freedoms afforded to all Victorians, including faith organisations and their members.

Given that the government has alluded to such restrictions, and indeed some businesses have already proposed such restrictions, faith communities are extremely concerned that the introduction of any such restriction would unreasonably and catastrophically restrict the ability of the faith community to operate.

The government must continue to explore the widespread use of rapid testing technology to provide assurance and protection for people attending events. This is particularly so given the facts that firstly, injected people can still be carriers of COVID-19, and secondly, they can still fall ill from COVID-19.

Minister, I look forward to receiving your answer so I can convey this to the local and other faith leaders that have contacted me and also so Victoria's faith communities can clearly understand what the policy of the government is.

**BUNINYONG ELECTORATE**

**Ms SETTLE (Buninyong) (6028)**

- My constituency question is for the Minister for Housing.
- I ask the minister: what are the potential benefits of introducing inclusionary zoning for Victoria?
- On Friday last week you announced \$1 billion worth of development to build 2352 new homes across the state, including 89 in Ballarat.
- These homes will be built in partnership with social housing providers such as Haven, Home, Safe who will build 26 homes in Canadian and Mt Pleasant.
- This is a significant boost to the social housing stock in the Ballarat and will help put a roof over the head of those who need it most.
- Inclusionary zoning could be another way to help housing affordability as it mandates or creates incentives so that a proportion of a new residential development is for social and affordable housing
- This would see new developments in our region include housing for those who cannot afford to rent or buy in the current market.

**Adjournment****Following matters incorporated in accordance with resolution of house of 14 September:****COVID-19****Ms VALLENCE (Evelyn) (6028)**

On behalf of real estate businesses in my community, and many prospective renters, buyers and sellers, the matter I raise is for the Premier. The action I seek is for the further easing of restrictions for real estate businesses to safely operate, including service providers such as photographers, and for the release of all health advice in relation to the much harsher restrictions that have been imposed on this industry during lockdown 6 as compared to previous lockdowns.

Indeed, only last week the Real Estate Institute of Victoria had publicly advertised, pleading for private inspections to be permitted to occur, with the ad stating, 'Locked down and locked out, Mr Premier, please give our keys back'. And I note today your government has backflipped, finally allowing private inspections, which, of course, can be conducted safely and indeed were conducted safely in prior lockdowns.

It made no sense that the Andrews Labor government was denying Victorians the basic right to rent, buy and sell a home.

On the main street of Lilydale in my electorate, for example, there are seven real estate businesses, and they are a major employer for our local economy. Real estate businesses that service the Yarra Valley region still cannot effectively run their business, even for online sales and rental, because photographers are not allowed, and photos are essential to getting properties onto advertising platforms.

Premier, you said lockdown 6 would be short, sharp and just seven days, and you denied financial support to real estate agents despite the significant financial hit your harsher restrictions have caused. Given it is now six weeks since we entered lockdown 6, your announcement today was inadequate and only partially addressed the problems real estate businesses are facing. Your announcement to allow private inspections was silent on key activities in the supply chain that assist renters, buyers and sellers, such as the use of photographers and other service providers.

I seek your urgent action to release all health advice which you relied on to determine this industry required vastly harsher restrictions than previous lockdowns and your urgent action to provide a road map to further ease restrictions for the real estate industry including allowing essential service providers such as photographers.

**ARMSTRONGS ROAD–RAILWAY PARADE INTERSECTION, SEAFORD, TRAFFIC MANAGEMENT****Ms KILKENNY (Carrum) (6029)**

My adjournment matter is for the Minister for Transport Infrastructure.

And the action I seek is for the minister to provide an update on when the traffic signals at the intersection of Armstrongs Road and Railway Parade in Seaford will be finally switched on.

The signalling upgrade at this intersection is part of the Andrews Labor government's Level Crossing Removal Project, removing 20 level crossings on the Frankston line—including at Seaford Road, Eel Race Road and Station Street, Carrum.

I was delighted to let my local community know that this government had committed to significant works to upgrade and signalise this notorious intersection, which sits adjacent to the Armstrongs Road level crossing, with the inclusion of traffic lights to create a safer connection for locals and more accessible and safer access for pedestrians and cyclists. Work started last year, and the lights have been installed but have not yet been switched on.

I know for local residents this is a really important safety upgrade. We've seen a number of accidents here over the years. And I want to sincerely thank my local community for their advocacy and commitment to better safety and accessibility for everyone who uses this intersection.

Importantly, the signals will also include signals for the shared-use path that runs alongside the train line between Seaford and Carrum that was constructed as part of the Level Crossing Removal Project, helping cyclists and pedestrians cross Armstrongs Road more safely and promoting the use of active and healthy alternative transport modes.

Minister, I know my local community is very keen for an update on when the lights will be switched on and we look forward to receiving that.

**COVID-19****Mr D O'BRIEN (Gippsland South) (6030)**

My adjournment matter is for the Premier and the action I seek is for the restrictions for hospitality in regional areas to return to density limits as they were after the end of previous lockdowns.

The limits imposed by the government last week of 10 patrons indoors and 20 outdoors for all pubs, clubs, restaurants and cafes are unworkable for many and certainly unprofitable.

Indeed many of the venues in my electorate have chosen to close rather than bother opening at such limited capacity.

These rules make no epidemiological sense based on previous advice given by the chief health officer, where it was deemed safe to have one person per 4 square metres. I have venues with liquor licences of 400 people inside who can now only have 10. That is ridiculous.

At a time when vaccination rates are rising rapidly, and where in Gippsland we have no cases and no exposure sites, the rules need to be loosened. The hospitality sector has proven time and again over the past 18 months or more that it can reopen safely. There have been few confirmed outbreaks out of pubs and restaurants throughout the pandemic and yet they are bearing the brunt of the restrictions.

Premier, these businesses are on their knees. Please give them hope by increasing the patron caps and bringing back density limits as the main restrictions.

**COVID-19 VACCINATIONS****Mr BRAYNE (Nepean) (6031)**

The action I seek is for the Minister for Health to provide my community with an update on the vaccination efforts across the Mornington Peninsula Shire.

The shire is home to many senior residents, and they know that getting vaccinated is the best thing they can do to protect themselves. Additionally, the uptake of vaccines at Rosebud and Frankston hubs has been phenomenal.

Reaching our vaccine targets is crucial for the state but none more so than the Mornington Peninsula—home to retirees, new families, and a favourite tourist destination for Melbourne.

I look forward to updating my constituents of the minister's response.

**BRIGHTON ELECTORATE SCHOOLS FUNDING****Mr NEWBURY (Brighton) (6032)**

My adjournment is directed to the Minister for Education, and the action I seek is for the minister to stop politicking with Brighton kids and direct funding to needy schools in my community.

The Victorian School Building Authority provides a particularly helpful feature on their website. It's called 'Projects in my Area'.

The feature is one that many in my community have used recently.

When using the feature in the southern region, the map shows one thing—the state Labor government has carved out Brighton and Hampton, and starved the suburbs of education funding.

The suburbs look like lonely orphans on the project maps.

Government funding should not be political—especially when it comes to schools.

But, under this state Labor government, it is.

You don't need to rely only on the departmental map, you can also look at the facts.

The facts show that 93 of the last 113 upgrades to metropolitan schools have been directed into Labor seats.

These facts prove that the Labor government has directed money into schools in Labor seats on five out of six occasions.

That's no accident. It's pork-barrelling by design.

Yet we have needy primary schools, like Brighton Primary and Hampton Primary—where our children have been neglected.

Neglected solely because the state Labor government has refused to fund school improvements because of the suburb where the school is based.

Imagine being a minister that neglects children because of the politics of a suburb.

And I say to my community, I cannot force the minister to give a green tick to needy projects in our community.

You know, and the facts show, what Labor is doing.

But what I can do, on your behalf, is use Parliament to let the minister know directly that we see what he is doing.

We know he is giving our schools a red cross because they are in Brighton suburbs.

He is saying 'No' to your kids because of a postcode and ignoring their genuine need.

### **BELL STREET, COBURG, PEDESTRIAN SAFETY**

**Ms THEOPHANOUS (Northcote) (6033)**

My adjournment matter is to the Minister for Roads.

The action that I seek is that the minister arrange a briefing between myself and senior members of VicRoads to discuss pedestrian safety around the Bell Street bridge, which intersects the Northcote, Preston and Pascoe Vale electorates.

Local residents have raised concerns with me relating to the section of Bell Street between Elizabeth Street and Nicholson Street, including the Bell Street bridge crossing the Merri Creek.

As you know, Bell Street is a major arterial road running through Melbourne's inner northern suburbs. We know from our government's work to remove dangerous level crossings along this road that it is one of the most congested in our network—recording over 47 000 vehicles moving through each day.

The Bell Street bridge itself holds six lanes of traffic, with a narrow pedestrian footpath on either side. It is a key connector between the City of Moreland and the City of Darebin, and a high traffic area for the many locals.

In particular, pedestrians from the electorate of Northcote frequently cross this bridge to access the terminus of the number 1 tramline, community sporting facilities and Coburg High School.

Residents have shared their concerns around safety on the bridge itself, with the narrow footpath, sloped guttering, uneven surfaces and a lack of barriers separating pedestrians and vehicles contributing to a sense of risk.

They have also reported that heavy traffic and speeding vehicles at the intersections of Elizabeth and Nicholson have caused multiple collisions and near misses as some road users fail to give way.

While I understand it is not yet the site of any fatalities, some collisions have involved young pedestrians and the risk of a more serious incident occurring is deeply concerning to both myself and residents.

I am aware that VicRoads has been engaging with locals around these issues and I know that these meetings have been welcomed by the community.

Residents have also captured their support for improvements in a recent online petition which has garnered almost 700 signatures to date.

The Andrews Labor government has a strong record of investing in road and pedestrian safety and locally my community has welcomed improvements across many of our road, cycling and pedestrian networks.

I would welcome an in-depth briefing to review the cluster of risks around the Bell Street bridge with a view to improving safety for locals.

### **RENTAL SUPPORT**

**Mr HIBBINS (Pahran) (6034)**

My adjournment matter is for the Minister for Consumer Affairs. The action I seek is for the minister to reinstate the moratorium on evictions for renters who can't pay the rent due to COVID-19.

The rent relief scheme announced by the government recently is too narrow, and the eligibility criteria too strict, which will still leave renters at risk of eviction.

The fact that renters have to have had a rent reduction negotiated with their landlord to get a rent relief grant, yet there is no longer a dispute resolution process if a landlord refuses a reduction, shows just how narrow the scheme is.

We have gone from a circuit breaker lockdown to a long-term, month-long lockdown.



The previous scheme also had land tax relief for landlords who did the right thing, as well as a ban on rent rises.

I urge the government to protect renters from eviction.

No one should be evicted from their home during the pandemic.

### **BALLARAT AND DISTRICT ABORIGINAL CO-OPERATIVE**

**Ms ADDISON** (Wendouree) (6035)

My adjournment matter is for the Minister for Housing, and the action I seek is for the minister to meet with the Ballarat and District Aboriginal Co-operative (BADAC) to discuss the \$5.3 billion Big Housing Build.

BADAC is an Aboriginal founded and controlled co-operative who provide outstanding health, social, welfare and community development programs to our thriving Aboriginal community in Ballarat and surrounds.

CEO Karen Heap, COO Jon Kanoa and the BADAC team have provided excellent support to the local Aboriginal community throughout the pandemic.

The organisation has the capacity and the proven track record to increase the culturally appropriate wraparound services they provide to community members in the future.

I would also like to thank the minister for the funding that has already been allocated to Ballarat through the Andrews Labor government's life-changing Big Housing Build.

This includes \$50 million for the transformation of the Delacombe housing estate, which will construct at least 150 social housing homes including the replacement of 66 of the existing ageing social housing homes to seven-star energy-efficient homes.

I particularly look forward to seeing the creation of new green spaces within the estate, which will certainly make the area more open and welcoming for the many families who live in the area.

The Ballarat community was also very excited with the recent announcement of \$20 million from the Social Housing Growth Fund to construct 89 new social housing homes across Ballarat. These new homes will be delivered in partnership with social housing organisations through nine different projects and will create more than 250 local jobs.

I look forward to hearing back from the minister regarding this request and am hopeful that the minister will welcome the opportunity to meet with BADAC.

### **ELISHACARE**

**Mr HODGETT** (Croydon) (6036)

I raise a matter for the Minister for Emergency Services and the action I seek is for the minister to intervene in proceedings to evict Elishacare from the former Metropolitan Fire Brigade building in Croydon Road, Croydon, and enter negotiations for Elishacare to remain at this site indefinitely.

Elishacare is a not-for-profit community organisation and social enterprise aimed at rehabilitating drug and alcohol affected persons, often with complex needs including poor mental health. They restore hope and health through employment in their social enterprise, through housing and through support. The strength of their program rests with peer support, provided by participants who have become free from addiction through their involvement with Elishacare.

They have leased these premises for eight years and have now been advised they have a mere five weeks to vacate the property. This is a cruel blow for a great local community organisation that literally takes individuals off the streets of Croydon and provides them with hope, health and support. Our office has corresponded many times over the years with the minister regarding the great work Elishacare do, and we ask that a level of compassion be repaid to this group. Elishacare have paid commercial rent on this site for the life of the tenancy, which has certainly posed a challenge for a not-for-profit. It would be great if consideration was given for a peppercorn lease to allow for some rent relief for this struggling organisation. Disappointingly, my office is still waiting on a response from the acting emergency services minister regarding rent relief correspondence which was sent in July this year.

As part of the work they do, Elishacare offer their rehabilitated people an opportunity for employment with their building and garden maintenance social enterprise business. Due to the devastating impact of ongoing COVID lockdowns, the opportunity to earn regular income and support the ongoing work of Elishacare has been decimated, as have the support donations that once assisted to maintain this group.

I cannot stress enough the importance of the vital work that Elishacare do in our community, a view that would be fully supported by local police members, Maroondah City Council, our Burmese community as well as local traders and residents. Geoff Marsh, the Founder of Elishacare, has been tirelessly looking for an alternative location to house the group for some time, but has been disappointed by knockbacks and restricted by continual lockdowns.

If they were forced to vacate the premises by the deadline of 21 October 2021, you will be forcing many men, who are presently on the path to healing, to be back on the streets, facing their demons of drug and/or alcohol addiction alone. In January 2019, Emergency Management Victoria offered to assist with finding alternative accommodation to ensure continuity of operations, which to date has not happened. If the minister will not advocate for them to remain in their current property indefinitely, I would also ask that Emergency Management Victoria cement their commitment to Elishacare and assist in finding an alternative and suitable location for their relocation.

### **WESTALL SECONDARY COLLEGE**

**Mr TAK (Clarinda) (6037)**

My adjournment matter is for the Minister for Education.

The action I seek is for the minister to provide an update on the next steps for the Westall Secondary College upgrade.

I was delighted to see another building milestone reached at Westall Secondary College with the recent appointment of architect Minx Architecture to design the upgrade.

The school received \$9.392 million in the 2021–22 state budget, so it is an exciting time for students and families in Clayton South with the Westall school's regeneration project in full swing.

We are now a step closer to the new learning wing for Westall Secondary, and a step closer to getting the facilities Westall students need for a great start in life.

In the past seven years, the Victorian government has invested more than \$10.9 billion in building new schools and more than 1700 school upgrades, creating around 13 500 jobs in construction and associated industries.

The Labor government is building the Education State to ensure that every student can access a great local school and get a quality education.

The Westall schools regeneration project is another fantastic investment—an investment in Clayton South kids and their futures.

I thank the minister and look forward to his response.