

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-NINTH PARLIAMENT**

**FIRST SESSION**

**TUESDAY, 10 MAY 2022**

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## **The Governor**

The Honourable LINDA DESSAU AC

## **The Lieutenant-Governor**

The Honourable JAMES ANGUS AO

## **The ministry**

|  |                           |
|--|---------------------------|
| Premier. ....  | The Hon. DM Andrews MP    |
| Deputy Premier, Minister for Transport Infrastructure, Minister for the Suburban Rail Loop and Minister for Commonwealth Games Delivery .....                          | The Hon. JM Allan MP      |
| Attorney-General and Minister for Emergency Services .....   | The Hon. J Symes MLC      |
| Minister for Training and Skills, Minister for Higher Education and Minister for Agriculture .....   | The Hon. GA Tierney MLC   |
| Treasurer, Minister for Economic Development, Minister for Industrial Relations and Minister for Trade .....   | The Hon. TH Pallas MP     |
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| Minister for Energy, Minister for Environment and Climate Action and Minister for Solar Homes .....  | The Hon. L D'Ambrosio MP  |
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| Minister for Education and Minister for Women. ....  | The Hon. NM Hutchins MP   |
| Minister for Corrections, Minister for Youth Justice, Minister for Victim Support and Minister for Fishing and Boating .....   | The Hon. S Kilkenny MP    |
| Minister for Commonwealth Games Legacy and Minister for Veterans .   | The Hon. SL Leane MLC     |
| Assistant Treasurer, Minister for Regulatory Reform, Minister for Government Services and Minister for Housing .....   | The Hon. DJ Pearson MP    |
| Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business and Minister for Resources .....               | The Hon. JL Pulford MLC   |
| Minister for Water, Minister for Regional Development and Minister for Equality .....  | The Hon. H Shing MLC      |
| Minister for Multicultural Affairs, Minister for Prevention of Family Violence, Minister for Community Sport and Minister for Youth. . . .                             | The Hon. RL Spence MP     |
| Minister for Workplace Safety and Minister for Early Childhood and Pre-Prep .....  | The Hon. I Stitt MLC      |
| Minister for Health and Minister for Ambulance Services. ....  | The Hon. M Thomas MP      |
| Minister for Mental Health and Minister for Treaty and First Peoples. . .  | The Hon. G Williams MP    |
| Cabinet Secretary .....  | Mr SJ McGhie MP           |

## **Legislative Council committees**

### **Economy and Infrastructure Standing Committee**

Mr Finn, Mr Gepp, Dr Kieu, Mrs McArthur, Mr Quilty and Mr Tarlamis.

*Participating members:* Dr Bach, Ms Bath, Dr Cumming, Mr Davis, Ms Lovell, Mr Meddick, Mr Ondarchie, Mr Rich-Phillips, Ms Vaghela and Ms Watt.

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

Dr Bach, Ms Bath, Dr Cumming, Mr Grimley, Mr Hayes, Mr Meddick, Mr Melhem, Dr Ratnam, Ms Terpstra and Ms Watt.

*Participating members:* Ms Burnett-Wake, Ms Crozier, Mr Davis, Dr Kieu, Mrs McArthur, Mr Quilty and Mr Rich-Phillips.

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

Ms Burnett-Wake, Mr Erdogan, Dr Kieu, Ms Maxwell, Mr Ondarchie, Ms Patten and Ms Taylor.

*Participating members:* Dr Bach, Ms Bath, Ms Crozier, Dr Cumming, Mr Gepp, Mr Grimley, Ms Lovell, Mr Quilty, Dr Ratnam, Mr Tarlamis, Ms Terpstra, Ms Vaghela and Ms Watt.

### **Privileges Committee**

Mr Atkinson, Mr Bourman, Mr Davis, Mr Grimley, Mr Leane, Mr Rich-Phillips, Ms Shing, Ms Symes and Ms Tierney.

### **Procedure Committee**

The President, the Deputy President, Ms Crozier, Mr Davis, Mr Grimley, Dr Kieu, Ms Patten, Ms Pulford and Ms Symes.

## **Joint committees**

### **Dispute Resolution Committee**

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

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

### **Electoral Matters Committee**

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

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

### **House Committee**

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

*Assembly:* The Speaker (*ex officio*), Mr T Bull, Ms Crugnale, Mr Fregon, Ms Sandell, Ms Staley and Ms Suleyman.

### **Integrity and Oversight Committee**

*Council:* Mr Grimley.

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

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

*Council:* Ms Crozier and Mr Erdogan.

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

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

*Council:* Mrs McArthur and Ms Taylor.

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

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

*Council:* Mr Gepp, Ms Patten, Ms Terpstra and Ms Watt.

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

## **Heads of parliamentary departments**

*Assembly:* Clerk of the Legislative Assembly: Ms B Noonan

*Council:* Clerk of the Parliaments and Clerk of the Legislative Council: Mr A Young

*Parliamentary Services:* Secretary: Ms T Burrows

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**FIFTY-NINTH PARLIAMENT—FIRST SESSION**

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The Hon. N ELASMAR (from 18 June 2020)

The Hon. SL LEANE (to 18 June 2020)

**Deputy President**

The Hon. WA LOVELL

**Acting Presidents**

Mr Bourman, Mr Gepp, Mr Melhem and Ms Patten

**Leader of the Government**

The Hon. J SYMES

**Deputy Leader of the Government**

The Hon. GA TIERNEY

**Leader of the Opposition**

The Hon. DM DAVIS

**Deputy Leader of the Opposition**

Ms G CROZIER

| Member   | Region                     | Party | Member   | Region                     | Party  |
|--|----------------------------|-------|--|----------------------------|--------|
| Atkinson, Mr Bruce Norman                        | Eastern Metropolitan       | LP    | McIntosh, Mr Thomas Andrew <sup>9</sup>          | Eastern Victoria           | ALP    |
| Bach, Dr Matthew <sup>1</sup>                    | Eastern Metropolitan       | LP    | Maxwell, Ms Tania Maree                          | Northern Victoria          | DHJP   |
| Barton, Mr Rodney Brian                          | Eastern Metropolitan       | TMP   | Meddick, Mr Andy                                 | Western Victoria           | AJP    |
| Bath, Ms Melina Gaye                             | Eastern Victoria           | Nats  | Melhem, Mr Cesar                                 | Western Metropolitan       | ALP    |
| Bourman, Mr Jeffrey                              | Eastern Victoria           | SFFP  | Mikakos, Ms Jenny <sup>10</sup>                  | Northern Metropolitan      | ALP    |
| Burnett-Wake, Ms Cathrine <sup>2</sup>           | Eastern Victoria           | LP    | O'Donohue, Mr Edward John <sup>11</sup>          | Eastern Victoria           | LP     |
| Crozier, Ms Georgina Mary                        | Southern Metropolitan      | LP    | Ondarchie, Mr Craig Philip                       | Northern Metropolitan      | LP     |
| Cumming, Dr Catherine Rebecca                    | Western Metropolitan       | Ind   | Patten, Ms Fiona Heather                         | Northern Metropolitan      | FPRP   |
| Dalidakis, Mr Philip <sup>3</sup>                | Southern Metropolitan      | ALP   | Pulford, Ms Jaala Lee                            | Western Victoria           | ALP    |
| Davis, Mr David McLean                           | Southern Metropolitan      | LP    | Quilty, Mr Timothy                               | Northern Victoria          | LDP    |
| Elasmar, Mr Nazih                                | Northern Metropolitan      | ALP   | Ratnam, Dr Samantha Shantini                     | Northern Metropolitan      | Greens |
| Erdogan, Mr Enver <sup>4</sup>                   | Southern Metropolitan      | ALP   | Rich-Phillips, Mr Gordon Kenneth                 | South Eastern Metropolitan | LP     |
| Finn, Mr Bernard Thomas Christopher <sup>5</sup> | Western Metropolitan       | DLP   | Shing, Ms Harriet                                | Eastern Victoria           | ALP    |
| Garrett, Ms Jane Furneaux <sup>6</sup>           | Eastern Victoria           | ALP   | Somyurek, Mr Adem <sup>12</sup>                  | South Eastern Metropolitan | Ind    |
| Gepp, Mr Mark                                    | Northern Victoria          | ALP   | Stitt, Ms Ingrid                                 | Western Metropolitan       | ALP    |
| Grimley, Mr Stuart James                         | Western Victoria           | DHJP  | Symes, Ms Jaclyn                                 | Northern Victoria          | ALP    |
| Hayes, Mr Clifford                               | Southern Metropolitan      | SAP   | Tarlamis, Mr Lee <sup>13</sup>                   | South Eastern Metropolitan | ALP    |
| Jennings, Mr Gavin Wayne <sup>7</sup>            | South Eastern Metropolitan | ALP   | Taylor, Ms Nina                                  | Southern Metropolitan      | ALP    |
| Kieu, Dr Tien Dung                               | South Eastern Metropolitan | ALP   | Terpstra, Ms Sonja                               | Eastern Metropolitan       | ALP    |
| Leane, Mr Shaun Leo                              | Eastern Metropolitan       | ALP   | Tierney, Ms Gayle Anne                           | Western Victoria           | ALP    |
| Limbrick, Mr David <sup>8</sup>                  | South Eastern Metropolitan | LDP   | Vaghela, Ms Kaushaliya Virjibhai <sup>14</sup>   | Western Metropolitan       | Ind    |
| Lovell, Ms Wendy Ann                             | Northern Victoria          | LP    | Watt, Ms Sheena <sup>15</sup>                    | Northern Metropolitan      | ALP    |
| McArthur, Mrs Beverley                           | Western Victoria           | LP    | Wooldridge, Ms Mary Louise Newling <sup>16</sup> | Eastern Metropolitan       | LP     |

<sup>1</sup> Appointed 5 March 2020

<sup>2</sup> Appointed 2 December 2021

<sup>3</sup> Resigned 17 June 2019

<sup>4</sup> Appointed 15 August 2019

<sup>5</sup> LP until 24 May 2022

Ind 24 May–2 June 2022

<sup>6</sup> Died 2 July 2022

<sup>7</sup> Resigned 23 March 2020

<sup>8</sup> Resigned 11 April 2022

Appointed 23 June 2022

<sup>9</sup> Appointed 18 August 2022

<sup>10</sup> Resigned 26 September 2020

<sup>11</sup> Resigned 1 December 2021

<sup>12</sup> ALP until 15 June 2020

<sup>13</sup> Appointed 23 April 2020

<sup>14</sup> ALP until 7 March 2022

<sup>15</sup> Appointed 13 October 2020

<sup>16</sup> Resigned 28 February 2020

**Party abbreviations**

AJP—Animal Justice Party; ALP—Labor Party; DHJP—Derryn Hinch's Justice Party;

DLP—Democratic Labour Party; FPRP—Fiona Patten's Reason Party; Greens—Australian Greens;

Ind—Independent; LDP—Liberal Democratic Party; LP—Liberal Party; Nats—The Nationals;

SAP—Sustainable Australia Party; SFFP—Shooters, Fishers and Farmers Party; TMP—Transport Matters Party



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**Tuesday, 10 May 2022**

**The PRESIDENT (Hon. N Elasmr) took the chair at 11.33 am and read the prayer.**

**Announcements**

**ACKNOWLEDGEMENT OF COUNTRY**

**The PRESIDENT (11:34):** On behalf of the Victorian state Parliament I acknowledge the Aboriginal peoples, the traditional custodians of this land which has served as a significant meeting place of the First People of Victoria. I acknowledge and pay respect to the elders of the Aboriginal nations in Victoria past, present and emerging and welcome any elders and members of the Aboriginal communities who may visit or participate in the events or proceedings of the Parliament.

**Condolences**

**HON. THOMAS CARTER REYNOLDS**

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:35): I move:

That this house expresses its sincere sorrow at the death, on 26 March 2022, of the Honourable Thomas Carter Reynolds and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a member of the Legislative Assembly for the electoral district of Gisborne from 1979 to 1999 and as Minister for Sport, Recreation and Racing from 1992 to 1996 and Minister for Rural Development and Minister for Sport from 1996 to 1999.

In doing so I have some brief remarks on behalf of the government. It is an honour to acknowledge this gentleman and acknowledge that he has contributed a lot to this state and has unfortunately passed. As a former Minister for Agriculture, it is always pleasing for me to read about people that have come before me. Those that were farmers, particularly, I find interesting, and this gentleman no less was a former shearer.

Mr Reynolds was elected in 1979, representing the electorate of Gisborne. He was clearly passionate about his community, advocating both from within government and opposition for investment in his electorate. It is notable the considerable change and growth the electorate experienced during his time as a local member, including the increased growth of the region's tourism market.

Mr Reynolds was clearly also a big fan of sport, following it both at the local and international levels, and the role that it can play in showcasing Victoria. As Minister for Sport for the entire Kennett government, he gave strong support to continue to promote Victorian sporting products.

Of course I would also like to acknowledge his role as Minister for Rural Development, as I have no doubt that he was energised, as many of us are in this place, by passionate country Victorians, who continue to punch well above their weight and come up with creative solutions to often very challenging problems.

I would like to acknowledge his considerable commitment to the service of the Victorian community, including in his role as a director of the Brisbane Lions. On behalf the government I extend my condolences to his family, particularly his wife, Helen, his children, Thomas and Grant, and of course his grandchildren.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (11:37): On behalf the coalition I am very pleased to rise and record our great appreciation and respect for Tom Reynolds. He was somebody that many of us knew and knew very well indeed. He was a very lively person and had a great sense of humour and great engagement across not just the Parliament but the broad community. I do want to put on record our condolences, particularly to Helen, who many of us also know, and to his family. They were a team, the two of them, and his love of sports and his commitment to so many sports were remarkable.

I was very happy to attend the funeral, to talk to people at the funeral and to hear very much about Tom's engagement with the whole community in Macedon, Gisborne and through that region of the state. He had lived there most of his life, attending Bolinda State School, Kyneton High School and RMIT.

He had been, as the Leader of the Government has said, a successful farmer and later secretary of the local mechanics institute. He got a traineeship to GJ Coles and learned, I think, a lot about the management of larger firms through that process. He went shearing, as again the leader pointed out, and later with his great friends founded the Romsey hardware store, and indeed that was very much his life beyond that.

He was active in his local school council and was incredibly active as president of the Romsey Football Club. He was a prominent country cricketer as well, and that I think is very much his epitaph. He really engaged with local sport from the grassroots up. He was also of course a great supporter of the Brisbane Lions Football Club.

Tom more recently moved back to Victoria. He had lived for a while in Queensland and more recently moved back to Victoria and lived in Malcolm Street in South Yarra. He would often come into my office in South Yarra for a chat. He always had points of wisdom, points of good sense. He had just been around a long time and seen a lot of things, and I must say I greatly enjoyed his regular visits to my office to give me advice and to give the party advice.

But his genuine feeling for the state and his genuine commitment to sport cannot be doubted. As minister for sport and racing, all of which he just loved, he made a very big impact. He strengthened sport in this state—country sport, city sport and indeed higher level sport as well as the grassroots.

He was just a fine person. I really liked him and admired him very much indeed, and my recent dealings with him, as I said, I enjoyed immensely. So it is with sadness but also with affection that I pay tribute to a great person, a great Victorian and a huge exponent for not just the Liberal Party but community sport and strengthening that community sport involvement.

**Ms LOVELL** (Northern Victoria) (11:41): I also join this condolence debate with a great degree of sadness. Tom was a great friend of mine and somebody who I was very pleased to be able to call a friend. He was also a branch member of mine, having remained a member of the branches in what was originally his electorate of Gisborne his entire life. Tom was first elected to the seat of Gisborne on 5 May 1979. And he was preceded by Athol Guy, so he had big shoes to fill. He followed one of Australia's most loved pop stars, but as an incredibly hardworking local member Tom filled those shoes very well. He actually pioneered the caravans for local members of Parliament. People would say, 'You see him here, you see him there, you see that Reynolds bloke everywhere', and that was because he towed his caravan around.

Prior to going into Parliament, as Mr Davis said, Mr Reynolds had a career in small business; he was a hardware merchant. That is probably where he learned his work ethic, and that is why he was so highly regarded—because as we all know, small business people work 24 hours a day, seven days a week. He also started his career in GJ Coles, and he worked in the Williamstown store from 1957 to 1959. It was there that he met the love of his life, Helen. I was very interested to hear that story from their son Grant at the funeral service that was held for Tom.

Tom was the Minister for Sport, Recreation and Racing from 1992 to 1996. He was the Minister for Rural Development and Minister for Sport from 1996 to 1999 and the Shadow Minister for Sport, Recreation and Racing from 1982 to 1988 and 1991 to 1992. He did love his sport, and even in retirement he still loved his sport.

Tom and Helen retired to the Gold Coast, and Tom joined the board of the Brisbane Lions Football Club. My sister was actually with me at a Richmond function one day when we were playing Brisbane, because she is a Brisbane supporter, and she and Tom immediately hit it off and developed a great

rapport. They would later exchange texts and talk about football between themselves. Tom was an incredibly generous man, and when Michael Voss retired he sent my sister Michael Voss's playing jumper from one of his final games. She has that displayed with pride in her house, and I will always remember that that came from Tom Reynolds.

One of the great things about Tom and Helen was their Christmas cards every year. I would just like to share with you their Christmas card from last Christmas. They always had a little ditty about their year, and it was always set to the tune of a Christmas carol. It was in last year's Christmas card that I first learned that Tom was not particularly well. Last year's Christmas card is set to the tune of *God Rest Ye Merry, Gentlemen*. I will not sing it, but I hope you can get the gist of it. It went:

God rest ye merry Melbournites, we've joined your well masked throng.  
We've been here for three lockdowns so we feel we quite belong.  
We sure will miss the Gold Coast as here winter's cold and long.  
So sad tidings from us as we're rather bored, locked up at home,  
Looking forward to the day we both can roam!

God bless ye hospitals and staff, we've surely had our fill.  
Between us let's just say we've run up quite a hefty bill!  
The kids said move to Melbourne whilst you both are with us still,  
Not glad tidings for Lions and the Swans,  
But never fear,  
Merry Christmas and a 'rona free New Year!

Tom's Christmas cards were always a highlight at Christmas at our house, with everybody wanting to sing along to the verse in his Christmas cards. And as you may have got from when he said 'Not glad tidings for Lions and the Swans', Tom was a mad Lions supporter. Helen was a mad Sydney supporter, a Swans supporter, and that probably comes from her origins in the western suburbs. She was actually an Altona girl but used to shop in the Williamstown Coles. I know that my dad was also a Swans supporter because it was originally South Melbourne's recruiting ground.

Tom will be sadly missed by all of us who knew him, but I would like to particularly extend my deepest condolences to his wife, Helen; his sons, Thomas and Grant; his daughters-in-law, Kathy and Amanda; his grandchildren, Joanna, Naomie, Alison, Sam and Abigail; and his great-grandson, Maxwell.

**Mr ATKINSON** (Eastern Metropolitan) (11:46): I will not go over some of the matters that have been canvassed by the three previous speakers in this particular tribute to Tom Reynolds. I actually had the opportunity of serving with Tom when I was elected in 1992. As part of the Kennett government Tom Reynolds was a minister. What I think really defines this man, apart from anything else, is that it would be hard to find anybody on either side of the house who did not have absolute respect for Tom Reynolds. He was a person who got on very well with people. He was interested in people. He had a great sense of humour. He was a very genuine person.

The roles that he took as a minister for the Liberal government as part of the coalition, and the portfolios have been described today, he tackled with a real enthusiasm and again a genuine desire to make a difference—to make a positive difference—in driving those portfolios to make Victoria a better place, to deliver services for people and to ensure that Victoria was the state within this commonwealth that really stood out. That was after the state had taken a bit of a battering in terms of its reputation around the nation for a number of reasons.

Of course at that time there was a fair bit of angst, or rancour, between the political parties. As I said, in that context Tom Reynolds being able to have friends on both sides of the aisle was a significant thing. He was certainly, as Mr Davis reflected, a person that you could talk to and seek advice from. He was very knowledgeable, and that knowledge came not just from his political relationships and indeed the fact that he was very much across the portfolios that he had but also from that experience that has been reflected by each of the previous speakers in his career prior to coming into Parliament.

He is a person that will be missed by people in the Liberal Party today and certainly by many people in Gisborne who knew of his extraordinary work ethic and his commitment to that electorate and commitment more broadly to the people of Victoria, particularly in the agricultural sector and certainly in sport. He was absolutely a mad Fitzroy supporter, and it was not surprising that he went on to support the Brisbane Lions, having had his heart broken, like so many Fitzroy supporters, when they moved north. But indeed he made that a successful venture as well. His contribution there—I am sure the current people at the Brisbane Lions would recognise that part of the success that they went on to have as a football club was due to his experience and knowledge and again his enthusiasm and his ability to bring people together.

Tom Reynolds will certainly be missed, of course mostly by his friends and family, and we think of them at this time as well.

**The PRESIDENT:** I ask members to signify their assent by rising in their places for 1 minute.

**Motion agreed to in silence, members showing unanimous agreement by standing in their places.**

**HON. RONALD WILLIAM ‘BUNNA’ WALSH**

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (11:52): I move:

That this house expresses its sincere sorrow at the death, on 30 March 2022, of the Honourable Ronald William ‘Bunna’ Walsh and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a member of the Legislative Council for the electoral province of Melbourne West from May to October 1970 and member of the Legislative Assembly for the electoral district of Albert Park from 1979 to 1992 and as Minister for Public Works from 1985 to 1987, Minister Assisting the Minister for Employment and Industrial Affairs from 1985 to 1986, Minister Assisting the Minister for Labour from 1986 to 1987, Minister for Housing and Construction from 1987 to 1988, and from 1988 to 1990 as the Minister for Water Resources and Minister for Property and Services.

I would like to speak on behalf of the government in relation to the condolence motion to mark the passing of Ronald ‘Bunna’ Walsh. It is fair to say that the Labor Party has its fair share of larger-than-life personalities, and I do not think it is controversial in the least to include Bunna Walsh as part of such a list. He was a staunch advocate for his community, for the trade union movement and for the Australian Labor Party. He was raised during the Depression and World War II era in South Melbourne, becoming a wharf labourer, a union official and then a parliamentarian. Quite simply his résumé is quintessentially Labor.

I regretfully note that although first elected to our place he was not able at the time to serve here—a great loss at the time. He was disqualified based on a past conviction recorded as a 16-year-old, a conviction that resulted in a suspended sentence. It meant that he was delayed from entering Parliament for almost a decade. I believe that still to this day he is the only elected member to be denied his chance to serve the community under this now fortunately repealed law. I certainly hope that he was proud of this government’s recent spent convictions reforms, which recognise that past wrongs can often deserve a second chance.

Bunna Walsh was also clearly passionate about his community. He spoke often about the importance of investing in infrastructure and services. His contribution to the Port Melbourne community reflected his deep commitment to Labor values: fairness, equality and supporting those who need extra support. I understand that he and his beloved wife of 59 years, Lynette, were well known in the area and canvassed a celebrity-like status in Port Melbourne.

Bunna also made a distinguished contribution to the development of the state as a minister through his portfolios as Minister for Public Works, Minister for Housing and Construction and Minister for Property and Services, as well as Minister for Water Resources.

## CONDOLENCES

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Following his retirement he kept very active in the local community, with a continuation of his values shining through. His legacy is rich. His impact on the Port Melbourne community is well known. It will be felt and remembered for some considerable time. As Leader of the Government, I pay tribute to his exceptional life and his amazing and tireless commitment to his community and to our movement.

It is also important to note his devotion to his wife, Lynette, his grandchildren and his two children, Karen and Neville, who is with us in the chamber today. On behalf of our government, Neville, I extend my deepest condolences to you and your family. Thank you so much for being here today. We have lost an amazing man, your father.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (11:55): I desire to associate myself and the opposition with this motion to recognise Ronald William ‘Bunna’ Walsh. He was somebody I did not know but somebody who clearly had a significant influence on his community and the labour movement more generally. He was a waterside worker and an official in the Waterside Workers Federation from 1964 to 1979. He was clearly active on a number of local matters, and I am very interested in the story of the 1970 election and the spent criminal convictions. Some changes have been made to the law more recently.

He was later member for Albert Park between 1979 and 1992 and clearly was active in the public works portfolio and the water resources portfolio. People in the water industry do talk about Bunna Walsh because of reform that occurred in 1989 with the Water Act. He was very active in that process and in driving some of that reform. The community, I think, can thank him for that and the work that was done there and indeed his contribution to the Parliament. I pass on our condolences to his family and wish them well and note his significant contribution.

**Ms TAYLOR** (Southern Metropolitan) (11:57): It is indeed an honour and it is also with great sadness that I rise to speak and pay respect to the late Honourable Ronald ‘Bunna’ Walsh. Born in Port Melbourne, he attended state schools and became a waterside worker in 1954. He was indeed an official of the Waterside Workers Federation for many, many years.

Although he was elected to the Victorian Legislative Council in 1970, his initial service to community was prematurely cut short. However, his case has propelled very important change, removing stigma and discrimination from young offenders for minor offences that would not get a look-in today. A testament to his resilience, and buoyed by the love and support of the local community, he did not let this stand in the way of again seeking a position in state Parliament. And in 1979, as has been mentioned, he was elected to the seat of Albert Park, which he held until 1990.

During his time in Parliament he held the position of Government Whip from 1982–85 before moving to the front bench and working across several portfolios, which have been detailed today. A proud life member of the Labor Party and also former president of the ALP South Melbourne branch, we are very grateful for his formidable values and service.

It was inspiring to hear from those dear to him at the state funeral service, which I attended recently along with the member for Albert Park, Minister Martin Foley, and Josh Burns MP, the federal member for Macnamara. The mayor of Port Phillip also attended. Eulogies—very heartfelt eulogies—reflected on his humility, always honouring his working-class roots, and his history as a wharf labourer, selflessly helping so many throughout his life and career with a particular focus on social housing.

He and his late wife, Lynette, shared a wonderful life together and were parents to two children, Karen and Neville, one surviving. I would like to thank Neville for being here today. It is wonderful that you are here and honouring his memory. I am sure he is extremely proud of you, so thank you. My sincerest condolences to his family, broader family and friends.

What an amazing man. Something which really stood out to me at the state memorial service was that he had a motto, and that was to help someone every day. I just love that. That touched me, and that inspired me. So, thank you, Bunna.

**The PRESIDENT:** I ask members to signify their assent by rising in their places for 1 minute.

**Motion agreed to in silence, members showing unanimous agreement by standing in their places.**

**The PRESIDENT:** Pursuant to standing orders, as a further mark of respect for the Honourable Thomas Reynolds and the Honourable Ronald Walsh the sitting will be suspended for 1 hour.

**Sitting suspended 12.02 pm until 1.09 pm.**

### **Bills**

#### **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2022**

#### **PUFFING BILLY RAILWAY BILL 2022**

#### *Royal assent*

**The PRESIDENT (13:09):** I have a message from the Governor, dated 12 April:

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

**15/2022** Public Health and Wellbeing Amendment Act 2022

**16/2022** Puffing Billy Railway Act 2022

### **Members**

#### **MR LIMBRICK**

#### *Resignation*

**The PRESIDENT (13:09):** I bring to the attention of the house the resignation of a member of the Council. I have received a letter from the Governor advising that on Monday, 11 April 2022, she had received a written resignation from Mr David Limbrick as a member of the Victorian Legislative Council. I have also received a letter from Mr Limbrick notifying me that he intends to seek election in the federal Parliament and that if he fails to secure that election he intends to again become the candidate for the vacant seat in the Legislative Council. I note that pursuant to section 62 of the Electoral Act 2002 a joint sitting to fill Mr Limbrick's vacancy must be delayed until the result of the commonwealth election has been officially declared.

### **Committees**

#### **LEGAL AND SOCIAL ISSUES COMMITTEE**

#### *Reporting dates*

**The PRESIDENT (13:10):** I advise the house that I have received a letter from Ms Fiona Patten, chair of the Legal and Social Issues Committee, notifying me that the committee has agreed to extend the reporting date for its self-referred inquiry into extremism in Victoria from 31 May to 4 August 2022.

**Mr Davis:** On a point of order, President, I can tell the house that I am in receipt of correspondence from the committee. I wrote to them and asked them to broaden their inquiry to include left-wing extremism, including boycott, divestment and sanctions attacks and so forth. That has not been taken up by the committee, and I express my disappointment. The extension of the inquiry without taking on the additional point is entirely unsatisfactory.

**The PRESIDENT:** There is no point of order, Mr Davis.

**Ms Shing:** On a point of order, President, could we perhaps get some guidance in relation to the way in which these so-called points of order are being raised repeatedly by Mr Davis, where he knows full well that they are not within the standing orders and persists in making them to get them onto the record?

**The PRESIDENT:** On the point of order, I know many members in this chamber would remember former President Atkinson and former President Leane had some issues with the points of order, and I repeat that—I have the same. A point of order should be valid, and it should be direct to the point we are talking about or the issue we have raised. So please be careful how you put your points of order from now on.

### **Rulings by the Chair**

### **NOTICES OF MOTION**

**The PRESIDENT** (13:12): Members, can I briefly remind you of our rules in relation to notices of motion. Notices of motion are listed in the name of the member who gave notice. With the permission of that member, another member can move that notice of motion on their behalf. However, if the originating member is in the chamber at the time the motion is called on, they must be the one to move the motion. Similarly, it is not in order for a member to give notice of motion for another member who is also in the chamber.

### **Members**

### **MINISTER FOR LOCAL GOVERNMENT**

#### *Absence*

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (13:13): Can I draw to the chamber's attention—and apologies for the last-minute change—that Minister Leane has had to go home, so any questions directed to him may be directed to me.

### **Questions without notice and ministers statements**

### **COUNTRY FIRE AUTHORITY WANGARATTA BRIGADES**

**Ms LOVELL** (Northern Victoria) (13:14): My question is to the Minister for Emergency Services. Last week's state budget was particularly disappointing to CFA brigades in district 23 as it contained no funding to refurbish the incident control centre at the Ely Street district headquarters or to provide a dedicated home for a headquarters for the Wangaratta group. The CFA are pushing ahead with the refurbishment of the control centre through their own limited funds, but this will effectively displace the Wangaratta group from the Ely Street headquarters, leaving them homeless. I ask the Minister for Emergency Services: given that I raised this issue with you in question time on 8 March, what have you done since that date to secure a suitable headquarters for the Wangaratta group?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (13:14): I thank Ms Lovell for her question in relation to funding for the CFA and in particular the issues that we have at Wangaratta. I would also put on record that the member for Ovens Valley, Tim McCurdy, has also written to me, as well as Tania Maxwell also as a member for Northern Victoria. It is good to see that there is bipartisan support for CFA, because we are all talking to the Wangaratta brigades in relation to the issues—the Wangaratta volunteers and career firefighters in Wangaratta.

In relation to the specific issue that you raise, Ms Lovell, I have had several conversations with CFA. My office have continued to have meetings in relation to this matter, and following the issues being raised with me by several members of Parliament and indeed in my direct conversations with members in Wangaratta at the opening of the SES, this is a matter that I am well across and I have asked CFA to facilitate conversations to seek solutions to this issue.

Where conversations have got to is an exploration of joint use of the brand new multimillion-dollar SES facility in Wangaratta that, if you have not seen, I would encourage you to go and visit. It is a fantastic, modern, fit-for-purpose facility that really provides a great venue to respond to emergencies not only in Wangaratta but across the north-east region.

I understand that there may be some members who are looking for a different outcome or a long-term solution. At this point in time I want to make sure that there are suitable facilities right now. Exploration of and continued conversations about a joint-use arrangement at that facility, which has adequate space to accommodate many emergency services—whether it is our CFA, whether it is our SES or indeed others—are an opportunity, so I would encourage people to stay at the table and continue to have those conversations. In terms of long-term premises, that is also a conversation that has not resulted in a final outcome. Those conversations continue to be ongoing, and I am keeping abreast of all of those conversations.

**Ms LOVELL** (Northern Victoria) (13:17): Thank you, Minister. Given that previous proposals for a memorandum of understanding between the CFA and SES required the CFA to actually get permission from the SES every time they entered that facility, will you guarantee that any shared arrangement or memorandum of understanding between the CFA and SES to house the Wangaratta group in the SES facility will result in the CFA having dedicated space on that floor plan and not being reliant on permission from the SES to access the facility?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (13:17): I thank Ms Lovell for her question. We are getting into the specifics of an MOU that are appropriately the topic of a conversation between the SES and the CFA, and it is not my role to sit down at the table and intervene in those conversations. What I want to achieve is a mutually acceptable outcome, of course. In relation to the conversations, they are overwhelmingly positive. SES have approved the use of facilities temporarily and have also offered land on site for an option for a long-term location if that is something that people would like to pursue. So there are lots of conversations; they are ongoing. SES have revised their position to accommodate CFA requests in relation to use and the steps that need to be taken so everyone knows who is there, what is there and what part of the facility they are using. As I said, it is a massive facility. There are room dividers; there are lots and lots of options. If people sit down and have the conversation, I am more than confident that mutually acceptable terms could be agreed.

### MEDICINAL CANNABIS

**Ms PATTEN** (Northern Metropolitan) (13:18): My question is for the Minister for Workplace Safety and relates to medicinal cannabis. As I raised with you in the house earlier this year, and you confirmed, 90 per cent of medicinal cannabis patients are being denied remuneration for reasonable costs resulting from their injuries when those costs relate to medically prescribed medicinal cannabis. This is despite it working and despite these patients having exhausted all other treatment options. Where we as a state have an office for medicinal cannabis, where we have a medicinal cannabis industry development plan and where the government's own website refers to clinical evidence for chronic non-cancer pain, WorkCover is still denying these patients. So my question to the minister is: if medicinal cannabis is the only treatment that works for individuals suffering from chronic pain resulting from a workplace injury and the only way they can return to work, why are 90 per cent being refused reimbursement?

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (13:19): I thank Ms Patten for her question and her ongoing interest in these issues. Of course we are always open to looking at ways in which we can help injured workers recover safely and return to work as quickly and as safely as possible. As I indicated to you, I think, last time you asked me about these issues, I am absolutely prepared to continue to look at whether there are further opportunities in relation to treatment. However, I will restate that these matters are not matters that are appropriately decided by me as minister or any MP; they are guided by the medical evidence. Of course there is a



policy in place in WorkSafe around new and emerging treatments, which are not static in nature but they have to be taken into consideration when treatment plans are being looked at and decisions are being made by the expert medical panel. But as I have already indicated to you, Ms Patten, I was encouraged that at least there were 10 per cent of injured workers who were having that kind of treatment approved. But I am always open to talking with you further about the way in which these policies are managed within WorkSafe.

**Ms PATTEN** (Northern Metropolitan) (13:21): Thanks, Minister. I have appreciated the conversation on this. In the last two weeks I have had another couple of WorkCover patients who have been refused or who have reported to me. As you have stated before, you are committed to making sure that all injured workers get access to the treatment and support that they need to enable them to recover and return to meaningful work, and I think none of us in this chamber disagrees with that. By way of supplementary—I think for me and people in the medical profession to further understand this—is it possible that you can provide, in a deidentified way, the reasons why 90 per cent of those 117 patients were denied reimbursement by WorkSafe?

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (13:22): I thank Ms Patten for her supplementary question. Of course I have to be quite careful with privacy considerations and the like, but I am very willing to see what other information could be provided. If you have individual examples that you want me to seek some further advice from WorkSafe on, in a deidentified way, I am more than happy to see what it might be possible to provide you with.

#### **MINISTERS STATEMENTS: EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY**

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (13:22): Last week it was a delight to join ESTA staff at the ESTA 2021 service and recognition awards to pay tribute to their hard work and the commitment that they make to the Victorian community every day. Of course we know that ESTA staff do incredible work on the front line of our emergency services, and frankly they are awesome people. The camaraderie, the support and the team environment of that group of people were fantastic to see firsthand on a night of celebration. I had the honour of recognising seven employees who have proudly reached 25 years of service, and there were a further 50 employees who received 10-, 15- or 20-year service awards.

In recognising their tireless work of course last week's budget continues to support our hardworking ESTA staff to ensure they can continue to keep Victorians safe every day and every night. Right around the nation we know demand for health and emergency services is at an all-time high. Since the start of the pandemic 000 ambulance calls have increased by approximately a third, from a daily average of about 2200 calls in October to almost 4000 calls in December last year. This is unprecedented demand, but what we now know is that this is our new normal.

But when they call for help of course every Victorian should have the confidence that there will be help on the other end of the line, and that is why we are investing in practical and immediate measures to continue to build ESTA's capability to respond to this demand. More than \$333 million will be added. This will mean there will be an additional 400 new staff to increase 000 call services for ambulance, police and fire. It is the biggest ever investment in Victoria's 000 capability.

This significant funding boost will bring on more call takers and dispatchers and more trainers and team leaders, build a better support and surge capability for busy times and provide further wellbeing support to look after these amazing people. The package of course builds on the immediate support that I announced in March, which is already seeing improvements in our call-taking times and workplace practices. I thank ESTA staff for their incredible work and will continue to support them and thank them.

**INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION**

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (13:24): My question is to the Attorney-General. I refer to your responsibility under the administrative orders for IBAC and note the need for proper parliamentary scrutiny and oversight of independent officers, and I refer specifically to the decision by the chair of the Integrity and Oversight Committee, Harriet Shing, to close down public questioning of the IBAC Commissioner, Robert Redlich, yesterday, effectively gagging debate. I therefore ask: is it government policy or was it a government direction that questions regarding the Premier's secret evidence to IBAC be blocked, or was Ms Shing acting as a lone ranger?

**The PRESIDENT:** I do not know, Mr Davis, if I can allow your question. The question is about the committee, and I do not know how the Attorney-General—committees have their own—

*Members interjecting.*

**Mr Davis:** On a point of order, President, the question specifically asked whether there was a government direction or whether it was government policy or whether Ms Shing was acting as a lone ranger. There are two possibilities here. The government can rule out that it had given directions, and that will tell us that Ms Shing was acting alone.

**The PRESIDENT:** I am still struggling with it, but I call the Attorney-General.

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (13:26): Thank you, President. Taking your guidance, I believe that there is a very confined answer I can provide to Mr Davis. Frankly, you are not interested in the answer, because you know there is only one question that was contained in your verbal diarrhoea of wanting to slag off a member of this place, and the only question that is appropriate for me to answer is whether I, in my role as Attorney-General or otherwise, gave any direction to a parliamentary committee member, whether they be a chair or otherwise. And, frankly, no.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (13:27): Minister, it is critical to democracy that these committees are open, and the IBAC Commissioner was certainly prepared to answer questions. I therefore ask: will you counsel Ms Shing, who should know better, that it is not good practice to in future—

**The PRESIDENT:** Mr Davis, this has got nothing to do with your question and the answer.

**Ms Symes:** On a point of order, President, I would ask whether it is possible for you to review the questions that Mr Davis wants to put to this house, because they are inappropriate. He knows they are wrong. He has been here longer than anyone else. It is designed to put inflammatory statements on the public record, and it is completely inappropriate. In fact, Mr Davis, if you want your questions to be proper, maybe get the President to check them first.

**The PRESIDENT:** Mr Davis, the question was very simple. The Attorney-General has answered the question. You came back with a phrase that is not related to the question or to the answer. I am sorry, Mr Davis. I will give you another chance if you want to rephrase it; otherwise I am going to rule it out. Full stop.

**Mr DAVIS:** I ask the minister: is it in the interests of democracy in this state for questioning of the IBAC Commissioner to be closed down and for debate to be gagged?

**The PRESIDENT:** I rule it out.

*Members interjecting.*

**Ms Symes:** On a point of order, President, I would draw your attention to the comments that were just received by Ms Crozier. I think she was reflecting on the Chair.

**The PRESIDENT:** Thank you very much.

### DUCK HUNTING

**Mr MEDDICK** (Western Victoria) (13:29): My question is for the Minister for Agriculture in the other place. The current recreational duck-shooting season is in its eighth week—

*Members interjecting.*

**Ms Pulford**: On a point of order, President—Mr Meddick, apologies for interrupting your start—Ms Symes sought a withdrawal of the claim that Ms Crozier made across the chamber not once but twice, and I would encourage you to rule on that, please.

**The PRESIDENT**: Ms Crozier, I did not hear the comment, but—

**Ms Crozier**: President, for the interests of the house, it was a general comment that I will withdraw so that we can move on.

**The PRESIDENT**: Thank you.

**Mr MEDDICK**: Thank you, President. I will start again. My question is for the Minister for Agriculture in the other place. The current recreational duck-shooting season is in its eighth week. For two months we have witnessed the government-approved slaughter of our native wildlife for the entertainment of a dwindling few. Last month a duck shooter was successfully prosecuted in the Ballarat Magistrates Court for a 2021 offence that involved killing a second bird before bothering to collect the first. Each year complaints just like this are made by distressed members of the public. Nearby residents and animal carers collect evidence of behaviour the Game Management Authority (GMA) so poorly monitors itself. The government has publicly stated that it will take action if breaches occur, yet there is no trust in the authority's ability to consistently action complaints. Can the minister advise how many duck-shooting cases have progressed through to a prosecution since 2018?

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (13:31): I thank Mr Meddick for his question and his ongoing concerns around the issues of duck shooting, and I will refer the matter to the Minister for Agriculture.

**Mr MEDDICK** (Western Victoria) (13:32): Thank you, Minister, for that. My supplementary is that this year duck rescuers have reported a number of breaches to the GMA, including threatened species killed or dispersed from nesting sites, injured birds left to die, shooters unsafely handling weapons and improper and extremely cruel killing methods. They have even reported pits of shallowly buried ducks killed illegally and in surplus. Can the minister provide a report detailing the outcome of incidents this year so far?

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (13:32): I thank Mr Meddick for his question. I am unsure as to the amount of detail that Minister Thomas will be able to provide. Nevertheless I will refer your supplementary question to her.

### MINISTERS STATEMENTS: BIOMELBOURNE NETWORK WOMEN IN LEADERSHIP AWARDS

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (13:32): It is my great pleasure to advise the house about the recent BioMelbourne Network Women in Leadership Awards. It was my absolute privilege to attend. Now in their seventh year, these awards shine a much-deserved spotlight on the remarkable women leading our health tech sector. The awards demonstrate what talent we have here and also serve as a reminder of why we must continue to raise the voices of women in this sector and indeed in all sectors. Victoria's medical research sector leads the world in so many ways, but like many industries, we are still working towards gender equality in leadership and in opportunity.

I would like to recognise this year's nominees, incredible women who have made outstanding contributions to advancing our biotech, medical tech and pharma sectors. I would like to extend a massive congratulations to the award winners. This year's event celebrated three winners across three categories. The Emerging Leadership Award went to Associate Professor Lauren Ayton, principal research fellow at the University of Melbourne. Lauren was recognised for her research in the field of low vision and blindness. Lauren leads a team at the University of Melbourne and the Centre for Eye Research Australia investigating inherited retinal diseases, which are the most common cause of legal blindness in working-age Australians.

The Inspiring Leadership Award went to George Kenley, co-founder and chief operations officer at Seer. As co-founder and chief operations officer at Seer, George and the team have fundamentally changed epilepsy diagnostics. The world-first technology offered by Seer means that patients can receive diagnostic monitoring from the comfort of their own home, avoiding lengthy stays in hospital. The Distinguished Leadership Award went to Dr Emma Ball, head of Illumina for Startups Australia. As the head of Illumina for Startups Australia, Emma is responsible for supporting founders and building an ecosystem of entrepreneurs and investors to create, launch and grow genomics and omics startups in Australia.

Congratulations to these incredible women. It was a pleasure to hear what they have achieved so far and to see what they will achieve in the future.

#### EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

**Ms CROZIER** (Southern Metropolitan) (13:34): My question is to the Minister for Emergency Services. Minister, you told the Parliament on 23 February in relation to Mr Grant's case, where he sadly died whilst waiting for over 40 minutes for an ambulance, that 'ESTA did everything that was required of them in relation to that case'. It was revealed last week that ESTA call scripts were modified in October 2021, with the changes aiming to provide callers with realistic expectations in relation to ambulance response. But Mrs Grant has recounted saying that her husband was having trouble breathing and that the ESTA worker's response was 'What do you mean?'. Minister, your government continues to fail Victorians, and sadly they are dying because of your inaction. How do you explain an ESTA caller asking 'What do you mean?' to Mrs Grant's information on the call about her husband's condition, following the review of ESTA's call scripts last October?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (13:35): Ms Crozier, this is obviously a distressing case for the family, with the loss of Mr Grant, and I know that my condolences are extended to his family members. It is a collaboration between our emergency services personnel, our agencies and ESTA in relation to the material that call takers are provided and what they should be asking to ensure that the most appropriate response is delivered.

We are ranging a little bit into opinion here. I am familiar with the details of the case, but it is inappropriate for me to go into that in a commentary sense in the chamber. But I think that when the person who takes the call has to try and determine what response is required, they are blind. They cannot see what is happening to the person on the other end of the phone or indeed to the person they are being called for, so it is appropriate to seek as much information as possible. If you articulate that someone is having breathing difficulties, that could be on a fairly large range from minor to severe. In order to obtain the most appropriate information so that the level and the category are appropriate—so that we are not inadvertently sending ambulances to every single call, which would indeed clog up the system and mean that the most urgent cases do not receive the appropriate response—call taker scripts are informed by clinical people and experts in this space. I am sure these conversations continue to occur and reflect on people's experiences, and Mr Grant and his family's experience is no different.

But I continue to talk about the amazing people at ESTA. When I visit, I get to plug in and listen to them, and they answer those calls. I get goosebumps. It is an incredibly stressful job. These people are

awesome. They are calm, they provide expert advice and they provide the best possible response they can based on the information that they can obtain from the people on the other end of the phone.

**Ms CROZIER** (Southern Metropolitan) (13:38): I agree with the minister in relation to the work that the ESTA callers are doing under very significant, stressful additions. Over January there were only three or so callers at one time—

**Ms Symes** interjected.

**Ms CROZIER:** Well, how many were on? I would like the truthful answer, but that has not been forthcoming. Minister, a letter from Ambulance Victoria (AV) to Mr Grant's family states:

... regarding your father's condition, the call was coded for a response within 30 minutes.

This clearly was a category 1 condition that was very severe—

**Ms Symes** interjected.

**Ms CROZIER:** Well, he died. So again paramedics were said to be calling back after a significant amount of time. These instances keep coming. Why are these failures continuing to happen in Victoria and Victorians are continuing to die?

**Ms Tierney** interjected.

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (13:39): Where I begin, Ms Tierney, is to say that using a really sad example and saying this is an endemic situation that is happening to everyone who calls is frankly wrong. I have said in this place it is unacceptable for anyone to have problems with call delays et cetera. What you are talking about is the clinical determination of the appropriate response to a particular call taker. I am not a medical expert. I am not trained, and the people on the phones are. The information they are provided with informs the response required. Quite often what happens is a call taker will do their best and then it goes to the next stage, which is the RefCom team, which is the AV team, which then goes into greater detail about specific cases, and that is particularly valuable when it is a complex case where it is difficult to determine how severe it is. In relation to how this case was categorised, the advice I have received from ESTA is that it was appropriate for this case.

#### MELTON HOSPITAL

**Dr CUMMING** (Western Metropolitan) (13:40): My question is to the Minister for Health in the other place. Can the minister please clarify the funding for the Melton hospital and the time line for its completion? Before the 2018 election the Premier made announcements about the construction of a number of new hospitals, including a much-needed hospital for Melton. Last July, in 2021, the minister stated that the money would be set aside in this year's budget for construction, which he hoped would begin within the next 12 months, and that it was expected to be fully operational by 2026–27. Yet two weeks ago the Premier visited the site and said that construction would begin within two years and be completed by 2029. And in the latest budget there are no money amounts given for the hospital.

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (13:41): Thank you, Dr Cumming, for your question. I am not the Minister for Health, so I am not 100 per cent sure of the exact details of this case, but I am pretty sure there was \$900 million in the budget for the Melton hospital, a fantastic investment that will be much valued and much welcomed in that community. Last year's budget I think had money in it for the land acquisition, and this is appropriate. You plan, you identify a site, you buy the site, you build the hospital and you employ the people. That is generally how it goes. But because I am not across the absolute detail of this request that you have made of the Minister for Health—

**Ms Crozier** interjected.

**Ms SYMES:** Ms Crozier, it is Dr Cumming's question. You have been a bit chatty today, and it is a little bit distracting. Dr Cumming, I will seek a detailed response from the Minister for Health, and if Ms Crozier would like to ask me the next question then we could get her the information too.

**Dr CUMMING** (Western Metropolitan) (13:42): Thank you, Attorney, and I look forward to the minister's response. Can the minister please clarify the current situation concerning the construction of the community hospitals at Point Cook and Sunbury? Again, back in 2018, before the election the Premier promised to build 10 community hospitals, including one in Point Cook and one in Sunbury. The fact sheets are still on his website and state that Sunbury will be open in 2023 and Point Cook in 2024. In 2019 the government said construction for the \$675 million community hospital program would start by 2022—I think that is this year—and finish by 2024, but there is just \$20 million set aside to spend in the 2022–23 budget. You would expect hospitals would be, I don't know, a priority in a pandemic.

**The PRESIDENT:** Dr Cumming, I have an issue with your supplementary. Your first question was about the Melton hospital funding, and then you went to other places you named—Sunbury and other places. I am sorry, but this is a completely different question. I am going to give you a chance. Please stick to the question and to the answer in your supplementary.

**Dr CUMMING:** I guess my first question could be, 'Could the minister please clarify the funding for health, or hospitals, in the Western Metropolitan Region, for their construction?'. But obviously all the questions that I have just raised are about construction of hospitals in the west.

**The PRESIDENT:** Dr Cumming, I gave you the opportunity. If you do not want to stick to the rules of the house, it is your call. I rule it out. You had the opportunity, but you did not do it.

**Dr CUMMING:** President, just to clarify, my substantive question is there, but you are just saying that my supplementary question is ruled out due to lack of interest by this government.

**Ms Pulford:** On a point of order, President, Dr Cumming was reflecting on your ruling. She was suggesting that her supplementary being ruled out had something to do with budget outcomes and funding and government commitments and priorities, when in fact it was just plainly out of order.

**The PRESIDENT:** For the whole house, I have to be fair with everybody. I have to be fair with the question and the supplementary, and I tried. Dr Cumming, I tried to give you that opportunity, and you did not take it. I ruled it out, and then you made the comment. Ms Pulford has got a point. I ask you to withdraw your last comment.

**Dr CUMMING:** For you, President, I will withdraw that comment.

**The PRESIDENT:** For the chamber, not for me. Thank you.

#### MINISTERS STATEMENTS: PETER NOONAN

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (13:46): Today I rise to pay tribute to Professor Peter Noonan, whose leadership in policy design in the higher education, training and skills system led the way for transformational reforms in Australia. His commitment and sharp insights always put the student at the centre, and his work in this field was well regarded by all sides of politics.

Peter possessed a commanding presence, and this was always backed by a thorough understanding of our sectors. His sharp insights and knowledge meant that he was always in high demand nationally and globally as a reviewer, speaker and commentator. He served as an adviser to ministers and departments and was a strong presence on the Victorian State Training Board. Peter's work advising state and federal governments over recent years demonstrated his impact. He was a key contributor to many important reviews, including the 2008 Bradley review of higher education, the 2010 Gonski review of government school funding and the 2019 review of the Australian Qualifications Framework.

I am proud that this government has been informed by his work and is committed to building a connected-up education system. We will continue to build on the legacy of Peter's work across the schools, vocational education and training, and higher education sectors. He will be sadly missed by all of us in education and training, and I extend my sincere condolences to his family and colleagues. Vale, Peter Noonan.

#### EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

**Ms CROZIER** (Southern Metropolitan) (13:47): My question is again to the Minister for Emergency Services. Minister, another three deaths we know of were reported last Monday following delays with 000. Minister, how many more Victorians have died as a result of these failures that have occurred under your watch?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (13:48): Ms Crozier, we continue to have this conversation in relation to tragic outcomes that have impacted families in our state that have sought to rely on our health system, and for you to continually attribute the cause of death to ESTA call takers continues to be inappropriate.

**Ms Crozier**: On a point of order, President, the minister knows what she has just said is completely incorrect. Would you like me to re-read the question? I never reflected on the ESTA workers; I was talking about the policy failures of the government. I would ask you to ask the minister to clarify that—that there was no reflection on the ESTA workers, that it was government policy failures.

**The PRESIDENT**: The minister had just started.

**Ms SYMES**: Thank you, President. As I have said in this house on numerous occasions, I do of course offer my sincere condolences to anybody who has lost somebody. In the cases that we refer to, when you are in an emergency situation and you lose someone, it is usually unexpected. It is horrible, and these cases are devastating. I do acknowledge that any delay is of course unacceptable. There are established processes to review any case that involves a death that was related to or involved ESTA or Ambulance Victoria. But I again would stress that it is only the coroner that can assign the cause of death, not members of this chamber.

**Ms CROZIER** (Southern Metropolitan) (13:49): There are far too many Victorians that have died as a result of 000. Former police commissioner Graham Ashton has undertaken a report into the failures of ESTA, reviewing the problems in relation to these very, very tragic circumstances. I know the minister is very defensive about the failures that have occurred. We will continue to have this conversation because it is important and I think Victorians deserve to understand exactly what has gone on. Why does the government continue to hide the facts from Victorians about the catastrophic failures when so many Victorians have tragically died and refuse to release that report publicly to Victorians?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (13:50): There is so much wrong in that question, Ms Crozier. First of all, you continue to say that people have died as a result of 000. That is an inappropriate comment that you continue to repeat. You have also said that I will not be releasing the Graham Ashton report. I am on the public record that there are appropriate processes that are undertaken in government—report is received, consider report, government response, report will be released by the middle of the year—in a transparent way.

#### COVID-19 VACCINATION

**Mr QUILTY** (Northern Victoria) (13:51): My question is for the minister representing the Minister for Health. Back in February this chamber supported a motion to refer the matter of worker vaccine mandates to the Independent Pandemic Management Advisory Committee, IPMAC. Presumably even some members of this chamber who may once have supported mandates recognised that they probably no longer served any purpose. Unfortunately it seems that IPMAC moves at the pace of a ceramic

turtle and has given no outward appearance of doing anything at all. Meanwhile my office still receives regular stories of people who are on the verge of bankruptcy and despair, as they are still denied employment, losing their homes. After the absolutely confusing press conference on 20 April some people understandably thought that the work mandates had been lifted and quickly rushed out to secure employment, only to have their hopes crushed once again. Others have fled the state, and at this point I have to wonder if that is the true aim. Minister, when are these work mandates going to end?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (13:52): Thank you, Mr Quilty. As I think I have reflected in this house before, I actually really enjoy your questions. I do not always agree with the content of them, but you just threw me there. Did you make a reference to a ceramic turtle? I am going to pass this one on to the Minister for Health for a detailed response.

**Mr QUILTY** (Northern Victoria) (13:52): Thank you, Minister. I do not have any more ceramic turtles, unfortunately. These days we are actually allowed to see the health advice and justifications, and I have got to say they are pretty flimsy. On 7 April the acting chief health officer, Professor Cowie, provided advice to the health minister. In point 111 he stated that the general worker mandates were proportionate at the time—past tense. In point 116 he stated that it would be proportionate to shift away from orders mandating vaccines. Subsequent advice from the chief health officer added nothing further to the matter. Clearly the advice to the minister was that it was at his discretion to consider lifting the mandates. We have had similar advice from public health experts. Ordinary Victorians are suffering for no good purpose. Minister, why are you persisting with mandates when the health advice clearly states that it would be proportionate to revoke them?

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (13:53): I am advised by colleagues that similar topics that you have raised have been considered by the parliamentary committee that was established in relation to the pandemic laws that passed this chamber last year. In any event, I think it is an evolving matter, but we will see what response we can get from the Minister for Health in relation to the questions that you have raised.

#### MINISTERS STATEMENTS: SMALL BUSINESS SUPPORT

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (13:53): I am very pleased to update the house on yet another way that our government is supporting Victorian small businesses. The small business ventilation program is one of seven funded programs from the \$200 million business stimulus package announced in February this year in response to the ongoing impacts of the pandemic and the omicron wave. It supports small businesses with commercial premises that are open to the public to reduce the spread of COVID-19 by providing funding for ventilation improvements. The program has two streams: a \$500 rebate and a matched grants stream. It was launched on 1 April and is scheduled to close to applications on 24 June.

The \$500 rebate stream is intended to enable businesses to undertake immediate action such as purchasing an air purifier or hiring a qualified tradesperson to undertake minor services to improve ventilation. To be eligible for the program the business must operate from a fixed Victorian address commercial premises that is physically open to the public for in-person purchases or use of the business's products or services.

The matched grants stream provides matched funding for eligible projects and provides grants from \$1000 to \$5000. This stream enables public-facing small businesses that employ staff to invest in larger projects such as building works, engaging professional services or purchasing equipment to improve ventilation in areas accessible to customers. An eligible business can apply for a grant for each of its commercial premises. If an applicant has already purchased an eligible product, such as an air purifier, or undertaken eligible ventilation improvements, we thank them for that and they will be retrospectively covered back to 1 January this year.



I would encourage all members to put the link to these grants programs on their various social media and website pages to help spread the word so that we can help Victorian businesses to be stronger, more resilient and better ventilated for the wellbeing of all Victorians.

### WRITTEN RESPONSES

**The PRESIDENT** (13:55): Regarding questions and answers today: Mr Meddick to the Minister for Agriculture, Minister Tierney, two days for the question and supplementary; Dr Cumming to the health minister, two days for the substantive question; and Mr Quilty to the Minister for Health again, Ms Symes, two days, question and supplementary.

### Constituency questions

#### SOUTHERN METROPOLITAN REGION

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (13:56): (1758) I rise again on the matter of the Surrey Hills and Mont Albert level crossings for the attention of the Minister for Transport Infrastructure. I still have not received any indication that the minister is prepared to attend with me and others to see the damage and destruction that has been wrought at Surrey Hills and Mont Albert. We have seen the destruction of Lorne Parade Reserve. My question is very simply: will she reconsider and agree to meet me and local community representatives? Mr Atkinson would well be there, and Dr Bach would be there as well, and we would seek to impress upon the minister the mistakes that are being made. It is not sufficient for the minister just to put her head in the sand and refuse to engage on these matters, given the terrible destruction that is being done at Surrey Hills and Mont Albert.

#### WESTERN VICTORIA REGION

**Mr GRIMLEY** (Western Victoria) (13:57): (1759) My question is to the Minister for Public Transport. I recently received some correspondence from a constituent who commutes several times a week from Ballarat to work in Melbourne. Having recently moved from Melbourne to Ballarat, she was surprised that no wi-fi was available on the train and that mobile coverage was poor to zero for about half the journey. In supporting decentralisation it is essential that such key regional train lines have adequate communications coverage for the full journey. We should also consider that the 2026 Commonwealth Games will be held in key Victorian regional cities, including Ballarat. These cities will host a high number of visitors, many of them from overseas, and it would be an embarrassment for Victoria if these visitors experienced the same communication blackspots as reported by my constituent. Minister, what is the government doing to provide effective and continuous wi-fi on all regional trains?

#### SOUTHERN METROPOLITAN REGION

**Ms CROZIER** (Southern Metropolitan) (13:58): (1760) My constituency question is directed to the Minister for Energy, Environment and Climate Change, and it is in relation to Parks Victoria and their responsibility to maintain public amenities. I am getting increasingly concerned about the degree of graffiti that is around my electorate of Southern Metropolitan Region, but this relates to public amenities in Wattle Park. My office was contacted by Chris, who attended the Anzac Day commemoration on Sunday 24 April, just prior to Anzac Day, which was attended by many members of the local community in the area of Wattle Park, Burwood. Chris proceeded to go to the public toilet facilities and found that they were in a filthy state and had been for some time. It was very evident that they had not been cleaned, but a note said that they had been cleaned that morning. When Chris followed up with Parks Victoria he was told that contractors perform the work and that they could do nothing about it. The question to the minister is: who is monitoring the works of these contract cleaners so that the public can have public amenities in a fit state?

### NORTHERN METROPOLITAN REGION

**Dr RATNAM** (Northern Metropolitan) (13:59): (1761) My constituency question is to the Minister for Roads and Road Safety. Minister, in the last month there have been multiple deaths on the roads in my electorate, including the tragic deaths of a cyclist in Pascoe Vale South and a pedestrian in Coburg North. With the residents in Moreland increasingly choosing to abandon their polluting vehicles in favour of cheaper and cleaner transport like cycling and walking, it is disappointing that roads in my electorate have still not been made safe enough for these road users. What steps will you take to improve cyclist and pedestrian safety in the City of Moreland?

### EASTERN VICTORIA REGION

**Ms BATH** (Eastern Victoria) (14:00): (1762) My constituency question is for the Minister for Agriculture, and it relates to my constituent Jim Greenwood, who is highly frustrated and distressed. Contracted to salvage timber in the Wombat State Forest—and this timber was blown over last year in June in the storms—he has been thwarted for the last three weeks because of illegal activists. What should have been a win for the environment, for traditional owners Dja Dja Wurrung and for Jim and harvesters like him has been hampered by protestors. In partnership with VicForests Dja Dja Wurrung have commissioned Jim to collect the fallen timber and, clearly, to restore country for Dja Dja Wurrung. Now, what the Andrews government is doing is not facilitating this, and I ask the minister: will you step in and ensure that protestors are evicted and charged once and for all so that Dja Dja Wurrung country can be restored and Jim and his crew can get back to work?

### WESTERN METROPOLITAN REGION

**Dr CUMMING** (Western Metropolitan) (14:01): (1763) My question is for the Minister for Education in the other place, and it is from a resident in Burnside Heights. When will the minister remove vaccine mandates for teachers in line with the other states to provide our children with some consistency in their education? My constituent's daughter attends secondary school in Caroline Springs. Since week 4 of term 1 her class has not had a permanent English or humanities teacher and has only received casual relief teachers for both these subjects. Term 2 has just commenced and the situation is not any better, with permanent teachers still not allocated for these subjects. To add to the gravity of the situation her class is also experiencing relief teachers for other subjects on a daily basis, and it is not uncommon for five out of the six sessions per day to be filled with relief teachers. It is clear that Victorian children have fallen behind the rest of the country and they need permanent teachers.

### NORTHERN VICTORIA REGION

**Ms LOVELL** (Northern Victoria) (14:02): (1764) My question is for the Minister for Health regarding price increases for services offered by Remembrance Parks Central Victoria, who act as the cemetery trust for cemeteries in Bendigo and Shepparton. Several funeral directors have advised me that Remembrance Parks Central Victoria has proposed price increases across the 2022–23 and 2023–24 financial years that will result in funeral costs escalating by up to 270 per cent. Increases of this magnitude are unconscionable, especially when you consider the socio-economic status of both the Shepparton and Bendigo communities. It appears that Remembrance Parks Central Victoria have modelled the proposed price increases on prices set for metropolitan memorial parks, which fails to take into account the standard of cemeteries in regional centres and also that they do not compare with memorial parks in metropolitan Melbourne and that average household income is considerably less in regional Victoria. Will the minister take the concerns of my constituents into account and refuse the proposed price increases, which appear to be excessive and unconscionable, for regional cemeteries?

### SOUTHERN METROPOLITAN REGION

**Mr HAYES** (Southern Metropolitan) (14:03): (1765) My constituency question is to the Minister for Planning. Residents of Boroondara and Glen Eira have asked me why the government is not leading the charge for strong statewide baseline environmentally sustainable development, ESD,

guidelines in the planning scheme given 31 Victorian councils have combined with the Council Alliance for a Sustainable Built Environment, CASBE, to develop and coordinate consistent ESD policy in their collective planning schemes. Residents would like to ask the minister: why do councils have to go it alone in this process?

### WESTERN METROPOLITAN REGION

**Mr FINN** (Western Metropolitan) (14:04): (1766) My constituency question is to the Minister for Public Transport. I recently visited Wyndham Harbour and was most impressed by the work done there and perhaps more importantly the enormous potential this development shows for the west. If you have not been there—if members have not been there—can I suggest that you travel down there, down Duncans Road, and have a look at it, because it really is worthwhile. Do yourself a favour, as Molly would have said. Particularly in the warmer months Wyndham Harbour has much to offer locals and visitors alike. It is very much a part of the new west. The problem is the lack of public transport servicing Wyndham Harbour. Both residents and those who would like to visit are begging for better access to the area. The lack of public transport now is just not good enough. Minister, what plans do you have to make Wyndham Harbour accessible for those who currently have difficulty getting there without a motor vehicle? More buses are needed and a major improvement in the timetable of Wyndham Harbour is necessary, and it is necessary now.

### EASTERN VICTORIA REGION

**Ms BURNETT-WAKE** (Eastern Victoria) (14:05): (1767) My constituency question concerns the Lakeside visitor centre at Puffing Billy in Emerald. It is unclear who to best address this question, as there is crossover—either the Minister for Tourism, Sport and Major Events or the Minister for Energy, Environment and Climate Change. Either way, I would ask this question be directed by the government as appropriate. I was recently contacted by a constituent who, like many Emerald locals, is concerned that the Lakeside visitor centre has been completed without having any solar panels installed. This constituent believes many trees were removed to make way for the new centre, and the building is not situated in the shade. They would have thought that any new build would involve the installation of solar panels to reduce the carbon footprint, reduce electricity bills and produce renewable energy. My question, on behalf of this constituent, is: why haven't solar panels been installed on the Emerald Lake Park visitor centre?

### NORTHERN METROPOLITAN REGION

**Mr ONDARCHIE** (Northern Metropolitan) (14:06): (1768) The constituency question I have today is for the Minister for Roads and Road Safety. Road users in Melbourne's north are feeling left behind by Dan's Labor government, and they are concerned about the traffic congestion and the time it takes them to get to work. Disappointingly, the northern suburbs were not part of the smart traffic light upgrade for congested intersections in phase 1. The program is only focused on the south-east, the west and the eastern suburbs. The minister will remember that I have called on the government to investigate congested intersections at Craigieburn, Roxburgh Park, Epping, Lalor, Thomastown, Greenvale, Wollert, Fawkner, Pascoe Vale, Coburg and Reservoir and called for smart traffic light technology to be installed along Plenty Road and Cooper Street. The question I have for the minister is: will the minister now install smart traffic lights in Melbourne's north under phase 2 of the Smarter Roads program to improve travel, or will my residents continue to be ignored by Dan's Labor government?

### NORTHERN VICTORIA REGION

**Mr QUILTY** (Northern Victoria) (14:07): (1769) My constituency question is for the Minister for Health. Last week I had a visit from a constituent who had just been to the Albury-Wodonga Health vaccination hub across the road from my office. When she went to book her booster online, she could not. She turned up at the hub and was told appointments were not needed and to just go in. She was very surprised to find she could walk straight into a very overstaffed facility. She was the only person

waiting, and in her complete time from entry to exit she only saw three other patients. Considering the staffing shortages across our Northern Victorian hospital system she was surprised at all the admin staff sitting at an empty facility, along with nurses and other medical staff, with nothing to do. As a retired nurse, she could not understand why this was happening when the hospital system is collapsing with a staff shortage. It seems that at least this vaccination hub has reached the end of its useful life. Minister, will you ensure that staff at Northern Victorian vaccination hubs with nothing to do are transferred to our hospitals, where they are desperately needed?

### Petitions

#### Following petitions presented to house:

#### **HEALTH LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2021**

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the deeply concerning Health Legislation Amendment (Information Sharing) Bill 2021.

This legislative amendment will create a system where a person's most private medical information can be shared on an electronic database without their consent.

Unlike the Federal Government's My Health Record, there is no option to opt-out of the scheme. This fundamentally undermines a patient's right to privacy.

The Australian Privacy Foundation, the Law Institute of Victoria, Liberty Victoria and the Health Issues Centre are among organisations that have expressed concern over the legislation in its current form.

The petitioners therefore request that the Legislative Council call on the Government to immediately withdraw the Health Legislation Amendment (Information Sharing) Bill 2021 until further consultation has occurred over how a consent process can be incorporated into the reform.

**By Mr QUILTY (Northern Victoria) (3398 signatures).**

**Laid on table.**

#### **KANGAROO CONTROL**

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that kangaroos culled through the Kangaroo Harvest Program (KHP) and the Authority to Control Wildlife (ATCW) is a contentious issue within Victoria. The Victorian Government seem to be over-inflating kangaroo numbers as their count excludes large parts of the state's landscapes, meaning that kangaroo numbers and alleged damage caused by kangaroos could be grossly overestimated.

During the black summer bushfires of 2020, approximately three billion wildlife were killed, injured or displaced. The Government estimated that in 2020, the kangaroo population increased by 40 per cent, which macropod experts claim is not scientifically possible. Kangaroo numbers based on ATCW permits highlight that the counting of kangaroos for the KHP is not based on science.

Further, the approved harvest of kangaroos in accordance with Victorian Kangaroo Harvest Management Plan 2021–2023 provides for commercial harvest arrangements which is in direct conflict with the intent and objects of the Wildlife Act 1975 and the Environment Protection Biodiversity and Conservation Act 1999 (Cth).

The petitioners therefore request that the Legislative Council call on the Government to suspend the 2021 commercial Kangaroo Harvest Program, apply accurate methods for counting kangaroos, undertake and publish research into kangaroo populations and allegations of damage and abandon plans for all future commercial harvesting of macropods.

**By Dr RATNAM (Northern Metropolitan) (820 signatures).**

**Laid on table.**

**Papers****UNIVERSITY OF DIVINITY***Report 2021*

**Ms TIERNEY** (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (14:09): I move, by leave:

That there be laid before this house a copy of the University of Divinity report 2021.

**Motion agreed to.**

**Committees****SCRUTINY OF ACTS AND REGULATIONS COMMITTEE***Alert Digest No. 6*

**Mr GEPP** (Northern Victoria) (14:09): Pursuant to section 35 of the Parliamentary Committees Act 2003, I lay on the table *Alert Digest* No. 6 of 2022 from the Scrutiny of Acts and Regulations Committee, including appendices. I move:

That the report be published.

**Motion agreed to.**

**INTEGRITY AND OVERSIGHT COMMITTEE***Inquiry into the Education and Prevention Functions of Victoria's Integrity Agencies*

**The Clerk:** Pursuant to section 35(2)(c) of the Parliamentary Committees Act 2003 and following the transmission of the report on 19 April 2022, I lay on the table the Integrity and Oversight Committee's report *Inquiry into the Education and Prevention Functions of Victoria's Integrity Agencies*, including appendices.

**Ms SHING** (Eastern Victoria) (14:10): I present the transcripts of evidence and move:

That the transcripts of evidence lie on the table and the report be published.

**Motion agreed to.**

**Ms SHING:** I move:

That the Council take note of the report.

In the time that I have available today I want to address this process in relation to the prevention and education functions of integrity agencies and the work that has gone into the formulation of this report and indeed the 18 recommendations that accompany it.

At the outset I would like to thank the work of the committee as a whole, including the deputy chair, Brad Rowsell, and other members of the committee. I would also like to thank the secretariat, who have worked assiduously with integrity agencies and the committee to make sure that we have this report which can in fact inform the ongoing work of integrity agencies.

One of the things that this Integrity and Oversight Committee does is work within the scope and the contemplation of the Parliamentary Committees Act 2003 to make sure that the work of integrity agencies is the subject of proper scrutiny and that, within the meaning of that act, there is an appropriate level of oversight and engagement. This is a longstanding process, and it is a process which is informed directly by the act. To that end I would encourage anybody who is interested in the way in which this committee works—the way in which it undertakes its reviews, inquiries and reports—to refer directly to section 7 of the Parliamentary Committees Act. This section precludes the committee in its work from reviewing any decision undertaken by an integrity body or from disclosing any information

relevant to an investigation or an inquiry by an integrity body; requires the committee not to reach into the basis for decisions taken by integrity bodies; and indeed sets a very clear number of parameters that relate to the committee's undertaking of its functions. These are matters which go directly to the heart of the independence of integrity bodies. These are matters which are inviolable in relation to the work which the committee undertakes as far as oversight goes and which are absolutely crucial to the capacity of integrity agencies to do their work as that work relates to individual investigations, complaints and responses, including the tabling of reports both within the Parliament and as a consequence of public and private hearings.

One of the things which I wish to address in the time I have available here today is the importance of making sure that in conducting its work the Integrity and Oversight Committee does not trample on the work of integrity bodies and its investigations and processes by referring to individual matters or to specific matters which are within the scope of those integrity bodies to investigate and report on. To that end it is absolutely crucial that the Integrity and Oversight Committee manage its affairs and its processes, including as they relate to the undertaking of any report, inquiry or review under the terms of the Parliamentary Committees Act, in a way which does not give rise to a direct or inadvertent breach of the obligations which the committee has. To that end I would want there to be no doubt about the work of the Integrity and Oversight Committee not to refer to individual matters and not to refer to individuals who are the subject or may be the subject of an investigation, inquiry or complaint—and that in fact to do otherwise may well constitute a breach of the Parliamentary Committees Act and may well impugn the reputation of the Integrity and Oversight Committee in undertaking its obligations in accordance with the act.

Confidence in the integrity of the oversight committee is integral, and this is where it is incumbent upon members of the committee to make sure that there is no breach of section 7 in the conduct of inquiries and of hearings, that there is no reference to individual matters as they might relate to the discharge of those obligations and that where in fact there is any straying into the territory of a breach of section 7(2) of the act, whether in relation to this inquiry and report or indeed any other, steps are taken to prevent this from occurring. It has been important for me, as chair of that committee, to counsel, to advise and to make known the importance of not straying into this territory as it relates to individual complaints. I commend this report to the house.

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (14:16): (*By leave*) I want to make a couple of comments. I have listened. I note the report on the inquiry into education and prevention, and I am yet to read that so as to fully understand it, but—

**Ms Shing**: Oh, you haven't read it?

**Mr DAVIS**: No, it has just been tabled, as you are aware. But Ms Shing made broad references to matters of principle under the Parliamentary Committees Act 2003 and in effect put an apologia on the record for her behaviour the other day. The truth of the matter is there was a gag ordered. There was actually a close-down of proceedings, and in fact she talked about words like 'inviolable' and 'trample on democracy'. Well, I say that in fact what occurred the other day was a trampling on democracy. I say that the member exceeded her authority at that occasion. I say that in fact there was an attempt to close down and protect certain people, and I say that this was a matter of great concern.

It is all very well for the member to come into the chamber to speak about a recently released report and the details of that report but then move into a more general discussion about principles on which the integrity committee operates. I have to say that confidence in the Integrity and Oversight Committee is a very important matter. But that also means that there has got to be an openness and a transparency. There need to be certain rules that stop chairs behaving gratuitously or in fact overstepping the mark. I think most people thought the other day, as we watched, that there was actually an overstepping of the mark and in fact that the member was acting in a way—

**Ms Shing** interjected.

**Mr DAVIS:** No, by you, a member. By you, in fact, as you sought to block questioning and block evidence that you found inconvenient, and acting on behalf— *(Time expired)*

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (14:18): *(By leave)* I would like to make a brief comment as well on the tabling of this report. I just thought for the benefit of anybody watching these proceedings I would make the distinction between members that have some knowledge of the contents that are being discussed, because they have been a member of the committee and they have had input into the development of the report and they know what they are talking about, and other members, like Mr Davis a minute ago and like me right here, right now, who have not read the report, because it was only tabled about 4 minutes ago—

*Members interjecting.*

**Ms PULFORD:** Right, so Mr Davis still has not read it, and he has had all that time. So I would caution members of the public that are reading the proceedings or watching the proceedings to make the distinction between members who know what they are talking about and members who do not know. I offer it with the full rider that in saying this I have also not read the report, like Mr Davis made very clear that he has not either.

**Motion agreed to.**

### Papers

#### DEPARTMENT OF PREMIER AND CABINET

##### *Report to Parliament on the Extension of the Pandemic Declaration*

**The Clerk:** Pursuant to section 165AG(5) of the Public Health and Wellbeing Act 2008 and following transmission of the report on 19 April 2022, I lay on the table a copy of the *Report to Parliament on the Extension of the Pandemic Declaration*.

#### BUDGET PAPERS 2022–23

**The Clerk:** Pursuant to section 27E of the Financial Management Act 1994, I lay on the table a copy of the 2022–23:

- (a) budget paper 2, ‘Strategy and Outlook’;
- (b) budget paper 3, ‘Service Delivery’; and
- (c) budget paper 5, ‘Statement of Finances’ (incorporating quarterly financial report 3).

**Ms PULFORD** (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (14:20): I move, by leave:

That there be laid before this house a copy of the 2022–23:

- (a) budget paper 1, ‘Treasurer’s Speech’;
- (b) budget paper 4, ‘State Capital Program’;
- (c) budget ‘Overview’;
- (d) budget information paper, ‘Suburban’;
- (e) budget information paper, ‘Rural and Regional’; and
- (f) budget information paper, ‘Gender Equality Budget Statement’.

**Motion agreed to.**

**Ms PULFORD:** I move:

That the budget papers 2022–23 be taken into consideration on the next day of meeting.

**Motion agreed to.**

## PAPERS

**Tabled by Clerk:**

Bendigo Kangan Institute—Report, 2021.

Box Hill Institute—Report, 2021.

Chisholm Institute—Report, 2021.

Crown Land (Reserves) Act 1978—Minister's Order of 30 September 2021 giving approval to the granting of a lease at Gillott Reserve.

Deakin University—Report, 2021.

Drugs, Poisons and Controlled Substances Act 1981—Report under section 96 by the Chief Commissioner of Victoria Police for 2021.

Duties Act 2000—Treasurer's Report for 1 July 2021 to 31 December 2021 of Foreign Purchaser Additional Duty Exemptions, under section 3E(2) of the Act.

Federation University Australia—Report, 2021.

Financial Management Act 1994—

Explanation from the Minister for Energy, Environment and Climate Change, under section 46(3)(a) of the Act, for the delay of the 2021 Reports of the—

Falls Creek Alpine Resort Management Board.

Mount Buller and Mount Stirling Alpine Resort Management Board.

Mount Hotham Alpine Resort Management Board.

Southern Alpine Resort Management Board.

Explanation from the Minister for Higher Education, under section 46(3)(a) of the Act, for the delay of the 2021 Report of the University of Melbourne.

Gordon Institute of TAFE—Report, 2021.

Goulburn Ovens Institute of TAFE (GOTAFE)—Report, 2021.

Holmesglen Institute—Report, 2021.

La Trobe University—Report, 2021.

Melbourne Polytechnic—Report, 2021.

Monash University—Report, 2021.

Parliamentary Committees Act 2003—Government response to the Public Accounts and Estimates Committee's Report on the Inquiry into Auditor-General's Report No. 202: Meeting Obligations to Protect Ramsar Wetlands (2016).

Parliamentary Salaries, Allowances and Superannuation Act 1968—Compliance Officer—Statement of Findings: Appeal of a decision to reject a claim under the Electorate Office and Communications Budget, under section 9H of the Act (*Ordered to be published*).

Planning and Environment Act 1987—Notices of Approval of the following amendments to planning schemes—

Ararat, Northern Grampians and Pyrenees Planning Schemes—Amendment GC200.

Banyule Planning Scheme—Amendments C160 and C164.

Boroondara Planning Scheme—Amendments C357, C362 and C375.

Darebin Planning Scheme—Amendment C207.

Greater Shepparton Planning Scheme—Amendment C235.

Hepburn Planning Scheme—Amendments C81 and C82.

Mansfield Planning Scheme—Amendment C45.



Maroondah Planning Scheme—Amendment C137.

Melbourne Planning Scheme—Amendment C424.

Monash Planning Scheme—Amendment C152.

Moonee Valley Planning Scheme—Amendment C209.

Moreland Planning Scheme—Amendment C215.

Nillumbik Planning Scheme—Amendment C141.

Port of Melbourne Planning Scheme—Amendment C4.

Towong Planning Scheme—Amendment C38.

Victoria Planning Provisions—Amendment VC210.

Warrnambool Planning Scheme—Amendment C204.

Wodonga Planning Scheme—Amendment C137.

Royal Melbourne Institute of Technology (RMIT University)—Report, 2021.

South West Institute of TAFE—Report, 2021.

Statutory Rules under the following Acts of Parliament—

Confiscation Act 1997—No. 21.

City of Melbourne Act 2001—Local Government Act 2020—No. 24.

Magistrates' Court Act 1989—No. 20.

Sex Work Act 1994—Nos. 22 and 23.

Subordinate Legislation Act 1994—

Documents under section 15 in relation to an Order under the Occupational Health and Safety Act 2004 approving the Lead compliance code.

Documents under section 15 in respect of Statutory Rule Nos. 20, 22 and 23.

Legislative Instruments and related documents under section 16B in respect of—

Amendments to the Environment Reference Standard made on 25 May 2021, of 29 March 2022 under the Environment Protection Act 2017.

Keno Harm Minimisation Direction of 13 April 2022 under section 6A.7.2 of the Gambling Regulation Act 2003.

Revised Victorian Gambling and Casino Control Commission Gaming Machine Rules (Casino) of 28 April 2022 under the Gaming Regulation Act 2003.

Sunraysia Institute of TAFE—Report, 2021.

Swinburne University of Technology—Report, 2021.

TAFE Gippsland—Report, 2021.

Terrorism (Community Protection) Act 2003—Inspection Report by the Victorian Inspectorate on Victoria Police records for the March to August 2021 period, under section 37D of the Act.

Victoria University—Report, 2021.

William Angliss Institute of TAFE—Report, 2021.

Wodonga Institute of TAFE—Report, 2021.

### Production of documents

### EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

**The Clerk:** I lay on the table a letter from the acting Attorney-General dated 21 April 2022 in response to the resolution of the Council of 6 April 2022 on the motion of Ms Crozier relating to Emergency Services Telecommunications Authority consultancies. The letter states that there was insufficient time to respond and that a final response to the order would be provided as soon as possible.

**Business of the house****NOTICES**

**Notices of motion given.**

**Notices of intention to make a statement given.**

**GENERAL BUSINESS**

**Mr BARTON** (Eastern Metropolitan) (14:31): I move, by leave:

That precedence be given to the following general business on Wednesday, 11 May 2022:

- (1) notice of motion 742, standing in the name of Mr Barton on the establishment of a tribunal to oversee all non-employee transport work and workers;
- (2) the notice of motion given this day by Mr Davis calling on the Premier to stand aside from all official responsibilities;
- (3) the notice of motion given this day by Mr Davis on Victorian Building Authority fee increases;
- (4) the notice of motion given this day by Mr Davis on the production of documents relating to all correspondence between the Premier and Mr John Woodman and his employees and companies;
- (5) the notice of motion given this day by Mr Meddick on phasing out the use of 1080 poison; and
- (6) order of the day 49, resumption of debate on a motion for hybrid sittings.

**Motion agreed to.**

**Members statements****ECHUCA–MOAMA BRIDGE**

**Ms LOVELL** (Northern Victoria) (14:32): On 10 and 11 April it was fantastic to participate in two events to celebrate the opening of the new Echuca–Moama bridge. On Sunday, 10 April, the community saw 8000 people participate in a walk across the bridge, and on Monday, 11 April, Deputy Prime Minister Barnaby Joyce and Victorian minister Jacinta Allan officially opened the new bridge. At the official opening it was announced that the bridge would be named the Dhungala Bridge, the local Indigenous name for the Murray River, and the new bridge across the Campaspe River was named the Yakoa Bridge, the local Indigenous name for the Campaspe River.

The new bridge has been a long time coming. The need for a new bridge was first mentioned by Eddie Hann in his maiden speech in September 1973. The bridge project first received funding from the Howard government as part of the Centenary of Federation funding. Three bridges were funded and construction of two of the bridges, in Robinvale and Corowa, were the responsibility of the New South Wales government, and one bridge, Echuca–Moama, was the responsibility of the Bracks government. The Robinvale and Corowa bridges were completed in the early 2000s. Unfortunately the only project allocated to the Victorian government failed to get any traction under the Bracks and Brumby Labor governments. When I was elected in November 2002 I took up the battle to get this bridge built; however, it was not until the Baillieu Liberal government was elected that the project got the attention it needed. Twelve years later it is finally completed and at last our community has the bridge it deserves.

**YOORROOK JUSTICE COMMISSION**

**Dr RATNAM** (Northern Metropolitan) (14:33): Over the last few weeks while Parliament has been in recess something historic has begun in Victoria. The Yoorrook Justice Commission, the first truth-telling process to occur anywhere in Australia, has begun. The first block of wurrek tyerrang, meaning public hearings, is now hearing from First Nations people about historical and ongoing injustices they have endured. The testimony so far has told the harrowing truth about the trauma of being removed from family and country and the deliberate attempts to sever family relationships and erase any cultural connections and knowledge. We need to know and understand that truth so we never allow that oppression to occur again. The significance of this commission cannot be overstated. It is

one of the most important and historic events to occur in this state and this country on our path towards treaties with First Nations.

I honour the work of every person who helped establish the commission. This began with calls from grassroots First Nations communities and it took years of being ignored, minimised and silenced before it was finally heard. I pay tribute to my colleague Lidia Thorpe, who led the charge in this place for a truth and justice commission from the moment she was elected, and she never gave up. I thank the First Peoples' Assembly for their formidable work in calling for truth telling from the moment their work began, and the government for responding. I urge all of us to do everything we can to genuinely listen to the evidence that is being revealed and ensure that every Victorian is aware and is a part of this process. In the words of Lidia Thorpe:

... we all need to take responsibility and own the truth. I believe it is critical to understand what has been lost before we can understand what is required to find justice and proper redress, to heal and create peace between the first peoples of this land and the state of Victoria.

### HEALTH FUNDING

**Ms CROZIER** (Southern Metropolitan) (14:35): Last week the Andrews government was spruiking its budget, but when you look into the detail in the budget there are severe cuts to health. One of the areas that has been cut is the area of prevention. Preventative health is really important to prevent people from ending up in the acute care system. We know how devastating that is. We have got ambulance ramping, 000 disasters, the elective surgery waitlist, which has blown out to record numbers, and dental waitlists—well, we do not know what they are because the government has hidden the data. All of these issues are very, very significant for Victorians who are relying on our health system to be able to deliver care. It is no reflection on those healthcare workers; it is policy failure and government mismanagement by the Andrews Labor government, in particular, over the last seven years.

But the area where I think it is particularly galling is that they have gutted more than \$100 million from the health protection budget, leaving breast cancer patients in regional Victoria facing the very frightening prospect of losing the vital support from specialist nurses. I refer to the McGrath Foundation, which has provided specialist nurses to those women who have had breast cancer and provided tremendous support. Well, they have received not a scrap—not one dollar—in the budget. It is disgraceful. They provide significant support to so many Victorian women around the state.

### COVID-19 VACCINATION

**Dr CUMMING** (Western Metropolitan) (14:37): Everyone should be allowed to return to work. Employment mandates must stop. Employment mandates have not stopped COVID. Employment mandates are cruel and they are unnecessary. Employment mandates have put pressure on every workplace. We need to stop the mandates for employment now. All mandates should be lifted because they are nonsensical, they are not helpful and they are not even scientific. Businesses, industries and workplaces need to drop all their mandates now and allow everyone to go back to work. The chief health officer believes that it is time to start winding back mandates and to move towards the discretion of industries and individual workplaces. It is about time businesses listened to the health advice and lifted all the mandates for their business's sake. The Premier does not listen to health advice—or to anyone for that matter—so why should anyone listen to the Premier when it comes to mandates? Do yourself a favour, businesses, industry and workplaces: lift the mandates and get your workers back to where they want to be, which is in their workplaces.

### SUNBURY

**Mr FINN** (Western Metropolitan) (14:38): I remember when I first visited Sunbury. I would have been about 13 or 14 years of age. I actually fell in love with the place. I could not believe what a delightful place it was. I remember the locals right up until relatively recently being very proud of the slogan 'City living, country style', and that pretty much sums up Sunbury. But look what has happened

now. If the Andrews Labor government had sat down and drawn up a plan, it could not have been more effective in destroying this beautiful place. The Sunbury Road disaster area—and it is a disaster area—just has to be seen to be believed. Not only are there more trucks than we have ever seen before, but of course we have the toxic soil dumps as well. We have the mud that the trucks take onto Sunbury Road. Now not only do we have toxic soil; we have toxic mud, one would assume. They take it in, and they take it out again. You can understand why people are very, very upset about what is happening there. Of course we have the roadworks now making it even worse with the relocation of a bottleneck. It is just absolute madness. Parking in Sunbury is insane. The government promised more; it has actually cut back. The railway crossing in Sunbury is going to be closed very soon. That will destroy business. The Andrews government is hell-bent on killing Sunbury.

### BUDGET 2022–23

**Mr QUILTY** (Northern Victoria) (14:40): Over the next few weeks Victorians are going to hear the phrase ‘record investment’ until their ears bleed. Record investment is the government’s way of selling rising costs as a good thing. Every time you hear that phrase remember that record investment really means record costs, and record costs mean record debt and record tax. In the last two years the government has maxed out the credit cards and put hundreds of thousands of Victorians out of work. We have big new government debt and have destroyed the means of paying for it. Ongoing COVID isolation requirements and work mandates continue to slow our recovery.

The Treasurer claims we will be in surplus within four years despite massive spending increases. This will only be possible if the government plans huge tax increases or uses runaway inflation to swallow the debt. This prediction of surplus comes from the same government that does not realise that budget deficits running the money printer cause inflation. Victorians should expect the weight of the government to become unbearable over the next four years. The state tax take is set to rise almost 30 per cent from the prepandemic level.

Now, some will say, ‘It’s only money’, but it is not only money. The economy is a manifestation of all the individual striving and choices and dreams in our society. When you spend years working and saving and it gets wiped out, then it is not ‘only money’. To those who have lost big during the pandemic: you are never going to get those years back, and there is only more pain to come. That is the real record of this budget and of this government.

### EID AL-FITR

**Ms VAGHELA** (Western Metropolitan) (14:41): Ramadan, the holy month of fasting which commenced this year on 2 April, concluded with the celebration of Eid on 1 May. Last weekend I had a wonderful opportunity to participate in the Eid festival celebration organised by the Werribee Islamic Centre at the Melbourne Grand Mosque in Tarneit. The festival included various cultural events, amusement rides and food stalls, and it was enjoyed by many families. Such festivals give us a unique opportunity where people from diverse backgrounds can develop awareness and knowledge about faith and cultural aspects of Islamic communities. My constituency is home to many individuals who are affiliated with the Islamic faith. A thankyou to the centre’s committee for their hard work in supporting the community in Victoria’s west.

### BRAHMIN SABHA AUSTRALIA

**Ms VAGHELA**: On another note, it was a pleasure to attend an auspicious event for the Lord Parashuram Janmotsav celebrations in Hoppers Crossing, organised by Brahmin Sabha Australia Inc. Lord Parashuram is the sixth incarnation of Lord Vishnu. He was known not only for his warfare and valour but also for serenity, prudence and patience. Brahmin Sabha Australia is making efforts to spread the diverse traditions of the Hindu religion through their work and is also involved in various beneficial community initiatives. Thank you for working towards building a united Hindu community and promoting the spiritual bonding and strength which is important to retain our spiritual heritage.

**SUNDAY ISLAND**

**Mr BOURMAN** (Eastern Victoria) (14:43): On the weekend I went out to visit Para Park on Sunday Island. The island is only accessible by boat or helicopter and is a small part of paradise, because as close as you are to Melbourne you are also cut off from the rat-race. The hunting on there is tightly controlled and is also used to gather data for managing the game. The amount of data collected is astronomical and assists in keeping the herd in tiptop conditions. I thank the cooperative for hosting the open day and giving such a thorough tour and run-down of the island, and I thank those that gave up their hunting to allow us to come and have a look.

**Business of the house****NOTICES OF MOTION**

**Ms TAYLOR** (Southern Metropolitan) (14:44): I move:

That the consideration of notices of motion, general business, 683 to 746, be postponed until later this day.

**Motion agreed to.**

**Bills****TRANSPORT LEGISLATION AMENDMENT (PORT REFORMS AND OTHER MATTERS) BILL 2022***Second reading***Debate resumed on motion of Ms PULFORD:**

That the bill be now read a second time.

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) (14:44): The Transport Legislation Amendment (Port Reforms and Other Matters) Bill 2022 is an omnibus bill associated with the creation of Ports Victoria. The purpose of the bill is to amend the Transport Integration Act 2010 to provide for the establishment of Ports Victoria and to provide for the abolition of the Victorian Ports Corporation and the Victorian Regional Channels Authority. The bill also seeks to amend the Port Management Act 1995 to make consequential amendments arising from the establishment of Ports Victoria, including the conferral on Ports Victoria of certain powers which are currently vested in the Victorian Ports Corporation or the Victorian Regional Channels Authority.

The bill amends the Marine Safety Act 2010 to make amendments in relation to harbourmasters that are consequential to the establishment of Ports Victoria and its new functions and powers. It makes amendments in relation to pilotage services and pilotage service providers, which again are consequential to the creation of Ports Victoria. It amends the Rail Management Act 1996 to make miscellaneous amendments and to improve the operation of that act. It amends the Tourist and Heritage Railways Act 2010 to enable fees to be prescribed for the processing of applications by tourist and heritage railways operators to include the tourist and heritage railways group register, and it makes some other minor amendments. So this is an omnibus bill that makes a range of fairly technical amendments. The key amendment is to create Ports Victoria as a statutory entity. Ports Victoria was previously created in 2021 by an administrative act under the Transport Integration Act 2010, and this bill will now create it as a statutory structure.

One of the criticisms of this bill is that it does not address many of the issues which have arisen as a consequence of the privatisation of the port of Melbourne in 2016. In 2016 this house dealt with legislation to provide for the privatisation of the port of Melbourne. It was in fact the subject of a select committee inquiry which went through extensive public hearings and public engagement to flesh out many of the concerns that existed in the community and existed among port users as to the model that the government was adopting for the privatisation of the port of Melbourne. Some of the key issues which were identified at that time and which were of concern to particularly port users were the length

of the lease which the government proposed to grant by way of the privatisation, with a 50-year lease with a 20-year option; the lack of clarity in the mechanism the government was adopting between legislative framework and what was going to be provided by way of contract; concerns around the risk of monopoly behaviour by the successful port operator taking on the lease, both monopoly behaviour and monopoly pricing; and concerns around what was proposed as the port growth regime, which was basically a compensation mechanism in the event that the state wished to develop port facilities in competition with the Port of Melbourne. One of the key concerns around that port growth regime was that it was an uncapped facility with uncapped exposure for the state of Victoria.

In privatising an asset like the port of Melbourne the objective of the government, any government with any privatisation, frankly, should be to drive efficiencies in the operation of the infrastructure, with the secondary consideration, or the secondary benefit, being to realise capital, and that was a very strong message which came from Rod Sims as head of the ACCC when he gave evidence. A concern that was raised time and time again through that select committee inquiry work and the privatisation process more generally was that the government was not focusing its privatisation efforts on driving efficiencies at the port of Melbourne, it was focused on maximising the capital that was released by the privatisation of the port of Melbourne. And sure enough we saw when that deal was concluded around \$9.7 billion realised for the state through the privatisation of the port of Melbourne. But what we did not see was what the government committed to do and failed to do—to provide a regime which ensured that the efficiency of the port and the competitive pricing of the port were maintained. We had seen prior to the privatisation of the port of Melbourne a number of other ports privatised around Australia which led to substantial increases in operating costs—costs for leases, costs passed through for on-port services—and that was one of the major concerns that was raised with the lease of the port of Melbourne, that we would see the same thing here in Victoria.

We went through that select committee exercise. Assurances were provided by the government that it would have a regime in place to ensure that did not happen in Victoria—to ensure that there was not monopoly power, to ensure that there was not rent-seeking, to ensure that the port of Melbourne remained competitive and affordable. But in reality that has not occurred. We saw the Treasurer, dollar signs in his eyes—\$9.7 billion—happy to take the cheque, which has now been spent, but not happy to put in place a regime which would have ensured the port remained competitively priced and efficient and, as a consequence, quite likely would have realised a lower lease dividend to the state than the \$9.7 billion that was realised. So the focus of that exercise was very much on maximising returns rather than ensuring the long-term efficient, competitive structure for the operation of the port, and that is something that is now being reflected by operators, reflected by reviews—that that framework has not been as effective as it should have been and, as a consequence, costs for port users have gone through the roof, and of course that flows through to consumers. That is certainly one of the negative outcomes of the way in which that port privatisation was undertaken in 2016, and it is to the detriment of all Victorians over the long term.

Now, this bill does contain, as I said at the outset, a number of provisions with respect to towage services, with respect to establishing functions for Ports Victoria in its statutory structure and in relation to pilotage service standards. These are matters which the coalition will seek to amend when the bill goes into committee, and I would ask that those amendments and perhaps also the second set of amendments in relation to the transport plan under the Transport Integration Act be circulated.

**Opposition amendments circulated by Mr RICH-PHILLIPS pursuant to standing orders.**

**Mr RICH-PHILLIPS:** There are two sets of amendments the coalition will be proposing to this bill this afternoon. The first is a single amendment, for which I have given notice of an instruction motion, which seeks to insert an amendment into the Transport Integration Act 2010 with respect to the transport plan which is required to be produced under that act. There is now broad concern that that transport plan has not advanced in the way it should have, has not been produced and implemented in the way it should have—that despite the requirements of the Transport Integration Act we do not have a coherent, complete transport plan for the state. What this amendment would require is for the

plan to be laid before each house within 120 days after the plan is produced so as to provide an extra element of accountability and transparency and provide, frankly, a degree of incentive for a comprehensive and coherent plan to be produced and made publicly available.

The second set of amendments addresses the provisions currently contained in the bill. The first five amendments are amendments to clause 5 which seek to expand the functions of Ports Victoria as laid down in the bill, and the purpose of these additional functions by way of amendment is to ensure that the development of the Victorian ports system is prudent and efficient and is carried out consistently with any relevant transport legislation or any standards and codes developed under relevant transport legislation; additionally, to monitor proposals relating to the development of the capacity of port land and port waters for which Ports Victoria is responsible; to monitor and provide advice, guidance and expertise to the minister on any emerging trends relating to the Victorian ports system, including but not limited to trends relating to the capacity of port lands and port waters; and further, to provide advice, guidance and expertise to port managers of commercial trading ports in relation to the preparation of port development strategies in accordance with the Port Management Act 1995.

The purpose of those proposed insertions expanding the functions of Ports Victoria is to ensure that one of the functions of Ports Victoria is to have a broader perspective and provide broader advice on the operation and efficiency of the ports system in this state and to ensure that there is that broader perspective provided to government and a broader monitoring role undertaken by Ports Victoria when it assumes its statutory structure.

The second set of amendments relates to the provision of the bill on conditions of towage service licences. These amendments, which will go into clause 32, in respect of determinations made under clause 32, additionally seek to add:

In determining whether to make a towage service licence subject to a condition under this section, Ports Victoria must be satisfied that the condition would not have an unreasonable adverse impact on the licence holder, having regard to the conditions to which similar towage service licences are subject ...

Likewise, in a similar vein, in respect of the provisions of clause 32 where those provisions are replicated, a similar provision is sought to be inserted in clause 32 as a new paragraph (4) and subsequently as a new paragraph (5). This is in response to concerns raised by the towage service sector in ensuring that there are no decisions made which are disadvantageous to operators with an unreasonable test and that any decisions made in respect of individual operators are relevant and relative to other licence-holders as well. It seeks to insert a reasonable test in respect of disadvantage on decisions made in respect of individual towage licence holders.

The third substantive amendment in this set of amendments is in relation to the determination of pilotage services standards. This amendment would seek to insert into clause 33 of the bill an amendment which provides:

Without limiting subsection (1)—

which was the provision—

... standards determined under that subsection must provide for continuity of pilotage services, including but not limited to—

- (a) the hours during which pilotage services must be provided; and
- (b) the prevention or minimisation of threats to the continuity of pilotage services, including threats (whether temporary or permanent) to the availability of physical or labour resources required for the service ...

Again, this is in response to industry concerns around the pilotage service standard provisions in the bill. It seeks to provide a structure and an assurance of continuity of service and a legal framework for continuity of service or at least the minimisation of disruption as part of the provision of clause 33.

This bill is an omnibus bill covering a lot of technical amendments with respect to the operation of our ports as well as the creation of a statutory framework for Ports Victoria. The coalition are not opposing this bill, but we do have those sets of amendments that we will seek to provide in the committee stage to improve the operation of this legislation.

**Ms TERPSTRA** (Eastern Metropolitan) (14:59): I rise to make a contribution on the Transport Legislation Amendment (Port Reforms and Other Matters) Bill 2022. I note I have had the benefit of listening to Mr Rich-Phillips's contribution on behalf of the opposition. I do find it rather curious that it was in a way quite light on some of the detail in the bill, but nevertheless it was heavy on attacks on the government about privatisation. I will go to some of those things, because again it is incorrect for Mr Rich-Phillips to state that this is about privatisation. It is very rich to hear those sorts of noises coming from those opposite, particularly when we know the legacy that the Liberal government left the people of Victoria in regard to privatisation. So many things were privatised in Victoria under the Kennett government. There is a long list and a legacy that I could go through. But these things are very well known to all of us in here, and the legacy that has been left still provides challenges for governments many years after those things were done.

This bill does a number of things, and I will go to what this bill is about doing. It is about getting on with the job of implementing and formalising commitments the government has made in its formal response to the independent review of the Victorian ports system. The bill is a significant step in implementing the government's response. Less than 12 months after establishing Ports Victoria we are fulfilling our commitment to the sector to implement all the recommendations of the review. I might just note for the sake of it, for those who might be watching along at home, and we have a very large audience of people watching along at home I am sure—

**A member** interjected.

**Ms TERPSTRA**: Absolutely we do—a very devoted following—and we must make sure we go to lengths to explain because—

**A member** interjected.

**Ms TERPSTRA**: Well, people might be at home COVID isolating, so they might find this quite entertaining, particularly a bill around ports. So we want to make sure we can provide some educational value to the good people of Victoria who do form part of our dedicated following.

In terms of port leases, a lease is not a sale of an asset. Normally when you privatise something you sell an asset. You divest yourself of that asset. You put it up for sale, and someone else buys it. This is a lease, so government still owns the property or the thing or whatever you want to call it, but it is a lease. It is a very long lease, granted, but the ownership of the ports is still vested in the government. So, as I said earlier, it is quite wrong to try and draw comparisons around privatisation and the like. It is simply a flawed argument.

I will return to why we are doing this, the benefits of this bill and what that is going to mean to Victorians, particularly when we talk about freight. We have just seen how challenged we are in terms of freight, and this is coming out of COVID—the recovery that we are now having. There have been significant challenges with getting freight around our state, and that is because we have got workforce challenges. So this bill could not come at a better time as well, because as we do start to scale back up into kind of normal operations this bill will be able to assist in streamlining how we can get freight around our state.

As I said, the bill is a significant step forward. We are fulfilling our commitment to the sector to implement all the recommendations of the review. This is just an overview of the things that this bill will amend in the legislation. It will embed the establishment of Ports Victoria in legislation and provide for the abolition of the Victorian Ports Corporation (Melbourne) and the Victorian Regional Channels Authority. It will adapt the charter of Ports Victoria to implement specific recommendations



made as an outcome of the independent review of the Victorian ports system. It will implement review recommendations in relation to local ports, port development strategies and regulatory arrangements relating to harbourmasters, towage and pilotage and change the Port of Hastings Development Authority's name and objectives to reflect its current role and likely future function in the Victorian ports system. It will avoid any doubt that it is up to the government to determine when the Victorian rail access regime commences, and it will put beyond doubt that the powers and functions of the minister under the Fisheries Act 1995 can be delegated to the chief executive officer of the Victorian Fisheries Authority. It will also make improvements to transport restructuring order provisions and other matters in the Transport Integration Act 2010 and make it clear that it is not necessary to prescribe a fee to be paid by applicants for registration in the tourist and heritage railway group register. So there are a number of important things not only in regard to helping streamline things in relation to freight but also in regard to a number of other machinery things that are important to support the legislation coming through and to have a better and more holistically functioning ports and freight system.

As I said, the independent review of the Victorian ports system, otherwise known as 'the review', was conducted in 2020, and this was the first holistic review into the ports system in 20 years. During the intervening period the system went through significant changes, including the introduction of a third stevedore in 2015 and the leasing of the port of Melbourne in 2016. The review process included extensive consultation across industry and stakeholders, including commercial port and local port operators. Overall the independent review of the Victorian ports system made 63 recommendations, all of which were supported and are supported by the Victorian government, together with long-term reforms that reinforce open market access to ensure the sustainable economic future of Victoria's ports. The full government response addresses these recommendations while setting out three main areas of action. I touched on some of these earlier, but just to recap them in a very short, sharp way, the three areas of action include: establishing Ports Victoria, including creating Ports Victoria's legislative charter and outlining key reforms, including to pilotage and towage services, as I mentioned before; developing the Victorian commercial port strategy, which will further define the government's stewardship role, and articulating the key steps in ensuring the future of Victoria's ports; and local ports and waterway management reforms that will seek to effectively support the economic and social value of these new assets.

The Victorian government has already acted to deliver on the review recommendations, as I said. We have created Ports Victoria, a new state port entity, to lead the strategic management and operation of Victorian commercial ports and waterways. The bill makes legislative amendments needed to implement the commitments the government made in the response to the review. So it is the responsible thing to do, right? You need to make changes to your infrastructure, you need to look at what is needed to change both now and into the future and how we can secure the economic viability of that asset. So that is a good thing, right?

I note Mr Rich-Phillips has said that the Liberals are supporting this legislation, but I note that they have tabled some amendments, and I note that we are not supporting the amendments. When I get to the end of my speech I will no doubt say that we will be insisting that this bill be passed through the house without amendment. As I said, we do not support the Liberal Party's amendments.

In terms of consultation—this is very important—I know we often talk a lot about consultation in this chamber and there are lots of differing views on consultation, but I can say that the consultation around this particular issue has been nothing short of very extensive. Again I note those opposite try and look for things to criticise government on, but there is no doubt that there was a very extensive consultation strategy around this. It started with the independent review of the Victorian ports system in 2020. There were over 40 targeted stakeholder sessions and over 80 individual stakeholders, with consultation sessions across Victoria—extensive, I would think and I would argue. In 2020 the review's discussion paper was released publicly, and there were over 70 written submissions received that informed the final report. Then in February 2021 the initial government response to the review was publicly released at a ports industry round table announcing the establishment of Ports Victoria.

And in August last year the government response was publicly released. The reforms in the bill are focused on greater accountability and transparency in our ports system, completely contrary to what Mr Rich-Phillips tried to suggest—that there is no accountability and transparency in what we are doing. As I said, this is what our engagement and consultation strategy with stakeholders has mirrored indeed—so full transparency and accountability.

I might go to a little bit of a level of detail, because I know that there are other speakers who do want to speak on this. There are a lot of extensive notes here and, really, if you drill down into the detail in regard to this bill, there is a lot of detail. As I said, I will leave some other matters for other speakers to talk about, but I might just talk about a small matter.

I mentioned earlier the licensed pilotage service providers; we talked about how there were reforms to pilotage under these new provisions. The bill will provide for Ports Victoria to license pilotage service providers. The bill creates an offence to provide pilotage services without a licence. Licences issued by Ports Victoria will certify that the applicant has demonstrated it has sufficient knowledge, skills and expertise in relation to Victorian port navigation systems and harbourmaster directions and that it has sufficient processes and procedures in place to instil that knowledge and expertise in the pilots it engages so they can provide pilotage services safely in port waters. Safety is important, so it is very critical that we make sure we have a good system in place to make sure that people can be accredited and that there are some important criteria that need to be met in order to have a licence to be a pilot in Victorian waters—so very important.

The safety director at Transport Safety Victoria currently registers pilotage service providers, licenses pilots and develops appropriate standards for the training of pilots and pilot exempt masters. The safety director will retain responsibility for licensing individual pilots and registering pilotage service providers; however, the bill provides that registration must follow the issue of a licence by Ports Victoria—so they get issued a licence, and then registration must follow.

The bill also then provides that Ports Victoria must keep a register of licensed pilotage service providers and the waters for which they are licensed. This is very important: it goes to safety, and we need to make sure that we know whatever pilots are coming into Victorian waters are appropriately licensed and registered as well.

The Port Management Act 1995 requires ports to prepare a port development strategy. The ports will continue to prepare a port development strategy in accordance with the current cycle; however, the bill provides that the port development strategy for the port of Geelong will be prepared by GeelongPort Pty Limited rather than Ports Victoria—Ports Victoria will provide oversight of the port department strategy process—and the Port of Portland Pty Limited will be responsible for the port development strategy for the port of Portland. That kind of rolls off the tongue, doesn't it? The 'port of Portland', very nice.

So the main purpose of this bill is to get on with the job of implementing and formalising the commitments, as I said earlier, that the government has made in response to the independent review of the ports system. We are supporting all of those recommendations, and this is an important step in making sure we get on with implementing those recommendations.

I might conclude, leave my contribution there and commend this bill to the house, but in so doing I will finish with these comments. Freight volumes are expected to more than double in the next 30 years, and it is critically important that our ports' safe and efficient operations remain key to our state's economic growth. This is why we are doing this. This is why we are starting to get on with the job of making sure we deliver these reforms. The government has recognised the importance of getting the governance and regulatory settings right, including the important steps of establishing Ports Victoria and enshrining its governance and functions in law. As I said, this bill is an important step in implementing the recommendations of the ports review and getting on with the job of making sure

that we ensure our ports' safe and efficient operations. It will be central to our state's economic growth. I will conclude my remarks there by saying I commend this bill to the house but without amendment.

**Ms SHING** (Eastern Victoria) (15:12): It is again a really important opportunity in my contribution to this bill that I do not intend to squander in talking about the importance of ports and of related harbour and water management assets as they have been regulated within the state of Victoria and as they have undergone significant transformation in recent years. When Mr Rich-Phillips got to his feet to present the opposition's position on this, including in the tabling of the two sets of amendments being put today, it was with a degree of nostalgia that I looked back on the select committee which investigated the viability of the long lease of the port of Melbourne and the exhaustive process which we undertook, including in public hearings around Victoria in fact, to understand the impact of and the details associated with that enormously important transaction, which was in and of itself extremely complex—an intricate process which then resulted in a report following that inquiry and in the passage of legislation in 2016.

The price that was eventually agreed upon for that long lease was \$9.729 billion, give or take—an amount which was significantly beyond the expectations of many who had been part of the development of the proposal, including as it related to the building-blocks approach to the development of the best possible set of outcomes, the most productive set of outcomes, available for the ongoing approach to the maintenance of assets and to the building of efficiency into the port of Melbourne's long-term operations. In the course of that particular inquiry and again in the passage of the legislation following the tabling of the report, it was noted that efficiency was at the very heart of the transaction around what was required and indeed what drove the transaction to culminate in the way that it did. To that end I note that these objectives have been realised and have been realised in a really significant way.

We have seen not only transparency being worked into the process of large-scale transactions such as this but also the importance of stevedoring and related activities and the importance of transparency as it sits at the heart of that work. This is where Victoria has very much led the way in relation to delivering that transparency and allaying concerns that have been previously elucidated by members of the sector, and that includes stakeholder bodies, individuals and peak body representatives who contributed to that particular inquiry.

When we look to that inquiry and the work that was associated with understanding the knock-on impacts of a long lease, I recall very clearly that the discussion on first and last mile was of key importance to making sure that the port of Melbourne retained its premier position as a hub for economic activity and indeed for growth. This is where it has been a state Labor government that has delivered rail at the port and indeed connected those intermodal hubs to make sure that freight and logistics are as smooth and as streamlined as possible in the way in which that port undertakes its activities. This is also about the long-term sustainability, viability and indeed attractiveness of this port as a means by which goods can be imported and exported, which is also important in making sure that we are delivering the best possible connectivity for road, freight and rail around the state and indeed to other ports around the country.

We sit in an enviable position as far as the efficiency of the port and the productivity that has been delivered go, and I note Mr Rich-Phillips's commentary on efficiency. Since the lease of the port of Melbourne and the passage of that legislation in 2016, productivity has actually increased at the port by 26 per cent. So that is a really significant point to make and to underscore in the course of this particular debate, because when we compare the port of Melbourne to other ports around Australia, we are 30 per cent more productive than the next best performing port in Australia.

This also relates directly to the way in which we have managed to not only provide additional transparency, which I referred to earlier in relation to stevedoring operations, but also the costs of those last-mile investments, and this is where the \$125 million investment into on-dock rail at the port has been so important. I note that the transcript of this inquiry into the long lease of the port of Melbourne,

which led to that report and indeed to the exhaustive discussions and passage of legislation in this place—shepherded through by Minister Gavin Jennings, who sat at the table and answered questions for many, many hours around the intended operation of the port as a consequence of the long lease—went very, very clearly to the importance of first and last mile, addressing and recognising the economic and infrastructure-related needs of stakeholders in making sure that break-bulk and indeed containerised goods could make it to port without incurring excessive charges, charges that may in fact affect prohibitive outcomes upon a bottom line.

So the pricing compliance order report and the way in which that has been addressed relates specifically to the \$6 billion that the port of Melbourne contributes every year to the Victorian economy, and we want to really make sure that the lease, which incorporates those checks and balances, is not only making the operations of the port more effective and efficient and productive but also protecting the rights of tenants and consumers. Again this is a part of the discussion around the intricacies of the debate, which was the subject of contributions and submissions to a very significant level of detail in the course of understanding the nature of the transaction and indeed coming to the conclusions that were reached in the report by the committee.

What we want to do in making sure that we implement and formalise the commitments of our government in response to the independent review of the Victorian ports system is to make sure that following the establishment of Ports Victoria we are in a position to commit further to implementing all of those recommendations from the review, which those who are taking part in this discussion around the bill will understand was a commitment following the issuing of that report, and making sure that we have got legislation that reflects what has changed and what is changing. That is where embedding these changes into legislation to provide for regulatory amendment—for example, the abolition of the Victorian Ports Corporation and the Victorian Regional Channels Authority—then means that we can have legislation which reflects the review, reflects the recommendations and indeed gets on with the recognition of the way in which the system and the regulatory framework are operating now and will continue to evolve to operate into the future.

We also want to make sure that there is no ambiguity around the way in which government determines when the Victorian rail access regime commences and also want to put a range of other matters beyond doubt, particularly as they relate to the powers and functions of the minister under the Fisheries Act 1995—and perhaps Minister Pulford may have something to say about this, given her intimate understanding of the subject matter in a previous portfolio—but also the delegation of the chief executive officer of the Victorian Fisheries Authority. So this legislation in fact gives effect to a range of recommendations, a range of aspirations around the objectives of increased efficiency and productivity and indeed greater measures of transparency which have been identified as priorities by key stakeholders.

With the time I have left I want to turn to the amendments that have been tabled by Mr Rich-Phillips, one I think very, very recently, as proposed in committee by Mr Davis. I will deal with that one first, if I can. After clause 27 there is a proposal to ensure that a copy of the transport plan is laid before each house of the Parliament within 120 days after receiving the plan from the secretary. It is actually really interesting to note. I did a quick search of documentation around transport plans that are already published, and these include road safety, commercial ports, bus, tram, train and freight. And this is where I suspect that Mr Davis or a colleague may well on his behalf seek to withdraw that amendment or indeed not press it on the basis that it is completely supernumerary—that is, it has no work to do, given the operation of current processes as they relate to the publication of various reports, including the reports in question here.

There have also been other amendments proposed in committee by Mr Davis, as tabled by Mr Rich-Phillips here. Again these amendments, as they have been put, in fact create a number of ambiguities. They create a number of challenges around the way in which this bill is intended to operate which either do not achieve the ends sought or seek to amend the objectives of the legislation and which otherwise create complexities and ambiguities which are precisely the opposite of what we are seeking

to achieve. This is a bill which seeks to provide clarity, which seeks to remove ambiguity, which seeks to resolve any apprehension of unintended consequences and which seeks to further provide certainty to a sector which is continuing to grow and will continue to grow, particularly as international borders reopen and as we continue to maintain and build upon our enviable position as the most productive port in, indeed by a country mile, the country.

What I think is worth mentioning here, beyond what I have referred to already about the rail-to-dock investment of \$125 million by this government, is the fact that following the long lease and therefore the movement of the income and the reward of the asset from state coffers to the federal jurisdiction it was interesting to note the sudden backflip undertaken under the asset recycling scheme and a refusal by the commonwealth government to remit that money, which is part of ongoing discussions and indeed agreements between the state and the federal jurisdictions. This was something which again led to a lot of chest thumping, including by a range of infrastructure ministers at a commonwealth level, which led to a significant level of, I would say, wilful denial of the plain truth of the matter that Victoria was owed indeed a proportion of, I think around 15 per cent of, that total price paid for the long lease. Indeed it took us announcing our Regional Rail Revival project and that investment to repurpose the money owing from that transaction for the commonwealth belatedly to come to the party and to recognise in fact that it had an unfulfilled debt to Victoria.

That did not stop the commonwealth from plastering its logo all over the infrastructure which we have invested in. You will see that there is siding at just about every regional rail station and rail line where there is construction occurring which contains the Australian government's logo and is the subject of frequent, well, self-congratulatory statements from our colleagues in Canberra, and it was not that long ago when in fact they denied that they had any liability to Victoria, notwithstanding that the private operations of the long lease as a consequence of our transaction did not require them to remit any money at all.

In this regard I note that the \$535-odd million for the Gippsland line rail revival was something which former infrastructure minister Darren Chester is all too comfortable standing up and talking about having delivered and the one Nationals member in this chamber is also very comfortable with congratulating her colleague on delivering. The plain fact of it is we in Victoria were owed a proportion of the total sum payable from the long lease of the port of Melbourne, to be remitted in exchange for the loss of revenue because it was going into a federal system and because of the application of GST as part of that system. What a shame that we now see a rewriting of history from those currently in Canberra. I look forward to a greater level of transparency being demonstrated by those who have otherwise taken the credit and a level of transparency which in fact delivers an equivalence to that which is delivered through the passage of this legislation.

So I commend the bill to the house. I look forward to its speedy passage, and indeed I reiterate the position that the government will not be supporting either of the amendments circulated by Mr Rich-Phillips on behalf of Mr Davis. I wish the bill, unamended, a speedy passage.

**Ms TAYLOR** (Southern Metropolitan) (15:27): I am happy to speak on this bill. The main purpose is to get on with the job of implementing and formalising the commitments our government has made in its formal response to the *Independent Review of the Victorian Ports System*. The bill is really a significant step forward in implementing our government's response. Less than 12 months after establishing Ports Victoria we are fulfilling our commitment to the sector to implement all the recommendations of the review.

I am going to jump around a little bit, but firstly I do want to touch on port productivity. Our Andrews Labor government has really harnessed the value of the port of Melbourne, that economic engine room which is contributing \$6 billion to our economy every year. Since the lease of the port it has increased productivity by 26 per cent and is 30 per cent more efficient than the next best Australian port, and we are slashing the cost of the last mile with the \$125 million investment in on-dock rail at the port. Meanwhile, I should note that the federal government have stalled on the one commitment they made,

to review part X of the Competition and Consumer Act 2010, surely among the most permissive regimes of shipping liner protections used by a developed country. On that note I should point out that it has taken a Labor government to put rail back at the port, connect it to the metro and regional intermodal hubs to keep freight moving, introduce a nation-leading pricing model and keep the port up and running during the pandemic.

Furthermore, something that really, really excited me with this development as well is that, if we note the imperative and the incentive to put rail back at the port, a 3000-tonne grain train removes 57 B-doubles from our roads—think about that—reducing carbon emissions, reducing congestion and greatly and significantly enhancing road safety. What is not to love about that? That is what got me really, really excited, apart from all the other advantages associated with that great development.

It is also consistent with our government, because we do take protecting our environment and sustainability very seriously. You can see here a very constructive mechanism. The numbers are real, they are factual and they are on the ground. We can see the imperative and the incentive to do this, so I am extremely proud that our government has brought forward this fabulous development. I think that is the best word for it—anyway, we will go with that today.

On to some other matters, and I know that my learned colleague Ms Shing has already alluded to—spoken in detail to, I should say—some of the issues that we have with the amendments proposed by the opposition, and I say that respectfully. If I go to clause 5, page 9, after line 13, the insertion proposed by those opposite is:

- (f) to ensure that the development of the Victorian ports system is prudent and efficient and is carried out consistently with any relevant transport legislation and any standards and codes developed under relevant transport legislation.

We do not support that amendment. You may say, ‘Well, why?’. In part the proposal of the opposition is to add an object that requires compliance with ‘transport legislation and any standards and codes developed under relevant transport legislation’. This is unnecessary. Ports Victoria is already required to comply with these laws, so there is no need to add more in that sense. We know that the legislation is sufficiently prescriptive in that regard, so why add more when it is not going to ameliorate the outcome?

The other part of the proposed new object is to ensure the development of the Victorian ports system in a prudent and efficient manner. However, Ports Victoria cannot deliver this objective because it cannot ensure the development of the whole Victorian ports system is efficient because it does not have, nor can it exercise, the level of control required to ensure prudent and efficient decisions are made by—and this is the kicker—independent, commercially focused corporate entities. And I hope that is clear and you can understand how far and wide government can or cannot reach, so to speak.

Ports Victoria’s role is not to regulate or second-guess the roles and functions being fulfilled by the commercial port managers. Ports Victoria will support port manager strategic planning activities and provide the channels, navigation systems and other forms of marine infrastructure that are necessary to promote and enable trade. Merely providing Ports Victoria with an object does not enable that objective to be fulfilled. Similarly, merely adding functions does not enable the port to fulfil that role. If the opposition really want a different governance model for the Victorian ports system, then they need a comprehensive plan. The Andrews government has a comprehensive plan, and it is being implemented through this bill.

At the risk of labouring some of the amendments—we need to speak to them because they are relevant in this context and debate—I notice the opposition have suggested at clause 5, page 9, after line 24 inserting:

- (ba) to monitor proposals relating to the development of the capacity of port land and port waters for which Ports Victoria is responsible ...

We do not support this amendment. This amendment would add additional functions to those that the bill will provide to Ports Victoria. Again, this is unnecessary as the bill already prescribes the following functions for Ports Victoria:

- (b) to manage and develop, or enable and control the management and development of, port land and infrastructure for which Ports Victoria is responsible; and
- ...
- (i) to provide advice and information to port managers in relation to the integrated planning, development, management and promotion activities for ports ...

I am going to go further with a proposition of the opposition, and that is the insertion of:

- (bb) to monitor and provide advice, guidance and expertise to the Minister on any emerging trends relating to the Victorian ports system, including but not limited to trends relating to the capacity of port land and port waters ...

and so forth. The government does not support this amendment. Why? This amendment, I have to say, again, is unnecessary as it is already covered in the bill, which clearly states that Ports Victoria's objects are:

- (b) to support the strategic planning and development of the Victorian ports system;
- ...
- (e) to provide technical and consultancy services in relation to the Victorian ports system.

Now, this is a highly technical discussion, but the nature of this bill is technical—with good purpose. I should note that this amendment is also inconsistent with the Transport Integration Act 2010 as it is the role of the secretary to provide advice to the minister. However, the minister can give a direction and provide a statement of expectations to Ports Victoria regarding the provision of advice. So you can see here there is a bit of a theme that we have running, and that is there is no need to provide superfluous elements which may actually be at risk of confusing or simply serving no good purpose and that may not in any way enhance or improve the outcome, the impact, the fairness or otherwise of the bill.

If we go to clause 5, it is the proposition of the opposition, on page 10, after line 25, to insert:

- (ja) to provide advice, guidance and expertise to port managers of commercial trading ports in relation to the preparation of Port Development Strategies in accordance with the **Port Management Act 1995** ...

Now, the government does not support this amendment. Why? Because the function is already covered by (i), but this is more limited. So there is the other issue, because it only relates to the provision of 'advice, guidance and expertise' in relation to the preparation of port development strategies. I am going through this in a detailed way. It is out of respect for the work that has gone into putting forward their various amendments, but it is also to say the corollary of that is that we are respectfully rebutting these amendments with good reason and purpose, because these are, as has been discussed already, the propositions that I have put on the table from the opposition—sorry, that was a complicated way of presenting it. Anyway, the amendments put forward by the opposition are largely unnecessary and are not going to enhance the performance or outcomes of the bill and ultimately deliver what needs to be delivered for Victorians.

In clause 5, page 13, after line 16, the opposition are proposing to insert:

- (8) In this section—  
*Port Development Strategy* has the same meaning as it has in section 91J of the **Port Management Act 1995**.

This amendment is consequential to amendment 4, which is not supported by the government, so hence we are not supporting that amendment.

If I go forward to clause 32, page 35, lines 11 and 12, ‘omit all words and expressions on these lines’ is the proposition by the opposition. We do not support this amendment. Why? This amendment and the two that follow propose to remove the discretion of Ports Victoria to have any regard to other matters that Ports Victoria considers relevant when deciding to grant or not to grant a towage licence. Towage, pilotage and harbour master services are the backbone of navigational safety in any port, and it is standard legislative practice to make provision for unforeseen events and conditions. That seems like common sense to me—that you have to allow for not only the foreseen but the unforeseen, particularly within this context but perhaps in all contexts. You always have to allow for unforeseen circumstances, I would have thought. Removing the ability of Ports Victoria to respond to anything unforeseen that might impact the safe navigation of Victorian waters, frankly, is irresponsible. It is irresponsible. We cannot take that path, so I hope that it is clear as to why we cannot validate that particular proposition in terms of an amendment from the opposition. You know, imagine an unforeseen event occurring which everyone reasonably expects Ports Victoria to respond to or to consider. Imagine that scenario. They cannot, because the legislation was so prescriptive that they are limited in their ability to ensure that safety. That does not make sense, does it? Hence that is why we cannot support that amendment. The level of discretion that the bill provides is necessary. The checks and balances on the use of that discretion are the review rights that the bill already provides. There are therefore appropriate caveats and protections in place with the review rights.

If we go to clause 32, page 36, after line 2, the insertion which has already been circulated by the opposition is:

- (3) In determining whether to make a towage service licence subject to a condition under this section, Ports Victoria must be satisfied that the condition would not have an unreasonable adverse impact on the licence holder, having regard to the conditions to which similar towage service licences are subject.

Again, the government does not support this amendment. This amendment adds to the considerations Ports Victoria must make when determining whether licence conditions should be adopted. Linking the requirement to consider adverse impacts to conditions to which similar towage service licences are subject will be difficult if not impossible to reconcile with subsection (2), which explicitly provides the scope to vary the conditions that apply to a licence-holder from those that apply to other licence-holders in the same specified port.

If the concern is that Ports Victoria might impose a condition on a licence-holder that commercially benefits another licence-holder, then I would draw the opposition’s attention to the review rights the bill provides. The bill provides for applicants for licences and licence-holders to seek an internal review of the decision to grant or not to grant a licence or impose conditions. Following internal review there is a right to have the matter considered at VCAT, and that is a very significant, important element when addressing the particular amendment that has been put forward by the opposition.

I think I will have just enough time to go to clause 32, page 38, after line 6, where the opposition is proposing to insert:

- (4) In determining whether to amend, remove or impose a condition of a towage service licence under this section, Ports Victoria must consider whether the proposed amendment, removal or imposition of the condition would have an unreasonable adverse impact on the licence holder, having regard to the conditions to which similar towage service licences are subject.

We do not support the amendment. It has the same flaws as the proposed amendment that precedes it.

I am going to run out of time to go any further, but I very much commend this very timely piece of legislation to the house, noting the incredible amount of work and consultation that have gone into building this legislation. I am very proud of our government’s investments in the ports and certainly the various developments which are going forward. We are tackling it head-on. It is all about the ports.



**Dr CUMMING** (Western Metropolitan) (15:43): I rise to speak on the Transport Legislation Amendment (Port Reforms and Other Matters) Bill 2022. This is mainly an administrative bill. Basically it amends the Transport Integration Act 2010 to allow for the establishment of Ports Victoria and for the functions and powers of the Victorian Ports Corporation and the Victorian Regional Channels Authority—the two organisations that are really being merged to form Ports Victoria—to be transferred. It also amends a number of other acts where these organisations are mentioned. This bill is, as I said, largely administrative. There are amendments to a couple of acts that seem to have nothing to do with Ports Victoria, such as the Tourist and Heritage Railways Act 2010, the Conservation, Forests and Lands Act 1987 and the Suburban Rail Loop Act 2021.

Now, while the port of Melbourne is not in my electorate, it is my front yard. It is vitally important to the people in my electorate. They are impacted every single day by trucks coming and going to the port, spewing out diesel and petrol fumes and contributing to what is the worst air quality in Melbourne. Their children suffer the highest incidence of asthma, which is one of the reasons why I instigated the recent air quality inquiry. At the end of 2015 this government announced that the West Gate Tunnel would fix this—that it would take thousands of trucks off the streets and therefore improve the air quality. It is meant to reduce travel times, but what have we got? Construction started at the beginning of 2018, and over four years later we have more trucks travelling through our streets, and now they are carrying toxic soil. We have had four years of traffic diversions and delays—still no tunnel and no road completed. But we have an increase in cost; it is around \$3.924 billion. We have the opening expected in late 2025, so my community has to suffer this for another three years.

Let us go back to the bill. This bill makes amendments that are needed to implement the commitments that the government made in response to the independent review of the Victorian ports system, which was conducted in 2019–20. If this is about port reform, I would have expected to see some more substantial reforms. I expected to see something coming out of the review conducted by the Essential Services Commission last year. The commission said:

We consider the cumulative nature of the Port of Melbourne's non-compliance is significant and sustained and is not in the long-term interests of Victorian consumers.

Our view is that the non-compliance is:

- significant, because it does not meet the objectives of the Port Management Act 1995 (Vic)
- sustained, because the impact on these objectives is not fleeting or transitory.

We consider the current regulatory framework does not have adequate incentives for compliance, which allows for significant and sustained non-compliance with the pricing order.

The report went on to say that:

The Port has overstated its aggregate revenue by \$300 million and \$650 million over the review period, which we consider reflects both significant and sustained non-compliance.

The cumulative nature of the Port's non-compliance—that is, non-compliance in return on capital, aggregate revenue requirement, consultation with stakeholders, operating expenses, and pricing and costing—indicates non-compliance that is not transitory, which has significant—

if not future—

... financial impact and instils a lack of credibility with port users ...

They also said that this could undermine the regulatory framework. Yet here we are, making changes to the regulatory framework but not addressing the issues such as compliance, pricing, costing or consultation, which were identified in the review. This government yet again has missed the boat.

**Dr KIEU** (South Eastern Metropolitan) (15:48): With great pleasure I rise to make a contribution to the debate and to support the Transport Legislation Amendment (Port Reforms and Other Matters) Bill 2022. This bill is a technical bill but nevertheless is a very important piece of legislation, and with the time given to me I will focus on some aspects of the bill. Our economy and trading relationships—for the consumer, construction and everything in the economy—are dependent on freight,

transportation and of course ports. Freight volumes are expected to more than double over the next 30 years, so our ports' safe and efficient operation remains key to the state's economic growth and also to our competitive advantage. As ports are integral to our economy, the Andrews Labor government recognises that getting the governance, strategic and regulatory settings right is very important and critical.

The Andrews Labor government has leased the port and since then has really harnessed the value of the port of Melbourne. That economic engine room has contributed \$6 billion to our economy every single year, and as my colleague before me mentioned, since the lease of the port of Melbourne it has increased productivity and is somewhere between 26 and 30 per cent more efficient than the next best Australian port.

However, the complexity and the legacy arrangements relating to the privatisation and commercialisation of Victoria's ports over the last 30 years prompted a review of the system to examine whether port governance and regulatory requirements remain fit for purpose to deliver on the government's economic objectives, and so we had an independent review of the Victorian ports system, which was conducted in 2020. It was the first holistic review into the ports system in 20 years. During the intervening period the system has gone through significant changes, including the introduction of a third stevedore in 2015 and also the lease of the port of Melbourne, as I just mentioned, in 2016. This review included extensive consultation across industry and stakeholders, including commercial port and local port operators. Overall the independent review made 63 recommendations, all of which I am pleased to say are now supported by the Victorian government, together with long-term reforms that reinforce open market access to ensure the sustainable economic future of Victoria's ports and of the Victorian economy.

We can see the full government responses to these recommendations. I just want to point out three main areas of action by the government: namely, to establish Ports Victoria, including creating Ports Victoria's legislative charter and outlining key reforms, including to pilotage and towage services; to develop the Victorian commercial ports strategy, which will further define the government's stewardship role and articulate the key steps in ensuring the future of Victoria's ports; and also to manage local ports and waterways and to introduce reforms that will seek to effectively support the economic and social value of these assets of our state. The government has already acted to deliver on the review's recommendations by creating Ports Victoria. It is a new state ports entity to lead the strategic management and operation of our commercial ports and waterways. This bill makes legislative amendments needed to implement the commitments the government has made in the response to the review.

The ports reforms and other matters bill at hand will amend the legislation, firstly, to embed the establishment of Ports Victoria in legislation and to provide for the abolition of the Victorian Ports Corporation (Melbourne) and the Victorian Regional Channels Authority; secondly, to adapt the charter of Ports Victoria to implement specific recommendations made as an outcome of the review; and, thirdly, to implement review recommendations in relation to local ports, port development strategies and regulatory arrangements relating to harbourmaster towage and pilotage.

In very broad terms, the bill defines the Victorian ports system and links this to Ports Victoria's objectives, which are to promote and facilitate trade; to support strategic planning and development; to participate in emergency management at a state level; to undertake operational activities; and to provide technical and consultancy services in relation to the whole of the Victorian ports system, not only the commercial trading ports.

The bill also specifies the additional functions to be performed by Ports Victoria in relation to the licensing of towage and pilotage service providers; namely, a new towage licensing scheme is established by the bill, and Ports Victoria is empowered to administer it, including by setting different standards and requirements across the different ports and port waters.

A new pilotage licensing scheme is also established by this bill. The director of transport safety will retain responsibility for licensing individual pilots and registering pilotage service providers. However, this bill stipulates that their registration must follow the issue of a licence by Ports Victoria. This is because this will effectively certify that an applicant has sufficient knowledge, skills and expertise in relation to Victorian navigation systems and harbourmaster directions, amongst other things, so that they can provide pilotage services safely in our port waters.

The main purpose of this bill is to get on with the job of implementing and formalising the commitments that the Labor government has made in its formal response to the independent review of the Victorian ports system. This bill is a significant step forward in implementing the government's response. Less than 12 months after establishing Ports Victoria, we are now fulfilling our commitment to the sector to implement all 63 recommendations of the review that concluded in 2020. I therefore commend the bill to the house.

**Sitting suspended 3.58 pm until 4.20 pm.**

**Mr BARTON** (Eastern Metropolitan) (16:20): I rise to speak on the Transport Legislation Amendment (Port Reforms and Other Matters) Bill 2022. The port of Melbourne is Australia's largest capital city container and general cargo port, handling more than one-third of this country's container trade. The functioning of this port is absolutely critical to Victoria's economic prosperity. I believe this bill will ensure that the port runs efficiently and effectively.

The introduction of Ports Victoria comes at a critical time. The port has seen significant growth these past few years. In fact over the decade from 2009 to 2019 the number of containers handled at the port increased by around 40 per cent. Of course, like all transport, it is important that there is integration across all services. These containers come and go to destinations across all of Victoria, and around 7 per cent of the port's containers use rail for part of their journey to and from the port, with almost all of these related to regional Victoria and interstate export trade. 87 000 empty containers used rail on their journey to regional Victoria and interstate exporters, with some also travelling via road. I hope to see Ports Victoria take a holistic view of the port as a transport service and look to how other services, especially rail, are integrated to attain the highest productivity.

There is a significant proportion, some 27 per cent, of full international and mainland import container destinations to the outer south-east of Melbourne. This is the second-largest region for import container movements and points to the continued sharing of major arterial and freeway networks with passenger vehicles. This demonstrates the critical role of rail to the south-east. Congestion issues remain a concern for passenger vehicles, the road freight transport industry and shared rail networks. We need Ports Victoria and all transport departments to engage in careful planning for future freight rail use, preserving corridors of network capacity and working closely with passenger services where the network is shared. I commend this bill to the house.

**Mr TARLAMIS** (South Eastern Metropolitan) (16:22): I thank Mr Barton for the brevity of his contribution. I had not anticipated being on so quickly. I also rise to speak on the Transport Legislation Amendment (Port Reforms and Other Matters) Bill 2022, and I think it goes without saying how important and significant the port of Melbourne is to the Victorian economy, it being a significant contributor, contributing \$6 billion to the economy every single year. As Mr Barton indicated, it plays a major role in the Victorian economy. Since the lease of the port it has increased productivity by 26 per cent and has been 30 per cent more efficient than the next best Australian port. We are slashing the cost of the last mile with the \$125 million investment in on-dock rail at the port. This bill will continue to make further changes and improvements that will continue to improve the port and its workings. That is why I am happy to speak with regard to this bill today.

The main purpose of the bill is to get on with the job of implementing and formalising the commitments the government has made in its formal response to the independent review of the Victorian ports system. The bill is a significant step forward in implementing the government's

response. Less than 12 months after establishing Ports Victoria we are fulfilling our commitment to the sector to implement all the recommendations of the review. The ports reform and other matters bill will amend the legislation to embed the establishment of Ports Victoria in legislation and provide for the abolishment of the Victorian Ports Corporation (Melbourne) and the Victorian Regional Channels Authority. It will adapt the charter of Ports Victoria to implement specific recommendations made as an outcome of the independent review of the Victorian ports system. It will implement the review recommendations in relation to local ports, port development strategies and regulatory arrangements relating to harbour markets, towage and pilotage and change the Port of Hastings Development Authority's name and objects to reflect its current role and likely future function in the Victorian ports system.

It will make changes to avoid any doubt that it is up to the government to determine when the Victorian rail access regime commences. It will put beyond doubt that the powers and functions of the minister under the Fisheries Act 1995 can be delegated to the chief executive officer of the Victorian Fisheries Authority. It will make improvements to the transport restructuring order provisions and other matters in the Transport Integration Act 2010. And it will make it clear that it is not necessary to prescribe a fee to be paid by applicants for registration in the tourist and heritage railway group register.

The independent review that I referred to earlier, of the Victorian ports system, was conducted in 2020, and it was the first holistic review of the ports system in 20 years. During the intervening period the system had gone through significant changes, including the introduction of a third stevedore in 2015 and the leasing of the port of Melbourne in 2016. The review process included extensive consultation across the industry and stakeholders, including commercial port and local port operators. Overall the independent review of the Victorian ports system made 63 recommendations, all of which were supported by the Victorian government, together with long-term reforms that reinforce open market access to ensure the sustainable economic future of Victorian ports.

The full government response addressing these recommendations was extensive. As I said, we accepted all of the recommendations, but the three main areas of action were establishing Ports Victoria, including creating Ports Victoria's legislative charter and outlining key reforms, including to pilotage and towage services; developing the Victorian commercial port strategy, which will further define the government's stewardship role, and articulating the key steps in ensuring the future of Victoria's ports; and local ports and waterway management reform that will seek to effectively support the economic and social value of these assets. The Victorian government has already acted to deliver on the review recommendations by creating Ports Victoria, a new state ports entity, to lead the strategic management and operation of Victoria's commercial ports and waterways. This bill makes legislative amendments needed to implement the commitments that the government made in the response to the review.

The key reforms contained within this bill improve the consistency of governance at Victoria's ports in several ways through the change in towage, pilotage and harbourmaster requirements. The new towage licence scheme is established by the bill, and Ports Victoria is empowered to administer it, including by setting different standards and requirements across the different ports and port waters. The new pilotage licence scheme is also established by this bill. The director of Transport Safety Victoria will retain responsibility for licensing individual pilots and registering pilotage service providers; however, the bill provides that registration must follow the issue of a licence by Ports Victoria. This will effectively certify that an applicant has sufficient knowledge, skills and expertise in relation to the Victorian navigation systems and harbourmaster directions, amongst other things, so that it can provide pilotage services safely in port waterways. Harbourmasters will also be specifically authorised to give oral and written harbourmaster directions to pilots operating in the harbourmaster's waters to better support the existing marine safety scheme.

The bill will enable the minister to prescribe by order entities who are responsible for preparing a port development strategy for a particular port. Amendments to the Port Management Act 1995 will allow local port managers to undertake activities, including on a commercial basis, outside their port's lands

and waters. In addition the bill changes the Port of Hastings Development Authority's name to the Port of Hastings Corporation to better reflect that the port will no longer be developed as a container port.

Now, with all of these changes that have occurred in this, it obviously has many implications, so there has been extensive consultation. The consultation on these reforms has been quite extensive. With the independent review of the Victorian ports system in 2020 there were targeted stakeholder sessions with over 80 individual stakeholders, with consultation sessions right across Victoria. In July 2020 the review discussion paper was released publicly. Over 70 written submissions were received that informed the final report. Then in February 2021 the initial government response to the review was publicly released at the ports industry round table, announcing that the establishment of Ports Victoria would be occurring. In August last year the full government response was publicly released, and as I said, the government has accepted all recommendations and is implementing those.

The reforms in this bill are focused on greater accountability and transparency in our ports system, and that is what our engagement and consultation with the stakeholders has mirrored. As I said, we continue to be committed to the port of Melbourne and its viability and increasing our support for the port to ensure that it continues to grow and becomes productive given its significance as an engine room that feeds significantly into the Victorian economy. That is why we have continued to invest in this year's budget to basically create transport connections to the port through rail freight.

This year's state budget is a really significant budget for the freight industry. It contains a massive investment in freight rail that brings Victoria closer to delivering a gold-class rail freight network tailored to the fast and efficient movement of export to port. We are already doing so much work connecting our exporters to ports. The Murray Basin rail project and the port rail shuttle network terminals are underway, and on-dock rail at the port of Melbourne is under construction. Our \$181 million investment in the freight rail network in this year's Victorian budget is enormously significant, and it builds on the \$83 million investment we have delivered as part of our COVID-19 stimulus package. The \$181 million means heavier and faster trains, it means boosting the capacity on the tracks so that we can increase the volumes and mass of freight carried per train and it means lifting the speed at which those trains can travel. Whether it be investing heavily in our new track, new sleepers or new ballast, we will be working with industry to identify areas in the network that create wealth to give certainty and uplift in the capacity of the trains that our industry can run on. So as you can see, we are serious about investing in this industry. We are serious about supporting the ports. This bill continues to build on that support, as does our significant investment in this year's budget.

In terms of the amendments that have been introduced by the opposition, my colleagues in their contributions previously have indicated in some detail the reasons why they will not be supporting those amendments. They have gone into great detail in those contributions as to the reasons why we will not be supporting those amendments, and I echo those sentiments. I will not speak to those any further. We will be opposing those amendments, but obviously we will be supporting this bill. I would urge other members in this place to support this bill unamended, and on that basis I commend the bill to the house and wish it a speedy passage unamended.

**Mr QUILTY** (Northern Victoria) (16:33): I will be brief. The Liberal Democrats tend to cringe when we hear about a new government proposal to restructure government authorities. All the opportunities for increased bureaucracy, increased licensing and increased costs, combined with the reduced efficiency and increased centralisation, are generally a pouring of sand into the gears. Actions like abolishing the Victorian Ports Corporation (Melbourne) and the Victorian Regional Channels Authority—for everywhere that is not Melbourne—to create a single body tends to come at a high price for the regional bodies involved in those mergers.

While Melbourne is the largest port for containerised and general cargo, the port of Geelong is Australia's fifth-largest port by tonnage, and the port of Portland is the largest sustainable hardwood chip port in the world. It is not just Melbourne that has an interest in our ports, although regional

Victorians could be forgiven for not knowing this. For over 100 years the port of Melbourne has been prioritised over other Victorian ports, which have languished with failing infrastructure and closed-down rail lines. And here I do not just single out Portland; a string of ports have been neglected and their rail links allowed to deteriorate or become closed altogether. This is just another example of the long list of what Melbourne governments do to regional Victoria.

Having said that, and while the Liberal Democrats would prefer the government getting out of the way and leaving the running of our ports altogether to private business, it is not completely out of the question that the government should have a role in planning and infrastructure around international trade. The fact that the new authority is based in Geelong rather than Melbourne is a nice start, although the proposition that Geelong is regional is increasingly called into question. Perhaps if we had a government really committed to decentralisation, the authority would have been based in Portland instead—but half a bone is better than none.

The bill increases licensing requirements. That is probably unfortunate. It has not been made clear that there is a real, specific problem that needs addressing and not just a government wanting to expand licensing into all areas of the economy. But again I am less concerned about the licensing of harbourmasters than I am about licensing hairdressers. Clause 5 of the bill provides the minister with a specific directions power which can hinder or help Ports Victoria. The minister will be allowed to expand or limit the functions of Ports Victoria ‘subject to the considerations by the minister as to what is in the public interest’.

I have become increasingly opposed to giving ministers discretionary powers, and frankly I do not trust this government to know what is in the public interest. Wrapping our regional ports in additional red tape cannot make things better. We do not need more decision-making from the ivory towers or indeed beige towers of the Melbourne bureaucracy, we need less. This bill will allow decisions to be made that are far removed from those with local knowledge and understanding of regional ports and the way they do business and risks shutting down agile practices and emerging strategies at the coalface.

I note that if Ports Victoria was to suffer financial detriment due to the directions to perform or not perform a function by the minister’s call, then Ports Victoria may be reimbursed by the state from the Consolidated Fund. That sounds to me like endorsing incompetence, to take from a taxpayer-supported fund to reimburse another government agency.

At the heart of the changes seems to be an argument for safety. The government claims, after its own report on the transport and logistics nightmare that occurred in 2020, that harbourmasters have to be better regulated, but it is unclear if that is true. However, we will support the bill today. There is a possibility that the new authority will properly plan for the new Western Port. It needs reserved transport corridors, truck interchanges and railway lines that will bypass the Melbourne sprawl. The chance exists to get it right. We would hope the government would focus less on its Suburban Rail Loop and more on its freight lines.

Regional railway lines, and by extension the ports that sit at the end of them, are something of an interest of mine, as I am sure my staff could attest. Many a time I have made them look at old railway maps with me and talk about what could have been done with them and what could still be done with them other than pulling them up to make rail trails. I would love to see Portland get some more love and its railway lines upgraded, including the stranded and abandoned Mount Gambier line, and the terminal upgraded for mineral sands loading as well as wheat and woodchips. Perhaps that will get picked up under the new authority, although I will not hold my breath. And we have other regional ports that could be used more if the infrastructure was up to scratch.

We will support some of the amendments from the opposition, but certainly not all, because some strive to make this legislation worse and not better.

**Mr ERDOGAN** (Southern Metropolitan) (16:38): I am pleased to rise in support of the Transport Legislation Amendment (Port Reforms and Other Matters) Bill 2022. It is an important piece of work, and it is timely that it is before the house today. At a time when we are hearing about global supply chain issues, well-run and regulated ports have never been so important. Although I do not necessarily share Mr Quilty's world view, we both agree that these are very important infrastructure pieces in the supply chain in our state and in our nation, so it is very important that the regulation meets that requirement.

To give an overview of what the bill does—and its purpose is very important—the main point of this bill is to get on with the job of implementing the commitments the government has made in its formal response to the independent review of the Victorian ports system. You may recall the 63 recommendations that came out of that review, and this is about making sure we implement all 63 of them in due course.

Specifically, the bill embeds the establishment of Ports Victoria in legislation and provides for the abolition of the Victorian Ports Corporation (Melbourne) and the Victorian Regional Channels Authority. So I think that is good. It amalgamates the two organisations into one. I understand the practical steps have already been done in terms of implementing that change, the management, into a single authority, but this formalises it in legislation. It adapts the charter of Ports Victoria to implement specific recommendations made as an outcome of the review. It implements review recommendations in relation to local ports, port development strategies and regulatory arrangements relating to harbourmasters, towage and pilotage and changes the Port of Hastings Development Authority's name and objective to reflect its current role and likely future function in the Victorian ports system.

The bill also makes improvements to the transport restructuring order provisions and other matters in the Transport Integration Act 2010 and other minor technical amendments to the Tourist and Heritage Railways Act 2010, the Rail Management Act 1996 and the Conservation, Forests and Lands Act 1987, so it is a rather larger bill than what it might seem. It is an important reform, and it is needed because freight volumes are expected to more than double over the next 30 years. Our ports' safe and efficient operation remains key to our state's economic growth and competitive advantage. Given the importance of the ports system to our economy, optimising the government's strategic regulatory settings for ports is of critical importance.

Following the privatisation and commercialisation of Victoria's ports over the past 30 years, culminating in the 50-year lease of the port of Melbourne in 2016, the government made the decision to review the ports system and examine whether port governance and regulatory requirements remain fit for purpose to deliver on the government's economic objectives. The purpose of the review was to assess the utility of the government's overarching policy and legislative and governance settings in contributing to the efficient and effective functioning of the performance of the Victorian ports system. It was an important review that was undertaken, and the final report was released in November 2020.

The review found that the state's current governance and organisational arrangements for Victoria's commercial trading ports are functional but suboptimal in terms of their ability to deliver on the government's objectives for the ports system. The current organisational arrangements are not purpose designed; they are a by-product of other processes designed to separate and transfer the commercial elements of the ports system to the private sector. The arrangements work because of the professionalism and goodwill of key players within the system, not because they are well designed. Problems with the current arrangements that were identified include unnecessary organisational complexity, a lack of clarity about roles and accountabilities for port users and stakeholders, a lack of a single or primary source of authority for effectively representing the state's interest in the ports system, a lack of a state port entity of sufficient scale and scope to attract and retain high-level maritime policy and technical expertise, inconsistent approaches to the delivery and regulation of key port services across the ports system, insufficient coordination and control of key port services within ports and unnecessary responsibility boundaries, particularly for navigational control and safety. When all

taken together or cumulatively these deficiencies not only detract from the efficiency of the system but also create a degree of risk exposure for our state.

The review found that the high level of fragmentation of roles and responsibilities between the different port entities impacts the state's ability to plan and coordinate. It also reduces confidence in the safe, efficient and effective function of the ports system. The review concluded that the most benefit to the state is to be gained by combining the key waterside entities—that is, the Victorian Ports Corporation (Melbourne) and the Victorian Regional Channels Authority—into a single body responsible for waterside access, navigational control and safety in all of our commercial trading ports. The review also found that the current arrangements for the regulation of navigational safety in the ports system are unnecessarily complex and inconsistent across the different commercial trading ports. This relates to key operational safety roles such as harbourmaster functions and pilotage and towage services. The lack of clarity about roles and accountability for port users and stakeholders is resulting in key operational safety roles being inconsistently and unreliably delivered, potentially undermining safe port operation and posing significant reputational risk to our state.

The government responded in a timely fashion, as we have with many other key reviews that have taken place into state infrastructure. We listened and we acted. There were 63 recommendations, and the government quickly responded, indicating that we would be looking to implement all of them. This bill is a critical part of implementing those reforms and recommendations. Obviously it has taken some time for this bill to come to the house, but I think it is important to note that combining two organisations is never easy. The change of location of the head office, making executive management changes, change management and making sure the cultures align were all key, so time was taken in making sure we got that right the first time.

The new roles and responsibilities of Ports Victoria are important to understand as part of this bill. To address the high level of fragmentation in the current ports system the objectives and functions of the Victorian Ports Corporation (Melbourne) and the Victorian Regional Channels Authority have been integrated and expanded. To achieve this integration the bill creates a new definition of 'Victorian ports system' which includes all the components that make up Victoria's system of commercial trading ports. These include ports and port waters; the physical components such as channels, shipping lanes, waterways, roads and railways; facilities for disembarking, unloading and the interchange of persons and goods such as intermodal transport facilities, freight yards, port facilities, wharves, jetties and piers; ferries, boats and ships et cetera; control, communications, navigation and location systems and technology and information equipment; management components such as strategic planning, operations planning and the operation of the Victorian ports system; and the labour component, including pilotage services providers, pilots, harbourmasters, towage services and many others.

The bill links to the new Victorian ports system's definition of Ports Victoria's objectives, which are to promote and facilitate trade, support strategic planning and development, participate in emergency management at a state level, undertake operational activities and provide technical and consultancy services in relation to the whole of the Victorian ports system, not just to the trading ports. While previously the Victorian Ports Corporation was responsible for Melbourne waters and channels in the port of Melbourne waters and the Victorian Regional Channels Authority was responsible for regional port waters and channels in regional port waters, Ports Victoria will now manage all port waters.

A clarity of purpose and functions is also important, and this bill provides that. It states that the functions of Ports Victoria are to establish and maintain ports systems and infrastructure for port land and port waters; to manage and develop port land infrastructure, including providing and maintaining marine safety infrastructure; and to provide navigational controls and safety services, including providing and maintaining navigational aids and developing standards and codes for navigational safety. Obviously, more broadly, this bill also makes an addition in terms of promoting sustainable growth in trade, developing and facilitating the cruise ship industry in Victoria and providing for a number of other functional benefits as well in relation to the licensing of towage and pilotage services across our state.



It does make a number of other changes as well that I think are important to understand. I also wish to touch upon the licensing arrangements for towage, which are quite significant. Part 3, division 1, of the bill inserts into the Port Management Act 1995 a new part 4A, which provides for the licensing of towage service providers. The new part 4A will make it an offence to provide towage services without a licence. It specifies the process that Ports Victoria must follow when specifying the requirements and standards that are to apply to the provision of towage services in a commercial trading port. It sets the licence period at five years, provides power to Ports Victoria to specify the licence conditions that apply to licence-holders, specifies the application process for licences and the renewal of licences, specifies the processes by which licences may be suspended or cancelled by Ports Victoria and establishes review rights in relation to licence decisions made by Ports Victoria. Ports Victoria is empowered to set different standards and requirements across different ports or port waters as is needed to ensure safety. This also gives the agency that flexibility to meet needs and makes sure it is fit for purpose.

In terms of coming up with this recommendation, obviously Ports Victoria did consult widely, and it is required to consult operators when determining requirements. In determining the different standards that apply, Ports Victoria must consult with the different port entities affected and must give notice of a proposed determination. So if they are going to change the settings, it needs to be in consultation. The notice published in the *Government Gazette* must set out the proposed form and content of the determination, indicate the written submissions that may be made on the proposed determination and specify the time in which the written submissions must be made. The process which is prescribed in the bill will ensure that private port entities and service providers will have an opportunity to have their say.

The new licensing scheme will come into effect in different ports and different port waters at different times. The bill provides for transitional regulations to be made. It is intended that the heads of power will be used to specify the period of time that towage operators have to comply with the new standards. Existing towage providers will have a transitional period to comply with the standards and apply to be licensed. The new licensing requirements in this bill imposed on pilotage services are similar to the license scheme for towage service providers but are not meant to be the primary mechanism by which service providers are regulated in the interests of public safety.

It is also important to understand that existing towage service providers will not need to obtain a new licence. I think that is important. Whenever there is a transition such as this implemented in any sector, the existing operators are not necessarily disadvantaged during that transition period. So no, they will not need to apply for a new licence. Providers of pilotage services who are registered under the Marine Safety Act 2010 at the time the provisions commence are deemed to be licensed. They keep their licence—they are deemed to have that licence—so they do not have to fill out a new application form from the beginning. Accordingly, there is no immediate impact of implementing the new licensing scheme on existing operators. It is intended that the licensing will apply to any new entrants into the pilotage market. So that is an improvement, and it also allows existing operators to continue their business to make sure there are no effects on that supply chain and the way the ports are run.

All in all I want to obviously speak in favour of the bill. I feel that I have given a broad overview of certain aspects of the bill, in particular clarifying the purpose and how it will affect the licensing scheme as part of that. There are a number of amendments being pushed by the state opposition, which I will not be supporting. I want to make that clear from the outset, but I want to commend the bill in its existing form. It is a well-regarded form. I want to commend the minister and their office for all the work they have put in to bring it before the house and adopt the recommendations of that all-important review. I commend the bill to the house.

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (16:51): I move:

That the debate be adjourned until the next day of sitting.

**Motion agreed to and debate adjourned until next day of sitting.**

### Adjournment

**Ms SYMES** (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (16:51): I move:

That the house do now adjourn.

### WYNDHAM HARBOUR PUBLIC TRANSPORT

**Mr FINN** (Western Metropolitan) (16:51): (1892) I must say, the effectiveness of the new whip is outstanding, and I commend him on his work in getting us out of here so early. The last bloke was not flash, so it seems.

I wish to raise a matter for the attention of the Minister for Public Transport, and it concerns a recent visit I made to meet with the management of Wyndham Harbour, which I think is a very, very exciting development down on the water just in Wyndham. I am sure—well, I hope—the minister is aware of Wyndham Harbour. It is a sensational spot and I would imagine, although it was a bit chilly down there the day I was there, on a warm, very pleasant day it would be a magnificent place to visit and it has, as I saw it, huge potential to change the way people view the west, the way people live in the west and the perception of what the west is all about. It is something that I have been excited about for quite some time, and when I went down there and saw the development that had occurred I was exceedingly impressed. I hope that it will be expanded upon, because I think it has huge potential to be expanded upon. I think when we foresee what is coming we will see hotels, we will see bars, we will see all sorts of things down there: an entertainment precinct where we will be able to sit by the water, have a sip of lemonade—or maybe prosecco, you never know—and enjoy the very pleasant evening, as it may be, down at Wyndham Harbour.

The trouble is there is very little public transport, and this is a major problem because of course Wyndham Harbour would have to be, I reckon, close to 10 kilometres from Werribee, which is the nearest railway station, and that is something that obviously presents a problem for people who are using public transport. So what we need is an extension of the current bus services to Wyndham Harbour. Of course it would not just be to Wyndham Harbour but would also service Werribee South, which is also a growing community, so I think it would bring a huge number of benefits to people who are moving into that part of Wyndham. I think it is really going to be something very, very exciting. I think a proper public transport system and a proper bus service—failing that, a train service at some stage might be nice too, but a bus service at this point—would be very good. So I ask the minister to review the timetable for buses to visit Wyndham Harbour and Werribee South and ensure that that service is provided to the people who live in those areas.

### NATIONAL HORSE TRACEABILITY WORKING GROUP

**Mr MEDDICK** (Western Victoria) (16:54): (1893) My adjournment matter this evening is for the Minister for Racing, and the action I seek is for the minister to ensure the national horse traceability working group remains focused on horse welfare. The national horse traceability working group was established after it was exposed just how many horses, particularly ex-racehorses, were being sent to slaughterhouses and knackeries across the country. It was a secret that the racing industry had long tried to hide. The working group, tasked with establishing recommendations on how we can better trace animals across all sections of the equine community, is a national project. However, Victoria is one of the leading states in the reform. While the terms of reference for the working group state that the working group is focused on animal welfare, my office has been contacted with concerns that the main focus is now biosecurity—not the protection of animals. Animal advocacy groups were hopeful

this working group upon its completion would result in less horses being sent to slaughter and not on how disease can be prevented in the event that they are. Real and meaningful change could come from a horse traceability system. We cannot let the opportunity go to waste. The working group must be refocused to make recommendations on animal welfare, and I hope that the minister will make this request.

### MORNINGTON PENINSULA BEACH EROSION

**Ms BURNETT-WAKE** (Eastern Victoria) (16:56): (1894) My adjournment request is directed to the Minister for Ports and Freight and concerns numerous beaches that have been impacted by dredging, man-made constructions and climate change along the Mornington Peninsula side of Port Phillip Bay. Thank you to the state Liberal candidates Sam Groth, Liberal for Nepean, and Chris Crewther, Liberal for Mornington, for bringing this issue to my attention. The action that I seek is for the minister to work with the peninsula community to develop solutions and take action to fix the many eroding Port Phillip beaches along the peninsula.

Since dredging works began in Port Phillip Bay in 2008 many beaches along the peninsula have been impacted by serious erosion, including but not limited to Portsea front beach. Shire Hall Beach in Mornington is also eroding due to a man-made construction. The wave screen installed on the Mornington Pier has led to the destruction of the beautiful local beach. The *Mornington News* reported that an environment effects statement for the proposed wave screen states:

Changes will be evident through an increase in beach erosion from Shire Hall Beach ...

Despite knowing this, the government have done nothing to address the issue. It has become so bad that the sand has washed away and left rough rocks right up to the beach boxes. Parents are digging trenches through the rocks so their kids can get out to the sand. A local woman also recently broke her leg just by stepping down onto the sand from the beach boxes, as the sand has eroded so much it has now exposed a rocky surface. In the same article from the *Mornington News* from February this year, a regional director from the Department of Environment, Land Water and Planning, Stephen Chapple, was quoted as saying the erosion was a 'naturally occurring process' and put the issue down to climate change. This directly contradicts the statement in the environment effects statement from years ago and is a clear refusal to accept responsibility.

There have been numerous studies on the impact of dredging and the wave screen, some of which the government refuses to release, instead opting to blame the issue on climate change alone. Other beaches that are also suffering from erosion that need intervention and restitution works include Mount Martha north, Hawker Beach, Blairgowrie beach, Dromana and Point Lonsdale. The Mornington Peninsula is renowned for its beautiful beaches, and without action we risk losing one of the Eastern Victoria Region's most loved attractions. I call on the government to meet with stakeholders on the peninsula, develop solutions and take action to fix our eroding beaches.

### CARE LEAVERS REDRESS SCHEME

**Ms MAXWELL** (Northern Victoria) (16:59): (1895) My adjournment is to the Premier, and the action I seek is for the government to outline why it has not yet provided a redress scheme for care leavers who experienced physical, psychological and emotional abuse while in Victorian orphanages. The government has announced a number of redress schemes for those who have been harmed by historical actions from state policies and practices. This includes the recent announcement of redress for mothers who had their children forcibly removed through the historical practice of adoption for children born out of wedlock as well as reparations for Aboriginal Victorians forcibly removed from their families before 1977. These schemes will provide \$100 000 in redress to each person who experienced harm from these practices.

Care leavers hold no grudges against others who have been given redress, but it is hard for them not to feel envy and disappointment that their own harm has not been recognised in a similar way. The historical sexual abuse of care leavers in orphanages, children's homes, missions and foster care is

covered under the national redress scheme, though I will note with a heavy heart that this scheme has retraumatised many victims in the process. Inconsistencies between claims and victims being denied the maximum redress amount—for example, because they were sexually assaulted only once when they were living in an orphanage at the age of five, as if this is not horrific enough—defies logic and demonstrates we still have a long way to go in understanding trauma.

The Care Leavers Australasia Network has long campaigned for recognition and redress to extend to physical, psychological and emotional abuse and child labour practices in state institutions. Some of these care leavers have recounted that while they did not experience sexual abuse themselves, they experienced the trauma as a child of witnessing it being perpetrated on others. Significantly, many of them report a childhood completely absent of love or a sense of belonging. We know the trauma an absence of attachment and emotional security has on an individual and the profound impact that it has on their identity and their life's trajectory.

Back in 2004 a federal Senate inquiry recognised the history of cruelty inflicted on children raised as wards of the state. It recommended redress back then, and Premier Steve Bracks delivered an apology on behalf of Victoria in 2006. In that apology the Premier committed to working with survivors of abuse and neglect in care to promote the healing process, but formal redress for emotional and physical trauma has stalled since then. In the absence of commonwealth action, as with other redress Victoria could and should lead the way, so I ask the government: what are you waiting for? Care leavers recently issued their plea on the steps of this Parliament—and they asked the government to please hear them, please see them and deliver to care leavers the recognition that they deserve.

### CONSTRUCTION INDUSTRY

**Mr DAVIS** (Southern Metropolitan—Leader of the Opposition) (17:02): (1896) My adjournment tonight is for the attention of the Minister for Planning, and it relates to the VBA—the Victorian Building Authority—decision to increase fees and charges for builders, building surveyors, companies and tradies across a wide front from 2 May. So this is a huge set of increases: some of them are 200 per cent, some are 400 per cent and some are even more. These will hit tradies; they will hit small building companies. The building surveyors on whom much of our building and construction sector depends will be clobbered. They will be absolutely smashed by these charges.

These are huge charges—and of course some builders have got several firms, so they have multiple registrations and registration of themselves as practitioners. All of these charges, these increases, these extraordinary increases, are going to hit hard and will feed through into additional housing costs. Importantly this will hit tradies, builders and building surveyors in the first instance, but it will add to the cost of building homes across the state. This is an unwise increase.

Now, I understand the government's new legislation that went through intends to register a number of different professional groups—painters, plasterers, tilers; the list is very long. It is unclear what the time cycle for many of these registrations is, and it is unclear how many in each category will be registered and what the rules will be. There is quite a bit of confusion about the way forward. But at the same time what is clear is that they have clobbered the existing registrants. The existing builders and the existing building surveyors are being hit hard with these increases.

What I am asking in the adjournment today is for the minister to look closely, to review these increases—the VBA seems to be out of control; it is an authority that no-one seems to be much in charge of—to review these charges, to examine the impact of these charges on the building and construction sector and ultimately on housing affordability and housing costs and to ask the VBA to back down from some of these charges. These should be reversed. These are too great. This is not a mild CPI increase; this is not even a modest increase to deal with what might be a legitimate workload issue at the authority. No, this is a huge surge in costs that is being passed through to the building and construction sector—to small tradies, to small builders and home builders—and it is going to force up the cost of housing. What on earth is the government thinking in doing this at this time, when housing

is so expensive for young people, when housing is being made more expensive and when the cost of living is such an issue for so many tradies and those across the system? I ask him to review it.

### WERRIBEE MERCY HOSPITAL

**Dr CUMMING** (Western Metropolitan) (17:05): (1897) My adjournment matter is to the Minister for Health in the other place, and the action that I seek is for the minister to clarify how much funding—and for what—the Werribee Mercy Hospital has received since 2015. Wyndham is one of the fastest growing local government areas in the state, and I do not dispute that hospital services are sadly lacking in the area, as they are across the whole of the Western Metropolitan Region. We have been crying out for more hospitals, and the new ones at Footscray and Melton cannot come soon enough. Melton is one of the biggest growth areas in the state, and by 2050 over half a million people will call the City of Melton home. And the population of Maribyrnong will increase by 67 per cent in less than 20 years. While the hospitals are needed to cater to the growing population, they are needed now.

While no priority seems to be given to the Melton hospital, promised over four years ago, the same cannot be said for the Werribee Mercy Hospital. Since 2015 money has seemed to be streaming out of this government into that hospital. In May 2015 the government announced funding for an expansion of the hospital, and three years and \$87 million later it was completed. In 2018, \$355.59 million in funding was provided to the hospital. In 2020 it received another \$4.75 million in funding for service and capital planning. In 2021 it received another \$50 million in funding to upgrade and replace engineering infrastructure and medical equipment. And in this year's budget it received \$110 million to upgrade its emergency department. Werribee Mercy Hospital is owned by Mercy Hospitals Victoria Ltd, a company limited by guarantee and a charity registered by the Australian Charities and Not-for-profits Commission, and it is part of Mercy Health, a Catholic not-for-profit organisation. Maybe it is just me, but I am confused as to why a privately owned hospital is receiving so much government funding for capital works and equipment. No other hospital seems to be getting this amount of money from the government. A detailed explanation is needed for transparency and accountability for all Victorians. I hope they are actually using it to catch up on elective surgery at the same time.

### MICKLEHAM COMMUNITY SAFETY

**Mr ONDARCHIE** (Northern Metropolitan) (17:08): (1898) My adjournment is for the Minister for Police. The people of Mickleham are concerned about dangerous hooning and illegal dumping of commercial and building rubbish in their brand new suburb. I recently invited the people of Mickleham to complete my community survey, and I thank the many people who replied to my survey. Mickleham is such a diverse and wonderful community, with many Victorians building new homes there. They are excited about their new area, but they want a safer and cleaner suburb in which to raise their families. To protect my residents, the action I seek from the minister is for the government to commit to extra police patrols to better deter hooning on Mickleham Road and Donnybrook Road, the illegal dumping of rubbish under the powerlines and the illegal dumping of rubbish along Paprika Parade, Forest Red Gum Drive, Realm Vista, Blackmore Road and Brossard Road. Mickleham residents really care for their community. Dan's Labor government should too.

### FINES VICTORIA

**Mr QUILTY** (Northern Victoria) (17:09): (1899) My adjournment matter is for the Attorney-General. A woman recently contacted us regarding a now historical issue. In 2017 a speeding infringement was recorded by Fines Victoria but was never issued to her husband. I am told this is commonplace. A person may be detected breaking some law or another but they do not receive an initial fine, nor do they receive a reminder or a final notice. Four years passed to August 2021, when the man was pulled over for a random breath test. It was during this process that he learned of an outstanding fine for speeding. He requested a review, but it turns out that Victoria Police can only review before a final reminder notice. He did not apply, because he had never received any reminder notice, and now it is too late. It cannot be reviewed. Further to this administration error, the man asked

for a review from Fines Victoria, which then claimed that he had agreed to a payment plan. He tells us he never did because he was never notified. He could not have. If Fines Victoria had not bungled this in 2017, this individual would not have been denied procedural justice.

This is not an isolated incident. We know that in some cases people are receiving final notices for offences they have not received initial notices for. With the compliance and fines frenzy from this government over the COVID-19 pandemic, I can only imagine how many Victorians are now sitting unawares in the crosshairs of Fines Victoria, with their notifications delayed, tactically or otherwise, and ultimately being denied procedural justice. Attorney-General, the action I seek is that you publicly acknowledge the predicament that Fines Victoria is placing Victorians in by denying them procedural justice due to poor administration, that you seek to address this issue and that you have this citizen's fine repealed. I am happy to connect you with him should you choose to action this request.

### **SHEPPARTON BOAT RAMP**

**Ms LOVELL** (Northern Victoria) (17:11): (1900) My adjournment is for the Minister for Energy, Environment and Climate Change, and the action that I seek is for the minister to clear the impasse that prevents Parks Victoria from giving its approval to reinstate the Shepparton weir boat ramp. I recently took the Shadow Minister for Fishing and Boating, Mr Tilley, to the site of the Shepparton weir boat ramp to meet with members of the Undera Angling Club, who have been lobbying for the boat ramp to be reinstated. This is not just about fishing access. This boat ramp is just downstream of the weir near the Shepparton cemetery, and the next boat ramp access is about 23 kilometres downstream. Reopening this boat ramp would provide the Shepparton Search and Rescue Squad, the police and other emergency services with safe and reliable access to this section of the river closer to their location in Shepparton, and it would save travel time to the boat ramp but also significant time travelling back upstream for incidents that occurred closer to Shepparton.

The boat ramp itself was closed without consultation in 2011. It had been part of Shepparton life since 1902, with various iterations improving access and allowing for movement of fish from below and above the weir rapids. In the past five years several members of the angling club, led by John Graham, and others have been meeting with authorities from all levels of government to get the ramp reopened. They have even offered their services as caretakers of the reserve. They have developed a workable design that they tell me with a bit of machinery and labour could get the ramp up and running in a day. They are not blind to the risk of the river current near the ramp but believe that that too can be mitigated. Currently large boulders block access to the access road. The angling club believes that Parks Victoria are not comfortable with the risk involved in reopening the boat ramp and for this reason are blocking the reinstatement of the ramp. The angling club understand that consultants are now independently assessing the feasibility and risk, including how those risks may be mitigated in any boat ramp design. The club's passionate members, including John Graham and Neville Lavis, believe that Better Boating Victoria under Minister Horne also looks favourably on their proposal.

We all accept that safety is paramount in such undertakings, but users with vast experience and knowledge of the river say the design of a single-lane boat ramp could be tailored to reduce that risk. It would be open access for anglers and those seeking disability access to the river and could just save a life in an emergency. I understand Mr Tilley from the other place has written to the minister independently asking for the situation to be reviewed, and on behalf of the Shepparton community I would ask the same, but also that the minister review Parks Victoria's opposition. In particular I would ask that any review take far less time than the five years it has taken to get to this current impasse.

### **ROYAL CHILDREN'S HOSPITAL**

**Ms CROZIER** (Southern Metropolitan) (17:14): (1901) My adjournment matter this evening is for the attention of the Minister for Health, and it relates to the concerning news that was recently aired by the ABC regarding the Royal Children's Hospital's accreditation status. I think this is very concerning for every Victorian, especially those families who have got children at the Royal Children's but also families into the future who will receive the care of the Royal Children's Hospital.

It is a magnificent hospital, it is an iconic hospital and it has been world renowned for many, many years. Of course we have just had the Good Friday Appeal, and the generosity of so many Victorians that gave to that appeal was tremendous.

So this was really concerning, what was raised in relation to the accreditation process around trainees in the paediatric emergency medicine area. Now, there are only four hospitals in Victoria that are accredited to train doctors in paediatric emergency medicine, and the Monash Medical Centre is the largest of those four and provides very good tertiary care and tertiary training. Only the day before yesterday there was an alert put out by the Royal Children's Hospital to say:

Our Emergency Department (ED) is currently experiencing an incredibly high volume of patients, with our ED tracker currently showing as 'Extremely Busy'.

We all know that the health system is in a mess in this state, and it is costing, sadly, Victorians' lives. Because of the 000 crisis, ambulance ramping and an inability to get elective surgery, Victorians' health conditions are worsening, not getting better.

I am concerned about the numbers of doctors that are in the system, the workforce shortage. There has been no planning. There has been no workforce strategy by the Andrews government, and one of these areas is this accreditation process that is really looking at a very particular type of trainee paediatrician. I would like to understand how many of the trainees who have signed contracts to work at the Royal Children's Hospital this year are completing their training. What are the numbers, and will they all continue with that very important training that will set us up into the future to have those specialist paediatricians and specialist emergency medicine doctors on hand to treat sick Victorian children?

#### RESPONSES

**Ms STITT** (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (17:17): There were 10 adjournment matters this evening to various ministers. I will ensure that the ministers receive those adjournment matters and respond in accordance with the standing orders.

**The PRESIDENT:** On that basis, the house stands adjourned.

**House adjourned 5.17 pm.**