

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-NINTH PARLIAMENT

FIRST SESSION

WEDNESDAY, 23 FEBRUARY 2022

hansard.parliament.vic.gov.au

By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU, AC

The Lieutenant-Governor

The Honourable KEN LAY, AO, APM

The ministry

Premier.	The Hon. DM Andrews, MP
Deputy Premier, Minister for Education and Minister for Mental Health	The Hon. JA Merlino, MP
Attorney-General and Minister for Emergency Services	The Hon. J Symes, MLC
Minister for Transport Infrastructure and Minister for the Suburban Rail Loop	The Hon. JM Allan, MP
Minister for Training and Skills and Minister for Higher Education	The Hon. GA Tierney, MLC
Treasurer, Minister for Economic Development and Minister for Industrial Relations.	The Hon. TH Pallas, MP
Minister for Child Protection and Family Services and Minister for Disability, Ageing and Carers	The Hon. AR Carbines, MP
Minister for Public Transport and Minister for Roads and Road Safety .	The Hon. BA Carroll, MP
Minister for Energy, Environment and Climate Change and Minister for Solar Homes	The Hon. L D’Ambrosio, MP
Minister for Health, Minister for Ambulance Services and Minister for Equality	The Hon. MP Foley, MP
Minister for Ports and Freight, Minister for Consumer Affairs, Gaming and Liquor Regulation and Minister for Fishing and Boating	The Hon. MM Horne, MP
Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice and Minister for Victim Support	The Hon. NM Hutchins, MP
Minister for Local Government, Minister for Suburban Development and Minister for Veterans	The Hon. SL Leane, MLC
Minister for Water and Minister for Police.	The Hon. LM Neville, MP
Minister for Industry Support and Recovery, Minister for Trade, Minister for Business Precincts, Minister for Tourism, Sport and Major Events and Minister for Racing	The Hon. MP Pakula, MP
Assistant Treasurer, Minister for Regulatory Reform, Minister for Government Services and Minister for Creative Industries	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 Multicultural Affairs, Minister for Community Sport and Minister for Youth	The Hon. RL Spence, MP
Minister for Workplace Safety and Minister for Early Childhood	The Hon. I Stitt, MLC
Minister for Agriculture and Minister for Regional Development	The Hon. M Thomas, MP
Minister for Prevention of Family Violence, Minister for Women and Minister for Aboriginal Affairs.	The Hon. G Williams, MP
Minister for Planning and Minister for Housing	The Hon. RW Wynne, MP
Cabinet Secretary	Ms S Kilkenny, MP

Legislative Council committees

Economy and Infrastructure Standing Committee

Mr Barton, Mr Erdogan, Mr Finn, Mr Gepp, Mrs McArthur, Mr Quilty and Mr Tarlamis.

Participating members: Dr Bach, Ms Bath, Dr Cumming, Mr Davis, Mr Limbrick, Ms Lovell, Mr Meddick, Mr Ondarchie, Mr Rich-Phillips, Ms Shing, 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 Taylor and Ms Terpstra.

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, Ms Garrett, Dr Kieu, Ms Maxwell, Mr Ondarchie, Ms Patten, Dr Ratnam and Ms Vaghela.

Participating members: Dr Bach, Mr Barton, Ms Bath, Ms Crozier, Dr Cumming, Mr Erdogan, Mr Grimley, Mr Limbrick, Ms Lovell, Mr Quilty, Ms Shing, Mr Tarlamis 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, Mr R Smith, Mr Walsh and Mr Wells.

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, Ms Edwards, Mr Fregon, Ms Sandell and Ms Staley.

Integrity and Oversight Committee

Council: Mr Grimley and Ms Shing.

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

Pandemic Declaration Accountability and Oversight Committee

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

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

Public Accounts and Estimates Committee

Council: Mr Limbrick, Mrs McArthur and Ms Taylor.

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

Scrutiny of Acts and Regulations Committee

Council: Ms Patten, Ms Terpstra and Ms Watt.

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

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: Mr P Lochert

MEMBERS OF THE LEGISLATIVE COUNCIL
FIFTY-NINTH PARLIAMENT—FIRST SESSION

President

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

¹ Appointed 5 March 2020

² Appointed 2 December 2021

³ Resigned 17 June 2019

⁴ Appointed 15 August 2019

⁵ Resigned 23 March 2020

⁶ Resigned 26 September 2020

⁷ Resigned 1 December 2021

⁸ ALP until 15 June 2020

⁹ Appointed 23 April 2020

¹⁰ Appointed 13 October 2020

¹¹ Resigned 28 February 2020

Party abbreviations

AJP—Animal Justice Party; ALP—Labor Party; DHJP—Derryn Hinch's Justice 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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Wednesday, 23 February 2022

The PRESIDENT (Hon. N Elasmr) took the chair at 9.35 am and read the prayer.

Announcements

ACKNOWLEDGEMENT OF COUNTRY

The PRESIDENT (09:36): 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

DENISE MARGARET ALLEN

The PRESIDENT (09:36): I advise the house of the death on 22 January 2022 of Ms Denise Margaret Allen, member of the Legislative Assembly for the electoral district of Benalla from 2000 to 2002.

I ask members to rise in their places as a mark of respect to the memory of Denise Allen.

Members stood in their places.

Bills

HUMAN RIGHTS AND HOUSING LEGISLATION AMENDMENT (ENDING HOMELESSNESS) BILL 2022

Introduction and first reading

Dr RATNAM (Northern Metropolitan) (09:38): I move to introduce a bill for an act to amend the Charter of Human Rights and Responsibilities Act 2006 to establish a right to housing, to amend the Housing Act 1983 to set a target of ending homelessness in Victoria by 2030, to require a plan to be developed to meet the target and to require annual reporting on progress towards the target and for other purposes, and I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Dr RATNAM: I move:

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

Motion agreed to.

Papers

PAPERS

Tabled by Clerk:

Auditor-General's Report on Business Continuity During COVID-19, February 2022 (*Ordered to be published*).

Crown Land (Reserves) Act 1978—Minister's Order of 22 December 2021 giving approval to the granting of a licence at Flinders Foreshore Reserve.

Business of the house**NOTICES**

Notices of motion given.

Notice of intention to make a statement given.

Members statements**GREATER SHEPPARTON SECONDARY COLLEGE**

Ms LOVELL (Northern Victoria) (09:43): On Friday, 11 February, the Premier snuck into Shepparton to open the deeply unpopular Greater Shepparton Secondary College. The Premier posted a feel-good video about the opening on his social media but had to hide the post on his time line and delete most of the comments altogether because of the angry reaction of the Shepparton community. What Daniel Andrews will not be talking about on his Facebook page or anywhere else are the numerous problems being experienced by students and parents regarding the school. One concerning issue is the number of students being left on the side of the road by school buses too full to pick them up.

My office has been inundated with parents detailing examples of having to collect stranded children because the buses were so overcrowded they could not fit another passenger. Several parents have written to PTV as well as complained to the school, but the overwhelming response by the Andrews government is that it has no money to add additional buses to the services in Shepparton. One parent has had to pick up her children four times because they were left behind by the bus and another parent has reported a bus driver walking off a bus with no explanation. The driver then kicked the children off the bus and drove off with an empty bus. This is not good enough. The state government has a duty of care to ensure that all students using the school bus program get home safely, and so far they are failing dismally in Greater Shepparton.

Dr Cumming: On a point of order, President, in members statements could you please ask the government not to interject? This is a members statement.

The PRESIDENT: There is no point of order, Dr Cumming. We all know that there are no interjections accepted in this place from anybody.

DENISE MARGARET ALLEN

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (09:45): I wish to rise to offer my sincere condolences to the family and friends of Denise Allen. Denise was born in Alexandra in country Victoria and passed away on 22 January aged 68 after her battle with cancer.

Dr Cumming interjected.

The PRESIDENT: You just noted that there are to be no interjections and you just interjected, Dr Cumming. Please.

Ms SYMES: Thank you, President. In 1999 Denise was the Labor candidate for Benalla. She missed out, but she was back with a vengeance in 2000 when a by-election was called after the seat was vacated by former Deputy Premier Pat McNamara. Against the odds, she won—by 237 votes. One of those votes was mine. I was a 21-year-old who was home from uni, and I got to meet her and Premier Bracks on the by-election day, where we talked about the challenges of country people having to leave country areas to study. Although she was only the member for two years, she remained a Labor, social justice and regional Victorian stalwart. She was passionate about community issues, especially for people with disabilities. She had many roles in her life, including life skills and motivational tutor. She owned a modelling agency, a beauty therapy studio and a retail fashion store. She was on the disability reference group for the Victorian Equal Opportunity and Human Rights

Commission and the policy action group of National Seniors Australia in Victoria and was the president of the Goulburn Options disability services board in Seymour. Denise's tireless advocacy for social justice, disability reform and dying with dignity and her passion for the Labor movement will be missed by all of us, particularly in country Victoria.

TASKFORCE ON REHOMING PETS

Mr MEDDICK (Western Victoria) (09:47): I am delighted to share that the Taskforce on Rehoming Pets, which I was proud to serve on as chair, has handed down its final report to the Minister for Agriculture. To celebrate this yearlong body of work we had some special visitors at Parliament House last sitting week. Freckles, Timmy, Bijou and Louis are four beagles who were rescued from medical research. Some of the so-called experiments inflicted on them are too hard to even think about. They are some of the lucky ones who ended up in the care of Beagle Rescue Victoria. Sadly, this secretive industry kills most of the animals used in experiments. The Taskforce on Rehoming Pets has made an important recommendation to the Minister for Agriculture to change the code of practice for the rehoming of cats and dogs used in research from recommended to mandatory. On top of this we have also recommended having a retirement age to ensure cats and dogs have the best opportunity to adjust to a normal life. This is just one recommendation of many that would improve the lives of companion animals here in Victoria, and I look forward to hearing the minister's feedback on the report.

GREATER SHEPPARTON SECONDARY COLLEGE

Mr GEPP (Northern Victoria) (09:48): I was thrilled on 11 February to sneak into Shepparton with the Premier, the Deputy Premier and the member for Shepparton to officially open the revolutionary Greater Shepparton Secondary College. The new Greater Shepparton Secondary College has places for over 2700 students. It is fitted out with contemporary new facilities designed to improve learning. The facilities will allow the school to offer students a great range of choices, new learning opportunities and greater wellbeing support and services. In 2020, \$119 million was allocated to the school. This followed the \$20.5 million allocated for the *Shepparton Education Plan* in the 2018–19 budget and \$1 million in planning funding in the 2017–18 budget. This college is part of the *Shepparton Education Plan*. Our kids in Shep deserve the very best education opportunities and facilities that we can provide.

Ms Lovell: They do, and they haven't got it.

Mr GEPP: There is only one political voice in Shepparton that is talking down an investment of over \$140 million in education for our secondary college kids in Shepparton, and that is Ms Lovell, member for northern Victoria. Shame on you, and shame on the campaign that has been orchestrated out of your office to run down the kids and the educational system in Shepparton. You ought to be ashamed of yourself.

DENISE MARGARET ALLEN

Mr GEPP: On another matter, can I also extend my condolences to the family and friends of Denise Allen. She will be sadly missed.

SOCIAL AND AFFORDABLE HOUSING

Dr CUMMING (Western Metropolitan) (09:50): I rise to speak about the government's intention to exempt social housing properties from council rates. Last Friday I met with the mayors of Western Metropolitan Region, and this was a hot topic. While the government has announced the use of \$54 million for social housing properties, the Municipal Association of Victoria says that the cost to local government is \$138.6 million a year. The government is saying that it will redirect the money into public housing maintenance and upgrades. What a joke! This government is nothing other than a slum lord. It is not a millionaire, because it is broke. Take a drive around Braybrook and see that no money has been spent on maintenance. Maribyrnong City Council estimates its loss from this decision

will be in excess of \$2 million—\$2.6 million, I am quite sure—and it is going to have to offset it with rate capping. Residents of social housing will still need their rubbish collected. They will still use libraries, parks, playgrounds and maternal and child health services provided by council. The government seems to have forgotten how local government has heavily contributed to supporting residents and business to survive during COVID. The restrictions imposed by this government are yet another case of cost shifting—the wrong tax at the wrong time.

GENE TECHNOLOGY ACCESS CENTRE

Dr KIEU (South Eastern Metropolitan) (09:51): Last week I received an opportunity to visit the Gene Technology Access Centre at University High School as the Victorian government's STEM education ambassador. This is part of my commitment to visit all of the state's 16 specialist STEM facilities, and I was delighted to learn about the variety of STEM programs offered to students at the GTAC. The GTAC offers online learning courses—even games—teaching resources, virtual programs and face-to-face onsite and outreach programs, which help to engage students and the broader community in all facets of STEM education and research through cutting-edge lab work, robotics and a raft of programs in cell and molecular biology. I extend my sincere appreciation to the GTAC director, Jacinta Duncan; deputy director Tony Chiovitti; and University High School principal Ciar Foster for their hospitality and the tour. I would also like to thank my colleague Sheena Watt, MP, for her attendance last week.

LUNAR NEW YEAR

Dr KIEU: On another matter, for the last few weeks I have also been able to attend many festivals to celebrate the Lunar New Year of the Tiger, from Richmond to Braybrook, Footscray, Sunshine and St Albans. I want to take this opportunity to once again thank the organisers, supporters, volunteers and sponsors for putting on this celebration and contributing to our rich and vibrant multicultural tapestry.

FASHION INDUSTRY

Ms PATTEN (Northern Metropolitan) (09:53): This month I was very pleased to launch the Reason Party's campaign to promote Victoria's fantastic, magnificent fashion industry. It is internationally recognised, and it is a cultural and economic gem of Victoria. We are also using this campaign to highlight the appalling, unsustainable textile waste in Australia. We launched with a panel discussion with local designers and stylists. It is called F*** Fast Fashion: buy local, buy ethical, buy less. We will be running this over the coming months with a whole range of themed events. To get Parliament into the spirit of this and to support this industry that is a crucial local generator of jobs and creativity, we are planning a polities fashion parade, so I will be in touch soon with you all. As someone in my office said, 'No, that is not an oxymoron': polities and fashion.

We have got a lot to fix. 780 000 tonnes of waste are sent into landfill in Australia every year, making us the world's second-highest consumer of textiles per person. Fast fashion, often profiteering from the exploitation of women in developing economies, is the main culprit. The aim is to encourage people to support local designers by shopping locally and to consider the ethical and environmental ramifications of choosing fast fashion. I am sure it is something with which we can all get on board.

TAFE FUNDING

Ms TERPSTRA (Eastern Metropolitan) (09:54): It is important and incumbent on all members of this place to come here and tell the truth, and at a time when we are increasingly seeing Trumpist-style politics in Australia we have a responsibility to call out those who try to bring this kind of conduct into our Parliament.

What we saw yesterday was an extraordinary claim from Dr Bach on TAFE. He claimed that the Liberal Party in fact established free TAFE—an extraordinary claim. That is right, the same party that

absolutely decimated the TAFE system is now coming into this place and claiming that it set up the Andrews Labor government's free TAFE initiative. What a load of rubbish.

I am not going to stand for members coming into this place and making false claims like the one made by Dr Bach yesterday. These kinds of lies need to be called out. Those opposite never set up the free TAFE initiative. If we want to talk about the truth when it comes to TAFE, let us look at the actual record of the opposition when it comes to TAFE: massive cuts to TAFE funding, including removing the funding that TAFEs received to recognise their role as public providers; courses cut across the state; and TAFE teachers sacked. We saw over 100 000 students locked out of free TAFE between 2012 and 2014 because of those opposite's decimation of the TAFE system. In comparison, we saved TAFE and we are reinvesting in TAFE.

I call on Dr Bach to provide a source for the claim he made yesterday about vulnerable cohorts being locked out of TAFE education. He should stop lying and get on board with our work to make TAFE the best it has ever been.

Mr Davis: On a point of order, President, the member then, as I heard, used a word that was unparliamentary. Can I ask her to withdraw in that circumstance. I am not going to repeat the word.

The PRESIDENT: Ms Terpstra, I did not hear it, but I want to ask you: did you say Dr Bach is lying or something along these lines?

Ms TERPSTRA: He made a false claim.

Mr Davis: No, actually, that's not what you said.

Ms TERPSTRA: What did I say then?

The PRESIDENT: Order! Ms Terpstra, if you said the words, please withdraw. Otherwise I will have to look at *Hansard*.

Ms TERPSTRA: Look at the *Hansard* and let me know. If he is not going to tell me what I said, it is again—

The PRESIDENT: Okay, thank you. Continue.

Ms TERPSTRA: There are 50 per cent more women, 45 per cent more CALD, 41 per cent more learners with a disability, 26 per cent more regional students and 43 per cent more unemployed Victorians. Also there are more Aboriginal students studying at TAFE than ever—47 per cent more. *(Time expired)*

METRO TUNNEL

Ms WATT (Northern Metropolitan) (09:57): Yesterday I joined the Premier and the Minister for Transport Infrastructure at the site of the western entrance—

The PRESIDENT: Order! Members! Dr Cumming, can you please take your seat. If you want to have a discussion, both of you go out. Ms Watt.

Ms WATT: I might start again, if I may. Yesterday I joined the Premier and the Minister for Transport Infrastructure at the site of the western entrance of the Metro Tunnel in Kensington. The Metro Tunnel has entered an exciting new phase of construction, with the first of almost 40 kilometres of rail having been delivered in the past week as work gears up to install rail systems and tracks for the project's massive 9-kilometre twin tunnels. What I was reminded of was the incredible job creation that this project brings about. Our major transport infrastructure projects are keeping around 18 000 people in jobs and supporting around 36 000 indirect jobs across the state, with 900 apprentices alone working on the Metro Tunnel, getting their first start in a new career.

This project will transform the inner city, but it will also completely revolutionise travel across our state—one massive, connected line all the way from Cranbourne and Pakenham in the south-east out

to Sunbury in the north-west. Commuters, residents and travellers of all kinds will be able to access the important Parkville precinct, with Melbourne University and the hospitals right on the escalators leading out of the station, or go right into the CBD at State Library and Town Hall stations. While some in this place trash investment into major infrastructure projects or talk a big game but never, ever deliver, this Labor government is getting on with the job. We are getting the Metro Tunnel done a full year ahead of schedule, creating jobs while slashing travel times and creating space for hundreds of thousands of travellers across the network.

Bills

DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (DECriminalISATION OF POSSESSION AND USE OF DRUGS OF DEPENDENCE) BILL 2022

Statement of compatibility

Ms PATTEN (Northern Metropolitan) (10:00): I lay on the table the following statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the charter), I make this statement of compatibility with respect to the Drugs, Poisons and Controlled Substances Amendment (Decriminalisation of Possession and Use of Drugs of Dependence) Bill 2022.

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

Overview of bill

The main purposes of the Drugs, Poisons and Controlled Substances Amendment (Decriminalisation of Possession and Use of Drugs of Dependence) Bill 2022 are to:

- reduce to one penalty unit the penalty for the offences of using or attempting to use a drug of dependence and possessing a drug of dependence in a quantity that is not more than the small quantity applicable to that drug;
- to make the offence of using or attempting to use a drug of dependence a summary offence;
- to provide for those offences to be dealt with by way of a drug education or treatment notice; and
- to make consequential and related amendments.

Human rights issues

Human rights protected by the charter that are relevant to the bill

The Drugs, Poisons and Controlled Substances Amendment (Decriminalisation of Possession and Use of Drugs of Dependence) Bill 2022 does not limit any human right, rather it engages and promotes the right to equality before the law set out in section 8 of the charter.

Consideration of reasonable limitations—section 7(2)

As the Bill does not limit any human rights, it is not necessary to consider section 7(2) of the charter.

Conclusion

I consider that the Bill is compatible with the charter because it does not raise any human rights issues.

Fiona Patten MLC
Leader of the Reason Party

Second reading

Ms PATTEN (Northern Metropolitan) (10:00): I move:

That the bill be now read a second time.

We can reduce harm and save lives.

We can reduce costs to the criminal justice system and in acute health care.

We can reduce stigma.

We can intervene early to change the trajectory of a person's life.

We can do this by treating drug use as a health issue with a health solution, not a criminal one.

That is what this bill will achieve by one simple mechanism.

Of drug arrests in Victoria, 93.5 per cent are consumer arrests, as compared to 6.5 per cent supplier arrests.

Of the 32 860 drug arrests in Victoria last year, 26 195, or just on 80 per cent, were for the offences of drug use or possession only. Seventy-two Victorians are arrested every day for drug use or possession and most of them young people.

Possession or attempted possession of a drug of dependence is around the third most common charge heard in the Magistrates Court of Victoria. 21 263 charges for this offence were finalised in the Magistrates Court in the 2018–19 financial year, when the court last reported this data.

Despite the existence of drug diversion programs intended to divert people away from the criminal justice system, the majority of people charged with drug use or possession do not escape it.

This is a drain on police resources, which could be much better focused on serious crime, as we know they want to be. The *Victoria Police Drug Strategy 2020–2025* makes this clear. This strategy states that 'Victoria Police recognises that drug problems are first and foremost health issues'. It goes on to say that 'Victoria Police has an important role ... in ... connecting people who need help into treatment by diverting and referring them to services that support them to recover and be active members of society' including 'supporting health-led prevention-first approaches'. Their operational focus is disrupting and reducing supply at the mid-tier and high-tier levels—on organised crime and traffickers. But the law as it stands today is constraining and it means that extensive police resources continue to be tied up in policing minor drug offending—something that police acknowledge is a health issue, not a criminal one.

This bill will change that.

Under my proposal, Victoria Police will issue a drug education or treatment notice that refers a person to drug education or treatment if that person is believed on reasonable grounds to have used a drug of dependence or possessed a small quantity of a drug of dependence.

Compliance with a drug education or treatment notice will result in no finding of guilt and no recorded criminal outcome. More importantly, it will result in a health intervention, and an early one at that.

This is a concise mechanism to treat drug use and possession as a health issue with a health solution.

In many respects, this is not a big paradigm shift. Cautioning and diversion programs currently exist to achieve this exact end, and have done for decades, but they have huge gaps. Diversion is typically reserved for low-level and first-time offenders. Strict eligibility requirements, inconsistent service delivery and a reliance on the exercise of police discretion limit access to many. Aboriginal Victorians are disproportionately affected. Large numbers of people continue to fall through these gaps and are instead policed and sanctioned.

The evidence is clear: there is a better way.

It fits entirely within this government's crime prevention strategy, which focuses on early intervention, with the distinct goals of ensuring that fewer Victorians come into contact with the criminal justice system and that more people at risk of offending are connected earlier with more effective support.

There is strong public support in Victoria and Australia for decriminalisation approaches.

Many countries around the world have already decriminalised drug use and possession in various ways.

The World Health Organization has recommended the decriminalisation of injecting and other drug use, in partnership with the United Nations.

The Global Commission on Drug Policy has long supported such an approach and has advocated that ‘there must be no penalty whatsoever imposed for low-level possession and/or consumption offenses.’

The Royal Australasian College of Physicians have stated that governments ‘need to move away from the dominant paradigm of criminality’ and increase focus on health and wellbeing through the removal and replacement of criminal penalties with health interventions to target ‘an individual’s use of a drug where no serious harm is caused to others’.

It stands to reason, and that is what this bill will achieve.

Turning to the detail, the primary purpose of the bill is to amend the Drugs, Poisons and Controlled Substances Act 1981 to provide for the offences of using and possessing a drug of dependence in a small quantity to be dealt with by way of a drug education or treatment notice.

The bill nominally commences on 1 July 2022, if not proclaimed earlier.

The bill creates a distinction between possessing a drug of dependence in a small quantity and possessing a drug of dependence in more than a small quantity.

Schedule 11 of the principal act, which sets out the small quantities of any given drug, is unaffected by this bill.

For possession of a small quantity, the bill creates a new summary offence, fixes a maximum penalty of 1 penalty unit for that offence and provides that where a person is believed on reasonable grounds to have committed the offence, they must be served with a drug education and treatment notice.

Likewise, the maximum penalty for use of a drug of dependence is reduced to 1 penalty unit. That offence becomes a summary offence, and the same framework is applied with respect to the service of an education or treatment notice.

The bill sets out what a drug education and treatment notice is and what it must contain. A drug education and treatment notice will direct a person to engage with services or programs in order to address the person’s use of drugs of dependence for a specified period of not more than 12 months.

The specifics, including approved drug education programs and providers, will be determined via regulation.

Compliance with a drug education or treatment notice will mean that no proceeding may be commenced and no admission of guilt or conviction recorded.

Matters can still proceed to court if a person elects to do so or in circumstances where there is a failure to comply with a drug education or treatment notice.

The bill makes consequential amendments to the circumstances where adjourned bonds are to be given.

Importantly, police search and seizure powers are unaffected.

Finally, I would like to quote again from the police drug strategy: ‘Drug users could be our children, members of our family, our friends or people who have lost their way. When we see the human, we will see the way forward’.

This is intelligent change based firmly on evidence and has the overwhelming support of the community.

I commend the bill.

Ms TAYLOR (Southern Metropolitan) (10:09): I move:

That debate on this bill be adjourned for two weeks.

Motion agreed to and debate adjourned for two weeks.

ROAD SAFETY AMENDMENT (HOON EVENTS) BILL 2021

Statement of compatibility

Mr GRIMLEY (Western Victoria) (10:10): I lay on the table the statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (the Charter), I make this statement of compatibility with respect to the Road Safety Amendment (Hoon Events) Bill 2021 (the Bill).

In my opinion, the Bill, as introduced to the Legislative Council, is compatible with the human rights protected by the Charter.

I base my opinion on the reasons outlined in this statement.

Overview of bill

The Bill introduces two new offences under new section 65AB of the *Road Safety Act 1986*.

These first offence states that a person must not organise, participate in, promote or attend a hoon event without a reasonable excuse (s65AB(1)) with a fine of 8 penalty units payable.

The second offence states that a driver or person in charge of motor vehicle must not stop or park in close proximity to an area where a hoon event is taking place, without a reasonable excuse, also with an 8 penalty unit fine payable.

I believe this Bill is compliant with the *Charter of Human Rights and Responsibilities 2006* (the Charter) as these offences recognise the right for citizens to be safe and hooning behaviour is by definition dangerous and/or illegal. The people in attendance at such events give the drivers an audience which encourages hoon driving.

This Bill does not infringe on the right to Peaceful Assembly and Freedom of Association (the Charter, s16) as the nature of hoon events are dangerous and not peaceful. This Bill does not intend to capture those who meet peacefully with or without their cars.

Lastly, the Bill includes a very important reference to a defence of 'without a reasonable excuse' in clause 3 (both offences) to allow those who have been misinterpreted as being hoon event attendees to excuse their behaviour and provide reason as to why they are not captured under the Bill. This also adheres to s24 of the Charter which pertains to a persons' right to a fair hearing.

Second reading

Mr GRIMLEY (Western Victoria) (10:10): I move:

That the bill be now read a second time.

I rise to speak on my private members bill: the Road Safety Amendment (Hoon Events) Bill 2021.

As you're all aware, I used to be a police officer before I was elected to this place.

I worked at Victoria Police and the Western Australian police, and as most officers do, I attended many incidents and accidents and witnessed some atrocious behaviour on our roads. And I attended far too many fatalities.

Victoria's Transport Accident Commission set up *Towards Zero* some years ago and many people have wondered since: 'Is that even possible?'

Unless we get serious about all facets of road safety, we cannot expect to make the number of deaths on roads zero. It blew my mind recently that the Victorian parliamentary inquiry into the increase in Victoria's road toll had no mention whatsoever of hooning. Nothing.

Not only this, but the government's own submission had zero mention of hooning also.

It makes no sense to me why people would gather to conduct frankly stupid behaviour on our roads and in our car parks.

Hoon events are inherently dangerous. This is because hoon drivers:

- are often driving unroadworthy and unregistered vehicles
- often have drugs and/or alcohol in their system
- have a blatant disregard for the danger they put themselves and those around them in
- do doughnuts, burnouts, street races, burn rubber, have people sitting out of windows with no seatbelts on and the list goes on.

Between 1 July 2020 and March 2021, there were around 6000 vehicles seized for offences including excessive speeding, street racing and unnecessary noise or smoke. In the calendar year of 2016, impoundments were 1200 greater than in 2015, at around 18 per day. Offences included driving while suspended, excessive speeding, drink or drug driving and evading police. Men aged 31 and over had the highest rate of impoundments with 2689 last year.

In an event in St Kilda in January this year, charges laid besides hooning offences included: endangering a person, possessing prohibited or controlled weapons, drug possession, possessing imitation firearms and attempted criminal damage. Generally speaking, these gatherings aren't your friendly catch-ups to talk about your new set of wheels or kick some tyres.

When the government says they are 'serious' about hoon laws, I would question this. I do commend the government on a series of laws since the mid-2000s, where they've cracked down on hoons by introducing seizure provisions for Victoria Police. They've also funded more drug tests and recently introduced immediate licence suspensions for some situations.

This is all well and good, but one problem that hasn't been addressed is how to deter people from providing an audience to the idiots who are behind the wheel at hoon meets.

A recent *Herald Sun* article titled 'Victoria Police to go "back to basics" to tackle crime concerns' outlined what local police stations are hearing are the biggest issues in their communities. Of the eight 'pilot sites' for community policing, five identified hooning as being in their top three law and order crime issues. Clearly it is a concern for residents.

We've been hearing from people left, right and centre about hooning for probably well over 12 months now. Some of these are active VicPol members who are regularly called upon to attend hoon events, disrupt the crowd and attempt to arrest, charge and prosecute drivers et cetera. Victoria Police members are doing a great job, but their hands are tied as they have no powers to charge attendees for encouraging and participating in the hoon behaviour. It is very difficult to pursue charges in the courts for passengers participating in hoon driving as they weren't behind the wheel, even with them hanging out the window whilst the driver is performing doughnuts.

It should go without saying, but without a crowd there is less of a chance of death, injury or damage that would otherwise be present with a crowd.

In an *A Current Affair* special on hoons recently, Acting Senior Sergeant Dean Pickering said, 'No spectator, no show. Any sport is pretty boring without spectators. If you're spectating, you're participating, you're just as bad',

Our police are becoming fed up by attending hoon events where idiots are encouraging idiots who are putting their own lives—and that of their friends—on the line. Councils are also frustrated at dealing with complaints from residents who are being woken up from smoke, noise and who find destroyed public and private assets.

To address this, Brimbank council took things into their own hands. Almost four years ago in January 2018, they introduced local laws that outlawed exactly what members will see before them today: 8 penalty units for attending, participating in or encouraging hoon events.

And to say it has been a success would be an understatement.

During an operation utilising the new local laws, Victoria Police members successfully disrupted, charged and prosecuted large numbers of participants where they had previously no chance. In fact, on a single night, police raked in \$80 000 for the Brimbank council in just 17 minutes.

No fines were contested or appealed and the money was paid within two months.

Since the introduction of these local laws, local police believe that the number of events in the Brimbank LGA has dwindled considerably.

This is how many people are attending these idiotic events. The partnership between VicPol and local council has to be absolutely commended. I should note that VicPol's prosecutors actually assisted each local council in drafting the local laws so as to ensure they'd be airtight to reduce court challenges and unpaid fines.

However, in saying how wonderful these laws have been, I will acknowledge there has been one major problem.

The hoons have started to cotton on to the local laws, and they are taking their dangerous, stupid events to neighbouring local government areas. The problem isn't going away, it is moving to the next neighbourhood.

Councils recognise that they can't be implementing road laws specific to their LGA as a common practice and that this is a matter for state governments to lead on. So, in May this year, when the Municipal Association of Victoria (MAV) held its AGM, a resolution passed. It stated:

That MAV advocate to the State Government for the introduction of legislation to create an offence for spectators or other people to attend a hoon event.

As a result of this Frankston council sent a letter to Attorney-General Ms Symes in June this year. It said—among other things—that:

To avoid the onerous approach of authorising police members under individual municipal Local Laws it would be preferable to enable consistent enforcement practice across Victoria. As such, Frankston City Council is urging government to support the MAV advocacy efforts and provide state legislative authority to make it an offence for spectating and attending skid races.

The response from Acting Police Minister Pearson at the time was disappointing to say the least.

Acting Minister Pearson responded that the government had been tough on hoons and that Operation Achilles had been created to 'combat the rise in illegal hoon gatherings and other intentional high-risk driving events'.

I welcome the creation of this task force; however, ironically, the Achilles heel of this situation is that Operation Achilles cannot effectively achieve its objectives in deterring such behaviour when all but two drivers get away with taking part in a hoon event.

They also can't deter behaviour in Geelong, for instance, because they don't have the local laws, but they can enforce it in Dandenong, Frankston, Hume and Brimbank, but not neighbouring councils like Casey or Mornington Peninsula.

It is just ridiculous.

This isn't just coming from me; it's coming from serving Victoria Police members.

Minister Pearson further said:

Information gathered through Operation Achilles will assist Victoria Police in its engagement with local government and road safety partners to discuss appropriate responses and potential infrastructure enhancements in key hoon hot spot areas.

And whilst I'd agree that public safety infrastructure should be investigated, I'd warn against relying solely on CCTV for example, as these hooners will just choose a spot outside camera vision to conduct their meets. You'd need CCTV in virtually every public space, which just isn't feasible—and certainly not in Geelong.

One particular mayor of a council who enacted these local laws said they were waiting for the government to move with creating similar laws across the state. They mentioned other councils near them were taking action because local police command had requested them to in order to deal with an increase in frequency and severity of hooning behaviour and to keep people safe. Road safety shouldn't be left up to the councils to deal with—this must be dealt with through a state government response.

The solution is very simple and is why I've introduced this very short and succinct bill.

In full transparency, I had been requested to introduce an array of other offences related to hooning, as securing prosecutions for hooning behaviour can be quite difficult. I have chosen to stick with only enacting this simple offence that is used in local council areas because it has been tested for a number of years and we know it works.

The evidence is there, and it is resoundingly clear.

The bill is extremely simple and has been drafted by my office in conjunction with local councils and police prosecutors.

It inserts a new section 65AB into the Road Safety Act 1986 in relation to hoon events. This section has two parts, or two very similar offences, the first being:

- (1) A person must not organise, participate in, promote or attend a hoon event without a reasonable excuse.

And the second being:

- (2) The driver or person in charge of a motor vehicle must not stop or park in close proximity to an area where a hoon event is taking place, without a reasonable excuse.

The first offence is intended to capture those who send out the notices or texts or information to others about attending hoon events. However, we note that this will continue to be hard to police and will rely on intelligence provided by the community and task force investigations. It'll also capture those who participate in, promote or attend the hoon event physically. This is where the by-laws have been used predominantly over the past four years with much success.

The second offence is to assist police where hoon events become more versatile. Basically, what happens is the cars will meet at a particular street or car park, then the cops will go there after they get a call. They will turn up, and the hoon participants and spectators will obviously get moving in order to evade the police.

Form then, an organiser or other participants will usually arrange an alternative venue or meeting place to continue with the event, and everyone will move on to that new location.

At this point, police are helpless with the current legislation as there is no current offence of a spectator or organiser of a hoon event to be charged with—absolutely nothing.

To those who think, 'Oh, but I'll get a fine for having my car parked in the street where a hoon event happens', this is false for two reasons. Firstly, the legislation defines you as needing to be driving or

in charge of a motor vehicle, and secondly, there is a reasonable excuse immunity in the bill. Police will continue to use their discretion, as they always do, and there is always the opportunity to give an explanation in court. To date, under these local laws, there have been no fines contested, demonstrating that police have been very accurate in fining those who do not have a reasonable excuse.

We've also included very plain English definitions for both 'hoon event' and 'hoon driving', which again have been modelled off successful implementation by the local councils.

I will keep my contribution there as it really isn't a large bill and, in my view, it isn't contentious.

At the heart of this move is to keep people safe on the road and deter the foolishness we see so often from hoons. It's all fun and games until someone loses a leg or, even worse, loses their life. Actually, hoon events are not fun and games at all. They are a scourge on our community and a threat to life. It is as simple as that.

Testing driving skills or the capabilities of any vehicle must be conducted in a controlled environment and nowhere else.

I'd like to thank those who have assisted me in preparing this bill including local councils and my old colleagues at Victoria Police.

I should say lastly that I know the government has a policy not to support private members bills, but this is a very small, very simple legislative change that would help the government's own cause to have zero deaths on our roads.

I hope you can see the common sense in this bill and either support it or adopt it as government policy. I really don't care how it gets done—just as long as it gets done.

I look forward to members' support on this bill in due course.

I commend this bill to the house.

Ms TAYLOR (Southern Metropolitan) (10:24): I move:

That debate on this bill be adjourned for two weeks.

Motion agreed to and debate adjourned for two weeks.

Production of documents

SOCIAL AND AFFORDABLE HOUSING

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (10:24): I am pleased to move:

That this house:

- (1) expresses concern at the negative impact of the Andrews Labor government's social housing tax on residential developments and housing affordability in metropolitan Melbourne, Geelong, Bendigo and Ballarat; and
- (2) in accordance with standing order 11.01, requires the Leader of the Government to table in the Council, within 14 calendar days of the house agreeing to this resolution, all modelling, business case documents and other assessments or examinations relating to the impact of the new tax on housing affordability and the consequent capacity of young families to purchase a home.

This is a motion that has two parts. It first expresses a concern, and I indicate that we have still not seen this bill. We have seen the reports of it, we have seen information about it that the government has released, and we have seen the work that has been done by the Property Council of Australia and the Urban Development Institute of Australia (UDIA) in looking at the impact of the tax and how it is likely to impact in the city. They argue that on average on a city property it will be around a \$20 000 additional cost and it will be around a \$12 000 additional cost in the country. They have gone to some effort in looking at the median house price and what that is likely to mean in terms of additional cost. So we know that it is going to have a very serious effect and we also know that the part of the

package which seems to say to social housing ‘You won’t pay any rates’ will actually have a significant effect on the rates that are paid by others, and that is a very significant impact of itself that will force councils either to raise their rates or cut their services. There are only two prospects that are likely to apply here. It might be a combination of both cutting services and raising rates.

So that is the tax we are talking about. It is the one announced on Friday by the state government—the Minister for Planning and the Treasurer. But clearly this will have a major impact on young families, a major impact on those who are seeking to buy their first home, and it will also affect others. It will affect those people who are downsizing. They will need to sell their house to buy a new one. They buy into a group of apartments and all of those apartments will have this tax applied across the top of them. That will mean the cost of those apartments will be greater.

The Premier today at his press conference was trying to argue that this was all about a fairer arrangement because the developers are all rich and famous. Well, the reality is that many developments are more marginal, and some developments may actually stop with this new tax put on top. This government has already put a windfall gains tax on top and this is actually on top of the new tax that the government has recently passed.

But the second part of the motion and in many respects the key aspect of the motion is a request for the modelling and documents on which the government has based much of this. It is reasonable that the community see the modelling, the business case documents and other assessments or examinations relating to the impact of the new tax on housing affordability and, as I say, the consequent ability of young families to purchase a home. The government has either modelled this closely or they have not. If the government comes back and says there are no documents, that will tell a story in itself. If the government comes back and says, ‘Yes, here are the documents’, I think the community are entitled to see those documents—the material on which the government relied when it was making these decisions—and understand what the modelling means in terms of the impact on the cost of homes and the affordability of homes.

The Premier, in an extraordinary about face today at his press conference, seemed to be retreating from the tax. He seemed to be saying at about 9 o’clock out the front here that in fact the government has not yet introduced the tax and it may not introduce the tax. I say in that circumstance we have every right still to see these documents and understand how the government has so spectacularly misfired. The truth of course is that the government has been stung by the nasty reaction, and people are saying, ‘Enough is enough’—enough of these new taxes. There have already been 40 new taxes; this is the 41st new tax under this government, a massive sweep and slew of new taxes being put in place by this government. The purpose of these new taxes, let us be clear, is to actually fund the huge blowouts on projects, the waste and mismanagement on broad fronts that this government has indulged in.

The incompetence on all these major projects is profound. The Premier, as I just said to the press conference then, was down at the Metro Tunnel yesterday. Well, that project the government has admitted is \$3 billion over budget. All the information I hear within the sector and from those close to the project is it is actually closer to \$4 billion already and climbing. A project that begins at \$11 billion and is now officially at \$14 billion, actually climbing nearer \$15 billion—these are eye-watering amounts of money.

This tax that the government has proposed to put in place would collect \$800 million a year from 2024. It would add directly to the cost of housing. Families would feel it, and we know how stretched and troubled family budgets are at the moment. We know that they are doing it tough. So many families are doing it very, very tough indeed, and one key reason for that is the new taxes—layer upon layer upon layer of new state government taxes that hit families and hit families hard. I mean, we heard the government jack up the cost of land tax on high-voltage electricity wires the other day. A week ago the announcement came that they are going to do that. Well, that is a straight feed through into electricity costs for households and for businesses. It is a straight slug on the bottom line for those families. And this is another one of those taxes that is a straight hit onto the bottom line for families.

Those families are trying to save, trying to get themselves into their first home, struggling, struggling and struggling trying to save, and the government's approach to this is to slap a new tax on the end and make the dream of a home ownership opportunity for those families recede further into the distance. So this is a bad tax. It is a nasty new tax that the government wants to put in place.

If it is true that the Premier is going to pull the tax today—and as I said to the press, I am due to be briefed at 5 o'clock, and I thank the minister for that briefing—I will be interested to see whether the briefing goes ahead if the tax is actually being pulled, if the new charges and new arrangements are to be pulled by the government. I say that the government has miscalculated on this, I say that the community has every right to be very angry on these matters and I think that the community as per this motion has every right to see these business case documents and the modelling. Did they model this properly or didn't they? Did they make some real, honest assessment?

And I should say one other thing: the property council, the UDIA, the Housing Industry Association and the Master Builders Association have all been very concerned about these matters. The Premier is around pushing the line that they had all agreed to this. Well, no, they had not. There were discussions around some of the planning changes and some of those were agreed by government with the sector, but that is not the same as a brand spanking new tax, a slap on top of the cost of every new property that is built, every property where a subdivision happens. Just so the community understands, everything over three is where that is going to go. A lot development where three units are built—bang, the new tax lands. An apartment complex—bang, the new tax lands. A development with many units or many properties out on the edge of the city or in the country which is split up for new land opportunities for families—that is where that tax lands. So I say we need to see that modelling. We need to see what is going on here, and I think it is entirely reasonable.

Ms WATT (Northern Metropolitan) (10:34): As I rise to speak on this motion I would like to note that it has been disappointing to see a scare campaign from those opposite on this announcement. The government has been working with the property development sector for some time on a package of reforms that is intended to slash approval times for projects and ensure that some of the extra profit that would be made as a result is returned to the community through affordable and low-cost housing. This package as announced will cut red tape, boost approvals for major projects, speed up planning processes, create jobs and bolster construction, delivering \$7 billion in benefits and 27 500 jobs over the next 10 years.

The development sector is now saying that they are no longer interested in that reform package, although they think it is reasonable that developers pocket 100 per cent of that extra profit. We are not in the business of creating super profits for the development sector. In fact—I am just so astounded that I have to say this—those opposite oppose sharing some of those profits with Victorians that desperately need affordable housing, which is in line entirely with community expectations.

Can I also today acknowledge my friend and colleague in the other place Richard Wynne, Minister for Housing and Minister for Planning. He has been a consistent, hardworking and indeed effective advocate for public and social housing residents in this state.

Mr GEPP: Especially when you compare him to the previous planning minister from the Libs.

Ms WATT: Well, that is too right. Long before he entered Parliament and long before he became a minister he was a fierce advocate for public and social housing. Minister Wynne has overseen some major reforms in our housing system, and as he prepares to finish up his tenure at the end of this Parliament I think it is only right and proper that I thank him for his work in this area.

And yet those opposite come into this place armed with nothing but an outright—well, it is just too hard to indeed even consider it. It is a bag of tricks, and it is shameful that the social and affordable housing contribution will be a cost to homebuyers. The bill has not even landed yet—we have not even seen it—but the Liberals are keen to run their scare campaign against affordable housing, a scare campaign with lines fed by the property developer mates of those opposite. I must say that there were

indeed some strong lines delivered just one moment ago; I am sure that they play well to some, but for me they are all conjecture, smear and desperately misleading commentary about housing affordability in our state. All I heard indeed was desperation, and I am sure that Mr Davis is probably reading the same opinion polls that I am. But in all seriousness—

Members interjecting.

The ACTING PRESIDENT (Mr Melhem): Order! Mr Davis, you are not in your usual spot, and Mr Finn—I would appreciate it if both of you would stop interjecting. I recall, Mr Davis, when you made your contribution there was not much interjection at all. Ms Watt, in silence, thank you.

Ms WATT: Thank you, Acting President. But in all seriousness, social and affordable housing reform is needed, and that is the kind of thing that this government have continued to push throughout our time in government. It is an extremely exciting and important reform—one that is so desperately needed—and an important reason why I spoke with such esteem for the minister. This policy of reform will build thousands of social and affordable houses every year. This reform will help the 54 952 people currently waiting for social housing. Of these, more than 7000 are aged over 55, almost 13 000 are experiencing homelessness and over 3000 are fleeing family violence. Others are living in insecure and unaffordable housing and have an urgent medical condition—men like my friend Sam. He has a critical cardiac condition but is now safely living in my neighbourhood and finally getting the care he needs, not desperately focused on his safety at the rooming home that he lived in for far too long. Many of these are in the Northern Metropolitan Region.

I have talked to and visited so many people both before and since I entered this place about the importance of increasing our social and affordable housing stock. Indeed my last job before entering this place included seeking and supporting employment for people in public and social housing. The ambition of children in public housing is inspired, and I can only imagine what it will be like when their friends and their loved ones who are also looking for safe and affordable housing can have the comfort and security of a home, and a safe home at that. That is why I am so enormously proud to have been asked to chair the North Melbourne community consultative committee on the development of some much-needed revitalisation and renewal of public, affordable and social housing right here in our neighbourhood in North Melbourne, not too far up the road.

Working hand in hand with the community, I have talked through all the various issues, whether they be about public schools, about medical access, about social and community services, and what I know time and time again from those meetings—and that has been something I have done pretty much since I started here—is that that community welcomes public and social housing. So thank you to the North Melbourne community for getting behind social and affordable housing. But you know what? We are not the only ones lucky enough; there are these projects all across our state.

There are indeed just too many people on the waitlist. It is not an easy issue to fix. But the project in North Melbourne is just part of the incredible investment that is being made by the Andrews Labor government, more than any other state in Australia, through the Big Housing Build. I am enormously proud to say that the Big Housing Build will build more than 12 000 new social and affordable homes, increase our social housing stock by 10 per cent, create an average of 10 000 jobs a year over four years and spend \$1.25 billion in regional Victoria—and I am sure my colleague Mr Gepp will be very happy to hear that—indeed boosting regional economies. This is on top of our commitment to build 1000 new public homes, the public housing renewal program, the family violence housing blitz and our groundbreaking lease model development.

This is an exciting time for those that have been sitting waiting for a home for far too long. Thanks to the Andrews Labor government investments, there are now over 6000 homes under construction. Anyone who spends any time out in our community can see those big signs around the developments for Homes Victoria. I know that there are plenty around my part of the world. This will create over 20 000 jobs through the development of these 6000 homes. That is a contract value of \$2.2 billion.

This is real and substantial change. This is the change that some in this place talk about. Some get a good Facebook post out there all about it but never actually have the opportunity to act on it.

Just in December at the end of 2021 this government opened a brand new 48-apartment complex in the heart of Melbourne's Queen Victoria Market, offering modern social housing to Victorians most in need. The \$26.55 million project was funded by the Labor government, creating 176 jobs and contributing to Victoria's economic recovery from the coronavirus pandemic. This investment means Victorians living with a disability, people aged over 55 and people experiencing homelessness or domestic violence—victim-survivors—now have the security and safety of long-term housing. This development includes 47 one-bedroom apartments and one two-bedroom apartment, including six apartments designed to platinum level Livable Housing Australia standards, making them livable and adaptable for people with a range of disabilities. All of the apartments meet the *Better Apartments Design Standards* and achieve a minimal Livable Housing Australia silver rating, including a 5-star Green Star rating—look at that!—and an 8-star national Australian built environment rating system rating. My goodness—making it 8-star, who knew. This is making them more comfortable during summer and winter and saving renters money on their power bills, something we know is incredibly important to Victorian families.

This is just one of the many social and affordable housing investments this government has made since being elected in 2014. The Andrews Labor government has made a series of interventions across our state to make housing more affordable. In July 2017 the Andrews Labor government announced the *Homes for Victorians* strategy, and under this strategy stamp duty for first home buyer purchases under \$600 000 was abolished and concessions were made available for purchases up to \$750 000, a strategy that has made it easier for many to buy their own homes. Indeed before entering Parliament, and I have said this before, I benefited from this strategy and purchased my own home. As a sole purchaser and a charity worker who did it by myself, buying my first home remains one of my proudest achievements, and I have this government to thank for it. There is so much we should be proud of.

Mr ONDARCHIE (Northern Metropolitan) (10:44): I rise to speak on Mr Davis's motion 707, which is essentially about another new tax in Victoria—another new tax that will attack young people trying to buy their first home, trying to establish. I think about my own electorate, in places like Kalkallo, Wollert, Donnybrook, Craigieburn, Mickleham and Epping North, where there are brand new housing estates where people are struggling to get their first home and move into that market, and what is the first thing that Daniel Andrews does? He whacks a tax on them to make it harder for them to afford a new home. He wants this tax because he says he needs to increase the social housing aspect of Victoria's offering. We understand that, but people who are trying to buy a new home have said to me, 'Don't we already pay taxes for that sort of thing?'.

The problem with this government is that when they run out of money they come after yours. We have got \$24.5 billion worth of project blowouts in this state. The government cannot manage money. Rather than look at the cost line, the first thing they do is look at the revenue line: 'How can we tax people more?'. This is the same bloke who said on the night before the state election in 2010, 'There will be no new taxes or increased taxes under a government I lead'.

Mr Finn: In 2014.

Mr ONDARCHIE: In 2014. You corrected me; thank you, Mr Finn. In 2014 he said that to Peter Mitchell, looking down the lens of the Channel 7 camera, and gave every Victorian an assurance that there would be no new or increased taxes under a government that he leads. Now, here we are: I think we are up to 30-something new or increased taxes.

Mr Finn: 41.

Mr ONDARCHIE: 41 new or increased taxes. He is a liar, this bloke. He is a liar. And he has lied to Victorians. I withdraw. Let me just say—

Mr Gepp: On a point of order, Acting President, the member used a very unparliamentary term in relation to the Premier, and I think it is incumbent upon him to immediately withdraw.

Mr ONDARCHIE: I did, immediately.

Mr Finn: On the point of order, Acting President, certainly Mr Ondarchie in calling the Premier a liar was most unparliamentary, but he did withdraw immediately.

The ACTING PRESIDENT (Mr Melhem): Mr Finn, that is not a point of order, and I ask you to withdraw.

Mr Finn: The fact of the matter is that Mr Ondarchie did withdraw already.

The ACTING PRESIDENT (Mr Melhem): No, I ask you to withdraw.

Mr Finn: He has already withdrawn.

The ACTING PRESIDENT (Mr Melhem): No, I want you to withdraw your comments as well.

Mr Finn: I withdraw. It is obviously a very touchy point, understandably.

Mr ONDARCHIE: Thank you, Acting President. This mendacious Premier continues to mislead Victorians. Forty per cent of a new home will be Daniel Andrews's taxes—a man who said no new taxes. Now, when this tax eventually gets here we will oppose this crushing new housing tax, disadvantaging people, stopping them buying a new home. It is a kick in the guts for people that are trying to buy a new home in Victoria. I am very hopeful that with the change of dynamic here in the upper house those on the crossbench will see great wisdom in opposing another new tax on Victorians.

When we look at the complete waste of money in Victoria and the way the government continually go back to hit people up for more money, it is just unacceptable. The Premier will fill his office with plenty of advisers and highly paid executives but will not do anything about supporting Victorians struggling to buy a house. But of course the government today will say this is just the Liberal-Nationals coalition opposing social housing. That is what they will say today. But I have got to tell you it is not just us saying this. The councils are furious about what they are doing to councils during this process. I have got to tell you that not only will these new home owners get a whack in the tax, they are going to pay higher rates for this as well. It is a double whammy for these people at the expense of this government.

I pick up Ms Watt's contribution today when she said we are running a scare campaign and it is the Liberals' mates that are supporting this. It is the Liberals' mates that are supporting us, she says. Well, if that is the case, Ms Watt, let me quote from one of your so-called 'Liberal mates' today. I have copy of a media release from the Australian Services Union, dated 18 February 2022. Ms Watt might think of them as Liberal mates, but this media release says, 'Union criticises state government's rate dodge'. I will read from it:

The Australian Services Union has criticised the Andrews Government for exempting social and affordable housing from paying council rates as a further attack on local government services.

The Victorian Government's policy will strip millions from council's rate revenue, making job losses and service cuts inevitable.

Lisa Darmanin, secretary of the Victorian and Tasmanian branch of the union, said social and affordable housing is critically important but must not come at the expense of services residence will rely on.

She said:

Councils are already struggling to maintain services with the Andrews Government's rate cap and cost-shifting, this rate dodge by the Andrews Government will make that struggle even harder.

She went on to say:

This pulls funds put of essential council services to pay for repairs the government should have started years ago. The poorest Victorians, including social housing residents, will suffer from this.

Ms Darmanin said:

... the state government's plan to dodge paying rates would exacerbate the squeeze on council budgets, make council work less secure, cost jobs in every community, push up user fees, and hold down council worker's wages.

She said:

The State Government seems to have decided they didn't like paying their bills, so they just won't.

She went on to say:

Councils provide vital services to social housing residents. Youth and community workers, in-home care, libraries—these are the services the State Government has decided to defund because they don't want to pay their own rates.

This is from the Australian Services Union, a union that I suspect Ms Watt is calling Liberal mates. So it is not just us saying it is a problem, it is the Australians Services Union—a union criticising the government. This mob are in real trouble. When a union is criticising the Labor Party, they are in real trouble. They should pack up the attaché case and head home, because they have no idea how to manage money. The first thing they do is tax hardworking Victorians, and hardworking Victorians will have to pay for government shortfalls.

Let me take you back to the legislation of 2021 when they asked for more money in their debt facility here. They asked for \$24.5 billion more money to cover their COVID bills. When we add up the cost overruns of all the major projects in Victoria that they call the Big Build—I call it the 'big debt'—it adds up to \$24.5 billion. So it was never about COVID. It was never about funding a pandemic; it was about funding the mismanagement of money by this government. I have got to tell you, as winter approaches in this state it will be so cold Tim Pallas will have his hands in his own pocket. That is how cold it is going to be. What Tim Pallas does and what Daniel Andrews does in this state when they run out of money is they come after yours. But it is all right. He will be in his limo, driving home to his palatial home, pocketing a huge salary that is almost that of the Prime Minister, and he has more in his office than the Prime Minister has.

Mr Finn: Highest paid Premier in Australia.

Mr ONDARCHIE: He is the highest paid Premier in the country. But if he needs more money or he needs another pay rise, he will just put more tax on Victorians. This is an outrageous money grab by this government. Mayors right across from Yarra to Casey to Moonee Valley to Hume to Maribyrnong to Ballarat are all saying—and I suspect Dr Cumming will talk about Maribyrnong today—that this is a grab on their residents. The government is defunding councils that are expected to pay for this, and the only way they will be able to fund this is by putting the rates up. So it is a double whammy in expenses from Daniel Andrews, but he does not care, because if somebody asks him the direct question—'Who decided to put this money up? Who decided to put more taxes up?'—he will probably say, 'I don't recall. Somebody decided, but I don't know who it was'. He is the Artful Dodger, this bloke. He is the Artful Dodger, but let me tell you, at the end of November this year Victorians will make their decision about how bad he is and kick him out.

Mr Finn interjected.

Mr GEPP (Northern Victoria) (10:55): Mr Finn, right off the top you go to interjections. You always accuse the union movement of being in the pocket of Labor, and of course that could not be further from the truth because the reality is that all trade unions in this state are independent. They have their own constituents that they are providing services for, and they should advocate for whatever

they think is relevant to their members. That is their right and we absolutely and unequivocally support their right to do that. If that means that on occasions they do not line up with something the government does, that is called democracy. That is the way the system works.

What I am proud of is this government's track record when it comes to public, social and affordable housing. We have a fantastic track record. Of course there was the announcement during this term of the Big Housing Build—the \$5.3 billion, the 12 000 new homes, increasing our social housing stock by 10 per cent, with more than 10 000 jobs a year over four years, with \$1.25 billion of that money being spent in regional Victoria. I know when I go up to places like Bendigo, Mildura and Shepparton, places that will be benefiting from this policy, I do not hear those people saying what the opposition is saying. You do not hear those people say that.

Indeed isn't it interesting listening to the opposition? What they would have you do is believe that they are actually interested in growing public and social housing. But in my time here I cannot recall that they have ever voted in favour of any proposition that has come before the Parliament—never. I cannot recall any occasion. What they have not done so far in this debate is talk about the needs of the people who will benefit from increased public and social housing here in this state. Why? Because they do not know, they do not understand those issues. They do not connect with those people. They do not make the connection that Ms Watt talked about, as she is chairing that very important task force that is looking into these very important matters in North Melbourne. She is eminently qualified to come into this chamber and talk on these matters, because she knows. She comes from those communities, she talks to those communities and they give her a very, very clear picture of the needs that they have. But of course this motion today is a stunt. This is another stunt by those opposite—

Members interjecting.

Mr GEPP: On a point of order, Acting President, I cannot hear myself, and I am not a softly spoken person.

Mr Ondarchie: On the point of order, Acting President, I think it is the first time in my time in this chamber I have seen a member take a point of order against themselves. I suggest you might want to just rule it out.

Mr GEPP: Well, it is about the chatter in the house.

The ACTING PRESIDENT (Mr Melhem): Thank you, Mr Gepp. I ask Mr Gepp to continue in silence without any further chatting. It is a bit loud.

Mr GEPP: This is a documents motion, and it is a stunt by those opposite. I want to contrast what we have done in my time in this place, in the 58th and 59th parliaments, in responding to documents motions with the opposition's time in office back in the 57th Parliament. The two positions could not be more stark. During the 57th Parliament the Liberal-National parties left 1174 questions without notice unanswered; they just did not bother to respond. That is nearly double the amount of questions without notice that were unanswered by Labor during the 58th Parliament. 3282 individual FOI requests were denied in full by the Liberal-National government during 2010–14.

It repeatedly refused departmental briefings with Labor members on the FOI commissioner bill. It underfunded and understaffed the FOI commissioner and refused to grant them the powers they needed to hold the government of the day to account, and then it cut their budget by almost 25 per cent a year. And it continued to use advisers to oversee FOI processes to deny access to information. And yet they come in here with yet another stunt, and we see this Wednesday after Wednesday after Wednesday in this place from Mr Davis—yet another documents motion—trying to create the impression that he is all about transparency, that he is all about putting everything before the people of Victoria.

Mr Leane interjected.

Mr GEPP: I think, Mr Leane, that never a truer word has been spoken. I think he is mendacious. And if you could look up what that means so that we could be clear—

Mr Leane: It means ‘full of something’.

Mr GEPP: ‘Full of something’—right, okay. Well, he is mendacious in spades then, can I say that. They come in here and they want to create the illusion that what they are about is transparency and openness and that there is something to hide. Contrast their behaviour when they were in office with what the Andrews Labor government has done during the 58th and 59th parliaments. The government has responded in full or in part to all 31 documents motions moved in the 58th Parliament, and the government has responded in full or in part—except for two documents—to all motions passed by the Parliament this term. Those two are still under consideration, and responses will be sent to the Council in due course.

What do we take into account when we are considering the release of documents? Mind you, we are talking about something that is not even before the Parliament—there is not a bill—so we are talking about something that is in the ether. Mr Davis walks in and says, ‘It’s shocking’, but of course it is his mendacious behaviour.

Members interjecting.

Mr GEPP: He is incorrigible. When we get a documents motion before us we do consider a range of factors. We consider: will the documents reveal directly or indirectly the deliberative processes of cabinet; will they reveal high-level confidential deliberative processes of the executive government or otherwise genuinely jeopardise the necessary relationship of trust and confidence between a minister and public officials; will they reveal confidential legal advice to the executive government; will they prejudice national security or public safety; and will they prejudice law enforcement investigations, materially damage the state’s financial or commercial interests, prejudice intergovernmental and diplomatic relations or prejudice legal proceedings. That is just to name a few things that come under consideration when we are asked by the Parliament to provide documents through a documents motion.

I talked about the statistics and what we have done in the 58th and 59th parliaments—all but two documents, and those two are still under active consideration—about the release of information. So our track record stacks up very, very neatly against that of the Liberal and National parties, who again are trying to create some sort of ruse out there in the electorate to suggest that there is something untoward going on. I mean, heaven forbid, soon enough we will have a federal election. And, guess what, we will have terrorist threats and those sorts of things suddenly come back on the agenda—because that is what these people do. They like to spook the horses. They like to say there is a whole bunch of activity out there. They can never actually find any evidence to support it, but that does not matter to this mob. If they can start some rumour, some innuendo, notwithstanding that there may be genuine issues that the people of Victoria want to hear about, that does not matter for this mob. It is about cheap political pointscoring.

Our runs are on the board. Whenever we bring a bill to this place we will absolutely be transparent, we will be open and we will be honest with the people of Victoria, as we have been and as is the hallmark of the Andrews Labor government. I reject the proposition before the house today.

Dr CUMMING (Western Metropolitan) (11:05): It is great to get up after the government, because they are robbing Peter to pay Paul. It is exactly that, isn’t it, Mr Finn?

Mr Finn interjected.

Dr CUMMING: Absolutely. I rise today to speak to the opposition’s motion, which is that this house expresses concern at the negative impact of the Andrew Labor government’s social housing tax on—

Mr Gepp: ‘Andrews’. It’s got an ‘s’ on the end.

Dr CUMMING: Really? Who cares, Mr Gepp?

Members interjecting.

Dr CUMMING: Doughnut Dan? I will take that. It refers to the impact on residential developments and housing affordability in metropolitan Melbourne, Geelong, Bendigo and—

Mr Gepp: On a point of order, Acting President, the member used a term to describe the Premier which is unparliamentary. The standing orders require people when they are referring to a member in this place to use their full title, and to do otherwise is disrespectful. I would ask you to ensure that in future, throughout the rest of this debate, if referring to a member, she refers to the member with their correct title.

Mr Ondarchie: On the point of order, Acting President, I am not sure where it states that a culinary delight and the Premier, being doughnuts, is unparliamentary.

The ACTING PRESIDENT (Mr Melhem): I know members have been a bit excited this morning about this motion and about calling the Premier various names. Can I just remind members that when they are referring to another member, whether it is the Premier or a minister or just a member, they refer to them by their title and their surname. I will ask members to actually adhere to that so we can take the emotion out of it and we can focus on the motion itself.

Dr CUMMING: Thank you, Acting President. Yes, I am speaking about this government, the Daniel Andrews government—

The ACTING PRESIDENT (Mr Melhem): Dr Cumming, I just made a ruling. It is ‘Premier’, not ‘Daniel Andrews’. You refer to them by their title.

Dr CUMMING: So can I say ‘Mr Andrews’?

The ACTING PRESIDENT (Mr Melhem): You can.

Dr CUMMING: Thank you, I will call him Mr Andrews. Mr Andrews has decided with his government that they are going to tax and collect money that they believe they are going to be spending on social housing. I am going to read some quotes today. Firstly, from the Municipal Association of Victoria (MAV), who have said that:

The significant community investment in social housing that is required for Victoria will come from a narrow and often under pressure sector of the community, being new home buyers, as well as through rate increases for all Victorian ratepayers.

That’s the message delivered to the ... MAV ... metropolitan and regional councils, who today saw for the first time—

and this is 18 February this year—

the Victorian Government’s two-pronged approach to funding social and affordable housing.

From July 2024 new residential developments of three or more lots will contribute 1.75% of their build cost to a social and affordable housing fund. The MAV and Victorian councils support the use of mandatory contributions to provide for social and affordable housing, however such contributions are best sought across broad sectors of the State economy.

Combined with the investment of Victoria’s Big Housing Build, this will go a long way towards providing a roof over Victorians’ heads.

But MAV say:

Disappointingly, the Victorian Government has walked away from its long partnership with—

local councils and—

Local Government to provide services to the residents of social and affordable housing, by exempting itself from paying council rates and charges on almost 70,000 social housing dwellings across metropolitan Melbourne and the regional cities of Ballarat, Bendigo and Geelong. On the high level numbers provided by the State Government this morning, over ten years this will divert upwards of \$540 million away from vital council services such as parks, waste management, kindergartens, active transport and maternal and child health.

“Increased access to social housing dwellings is vital to relieving homelessness and having housing options for those in critical need—every Victorian agrees on that ...

That is a quote from MAV president Cr David Clark. He also said:

But providing local services to these residents—the families and individuals living in these dwellings—is also critical. Social housing should be supported and subsidised by the Victorian Government, not just by the ratepayers of each municipality.

The cumulative impact of this reversal on rates and charges, of other cost-shifting measures, as well as the financial constraints of the rate cap, once again places Council budgets in a no win position when it comes to just maintaining, let alone enhancing, much needed community services.

Communities are asking councils to do more than ever in their local areas while the State actively works to undermine their financial sustainability.

Social housing is clearly a State responsibility. Yet once again the State is using the ratepayer as its means to money for its own purposes, like the fire services or parks levies. Rates are 3 per cent of the national tax take, or one sixth of the taxes paid to the State each year. Yet the State continues to “mine” our already small tax base for its own service delivery.

That is from the MAV. I would also quote the mayors of the local area, from the *Herald Sun*. The quote, which is from 23 February 2020, is saying:

Millions of homeowners—

will—

... be sluggish with higher council rates to offset the state government’s proposed new social housing policy.

According to the *Herald Sun*—and these are quotes from my local mayors:

... Moonee Valley face paying an extra \$51 ... Darebin and Hume could be hit with added fees of \$50 and \$32 respectively.

...

Hume City Mayor Carly Moore said her community would “unfairly bear the brunt of this decision”.

Moonee Valley Mayor Samantha Byrne said—

these are all ALP mayors, mind you—

“After an extremely difficult past two years of the pandemic, this decision will have significant impacts on many of the services and programs we offer our community, including those who live in public housing.”

...

Maribyrnong City Council is expected to lose \$26 million—

according to the *Herald Sun*—

over 10 years, with Mayor Anthony Tran saying the council was “disappointed and concerned”.

I can tell you that I had a meeting with all the mayors of the west on Friday and they said this to my face. Maribyrnong City Council will lose \$2.6 million in one year.

According to the *Herald Sun* councils have the most to lose, and they have made a top-10 list of ‘Local government areas with the greatest number of social housing properties’. Number 6 is Moonee Valley. They have 2937 social houses. Hume has 2491 social houses. Maribyrnong—top 10—has 2488. These areas in my Western Metropolitan Region are the most vulnerable communities in Victoria.

Then it goes into others that you are going to take money away from in those areas where they are providing services for those social houses. I have said it before: the state government is the slum lord of social housing here in Victoria. How very dare you think that you are actually going to somehow redeem yourselves by taking council rates—\$154 million, MAV believes, in just one year—and only spending \$54 million on social housing. You are putting in your pocket \$70 million—3 per cent-plus, council rates will go up across Victoria.

Mr LEANE (Eastern Metropolitan—Minister for Local Government, Minister for Suburban Development, Minister for Veterans) (11:15): Far be it from me to say that sometimes when it comes to these motions people may go on a tangent. Basically, this is a call for paperwork, and I think the government has put our regular position around calls for paperwork. But I think in fairness I should actually make commentary about some of the main issues that were brought up.

When it comes to public, social, affordable housing, it is an actual fact that this particular government is embarking on a historic, record spend. It is a fact that this is delivered by and is a passion of a lot of members of this government. I know Mr Gepp has spoken to me about this a number of times. We heard Ms Watt. It is actually a real-life experience and a passion that they have around the availability of public, affordable social housing. It is a passion obviously that has come from the Premier and also in particular from the Minister for Housing, Minister Wynne. This is a consuming, important priority that he has had and continues to have. I think he will leave an amazing legacy in this area—as I said, a record, historic spend—whereas previous governments have not had the interest or ability to go to these ends. So I think if we are talking about public, social, affordable housing, as I said, this government has a proud position, which we are seeing come to fruition as we speak.

There has been some commentary about local government—a few things that people say about local government—and it is incumbent on me as Minister for Local Government to say that, as a government we get called dictators and we get called all these things.

A member interjected.

Mr LEANE: Well, that was really unfair, because I think the tenants of a lot of those properties are actually proud of their environment. What they have done is personally take ownership of what they have developed. We get called all sorts of names. I have said this to peak bodies, and I have said this to a number of stakeholders in the local government sector: we respect that from time to time there will be stakeholders in that sector that are not happy with some of our ideas, policies and initiatives. Getting back to what Mr Gepp said: there is no bill yet, but we respect it if they have differences of opinion. That is their right, as Mr Gepp said in his contribution. That is their right.

Getting back to what this is actually about, it is a call for paperwork. We have a call for paperwork in this chamber nearly every Wednesday. Mr Davis, when he receives it, likes to use it for mendacious reasons.

A member: We learned a new word today.

Mr LEANE: I think it is a red-letter day today. I do not usually in my contributions give Mr Ondarchie a shout-out, but that was pretty spectacular—‘mendacious’. It kind of reminds me of when Mr Davis one day just plucked out the word ‘happenstance’, and I thought, ‘That’s a beauty’. I am an old, old man. There used to be this show called ‘HR Happenstance’ or something like that. It used to have a puppet and all that—life-sized puppets.

I was wondering if Mr Davis might have been that in a previous role that he may have filled. It reminds me of a red-letter day with one of Dr Ratnam’s predecessors, Mr Barber. Seriously, whenever I spoke after Mr Barber I used to say, ‘Mr Barber, you are the smartest person in this room by a mile, and I believe that you actually counted to infinity twice’. He always liked to think he was the smartest person in the room. One day he made up a word—I cannot even remember it. During his contribution I said, ‘That’s not even a word’. He was very upset with me during this contribution, so after it there used to

be a dictionary sitting out the front—I would suggest to the clerks maybe we bring it back after Mr Ondarchie’s effort today; maybe we should bring that dictionary back—and Mr Barber opened up the book and we found the word, but it did not match the meaning. It did not match the meaning. So I offered to Mr Barber, ‘Maybe we can go and sit down and I’ll shout you a fruity drink or something to make you feel a lot better’.

As I said, I am not being flippant about the crux of the issues that some people are talking about, but this is a call for paperwork. I say this all the time—Mr Finn and probably Mr Ondarchie too can probably look it up on their iPads now because I say this all the time: if it is not cabinet in confidence, if it is not commercial in confidence, of course we respect the right of this chamber to call for paperwork. And we deliver. We have delivered more paperwork than the previous coalition government. I know that previous government is a long, distant memory—and probably would be a sad, long, distant memory—but when they had 21 members of this chamber out of the 40 there were a lot of calls for paperwork from the opposition. I was in the opposition at the time. I was actually the Opposition Whip, like Mr Finn.

Mr Finn interjected.

Mr LEANE: Yes, I know how you feel every morning. I kind of remember how you felt when you woke up every morning: you could not wait to get in here and be an important part of democracy. I remember the hot topic at the time was the east–west link business case, which the opposition called for. Premier Napthine at the time was running around saying, ‘Don’t worry about the business case; this project’s a game changer’. He was going, ‘Game changer, game changer, game changer’. You would ask, ‘Can you make a comment about the east–west link?’, and he would go, ‘It’s a game changer’. But what does that even mean? So how about you hand over the business case and we would have a better understanding? So the business case was handed over. It was about 14 tiled pages. It was called a short-term business case. It had a very nice cover—very colourful, very shiny.

Mr Gepp: Was it?

Mr LEANE: You could shave your face in the morning, Mr Gepp, looking at the cover of the east–west link business case.

Mr Gepp: That’s a game changer.

Mr LEANE: Well, that must have been the game changer. Anyway, half a page had a picture of a tram, and I could not work out what a tram had to do with a tunnel for cars. There was another quarter of a page with someone walking across a pedestrian crossing. I would have thought a pedestrian crossing in the middle of one of those tunnels—

Mr Gepp: It’s a bit dangerous, isn’t it?

Mr LEANE: There are a few problems with that. Why is someone walking in a road tunnel and needing a pedestrian crossing?

Mr Finn: On a point of order, Acting President, I am loath to interrupt Minister Leane because he is clearly working on his routine for the comedy festival coming up in the not-too-distant future—and he is doing a very nice job too, I might say. I might even go and see his show. But it is far, far removed from the subject of the motion, and I ask you to bring him back to the subject at hand.

Mr Gepp: Further to the point of order, Acting President, I in my contribution drew the comparison between this government’s record in handing over documents as a result of decisions in this Parliament and that of the opposition, and there was no point of order taken. Mr Leane is entitled, I think, under the standing orders to draw reference to those former contributions, particularly if it is about people walking across highways—I do not know how you do that.

The ACTING PRESIDENT (Mr Melhem): I think Mr Leane has got 10 seconds, so do we want to take further points of order?

Mr Ondarchie interjected.

The ACTING PRESIDENT (Mr Melhem): Mr Leane, we can give you a few more seconds because you have lost them.

Mr LEANE: If you do not mind me taking the licence, Acting President, I will uphold the point of order.

Dr RATNAM (Northern Metropolitan) (11:25): I rise to speak in reference to Mr Davis's motion. I think it is really important from the outset to set the context in which this motion is being debated, because if you have followed what those opposite have proffered throughout this debate you might not understand the really important and urgent context in which this motion is being brought before us today.

Victoria is experiencing a housing crisis. There is no doubt about it; it is the biggest social justice issue we face. We have over 100 000 people and rising every day on Victoria's urgent public housing waiting list, and on any given night 25 000 Victorians experience homelessness. This is completely unacceptable. This motion is being debated today in the context of the crisis this state is facing and an urgency that everyone in this place thinks and acts urgently to solve housing affordability and end homelessness.

But once again we have the Liberal Party doing the bidding of the property industry rather than standing up for everyday Victorians and the thousands of Victorians who are experiencing homelessness, are in housing stress or are unsure whether they will have a safe, secure and affordable roof over their head in the weeks and months to come. They seem intent on regurgitating the spin from the industry to protect their profits and keep housing out of the reach of many Victorians. When developers are already making millions in profits from the sale of housing and benefiting from the completely ridiculous housing prices we are seeing in Victoria—an 18 per cent rise just in the last year alone—it only seems fair that they should have to contribute to creating more affordable housing, and it is really disappointing to see the opposition peddling the misinformation that these kinds of levies and charges only add to house prices.

I think it is worth noting that on many occasions in this place and on our parliamentary committees we have heard those opposite, at opportune times for them—and it seems very opportunistic for them—talk about caring about housing affordability and homelessness, but when the rubber hits the road and they are asked to support something that would actually create more affordable housing and address the housing crisis that we are experiencing, they do the bidding of their mates in the development industry. I think that must be noted.

Developers who turn millions of dollars in profits each year are more than capable of absorbing a small percentage of their profit in a new levy or charge. What really pushes house prices up is government inaction on housing affordability and years and years of encouraging rampant investment in the housing market to the point that it becomes a market for investors with little room for anyone else. We have commodified housing when it should be a right. That being said, while the social housing levy announced by the government is an important step, it is still a minor levy and a small step in the scale of action that we need to take if we are to solve housing affordability and homelessness in Victoria.

It is also a really worrying glimpse into the future of housing in this state as, like many government policies, once you scratch the surface it is not so shiny after all. This is the kind of policy we often see from the government, where they take a good idea or a progressive policy, like a big housing build, and then water it down by, for example, privatising all the new housing. In fact the Premier noted today that the levy is the result of a compromise between the government and the property industry and insinuated that it has been the product of discussions. With this new contribution the government has taken the concept of inclusionary zoning, where developers have to set aside a portion of housing and developments for affordable housing, but it has stripped it back to simply the monetary

contribution element we see in some inclusionary zoning programs, where instead of providing the housing themselves the developers just contribute part of the profits to an affordable housing fund.

We know that the government was considering introducing their own mandatory inclusionary zoning policy. In fact they have been speaking to the community and promising the community that they would move on inclusionary zoning. We have international precedents and examples that it is a policy that works to create more affordable housing. And it was one of the recommendations of the Legal and Social Issues Committee's homelessness inquiry recently, which I was a participating member in. It is disappointing that this is the version that the government has settled on, a compromise it reached with the development industry rather than the real reform we need to actually address housing affordability.

The new contribution would only create 1700 new homes a year. Imagine how many more homes we could create if this policy also required developers to actually build new affordable housing in their developments themselves, or if, instead of a 1.75 per cent contribution, we charged developers 3 or 6 per cent of the market value of the final development. However, what is really concerning is the confirmation that with this policy the government has officially turned its back on public housing in Victoria, because the contribution will be funding more social housing, the government's preferred term for its privatised model of housing.

The contribution will be funnelled to the Social Housing Growth Fund, which is a bucket of money the government doles out in small grants to community housing providers. Housing associations use their grant funding to expand their own housing portfolios, usually partnering with property developers to do so. I think it is important to know that community housing has a really important place in the continuum of providing more affordable housing options across this state. However, it cannot come at the cost of public housing, which is a core and fundamental responsibility of state governments to provide to their citizens.

This fund will collect revenue from private developers and then give much of it back to them. While community housing has a really important role to play, as I mentioned, in our housing system, especially for specialist housing services, it cannot replace public housing. It is not governed by the same protections that public housing residents have, and ultimately houses are owned by non-government agencies. This government is completely walking away from its responsibility to provide public housing. It will not even speak the term anymore. Just look at the language it is using. It will not talk about public housing, and it must, because public housing is a public service. Just like our hospitals and schools, it should be proudly funded and managed by government.

The government's announcement last week, including its proposal to shift the cost of public housing maintenance onto local councils, was actually a major signal that it is abandoning public housing altogether. To this Labor government public housing is simply another essential service it can privatise. It has completely outsourced the provision of public housing to non-government agencies, has taken public housing land and given it to property developers and is neglecting our existing public housing and many people who live in it.

We urge the government to recommit to public housing. There are so many residents of public housing who cannot get their basic maintenance issues resolved, and now we have the government saying it is outsourcing and cost shifting its responsibility to fund the maintenance of public housing assets to local councils, which in a rate-capped environment will not be able to absorb this incredible cost shift from the state government to local councils.

Mr FINN (Western Metropolitan) (11:33): I rise to support the motion moved by Mr Davis, and in doing so I speak on behalf of many, many thousands of my constituents, particularly in the outer suburbs—Truganina, Tarneit, those areas around Caroline Springs that are about to explode and Sunbury, which indeed is about to explode, particularly around the toxic soil dump. That is just going to be wonderful for people's health in future, and we thank the Andrews government for that

carcinogenic toxic soil dump that it has given us right opposite residential housing in Sunbury Road! No doubt when the Premier and the Treasurer are enjoying their superannuation somewhere sunny they will not worry too much at all about those who are suffering from cancer as a result of this appalling decision to put toxic soil in a residential area. But I speak on behalf of a whole range of people who are hoping—hoping—to buy a home.

I know for me, thinking back some years ago, the challenges that were involved even back then in buying a home. Given the increased prices of housing now, it is an almost impossible dream for many people to own their own home. I have to say that it should not be. I think that we should aim to give everybody the opportunity to own their own home.

I think that is a fair and reasonable thing. What the government is attempting to do with this new tax is slam another \$20 000 on top of prices that are already through the roof. Now, how is that going to go down particularly amongst younger people perhaps in their 20s—early 20s, late 20s—who have perhaps just got married or are about to get married and perhaps have a child or two, a young baby? How is that going to go down with them? Well, I have got news for the government: it is not going to go down well. Now, I am not knocking social housing, not at all. In fact I have called for more social housing. But the fact is that Victorians are already paying more tax than they ever have before. This is the highest taxing government in the history of Victoria. People should not have to pay more. We should not have to pay more.

But as Mr Ondarchie has pointed out, the fact is that this government, the Andrews government, has blown the budget to the scheissenhausen. That is the simple fact of the matter: they have blown the budget. Just on major projects alone we have blowouts of \$24.5 billion. That is not the cost of the project, that is just the blowouts. You just have to have a look at the West Gate Tunnel Project. What a sad joke on the people of Victoria that is. Not only is it costing us an arm and a leg, the thing is a worthless project, as we discovered when I was chairman of the Economy and Infrastructure Committee. We examined it very, very closely. Mr Ondarchie was on that committee at the time. We looked at it very closely, and of course we discovered that it was not really going to do anything for anyone—except Transurban of course, who were going to make an absolute killing and indeed will make an absolute killing on it. In terms of actually helping traffic from the west, it will not do a damn thing. But we have that there. There is a blowout of almost \$4 billion already on the West Gate Tunnel Project. It is years—

Mr Ondarchie: We're paying for it already.

Mr FINN: And indeed, as Mr Ondarchie points out, we are paying for it already. Those of us who use CityLink—I use CityLink on almost a daily basis—are already paying higher tolls for this road that many of us might never use. It is quite extraordinary. And even if we do use it, it is years away. It was supposed to be open in time for the election. That was the time frame. It was supposed to be open so that the Premier—Mr Andrews, Sir, grovel, grovel—would be able to get up before the election and cut the ribbon. Well, that has been blown out by—well, is it two, is it three, is it four years? We do not know. It might not even be finished by the next election in 2026. Maybe they will just close it down, fill in the hole and forget the whole thing ever happened, and that might not be a bad option either.

What we are seeing in this state is a government that has wasted money hand over fist, thrown billions of dollars away and completely stuffed up the budget—absolutely made a hash of the budget—and they are now turning to Victorians and saying, 'We want you to pay more tax'. This of course is the Labor way. This is what happens when you have a Labor government. They always blow the budget, they always spend more than they intend to, and when they have done that, when the budget is in tatters, they turn to the poor, long-suffering taxpayers and slug them again. And that is what this tax is about. The social housing component should be funded from the taxes that we already pay. As I say, we are more highly taxed than we have ever been before, and we should expect the government to pay for a whole range of things out of the taxes that we already pay. But because they have blown the

budget, because they are economically incompetent, because they are fiscally challenged, to understate things, and because of a whole range of blowouts and stuff-ups that this government is now renowned for right throughout Australia and indeed through various parts of the world—because of all of that—they are now saying not just to the general community but to young couples in particular who are saving furiously to buy their own homes, ‘We are going to hit you again. We are going to hit you with another \$20 000. Remember that \$300 000 house or \$400 000 house that you were saving for? Well, you can add another \$20 000 or \$25 000 to it’.

That is what they are going to do to people who are working hard and trying desperately to save up to buy their home. As a result of that, there are going to be a lot of people who give up, so there is going to be even more need for social housing. It is incredible when you have a socialist government—the logic is just not there. It just does not make sense. This is what we see happening in 2022. It is quite extraordinary, and I think, given the many, many other stuff-ups that the Premier has been responsible for, this just might be the last straw. This just could be the last straw, because many of those people—they are young people in particular, as I say, who live in places like Truganina and Tarneit and Point Cook and Sunbury—will explode over this, and I know many already have. Many have already contacted me, and they are furious. There are two reactions: one, fury; and the other one, despair. There is nothing worse than when you are speaking to a young person who was really looking forward to their future with their new husband or their new wife and their new family and they have given up on their hopes. What the government has done is to smash the hopes of many thousands of people.

Mr Ondarchie: And their dreams.

Mr FINN: Well, their hopes and their dreams—absolutely destroyed their dreams. Their dream in fact, Mr Ondarchie, has become a nightmare, and this is Daniel Andrews’s nightmare. In fact Daniel Andrews is the nightmare that every Victorian is suffering at the moment, and that is something that I have to say I find incredibly sad. I speak today more in sadness than anger, but there is a degree—a fair bit—of anger about what they are doing. It is a disgraceful tax that they are imposing on the people of Victoria, but they cannot help themselves. Despite what the Premier has said in the past about no new taxes, this is the 41st new tax that they will have imposed, and they are going after people who can least afford it. They are going after first home buyers, they are going after young families, and that is a disgrace and a decision that they should be ashamed of.

Ms TAYLOR (Southern Metropolitan) (11:43): Wow—it has been spicy, hasn’t it? I think there is also a little bit of amnesia and perhaps a little bit of confusion, so I hope that we can clear up some of the misunderstandings that are sort of floating around at the moment. I do think it is interesting—I want to pick up a point there: ‘We really support social housing’. The opposition always say they do, and yet every time we bring forward these tremendous reforms and we actually deliver on social housing, guess who is right there at the door to say, ‘Stop, no, don’t do it’? You find every mechanism under the sun to put it down, to undermine it, to slow it up. But we still deliver. We still fight through and we still deliver, because we care about Victorians and making sure that they are appropriately housed. Anyway, I am just getting that on the table.

Coming back to the matter at hand, although that is highly relevant in the discussion we are having, when it comes to the issue of social housing and the consultation that we have had to date, our government has had very intense consultation on this issue. We did not just fly in the issue and land it without actually consulting with the relevant parties. Let me make that absolutely clear. I am going to raise specific commentary that has been in the public domain. Danni Hunter, who was with the Urban Development Institute of Australia at the time, asked for this very contribution that we are talking about here today. When the current Victorian executive director of the Property Council of Australia, Danni Hunter, was chief executive of the UDIA, she suggested in 2020 that low-cost housing could be funded through—get this, and I have actually got a copy of the article here:

... a flat-rate affordable housing contribution levied through the planning system across metropolitan Melbourne to avoid skewing of market activity between sectors, precincts or specific sites ...

Who knew? Well, we did know, because we consulted. A story published by the *Herald Sun* on 28 February 2020 says:

A “tax” on new developments to help fund cheaper housing for needy Melburnians has been proposed by the property industry.

The Urban Development Institute of Australia believes a levy charged across the metro planning system is better than compulsory targets and controls imposed by governments and local councils.

...

“What’s concerning is if our leaders shy away from their responsibility to put serious investment into the affordable housing market, and expect the private sector to do that for them,” she—

Ms Hunter—

said. “The system we have now is broken.”

Ms Hunter said that a broadbased levy, similar to the way open space is funded, must be considered.

“It could be a flat-rate affordable housing contribution levied through the planning system across metropolitan Melbourne—

and I am repeating the phrase there, but just to be absolutely clear—

to avoid skewing of market activity between sectors, precincts or specific sites,” she said.

...

It would replace—

and this is where it also can help significantly in what is currently a very challenging environment, particularly for local councils as well—

all other affordable housing requirements with a cost to landowners/developers such as voluntary deals and planning controls.

This is exactly what we are doing, and now the very same person who asked for this is walking it back. So no wonder there has been confusion around the chamber today. I think it is actually good we are having the debate so that we can put some clarity on the issue. It has also been disappointing, may I say, to see the scare campaign from those opposite. Make no mistake, the contribution is only a charge on developers.

Victoria has the strongest performing residential market in the country, with 71 000 building approvals in 2021 compared to 63 000 in New South Wales and 44 000 in Queensland, and that is despite our decreased population growth. Economic modelling by Deloitte has shown that developers will be able to absorb the cost of this, pass it back to land sellers and still reap substantial profits. So I think if we can just take a breath and really look back at history, look back at the facts, look at what has been discussed in the public domain and see that there is a bit of a change, a little bit of amnesia or confusion, people walking back from what was previously said, we can understand why there is some confusion in this debate today. But hopefully we can provide some clarity and maybe move forward in a more logical direction.

One of the things that I did take exception to was discussion about our government with regard to social housing. There were some really odd comments that flew around there. I am really proud of Minister Wynne. It has taken many, many, many years to come to this point and, can I say, for our government to come to this point to be able to actually deliver on what is a desperate need in our community and actually implement it in a way that perhaps, with respect, the Greens cannot do, because they are not in government—so they can say anything. I say this respectfully, but some of the sledging is really below the belt and unwarranted. I think at the end of the day we do have to be able to deliver on what we say, and that is exactly what we are doing when it comes to social housing.

We know that this change that we are talking about currently will build thousands of social and affordable houses every year, not just today but forever. It is sad, really, that the motion is conveniently

glossing over who this change will help at the end of the day when we are thinking about those in the community who desperately need safe shelter. It will help the 54 952 people currently waiting on social housing, because at the end of the day that is what this is about. If we drain it back to the core, that is what this is all about. That is the rationale, not the actual motion, but what is driving our government to bring through difficult but significant reforms to get the right outcome for Victorians in desperate need.

We know, and I think one of my colleagues actually mentioned, more than 7000 of the 54 952 people currently waiting on social housing are over the age of 55. Almost 13 000 are experiencing homelessness, and to be precise that is 12 870, just to be respecting each person who is enduring what must be extremely painful. I cannot even imagine what that must be like, to be able to facilitate your life, to be able to go out and find a job—or you may be in a job but then have nowhere safe to go home at night. I mean, it is excruciating. That is, 3265 people are fleeing family violence. Others are living in insecure and unaffordable housing and have urgent medical requirements. So what this means when we look at it is literally implementing specific reforms to meet those requirements. It means more homes for families fleeing domestic violence, more homes for those living with mental illness, more homes for pensioners and those living with a disability and more homes for single-parent families.

The other thing I want to pick up on is a point that was raised by Mr Finn with regard to—

Mr Finn: I bet you it was a good one.

Ms TAYLOR: Well, we might not agree on that, but it was on supporting first home buyers. There was a lot thrown, a few grenades lobbed from over there, and I just want to again put some factual statements on the record. Our Andrews Labor government has a strong record of helping Victorians purchase their first home. We know it can take years to save for a home deposit, and the \$500 million Victorian Homebuyer Fund is a practical way to help up to 3000 Victorians get into their own home sooner. More than 440 people have already received the keys to move in. That is a brilliant outcome. Demand has been strongest in the 25 to 44 age group, with most approvals so far in Melbourne and Geelong. We have abolished stamp duty if you are a first home buyer and buying a house for \$600 000 or less, and if you are buying a home for between \$600 000 and \$750 000 we have tapered the stamp duty. It is often obscured, exactly what we actually do, by those opposite. They seek to do that, but when you look at the actual facts and the numbers you can see that we are delivering for first home buyers and have been. In 2021 alone the total value of 51 353 stamp duty concessions and exemptions was \$896 million. That is a direct saving to Victorian first home buyers. I did raise that point earlier about the scaremongering, but when you look at the facts you can see that we actually are significantly helping first home buyers, and what this is about at the end of the day is providing a sustainable mechanism for providing homes: homes that are climate friendly, homes that are geared to people with mental illness and with disability and the like—fellow Victorians—into the future.

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (11:53): I think this is a very straightforward motion. It is a motion that seeks the documents, the various analyses and assessments by government. We know the government has pulled back from this tax as the morning has developed. The government's contribution was changing as the debate went forward and as it became aware that the Premier is now pulling back from this step, and I can say that even the briefing I had arranged at 5 o'clock has now been cancelled and the government has said that it will not bring the bill forward this week, despite its statements over the last few days that it would. When asked when that would be brought forward, it was unclear; there is no clear step as to what will occur. Nonetheless we know the government has done assessments, and those assessments should be in the public domain.

Motion agreed to.

Business of the house**NOTICES OF MOTION**

Mr FINN (Western Metropolitan) (11:54): I move:

That the consideration of notices of motion, general business, 709 and 708, be postponed until later this day.

Motion agreed to.

Motions**COVID-19**

Ms CROZIER (Southern Metropolitan) (11:55): I am pleased to rise and move, on behalf of Mr Davis:

That this house calls on the Andrews Labor government to immediately remove mandatory mask rules in all indoor settings, including primary schools and for hospitality and retail employees, and only mandate that masks be worn in special narrow settings, such as in health care.

This issue, which is plastered all over every single paper today, demonstrates just how out of touch this government is. You have got leading epidemiologists, leading doctors and others who are saying that the government's decision to have kids at school from years 3 to 6 having to wear masks, when years 1 and 2 do not and the senior years do not, makes no sense. You have got mixed classes with kiddies in years 2 and 3, and half wear masks, half do not. How utterly idiotic. How ludicrous. What a stupid decision again by the Andrews government, who say it is based on health advice. Well, I would like to see the health advice, because we are not getting enough of that health advice through the Pandemic Declaration Accountability and Oversight Committee.

Mr Davis: Just making it up on the run.

Ms CROZIER: They are making it up on the run, Mr Davis. We have seen that with the backflips on the IVF bans. We have seen it with a whole range of other issues, where the chief health officer himself said he or his office did not make those decisions—increasing the crowds at the tennis, the IVF bans, the mandatory vaccinations. Yet this is a government again who know that they are out of touch with the community. They actually know that the community has moved on. They are saying, 'Enough—we have had enough of these rules that apply in situations where there is no reason to'. Of course in health settings you want to protect the vulnerable by wearing a mask—it is highly reasonable; no-one is disputing that—but you have got leading epidemiologists and others saying, 'This makes no sense'. In fact:

James Cook University professor of infectious diseases ... Emma McBryde said she "can see no genuine reason" for keeping the mandate in place for that age group.

...

"We should be focusing on the people who are vulnerable at the moment, not the transmitters, because Covid is everywhere.

And it is. This government has no idea where COVID is. They ditched 100 000 PCR tests. They do not know the true numbers of how many Victorians have had COVID. We know that they are asking people to report, but people are not. As of today's stats they are saying that there are 42 000 active cases. I actually do not know the number of cases that we have had—I have not got the latest stats with me—but what we do know is that the government stats on the number of people that have got COVID are way out. In fact it is probably close to a couple of million people in Victoria that have had COVID. Many will not have known they had COVID because they have carried the infection being asymptomatic, as we know. That is the nature of this virus, as we have learned over past the two years—the changing nature of the virus.

The rules and the diktats from this government from 2020 should not apply. They are trying to juggle and let go of restrictions in dribs and drabs, saying, 'We're giving your freedoms back'. Well, these

are freedoms that Victorians cherish. They have done the right thing: they have gone out in droves and got vaccinated. But the government has made these on-the-run policies like banning playgrounds, putting a curfew in place—nothing based on health advice; it was all made up.

Mr Gepp interjected.

Ms CROZIER: It is not rubbish, Mr Gepp. The chief health officer will release the health advice. President, through you, I will take up Mr Gepp's interjection and ask that the government release all of the health advice from the past two years. None of that has been provided—none of it. We know that. We have been fighting for it. Mr Davis has been fighting for it in VCAT. We have been fighting for it, asking this government for that advice. If Mr Gepp wants to interject, then his government, which he is a member of—

Business interrupted pursuant to sessional orders.

Questions without notice and ministers statements

SEXUAL OFFENCE REPORTING

Mr GRIMLEY (Western Victoria) (12:00): My question is to the Attorney-General. The government came out upon the release of the Victorian Law Reform Commission's *Improving the Justice System Response to Sexual Offences* report saying that they would support a new affirmative consent model and a new stealthing offence, which is great news, but they have remained silent on the rest of the 91 recommendations. I have spoken in this place before about a sexual assault reporting option, or a SARO, including a constituent in my electorate who would have liked an online option to report their sexual assault. Recommendations 19 and 20 of the VLRC report recommended a SARO equivalent through both centres against sexual assault and Victoria Police. New South Wales has a SARO through police, and it is hugely successful. My office has spoken to the individuals who run their SARO program, and the results are incredible. Victoria used to have such a scheme run through the South Eastern Centre Against Sexual Assault, but it was a victim of its own success and shut down due to underfunding. Attorney, will the state government acknowledge that Victoria needs an online, confidential, anonymous reporting option and commit to its implementation?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:01): I thank Mr Grimley for his question and indeed acknowledgement of the great work of the VLRC report into sexual harm and the justice response. We know that sexual assault of any kind is appalling and must be stopped and called out, and it is our intention to respond to the VLRC report. As you have identified, we were able to commit to the creation of new offences in relation to stealthing and affirmative consent, but, Mr Grimley, you would appreciate that we need to take time to consider a response to a range of the other recommendations. Although you are of the view that the New South Wales model is something that could be replicated here in Victoria, that is by no means an uncontested view. Many experts have told us that the model would not be fit for purpose in Victoria, and therefore it is certainly incumbent upon me to take due consideration and time to appropriately respond to the VLRC's report as part of a whole-of-government strategy on sexual offending that I have committed to developing. This is an important matter that you raise, but it is not something that you can just acquit without due consideration of victim-survivors and service providers and how things would operate in Victoria.

Mr GRIMLEY (Western Victoria) (12:02): Thanks, Attorney. I am a little bit disappointed by that statement. It is something that not only the VLRC report has called for but also academics such as Associate Professor Georgina Heydon, who is currently investigating best practice for sexual assault reporting options, RMIT's Centre for Innovative Justice, Victoria Police, the Victorian Centres Against Sexual Assault Forum and victim-survivors. There are clearly things that need to be worked through, like you stated, and these include resourcing the scheme adequately so the reports can be responded to in short time frames, how mandatory reporting of children might intersect, how data should or could be stored and how security can be maintained, but it should not stop the

recommendations from being acted upon. If the government will not commit to acquitting this recommendation of providing alternative reporting options for sexual assault survivors, how will you address these clear gaps in reporting?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:03): Mr Grimley, your supplementary question is a little confusing because in one sense you are acknowledging that we need to work through these issues but then you are saying that we should commit to a particular outcome. We have committed to responding to the VLRC's report to indeed make it easier for victims to report and to be supported throughout a complaints process. We have a range of commitments to progress these matters. I am not in a position to confirm whether your view is right, because I am not an expert in this. I am not prepared to say, 'I know what's right in relation to reporting of sexual offending'. It is incumbent upon me as the Attorney to speak to several people. I am happy to continue conversations with you on your views, but I cannot tell you whether you are right or not because there are lots of people that say currently they do not have the same view as you. I am not going to commit to something that you suggest I should do without proper consultation and consideration of all of the VLRC's recommendations. If we can bring out some more earlier, which we have done with stealthing and affirmative consent, certainly I can do that.

SOCIAL AND AFFORDABLE HOUSING

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (12:04): My matter is for the attention of the Minister for Local Government, and I refer to the article in the *Herald Sun* today which says the government's social housing rate exemption—

The PRESIDENT: Your question, Mr Davis, not your matter.

Mr DAVIS: Yes, that is right, my question. I refer to the article in the *Herald Sun* today which says the government's social housing rate exemption modelling prepared for the Yarra council warns of an average rate rise of up to \$79 per property in 2026–27. The article goes on to set out total increases in rates at full implementation of the government's policy: Moonee Valley, \$51; Darebin, \$50; Hume, \$32; and Casey, \$22. Minister, the Premier said the average annual rate increases will be just \$8, and you repeated that yesterday. The fact is, though, Minister, that in some council areas that have much larger numbers of social housing properties the thump is likely to be much greater. The question is: did you mislead the house yesterday?

Mr LEANE (Eastern Metropolitan—Minister for Local Government, Minister for Suburban Development, Minister for Veterans) (12:06): That was kind of weird. No, I did not—

Mr Davis interjected.

Mr LEANE: I am answering your question. No, I did not mislead the house. I gave an example of some areas where that may be the figure that may be passed on, not necessarily passed on, and on a potential initiative that has been discussed and consulted on that we have not even had the bill on yet. So we are talking about something that was announced as an initiative.

Mr Davis interjected.

Mr LEANE: I know why you are called shadow ministers now, because you just jump at shadows. You are jumping at shadows on an issue where you have not seen the detail, and then you are quoting detail to me. I respect peak bodies, I respect unions and I respect individual councils airing their concerns, and I always make myself available. If they have got concerns about any issue, I make myself available. I have said before that I thought that when you became a minister everyone never disagrees with you and treats you like something special, but I can tell you that with the local government sector and the players in the local government sector that is far from the truth. They are not shy in indicating to me if they have got a concern. So, as I said, I pride myself on making myself available to the local government sector to listen to their concerns.

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (12:08): That was one of the strangest rambles we have heard in a while, and I ask, therefore, a very simple question: when will the bill that brings forward the holiday for rates for social housing come into effect?

Mr LEANE (Eastern Metropolitan—Minister for Local Government, Minister for Suburban Development, Minister for Veterans) (12:08): I suppose that is a question for the Leader of the House in the Assembly and the Leader of the Government in this chamber about that sequence. I feel that I am ill equipped to answer this question.

Members interjecting.

Mr LEANE: It is like this stereo thing. Some days you earn your money, don't you, seriously. I will be up-front, President. If you decide that I need to get a response on this, I will respect that, but I will say to you that this is not my responsibility. I am always honest when I feel I am ill equipped to respond to a question.

MINISTERS STATEMENTS: COVID-19

Ms STITT (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (12:09): I rise to update the chamber on the measures our government is taking to ensure early childhood services are as safe as possible for children, staff and families. But before I do that I would like to extend my sincere gratitude for the hard work and dedication of all our teachers, educators and service providers. They have remained at the forefront throughout this pandemic, ensuring that our youngest learners continue to receive the benefits of high-quality early education. Staff in early childhood settings are working with the last unvaccinated cohort, so we are very mindful of implementing all COVID-safe measures possible to give everyone the piece of mind they deserve.

Last week I was pleased to announce a further \$3.8 million in ventilation grants on top of the \$7.5 million I announced last year. These grants are available to community-based providers, both standalone kinders and long day care centres, to improve ventilation. Services can use their grants to purchase air purifiers and shade sails and to upgrade buildings and increase airflow. This second round of grants will open in coming weeks to ensure improvements can be made ahead of the winter months and will be accompanied by guidance from the Victorian School Building Authority.

I am also pleased that surveillance rapid testing will continue until the end of term 1 for staff and children aged between three and five years who attend early childhood services. This twice-weekly voluntary testing is incredibly important and has been critical to identifying cases early and minimising the risk of transmission, and stakeholders have all welcomed this extension of the scheme and reported the confidence it has given staff and families. We know what a difference vaccination makes, which is why we have also mandated a third dose for the workforce unless a medical exemption applies. And we encourage parents of five-year-olds to get their children vaccinated as soon as possible. These continued COVID-safe measures are all about protecting our youngest children and those who educate and care for them in Victoria.

HOMELESSNESS

Dr RATNAM (Northern Metropolitan) (12:12): My question is for the minister representing the Minister for Housing. The hotel accommodation program has been really important in keeping people safe and healthy during the COVID pandemic. It provided secure housing for people experiencing homelessness during Melbourne's lockdowns and helped connect people with support services and community at the heart of the pandemic. But the program has been winding up over the summer, and people have been moved out of their hotel accommodation. While the government indicated that families would be supported to find permanent homes, it is unclear how many singles and couples have been provided with secure housing after the hotel program. Minister, can you provide details of how many people have been offered long-term housing upon exiting the program and what type of housing they were offered?

Ms STITT (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (12:12): I thank Dr Ratnam for her question. I will certainly seek a response from the Minister for Housing, who I know is very passionate about making sure that out of this pandemic people have access to stable and ongoing accommodation.

Dr RATNAM (Northern Metropolitan) (12:13): Thank you, Minister, for following that up. That is much appreciated. As a follow-up, given Victoria's housing crisis and the 100 000 people waiting for a public home, it seems impossible that there would be enough housing for everyone exiting the program. Can you confirm that no person has left the hotel accommodation program and returned to homelessness?

Ms STITT (Western Metropolitan—Minister for Workplace Safety, Minister for Early Childhood) (12:13): Again that is something I will refer to the minister for a detailed response in accordance with the standing orders.

FOREIGN INTERFERENCE

Mr RICH-PHILLIPS (South Eastern Metropolitan) (12:13): My question is to the Attorney-General. ASIO in its 2022 annual threat assessment stated:

... ASIO recently detected and disrupted a foreign interference plot in the lead-up to an election in Australia.

It went on to say:

... we are seeing attempts at foreign interference at all levels of government, in all states and territories.

What steps has the Attorney-General taken to acquaint herself with this threat to Victorian government institutions?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:14): Whilst I thank Mr Rich-Phillips for his question, it is more of a collective responsibility to be briefed on such matters, because you have got digital threats, you have got threats that police would be across and you have got the foreign threats that you have identified. We have a committee of cabinet that looks at these matters, and for those reasons there is little detail that I can provide to you in relation to the briefings that we receive at that committee.

Mr RICH-PHILLIPS (South Eastern Metropolitan) (12:14): I thank the Attorney for her response. Has the Victorian government detected any foreign interference activity aimed at Victorian government entities?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:15): Mr Rich-Phillips, there is nothing that I can give specific details to, but ongoing threat monitoring is something that is always considered. I guess the more important question would be the level of risk. Obviously you might be aware of something that could happen versus something that is probable to happen, so they get risk assessments and the like. I cannot provide you with any specific details about something that has been brought to my attention that would meet the criteria that you have articulated.

MINISTERS STATEMENTS: BUSINESS SUPPORT

Mr LEANE (Eastern Metropolitan—Minister for Local Government, Minister for Suburban Development, Minister for Veterans) (12:15): Today I would like to update the house on the COVIDSafe Outdoor Activation Fund. In October last year a new \$40 million fund was announced to help councils transform more outdoor areas so Victorians can enjoy local attractions safely as restrictions ease. The fund allocated \$29.5 million to councils so that they could provide immediate assistance to businesses to operate outdoors through fee waiving and physical improvements such as new street furniture, landscaping, marquees, planter boxes, public art and entertainment to bring our outdoor precincts to life.

A few weeks ago I had the pleasure to attend and witness the work that has been done around the South Melbourne Market with one of my colleagues in here, Nina Taylor. What a fantastic representative of the area she is with her passion for her community. We were lucky enough to get a little bit of time together but also with the member for Albert Park, Martin Foley. It was fantastic. I have got to say, and I hate to break the opposition's heart, that Ms Taylor and I were actually pretty chuffed that people—there were a lot of people there—were queueing up to get a photo with Martin Foley, so obviously they appreciate—

Mr Davis: On a point of order, President, I think the minister is straying in his cheerio way beyond ministerial business, and I think he should be brought back to something that is at least close to ministerial business.

The PRESIDENT: I thought the minister had finished.

COVID-19

Dr CUMMING (Western Metropolitan) (12:18): My question is to the Minister for Education in the other place. Can the minister please advise why schools have been provided with incorrect advice on the use of the air purifiers that have been provided to them? The minister announced the biggest investment in education ventilation in Australia's history to be rolled out across Victorian schools. On the department of education's website it provides information on the use of the 110 000 Samsung air purification devices being rolled out, stating:

maximise ventilation of indoor spaces with outside air (for example, by opening windows and doors).

...

use air purifiers in addition to maximising ventilation, rather than as a replacement, where possible.

Yet the Samsung product brochure states:

Keep the windows and doors closed whenever you can while the product is running.

Ms TIERNEY (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (12:19): I thank Dr Cumming for her question. The question will be referred to the Minister for Education, and I am sure that he will provide a response in accordance with the standing orders.

Dr CUMMING (Western Metropolitan) (12:19): Thank you, Minister. I look forward to the minister's response. Does this improper use of the air purifiers void the warranty with Samsung, and will there be an additional cost due to the subsequent replacement of filters? The product brochure states that the filters need to be replaced every six to 12 months; however, improper use such as not operating them in controlled environments and with the windows and doors open could require increased replacement of these filters. Has this government factored that in? For me, I also understand that these products are inferior products. They are a Chinese-made product. There are better air purifiers from Europe and the USA. Could the government please explain the millions of dollars that were spent for these air purifiers? I am kind of disappointed to hear about this government purchase.

Ms TIERNEY (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (12:20): Again, I will refer the supplementary question to the Minister for Education.

EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

Ms CROZIER (Southern Metropolitan) (12:20): My question is to the Minister for Emergency Services. Minister, in June last year there were fears glitches and serious outages to 000 could result in the deaths of at least 18 people a day. In May 2021 the 000 system was offline for hours following months of outages. In October the family of Nick Panagiotopoulos waited 15 minutes to speak to an ambulance dispatcher, but tragically the response to attend was too late. I refer to an article in the *Age* in early January where senior health sources told that paper that they were aware of eight deaths and serious incidents between October and January of this year. So I ask: what is the total number of Victorians that have died as a result of the failures within ESTA since last October?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:21): Ms Crozier, I am not sure how many times I have to explain that it is not a matter for you or me to attribute a cause of death or injury to an incident that involves a call to 000, which is answered by a federal call taker, transferred to ESTA, which is picked up by a call taker, with then can be referred to the RefCom unit with the Ambulance Victoria dispatch people, who then go on to determine whether an ambulance should be dispatched or not and who then seek to find an appropriately located ambulance and advise where it should go. Then, if required, it may end up at an emergency department. There are many issues to be considered, so when there is a fatality or an adverse outcome that has involved an emergency response, the appropriate people to interrogate that are not politicians. We have the inspector-general for emergency management (IGEM) to do that and, in the case of death, the coroner. It is not for me to attribute any cause of death; that is a role for the coroner.

Ms CROZIER (Southern Metropolitan) (12:23): I note in the minister's answer she is trying to shift blame to the federal government yet again. She knows and I know, and I have asked questions about this from the federal minister in relation to 000. By way of supplementary, it has also been reported that at least four deaths have been referred to the Coroners Court due to possible delays by ESTA being a factor in their deaths. The Coroners Court is awaiting the findings of the inspector-general for emergency management following that inquiry having been launched. Too many Victorians are dying as a result of the failings within ESTA, Minister, so when will the findings of the inspector-general for emergency management be finalised, and will the coroner be reviewing any deaths as a result of ESTA's failings?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:23): You have contradicted yourself a bit in that question, Ms Crozier, by saying that ESTA would be a possible factor but then you go on to somehow put yourself in the shoes of the coroner, without details and without speaking to victims and those that have been involved, and attributing the cause of death to ESTA. I will continue to support the hardworking folk at ESTA. They are on the front line, day in, day out, answering emergency calls and taking appropriate action so that Victorians can get support. The coroner is an independent body, as is the IGEM, and they are appropriate to take the steps needed to make appropriate inquiries and to be the ones who—

Ms Crozier interjected.

Ms SYMES: It is inappropriate that independent bodies be directed by the minister or indeed any politician for that matter.

MINISTERS STATEMENTS: VETERANS SUPPORT

Ms PULFORD (Western Victoria—Minister for Employment, Minister for Innovation, Medical Research and the Digital Economy, Minister for Small Business, Minister for Resources) (12:24): I am thrilled to update the house about the Andrews government's new plan to further support our ex-Australian Defence Force personnel. The enhanced support for veterans plan has been developed jointly by Jobs Victoria and the Department of Families, Fairness and Housing in partnership. This is something that Minister Leane and I have been doing. It aims to strengthen our government's support for veterans looking for work as they move on after their life in service to civilian life. The plan will ask veterans to self-identify on the Jobs Victoria online hub, thereby making it easier than ever to connect these exceptional men and women with appropriate job opportunities.

Ensuring a tailored job support service is available for veterans to access employment opportunities is a high priority for our government, and the introduction of this plan is the latest of many examples of how we are supporting our veteran community. It follows the delivery of a 2018 election commitment of \$1 million to secure construction jobs for veterans through the Veterans in Construction program. This program has placed 49 veterans into the construction industry so far, with the ambitious goal of placing a further 100. Since 2016 Jobs Victoria has assisted 210 veterans with employment services and careers counselling and continues to offer wage subsidies of up to \$20 000 to employ out-of-work

or underemployed veterans. It is my honour, and I know also that it is Minister Leane's great honour, to work to provide greater employment outcomes and opportunities for our veterans that served our community so well in their earlier careers.

DUCK HUNTING

Mr MEDDICK (Western Victoria) (12:26): My question is for the Minister for Agriculture. The disposal of soil containing PFAS has been hotly debated in this chamber, with outrage from all sides of politics, but PFAS is also found now in many wetlands and other environments and is biomagnified up the food chain, found in the flesh of waterfowl in much greater concentrations than in so-called toxic soil. The Environment Protection Authority Victoria has made it clear that flesh from ducks should not be consumed from certain sites:

Do not consume ducks harvested from the Heart Morass Wetlands. This includes both the State Game Reserve and private land.

...

Do not consume ducks harvested from Dowd Morass Wetland.

And on it goes. But shooting at these wetlands continues. It continued last year despite these warnings, so either shooters are ignoring this advice and eating contaminated birds and feeding them to their families or they are shooting birds for the thrill of the kill. Minister, if there is a duck-shooting season this year, will the minister close down wetlands with known PFAS contamination?

Ms TIERNEY (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (12:27): I thank Mr Meddick for his question and again the consistent representation that he makes, and the consistent representation that Mr Bourman makes, time in and time out. The consistent response that you will receive again today is that I will refer it to the Minister for Agriculture, and I am sure that she will respond consistent with the standing orders.

Mr MEDDICK (Western Victoria) (12:28): Thank you, Minister, for referring that on. On a supplementary, I have been reliably advised that ducks have wings and can fly. How can the minister know that there are not ducks contaminated with PFAS on nearby wetlands without PFAS warnings?

Ms TIERNEY (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (12:28): Again I thank Mr Meddick for his supplementary, and again it will be referred to the Minister for Agriculture for a response.

EMERGENCY SERVICES TELECOMMUNICATIONS AUTHORITY

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (12:28): My question is to the Minister for Emergency Services. Minister, I refer to the failure of the ESTA 000 call system to dispatch an ambulance to Stewart Grant on 29 January. Mr Grant's wife waited 40 minutes for an ambulance and hauntingly had to say to her husband just before he died, 'I'm sorry, they're not coming'. Minister, this awful tragedy occurred on your watch. Do you accept full responsibility for this completely and utterly unacceptable tragedy?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:29): Mr Davis, I really cannot believe that you do this: that you use victims in a political way when you clearly have not spoken to them. You do not know the facts of this case, and in fact some of the issues that you have raised are just completely inappropriate. The fact that I continue to have to explain the Liberal Party attributing someone's death to something for their political purposes when it has not gone through a proper process is absolutely outrageous.

But I will respond in that of course my condolences go to Mr Grant's family. The loss of a loved one is incredibly traumatic, and I join ESTA in offering our sincere condolences to that family at this extremely difficult time. I will not contribute to that trauma by adding additional commentary to that

case. It is inaccurate and inappropriate to attribute cause of death in the way you have. Only the coroner can properly determine this.

I can say that ESTA has reviewed this matter with inspector-general for emergency management (IGEM) oversight and determined that ESTA staff did everything expected of them. ESTA and Ambulance Victoria work together every day to review and investigate their performance to ensure that patient safety is paramount. We will continue to back ESTA and our health workers with the additional support and resources they need. Just recently I allocated \$27 million to ESTA, and I continue to speak with acting CEO Stephen Leane on an almost daily basis. This is something we are focused on. We are talking regularly, we are providing the resources required and those hardworking staff at ESTA deserve our support and admiration.

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (12:31): That is a bit rich. But leaving that aside, in a letter to Mr Grant’s family Ambulance Victoria has admitted the organisation did not meet expectations on this occasion. The Ambulance Victoria letter said:

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

Minister, I have warned you in this chamber about the risks of excessive and flawed triage, and I therefore ask: do you accept that in this case the flawed triage and failure to immediately dispatch an ambulance may have resulted in Mr Grant’s untimely and tragic death?

Ms SYMES (Northern Victoria—Leader of the Government, Attorney-General, Minister for Emergency Services) (12:32): I will not repeat my comments. I think it is shameful the way you are seeking to politicise people’s families when I provided you with the information. I will not provide additional commentary in relation to this case. However, as I have repeated, ESTA and IGEM reviewed this matter, and ESTA did everything that was required of them in relation to that case. I will not provide additional commentary in relation to this matter and try to add additional trauma to this family, as will be the result of you trying to politicise the family’s tragedy. Trying to attribute any blame is not a role for you, Mr Davis; it is a matter for the coroner.

MINISTERS STATEMENTS: REFUGEE AND ASYLUM SEEKER SUPPORT

Ms TIERNEY (Western Victoria—Minister for Training and Skills, Minister for Higher Education) (12:33): Last week I was proud to announce the Victorian government’s expansion of the asylum seeker VET and Reconnect programs, which is a \$6 million investment from the 2021–22 Victorian budget. These programs ensure people seeking asylum can access training and support in Victoria and make valuable contributions to our society.

The announcement coincided with the 70th anniversary of AMES Australia. AMES has transformed the lives of migrants and refugees. AMES was born of the work of remarkable volunteers who in 1951 taught English in humble Nissen huts in north-east Victoria. They were a community supporting people who had fled war-torn countries and were starting a new life. Their work is just as important and life changing in 2022 as it was in 1951. I am proud that the Andrews Labor government supports the critical role they play in supporting evacuees and refugees from Afghanistan through their quarantine process; connecting them with local Afghan communities; finding housing, schools for children, health care and government services; and connecting them with language and education and employment pathways.

The work of AMES is profound, and that is why last year I was proud to present Cath Scarth, the AMES CEO, with the 2021 Lynne Kosky lifetime achievement award. Diversity and multiculturalism make us strong, and the work of AMES Australia makes a significant contribution to our society. I ask the house to join me in congratulating AMES Australia on over 70 years of service to our rich and diverse community and welcoming and supporting our refugee community.

WRITTEN RESPONSES

The PRESIDENT (12:35): Regarding questions and answers today: Dr Ratnam to housing, Minister Stitt, two days, question and supplementary; Dr Cumming to education, Minister Tierney, two days, question and supplementary; and Mr Meddick to agriculture, Minister Tierney, two days, question and supplementary.

Constituency questions

NORTHERN METROPOLITAN REGION

Dr RATNAM (Northern Metropolitan) (12:36): (1639) My constituency question is to the Minister for Energy, Environment and Climate Change and relates to the proposal for community housing at 3–15 Shiel Street in North Melbourne. I understand that authority to approve this development sits with the minister now rather than with the Minister for Housing as a result of amendment VC190 to the Victorian planning provisions. A number of residents in North Melbourne have concerns about this particular development, including the risk of overshadowing nearby Gardiner Reserve, which is an important and much-needed piece of inner-city public green space. While my Greens colleagues and I absolutely support the need for more community housing across the state, including and especially in our electorates, I am concerned that the hard-won planning controls that protect our green open space and facilitate public health and wellbeing are being overridden. Will you meet with residents to hear their concerns?

NORTHERN METROPOLITAN REGION

Mr ONDARCHIE (Northern Metropolitan) (12:37): (1640) 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 the Andrews Labor government. They are concerned about traffic and congestion and the time it takes to get to work. Disappointingly they will not be part of the smart traffic light upgrade for congested intersections. In this term of Parliament I have called on the government to investigate congested intersections in 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. All this is the result of surveys that constituents have responded to. It is no wonder that the residents of Melbourne's north feel abandoned when they hear the government will be installing smart traffic light infrastructure in the south-east but none in Melbourne's north. The question I have is: when will the government install smart traffic lights in Melbourne's north to improve travel so my residents will not feel they are being taken for granted by this Andrews Labor government?

WESTERN METROPOLITAN REGION

Dr CUMMING (Western Metropolitan) (12:38): (1641) My question is to the Minister for Transport Infrastructure in the other place. My office has been fielding calls from disgruntled residents about the current construction on the West Gate Freeway. They have had noise from construction and traffic delays and are yet to experience any benefits from the changes to the road or the West Gate Tunnel Project. From my own experience it has added an additional hour of travel time just here to Parliament. My question is this from my constituents: how much longer will disruptions occur on the West Gate Freeway and when will the residents in Western Metropolitan Region start to gain some benefit?

WESTERN METROPOLITAN REGION

Mr FINN (Western Metropolitan) (12:39): (1642) My constituency question is to the Minister for Roads and Road Safety. Derrimut Road is a main road that now runs through one of the fastest growing areas in Australia. It also links rapidly growing areas in the Melton municipality with greater Werribee. Traffic on this road is horrendous at the best of times. At peak hour traffic indeed is intolerable. Once a quiet country road, Derrimut Road is now a main thoroughfare. The problem is the majority of this

road is in its original state, untouched by human hands, as it were, but travelled on by many thousands of vehicles every day. If the Andrews government allows unbridled development with the tax grab that it brings, it is only fair that those taxes be returned in improved infrastructure. Minister, when will the government duplicate the entire length of Derrimut Road?

SOUTHERN METROPOLITAN REGION

Mr HAYES (Southern Metropolitan) (12:40): (1643) My constituency question is to the Minister for Public Transport. Residents in the City of Port Phillip have raised concerns with me about land managed by VicTrack regarding the lack of proactive and regular land maintenance in terms of weed management, vegetation pruning and rubbish clearance. Can the minister please provide information on VicTrack's complaints-reporting processes, reporting criteria and public response time frames for management of these areas?

WESTERN VICTORIA REGION

Mrs McARTHUR (Western Victoria) (12:41): (1644) My constituency question is for the Attorney-General, and I ask the minister about the considerable delays in the hearing of criminal cases both in the Geelong and Warrnambool Magistrates Courts. These delays can mean even initial first mention hearings in court are not being heard until later this year, and hopefully they are not going to be delayed until next year. These delays are in part attributable to the COVID restrictions placed on courts by this government. So my question to the Attorney-General is: what steps is she taking to address these delays in the Geelong and Warrnambool courts, especially in the areas of criminal matters involving domestic violence?

EASTERN VICTORIA REGION

Ms BATH (Eastern Victoria) (12:42): (1645) My constituency question is for the Minister for Agriculture, and it relates to the upcoming duck season that is supposed to be established on 19 March. My constituent is Wayne Hobson, and he has been hunting since he was nine years old. He has hunted duck and quail and rabbit. He has been an avid member of Field and Game Australia and volunteers his time to assist in the restoration of habitat. He has represented Australia in two simulated field shooting events in France and Germany. He is a law-abiding gun owner. In understanding that, the minister said recently to Field and Game, 'It's not my problem', in relation to the upcoming season. It is your problem, Minister. You do need to announce it. Will you announce a full duck season immediately?

NORTHERN VICTORIA REGION

Ms MAXWELL (Northern Victoria) (12:43): (1646) My question is to the Minister for Regional Development, and it is regarding the need to upgrade the Echuca aerodrome's airstrip. The Echuca aerodrome is heavily used by the Victorian and New South Wales air ambulances, the Royal Flying Doctor Service, the police air wing and other emergency service aircraft. The length and width of the main runway, taxiways, aprons and associated infrastructure, including lighting and drainage, need to be extended. Without it, the new fleet of aeromedical service aircraft cannot access the facility and the community will be denied access to critical medical treatment. The Campaspe shire has already done the planning and assessments necessary in seeking matched funding of \$2.1 million to progress the project to construction. My question is to ask the minister if she will accompany me to inspect the aerodrome and meet with stakeholders to discuss this important infrastructure and how the state government can assist with this matter.

NORTHERN VICTORIA REGION

Ms LOVELL (Northern Victoria) (12:44): (1647) My question is for the Minister for Education. The contentious closing of four public secondary schools to create the Greater Shepparton Secondary College has both devastated and divided the Greater Shepparton community. The establishment of the new school means that there are now three vacant school sites sitting idle. The sites are slowly

becoming eyesores, with no work being done to maintain either the buildings or the grounds. I have had numerous constituents complain about the unkempt state of the grounds, with long grass a feature of at least one site. These state government assets are in danger of being destroyed, and so far the minister has failed to articulate the government's plans for each site in the future. Will the minister undertake to ensure regular maintenance is carried out at the former McGuire College, Wanganui Park Secondary College and Mooroopna Secondary College sites and also announce the government's future intentions for each of the sites?

NORTHERN VICTORIA REGION

Mr QUILTY (Northern Victoria) (12:45): (1648) My constituency question is for the Minister for Housing and Minister for Planning. Last week I visited Shepparton ACE Secondary College, a small independent school providing education to disadvantaged students disengaged from the system. ACE, recently booted from their premises by Shep council for a state government project, have just opened their new purpose-designed campus. Now the council and the government are building a four-storey social housing tower on the car park next to the school. This will loom over the school and block its fire escape. Because it is part of the government's social housing project, it is exempt from the usual planning rules. We are told that Shep council recently rejected a two-storey apartment development literally next door to this site as unsuitable. We do not oppose social housing with the right location and design. This is not it. ACE college should not be chased out again. Public housing towers are so 1960s. There are many alternative locations in Shep for this project. Minister, why is ACE college being trampled again by this terrible design for social housing in Shep?

Motions

COVID-19

Debate resumed.

Ms CROZIER (Southern Metropolitan) (12:46): As I was saying prior to question time, I have concerns around the government's enforcement of masks for primary school children, particularly around those years 3 to 6, which makes absolutely no sense. There are leading epidemiologists and doctors who I have mentioned previously who have said this just does not make any sense. I want to quote Murdoch Children's Research Institute paediatrician Dr Fiona Russell, who has been extremely vocal throughout the entire COVID crisis. She has had some really commonsense comments. She is a paediatrician, she is working with children and she has said so many sensible things. It is just a pity that her views are not taken more on board by the government.

As Dr Russell says, children are at the lowest risk of hospitalisation and severe disease from omicron. We know that. I am sure that members in this house have children that have had mild symptoms; they have tested positive, but they have been very mild. Certainly that is my experience with many young people that I am aware of. As others have said, as Professor Collignon said, there is a lot of inconsistency if we make young children wear masks when they are less of a risk to both themselves and others than adults. This whole issue is around children having to wear a mask where others do not, and I take on board what was said on the ABC's Virginia Trioli program today, where Dr Sutton was trying to justify his position on this. Yes, he said it was his advice, but he is ignoring the fact that others, like Dr Russell, are saying that they should be removed from children. As Ms Trioli said, 'Shouldn't we listen to her?'.

Dr Sutton said, 'I struggle with harms projected onto our kids'. Well, they are not being projected onto the children. It is just ludicrous to think that that is the case. I think the chief health officer has lost his way, quite frankly, because whether you are vaccinated or not—single, double or triple—you can still pass this virus on unknowingly. It can be transmitted if you are vaccinated. But to have children mask up because the government have not done what they said they would do and have 80 per cent of kids in the age groups 5 to 11 vaccinated by a couple of weeks ago is punishing these children for the failures of their actions. That is what this is all about. And these kids are not at any greater risk. As

Dr Russell has said, they have the lowest risk of hospitalisation and severe disease. These are really important elements.

I just cannot understand why the Premier, who buckled yesterday, made some ridiculous comment. I cannot find the quote that I need, but it was quite ridiculous. He was talking about the whole point, justifying his decision to have masks on kids, and he said:

Well, you mightn't get sick from it, but you can give it to Grandma, you can give it to someone who's had cancer, you can give it to someone who's got asthma ...

That is true, but so can anybody who is vaccinated transmit the disease to Grandma, someone who has got cancer or someone who has got asthma. His justification for this mandated mask ruling is actually out of step, and it demonstrates how this government has managed COVID. Its demands have been harsh—the harshest restrictions of anywhere in the country and the worst outcomes. We are known to have been the longest locked-down city in the world. We have not had good results here.

The government and others have said that having kids go back to school was going to be catastrophic. They made those predictions. Those predictions have not come true, and that is a good thing. I am actually pleased that their predictions have not come to be, but the whole way through these predictions have not been met to the same extent that the so-called experts have said. And that is where I think the government are missing the cue of others who have a contrary view to them, because they keep demanding that their way is the right way and that we all must abide by their way because they have got the people in place that are telling them so. In actual fact it is doing more harm. We have got that from psychologists who talk about the needs of kids in those developmental stages.

Children in grades 3 and 4 have just come to school after two years of having the harshest of restrictions in place and the homeschooling. The face-to-face learning has not happened. We know that in Victoria the number of calls to Kids Helpline shows a huge uptake of those services, the counselling services required, because of the enormous demand. There was a 68 per cent weekly demand for Kids Helpline in Victoria last year—68 per cent—from May to July. That is extraordinary. That has only got worse with lockdown 6. Of course that did not even take consideration of that. I beg your pardon, it might even be 2020 that I am referring to, but whether it was 2020 or 2021 what we do know is that lockdown 6 exacerbated all these issues, because the kids were actually sent home and had to do homeschooling again and the teachers and the parents all chipped in and did what they had to do.

But again I draw it back to what we are talking about. The mandatory mask requirements for children in primary school, this group of years 3 to 6, makes no sense. I think the government has got it very wrong. I am hoping it will backflip on that like it backflipped on the IVF ban once there was a big public outcry from women and providers, who said 'This makes no sense. We are not a service that is affected by code brown. Why have you lumped us in?'. Again, we have got a government that is actually making decisions—the chief health officer himself said that he and his office did not provide advice on those IVF bans and the IVF backflip. This demonstrates just how the government operates.

I refer to the hospitality industry, which has been absolutely smashed throughout COVID. Again, the rhetoric coming from the government is that it is providing support. I have spoken to business owners. In fact I spoke to one two weeks ago who said, 'I've had enough. I put in my application late last year when I was asked to. It took 12 weeks for somebody to come back'—because they were on holidays, for God's sake—'still asking for the same material'. What happened was just a disgrace. So do you know what he did? He said, 'I'm out of here. I'm going back to Melbourne and I'm telling my employees I'm shutting the Melbourne business, and I'm staying up in Sydney'. He is one of many. It was just too much. It was just the last straw that he did not get the support and assistance that he required because the government's ineffective support system has not been there.

Again, we have got this mandatory mask rule in these environments where everybody is vaccinated. The vaccination rates are so high in this country. Everybody has done extraordinarily well. Well, you

know what? There might be another variant. We know that; we have said that for the last two years. I have been saying it. Anybody that understands infectious disease will understand there could be another variant and another variant. We have been talking about another variant. We have had language coming out over the last two days of ‘another more transmissible variant than omicron’. Well, that is fine, but you cannot keep people corralled like this government has done. And the inconsistencies with their decisions—the absolute mandatory requirements that they have placed on Victorians have just not been proportionate. These are health officials, these are epidemiologists and these are doctors who are paediatricians who are saying this. They are concerned about the health and wellbeing of children, and not just their physical health but their mental health.

As we have said, we need the public service to get back to work. And they do not want to go back to work because they do not want to wear their masks. They are sick of wearing their masks inside. And as I said to somebody this morning when I was speaking on the media rounds, ‘How many in your office actually wear the mask properly?’. And do you know what they said to me? ‘Yeah, you’re right. We’re always having a coffee, we’re eating our breakfast, we’re doing this, we’re doing that—we don’t have our masks on’. They understand that, sure, be sensible about it, but we have people still working from home because they do not want to come into the office and have to wear a mask. They are saying that. And that is why we are pushing, the Liberal-Nationals are pushing, to lift these work-from-home mandates and remove the mask requirements in these settings.

Finally the government is starting to ease the restrictions in dribs and drabs, but it is in dribs and drabs and it makes no sense. We do not get the health advice. The pandemic committee—I am sitting on the pandemic committee. We get the orders, we get the summaries and we get this and that, but we do not get ‘Well, here’s the modelling’. We are asking questions. I am still waiting for those answers. I mean, we just do not get it all. We have not had that advice for the last two years, and we are still getting these inconsistencies. I say that these mandatory mask rules should be looked at by the government in all indoor settings, as the motion says, including the primary schools.

I was speaking to my colleague Ms Burnett-Wake. She was talking about her children. One of her children has to wear a mask and the other does not, and they are saying, ‘Why do I have to wear a mask and you don’t?’. It is putting tension amongst those kids. Those kids, her kids—that is her experience. There are parents that are telling us similar stories: ‘Why does one child not have to wear a mask and the other does?’. It is just difficult for them. It is confusing for the kids. Again, this government is just so bureaucratic, so autocratic. They really do not understand the reality of what the community expects from them. I think that they have misjudged that the community are getting on with their lives because they need to. They want government out of their lives. We have had too much of this government in our lives, and now we have got these ridiculous circumstances I have been speaking about, particularly around primary schools.

But it is in hospitality, and it is in retail. How does it make any sense? You know, the inconsistencies—the pubs and clubs are open. We are agreeing to that like we did with the tennis crowds going from 65 to 80 per cent for the final. I still want to see that advice. The chief health officer told me it was not his or his office’s advice, it was the minister’s. Well, okay. That group of people are allowed to do one thing but another group are not—this is the inconsistency. In pubs and clubs young people are dancing, singing and having a great time, as they should; they need to live their lives. But how can they? Those who are vaccinated can still have the virus and still transmit it and give it to grandma and the cancer patient and whoever else the Premier referred to, but children in years 3 to 6 and children in years 1 and 2 can too.

That is the nonsense of the government’s decision. There is inconsistency with their argument. There is inconsistency with their application. There has been a disproportionate approach the whole way along, and again it is disproportionate here. They are going to lift it on Monday or Tuesday or whatever the date is—these arbitrary dates.

Again I say I think the chief health officer and his advice—well, I would like to see who else is giving the advice. Is it just the chief health officer? Are there others giving this advice? Is it the teachers union? Whom is the minister speaking to? I think we all need to understand that because of the confusion, the inconsistency and the absolute nonsensical reasoning around why with mixed classes, when you have got years 2 and 3 in a class, half have to wear a mask and half do not. It makes no sense. That is what the Victorian public see. Those parents who have got kids in that situation—parents who have got kids in year 7 and year 4 and one has to wear a mask and the other does not—do not understand. They are confused. It is creating tensions within the family. I again urge the government to support my motion and have some common sense applied.

Sitting suspended 1.01 pm until 2.03 pm.

Mr GEPP (Northern Victoria) (14:03): I rise to speak on the motion brought forward by Ms Crozier. I was thinking about what I was going to be saying in this debate. It seems like we have had this discussion over and over and over again. Like most Wednesdays, it is groundhog day. We keep coming back to the same themes and the same issues. I have got to say that I am not quite sure where the opposition are getting their feedback from, because it is so different to the feedback from people that I am speaking to when I am out in regional Victoria talking to them about the pandemic. It is true that no-one wants any restrictions. We would all love to go back to the way things were prior to the summer of 2019–20, but the reality is that everywhere around the world we have been afflicted by this dreadful pandemic. It troubles me when the opposition again come forward with a motion that just seems to be at odds with everything else that is being done both here and around the world.

What we have said, right from the get-go—the Premier, the Minister for Health—has always been that the restrictions that we have in place would not be in place for a moment longer than they needed to be, and it is based on public health advice. That is why the Andrews Labor government was pleased to announce this week that from 11.59 pm this Friday masks will no longer be needed in most indoor settings, so you would have thought that that announcement has probably acquitted the motion that the opposition still persist with. It just beggars belief that despite that announcement we are still dealing with this motion today.

But what it does do is it allows us the opportunity of course to reflect on the things that we have done over the last couple of years—that Victorians so wonderfully well have met the challenges in terms of a variety of responses to the pandemic which have led us to this point in time that allows us this Friday, at 11.59, to remove masks in most settings. In fact they will only be required indoors in the following circumstances, unless an exemption applies: people on public transport, in taxis, in rideshare and on planes and indoors at an airport; people working or visiting hospitals and in indoor areas at care facilities; workers in hospitality, retail and the court system; workers at justice and correctional facilities; students in year 3 or above at primary school; workers at early childhood centres and primary schools; people working indoors at an event with more than 30 000 people attending; and in special circumstances, such as if you have COVID-19 or are a close contact and you are leaving home. That means that masks can be removed in secondary schools, in most working places and in hospitality and retail venues for customers and patrons. Masks are recommended still for other workers serving or facing members of the public—for example, some of those working at receptions et cetera.

But it is important that we understand that each of the measures that have been put in place over the last couple of years by the Minister for Health, based on advice from the chief health officer, has been a contributing factor to getting us to the point in this state today where we have, if not the best vaccine take-up rates in the world, very, very close to it. We have had a very broad approach to dealing with the pandemic, and masks of course have been one of those things.

I imagine a situation where we did not have masks. Let us wind back the clock to perhaps this time last year. If masks were not in place, you can imagine what they would have come forward with: a motion demanding that masks be mandatory. It is almost as if it is opposition for opposition's sake. I think, going back to my original point about where they are getting their advice from, I just do not

understand it. In fact last night I was sitting back with a cup of tea before bed and watching a bit of the late-night news. They were talking to parents walking with their little ones into school about the masks: what did they think about their kids wearing them? There was not a parent who objected. They said, 'If it keeps our kids safe, then it's a small price to pay'.

Mr Limbrick: Does it?

Mr GEPP: I will take up this interjection from Mr Limbrick. Of course we know the crowd that he has been hanging out with throughout this pandemic, and we understand why he is doing it. When you come into this place with 0.84 per cent of a vote and occupy a seat in this place, then what you are focused on is getting returned and you have got to make sure that that base is maintained. So we understand that he is playing to that base and that that is the base that he hopes will cast a ballot in his name in—well, I was going to say November, but of course he is going to have a crack at the federal scheme before then. I am not sure, though, that he is actually confident that he is going to get elected there, because my understanding is that when he vacates his seat here in order to be able to run for that one in Canberra his seat is going to remain vacant so that if he loses he comes back in here. So I am not sure that he thinks he is actually going to be successful, so I understand where he is coming from when he just throws out these lines: 'Well, does it?'.

What we have got is experts right around the world who have told us that the wearing of masks as a whole strategy in approaching this pandemic has been successful, and indeed if you look at most of the international news coverage that comes through overnight—and I frequently do CNN; heaven forbid, I even tune into Fox News every now and again—what is the one thing that you see? You see people wearing masks. And why do they wear masks? It is interesting. They understand that the wearing of masks in a health setting keeps people safe, keeps their health workers safe, keeps the people in the hospital system safe, and why? Because they are an effective tool, they are an effective mechanism and they have been part of a whole strategy. A whole strategy—not one individual thing, but a complete strategy for dealing with this pandemic.

They do not seem to understand it. Of course Victorians should not also have been burdened with the worst opposition, I think, in this state's history. They deserve better. They deserve an opposition that should be able to probe and contest everything that we are doing, but of course they do not. They get fixated on something. There is no science behind any of the reasoning that they bring to the table; rather, they latch on to the smallest opposition to a particular strategy and they ride that puppy home. They ride that puppy home for as long as they possibly can because they have got nothing else in their tool bag. So Victorians deserve better: they have had to endure this pandemic over the last couple of years, but why on earth did they have to have the worst opposition in this state's history as well? It is one that has been so ineffectual. What they do is they come in here with this, despite the fact that the government said earlier this week, 'This is what we're doing on masks'. Mr Davis seems to be able to read the *Herald Sun* except at the most opportune time, when it was detailed about what the government would do at the end of this week in relation to masks. Had they read it, they would have understood that this motion would have been acquitted, and they could have saved everybody a whole lot of time.

Mr LIMBRICK (South Eastern Metropolitan) (14:13): This coming week parents like me with children of different ages have a very strange task ahead of us. We have to explain to some of our kids why they have to wear masks at school when their brothers and sisters do not. This will be very difficult, because like just about all rules during the pandemic, no-one has explained this rule to us. So the correct answer is that you have to wear a mask because some rules are plain silly. Unfortunately it is a lesson some kids who were locked out of the playgrounds last year have already learned, but at a time when kids are just learning to follow the rules at school, this is a lesson I was hoping to save until later. Sadly at the end of the day these children, just like the rest of us, will be forced to do as they are told—forced to comply.

Of course this is just the latest chapter in what has been the most profound moral failure of this pandemic, the appalling treatment of children. During times of distress—when ships are sinking, during wartime, during other pandemics—the needs of our children have traditionally been protected, but not during this pandemic. It started with kids being kept out of school and missing out on social interaction during the most formative period of their lives. I have already shared some of the terrible stories from my constituents in this place. During the pandemic many kids learned how little adults really care about their education. It is hard to think of a more terrible message.

But to this motion, psychologists tell us facial expressions are the most primal and important aspect of human-to-human interaction. Facial expressions are crucial to the way a child conveys their thoughts, emotions, ideas and intentions. Their face indicates physical or psychological distress, fear, anger, sadness or pain, all of which impact social engagement, growth, personality, confidence and behaviour. When children cover their faces, they cover their expressions and hide their personalities. They do not know how people react to the things that they say. They miss social cues, and their development is inhibited. As a parent it is difficult for me to understand how the social development of our kids has been discarded as casually as it has been throughout the pandemic. This is not seeing children as priorities; it is seeing them as disease vectors. The ultimate expression of this was the playgrounds closure in August last year. The Liberal Democrats believe that our children should be treated as priorities, not as disease vectors. Children are precious, and there should be no higher priority than helping them develop into healthy adults. This is our most basic function as a society. The continuation of these mask rules for small children is a continuation of COVID madness. It inhibits the development of our kids, and it must end. I commend this motion to the house.

Dr BACH (Eastern Metropolitan) (14:16): I also commend this motion to the house. As Mr Gepp said, it deals with a range of matters that are linked to some announcements that the government made, but in particular regarding young children and primary school children this motion is most apt. The motion reads:

That this house calls on the Andrews Labor government to immediately remove mandatory mask rules in—
a range of settings—

... including primary schools ...

As Mr Limbrick said, the element of the government's policies that right now is causing the most angst is that relating to schoolchildren. The bizarre situation whereby you could have children in a composite class—and at my local primary school I was in composite classes in grades 2, 3 and 4—where some children are mandated to wear masks, for a reason unbeknown to me, and other children are not, is, well, very odd public policy and demonstrates the extent to which of course these measures have absolutely nothing to do with anything remotely resembling scientific evidence. It was odd to hear from Mr Gepp time and time again that we on this side of the house were going it alone with some of our criticisms of this measure. Nothing could be further from the truth. Esteemed epidemiologists lined up today to overtly criticise the Andrews Labor government, as they have done on so many occasions.

Ms Terpstra: Who?

Dr BACH: And Ms Terpstra calls for a name. 'Who?', she says; she clearly did not read the newspapers today. I give you Professor Collignon, who said—

Ms Terpstra interjected.

Dr BACH: Hang on. You said, 'Who?'. I told you. Now, if you will allow me to go on, he said that the 'catastrophic predictions' of another COVID spike as a result of opening up schools were 'very wrong'.

Last year and the year before, the Andrews Labor government repeatedly engaged in the most base fearmongering—base fearmongering that we now realise was totally lacking any evidential basis.

They closed down our schools here in metro Melbourne for over 170 days with catastrophic results. Those opposite continually downplay the results of school closures. In a way, as a former teacher, that is so disrespectful to our teaching profession: send kids home, with mum and dad trying to do work, to stare at a computer screen. You think that education is just as good as being with one of our outstanding teachers in one of our state schools or non-government schools? Well, it is not. And Ms Terpstra may ask who says that other than me. What about the Murdoch Children's Research Institute? Repeatedly the Murdoch Children's Research Institute has pointed to the dreadful learning losses that our children have suffered over the last two years, but many of us in this place, including Mr Limbrick, are just as concerned about our students' wellbeing and their mental health. And again, what the Murdoch Children's Research Institute said in a major publication as recently as two or three weeks ago is that the greatest threat to young Victorians is not COVID. The greatest threat to young Victorians is more school closures—more lockdowns. They have had many things to say about mask mandates.

I will go back to Professor Collignon, however. He said, correctly, that the catastrophic predictions of the Andrews Labor government—the fearmongering of the Andrews Labor government about another wave when we sent children back to school—were 'very wrong' and then went on and made a fascinating point. He said, 'The people who are pushing these restrictions'—these restrictions being ongoing mask mandates for half the kids at primary school, not all the kids at primary school but half the kids at primary school—'are the ones who have been wrong with' other restrictions. Our children have suffered dreadful learning losses. We need a plan in order to catch them back up. Muzzling kids in the classroom is not a plan to do that. Muzzling kids in the classroom continues to do what the Murdoch Children's Research Institute says has happened right through this pandemic, and that is to have the greatest impact on disadvantaged and vulnerable kids. That is what we are seeing from this government that of course purports to put a priority on fairness.

More broadly we will see not the fixing of our mental health crisis, which must be one of our uppermost priorities, but rather further exacerbation of some of the dreadful problems that our young people have experienced as a result of the oftentimes harsh, oftentimes illogical restrictions and measures put in place by the Andrews Labor government—the playground ban that not only caused so much harm but sent an appalling message to our young people, and many of the other restrictions, including school closures.

This motion is particularly apt today given that so many eminent epidemiologists and other experts are speaking out about exactly the matter that Mr Davis has articulated in this motion, being the continued mask mandate for primary school children. Those opposite continue to call out for other examples of epidemiologists. I will just give one more from today's media, Professor Emma McBryde, who said that she 'can see no genuine reason' for keeping the mandate in place:

It's a silly measure ...

She went on to say:

It ... feels as though they—

the Andrews Labor government—

can't let go of control. To me, there's no genuine rationale of it.

I could not have said it better myself.

Ms TERPSTRA (Eastern Metropolitan) (14:22): I rise to make a contribution on this motion before the house, which purports to call on the Andrews Labor government to immediately remove mandatory mask rules in all indoor settings, including offices and schools, and only mandate that masks be worn in special, narrow settings such as health care. It is very disappointing to have to debate a motion such as this in the house today, because again what we see is those opposite effectively

wanting to weaponise this pandemic and to weaponise every effective tool that the government has employed to actually keep people safe.

I remind people in this chamber but also those people who may be watching along at home—this is all done on health advice as well; we relied on experts telling the government this—that the reason why we had to have lockdowns was that we did not actually have any vaccines. Why didn't we have vaccines? Because the federal government did not order any of them. And just in terms of masks, for example, everyone is sort of saying, 'Masks are terrible, masks are terrible'. If you look at countries overseas—for example, Japan or China or some of those other Asian countries—the wearing of masks is actually something that they do to keep themselves from spreading germs to others. In flu season, for example, you will see a lot of people in those countries wearing masks because they want to keep their germs to themselves and they do not want to spread it.

Mr Limbrick: It is never mandated in Japan.

Ms TERPSTRA: It is irrelevant. The point I am trying to make is that people actually see mask wearing not as an evil thing, which people in this chamber try and speculate about. I have had COVID despite being vaccinated, and I will tell you right now I will continue to wear a mask to keep myself safe but also to keep others safe. Again, I really find it offensive and low-rent gutter politics, the way that you all come in here and try to weaponise a health measure that protects people. It shows that you are just low rent—you have actually got nothing.

Dr Cumming interjected.

Ms TERPSTRA: I will talk about children in a minute, because I am a parent as well. I can talk about the impact that this particular pandemic has had on my children and their friends as well, because what I know is that my children actually did not have a problem with wearing masks. They were quite happy to wear them.

Members interjecting.

Ms TERPSTRA: I would like to be heard in silence. What I might talk about now are a couple of wedges that have been thrown out today. I know other speakers have gone to this and tried to explain this at length, but it is clear that those opposite are actually not interested in hearing why there is a difference in the age brackets for wearing masks and the like.

A member interjected.

The DEPUTY PRESIDENT: Ms Terpstra is very touchy. If she could be heard in silence, that would be good. As we ruled this morning, interjections are disorderly.

Mr Melhem: On a point of order, Deputy President, I think the words 'very touchy' coming from the Chair is a bit over the top.

The DEPUTY PRESIDENT: I apologise, but there has not been a huge amount of interjection.

Mr Melhem: No, but you are the Chair. Saying Ms Terpstra is a bit touchy—I think you should withdraw that.

The DEPUTY PRESIDENT: Okay. Ms Terpstra to continue.

Ms TERPSTRA: I would ask you to withdraw that comment.

Dr Cumming: On a point of order, Deputy President, I think Ms Terpstra is disrespecting the Chair.

The DEPUTY PRESIDENT: I think we should just move on.

Ms Stitt: On a point of order, Deputy President, I think that all that Ms Terpstra was asking for was a bit of respect in the chamber while she makes her contribution, and I do not think that is unreasonable.

The DEPUTY PRESIDENT: I have ruled that interjections are disorderly. We will not have any more on this, thank you.

Ms TERPSTRA: But I note the earlier interaction. As I said, I will explain again to those in this chamber about why there is a difference in mask wearing for different age cohorts. This is because children aged 5 to 11 have only recently become eligible for the vaccine, and although many children are coming forward for their vaccines—

Dr Cumming interjected.

The DEPUTY PRESIDENT: Dr Cumming, we did rule that interjections are disorderly.

Dr Cumming interjected.

The DEPUTY PRESIDENT: Dr Cumming, we have asked that Ms Terpstra be heard in silence.

Ms TERPSTRA: So only 54.3 per cent have had their first dose and 0.8 per cent their second dose, and for this reason it is important that some measures remain to protect those that are not yet vaccinated, including masks for year 3 and above. It is a simple health measure which is about protecting children because they are not yet vaccinated.

Children are actually very able to understand the differences when things are explained to them, so I completely reject this notion that kids do not understand and it is all too confusing for them. Effectively it is up to the adults in the room to actually behave like adults and explain these things, and kids actually understand this. Again, what those opposite want to do is simply weaponise the whole thing rather than help kids understand what is going on. This is a pandemic. We have not seen these sorts of things for over 100 years. But I note during the Spanish flu masks were also worn and there was the same kind of response. Again it is about the low vaccine rates and protecting children.

Now, on the point that Mr Limbrick talked about on social interactions—and parents will agree with me when I say this—parents are a child's first teacher. To simply say that they are missing out and they are not going to get this and that because they are not having social interactions actually does not take into account that children have families. They have parents, they might have special adults at home, they will have siblings. They are still getting social interactions, and children actually have an amazing ability to bounce back from these things and be resilient. I might add that when I was out visiting schools in my region just last week I had some fantastic interactions with many young prep students and older students who were having great fun at the school while we were throwing frisbees around. What I noticed was the amazing resilience that these children are actually showing, and the best way that we can help them make sense of the world is actually to have fun through play. If more children had the opportunity to play rather than listening to adults talking about how the sky is falling in and putting their own fears and anxieties onto young children, we might actually see some better responses in children.

I note again that the Andrews Labor government has made a solid commitment to improving mental health. We are implementing every recommendation from the Royal Commission into Victoria's Mental Health System. We have rolled out tutors in schools, so if there are any issues with children falling behind, they will catch up. I know as a parent myself many a teacher has said to me that, if there are any problems that kids might have in terms of literacy, they can catch up. Mathematics might be more problematic. But in terms of literacy, if they get the support they need, they will catch up. So again I completely reject the utter weaponisation of the pandemic and weaponisation of using the education of young children as a pawn in this ridiculous game that those opposite and the Liberal Democrats use to try to say that we are Dictator Dan and all that kind of rubbish. Look, keep it up, because no-one is listening to you; you are all talking to yourselves. And what I might say—

Dr Cumming: On a point of order, Deputy President, earlier today when I called Dan Andrews a doughnut I was told in this chamber to either call him the Premier or Mr Andrews. Out of the government's mouth they have called Mr Andrews a dictator—

The DEPUTY PRESIDENT: There is no point of order.

Ms TERPSTRA: Again I note the constant interjection from down that end of the chamber and in complete disregard for your earlier ruling, Deputy President. This should be taken account of.

In finalising my comments, what I will say is that the Andrews Labor government listens very carefully to all the health advice that is given to it. We have been given pandemic legislation by this Parliament, which the minister takes full account of, and as I said, the decisions this government makes are based on health advice. Again, with the high vaccination coverage across our community thanks to Victorians' efforts in getting vaccinated, it is safe, sensible and appropriate to ease mask requirements in most settings as we are doing this week. It is just ridiculous to see this kind of rhetoric keep bumbling along. Out at a festival on the weekend people were thanking this government for keeping them safe. I know that is not what people want to hear. There were plenty of people happily wearing masks. There were plenty of people happily coming outdoors and saying, 'Isn't it great to be back together again and doing the things that we all love?'. No-one was experiencing the sorts of things that are coming into this chamber today. We will continue to protect the most vulnerable members in our community and continue to reduce transmission and protect our health systems and our hardworking healthcare workers. Masks will remain a requirement in limited high-risk settings. We will be opposing this motion.

Dr CUMMING (Western Metropolitan) (14:32): I rise today to support Mr Davis's motion:

That this house calls on the Andrews Labor government to immediately remove mandatory mask rules in all indoor settings, including primary schools and for hospitality and retail employees, and only mandate that masks be worn in special narrow settings, such as in health care.

I 100 per cent agree. We should never have gone down the path of mandating; we should have only ever recommended from the start. So for me, listening to the government today and your poor excuses for why you continue to abuse children by enforcing that they wear masks, you should hang your heads in shame for how this whole summer, term 1, all these small children and all of our teenagers have been made to wear masks. You will give the excuse, 'Oh, no, they're coping'—because they have to, because you have mandated it. Every single time I have walked into a school they have asked me what I can do to get the masks off them—this is teachers as well as students. So I am pleased to hear that Mr Merlino has happily in his press conferences said that when he goes for his photo opportunities he gets nothing but smiles. How, with a mask on? Oh, that is right, maybe outdoors: 'Come outdoors for the photo so I can use it at the end of the year. Let us try not to have too many photos with masks on our children. Let's forget what this government has done'.

Then let us talk about lockdowns. Just listening to the last contribution from this government—how very dare you. You locked our children away—the most locked down in the world. And we know that during these lockdowns children were abused at the highest of rates. You have those statistics. The police have those statistics. But you are happy, are you, to keep justifying your lockdowns, to keep justifying the wearing of masks for children? Now, I have been adamant that the science and the medical advice have been contrary to this, and I have shown that. I had a constituent send me an email very early on in the pandemic. From the amount of actual research this person did, this is not just some random, this is somebody who has a very strong medical background. I read through that research, and it was clear from the start that this virus is an indoor virus. There was no need to be wearing masks outdoors, ever, or in regional Victoria when there was no-one around. There is no need to wear a mask when there is nobody around, but the government mandated that. You mandated it contrary to science and contrary to health advice. This is simple health advice; this is simple science—simple science.

Now there is more evidence coming forward about these cloth masks that you are all wearing here today—and defending the government. We have known from the start that the N95 mask was it. But no, virtue-signal as much as you want. Go get your masks with your union logos and your party logos on them, and hand them out at festivals or at a parade. You continue on this masquerade. Unmask us. Allow people to make their own decisions—recommend, not mandate.

The vast majority of the community who are educated and who understand just basic science will put a mask on around vulnerable people. They do not need to be mandated. But when it comes to children, and I have brought this up numerous times in the last two years, the overwhelming evidence is that our children need to see other people's faces for their mental wellbeing and for their learning. As an adult and as a parent your first responsibility is to protect any child; you protect them from this pandemic and the fearmongering that this government has put forward. That is your job. Children should not have adult problems. But no, not under this government. This government quite happily made sure that children, for the longest period of time in the whole of Australia, if not the world, did not go to school. And then happily, in a summer month, the summer term—the summer term, mind you—you have masks on those children, not in winter when the windows are shut and you have your silly air purifiers that do not work when you have got the windows open. How dare you.

And then you give rapid antigen tests to small children to take home which have a chemical substance in them that is toxic to animals—and you should be wearing gloves when using them. You are requesting or recommending that these small children be tested twice if not three times a week. There should be clear instructions that the adults should be taking home. Why weren't they sent home to the parents? Why were they in children's bags—small five-year-old children's bags? Unbelievable. You would have five-year-olds actually go to the chemist to buy them—chemicals. Unbelievable.

So yes, we would love to see the health advice because we have always known that for this government health advice has been the daily dance or the daily Premier's or minister's announcement. You have continually made things up as you have gone along and therefore tried to justify your political decisions and propaganda rather than using real health advice or real science. It is two years that our children have to catch up. No wonder you are throwing money towards the schools to enable them to catch up on their studies. No amount of sailcloth and putting them outside will make parents forget the way you closed playgrounds. Why don't you make a budget for playgrounds? Why don't you try to sweeten us that way? I am surprised there is not a big budget item from this government for local councils for playgrounds, because those councils were locked down. How were they meant to redo a playground?

No-one has seen the health advice. You do not want an inquiry. You do not want a royal commission. You make it up as you go along, and then you come in here and you will not defend our children. How very dare you? You should be ashamed of yourself. You keep justifying your poor propaganda and your disgusting behaviour towards our children in the last two years: 'Oh, yes, there are kids that have really loved this'. I can tell you that the vast majority have not. And the ones who are coping, like Mr Merlino said, 'But my children'—really, Mr Merlino? You absolutely cannot understand that we understand that you have got a job and a wife. There are plenty of people out there that are single parents, plenty of people out there that did not have an income and plenty of people out there that have lost their business. They have lost everything. It is not only the financial pressures on their family trying to cope through this pandemic. You can give all the examples you want of all the happy children that have gone through this pandemic, but I can assure you there are a lot more that are not coping. Psychologists say so. Nearly every institute, professor and otherwise says so. I have not seen a report about how many happy children there are since this pandemic from the lockdowns, from the masks and from the rapid tests. Good luck. I hope you sleep well at night.

Mr FINN (Western Metropolitan) (14:42): It has been a fairly interesting debate—well, to this point anyway; we will see if it continues. It was interesting to hear speakers earlier warning against those who tell us that the sky is falling. Well, I tell you what, if the government has not been telling us that for the past two years, I do not know who has. Quite frankly it is quite astonishing that somebody from the other side, from the government, would try and point the finger at somebody over this side for telling us the end is nigh, because if you were to believe those from the government it is amazing that any of us are still alive. This pandemic, this virus, has had the potential to destroy buildings, apparently. It has had the potential to rip down walls in a single bound and all manner of things, we have heard. We even heard at one stage the chief health officer, I think it was, talking about it sneaking

through windows in the night and all that sort of thing. I mean, these are the sorts of things that we have heard over the last two years, and you have got to wonder where they get this from—not that they will tell us, because despite the fact that we have on innumerable occasions requested the public health advice, they refuse.

The government refuses to tell us on which advice they have based their decisions. They have told us time and time again that this is, I suppose, classified information. I do not know why. Unless the virus can read and it can pick up the notes from the health advice and it can make its own track as a result of that advice, I see absolutely no reason why this health advice should be confidential. We should know—Victorians have a right to know—what has gone on over the past two years. In fact I am quite looking forward to the election of the Guy government in November, and I am particularly looking forward to the royal commission into the conduct of the state government during this pandemic over the last couple of years, because I think there are a lot of questions that have to be answered and only a royal commission will actually be able to do that.

I say to the government that they have an opportunity to come clean with the people of Victoria. They have an opportunity to actually tell the people of Victoria what they have been up to. But, then again, they might not want to tell the people of Victoria what they have been up to. They might not want to come clean. They might not want the people of Victoria to know what they have been doing over the past couple of years, particularly in the lead-up to an election. The people of Victoria might not take well to the prospect that they have been lied to by a government that excels in that, it has to be said. The people of Victoria would, I think, not take that well at all.

But I say to the government that if they are fair dinkum about taking the people into their confidence, if they are fair dinkum about being transparent, if they are fair dinkum about being honest, then they will release the public health advice or at least give us a reason as to why they will not. At this point in time, we have had neither. I have to say, wherever I go people ask me why the government will not release the health advice, and I have to tell people, 'I don't know'. We can only speculate that there are certain people in the government—very high up in the government—who are covering their bottoms, if I could clean that up just a little bit, because they know that if they do release the public health advice people might find out, indeed people will find out, that a lot of the decisions that have been made over the last couple of years have had absolutely nothing to do with people's health. They have zero to do with people's health but everything to do with control. This mask mandate, along with most if not almost all of the vaccine mandates, is about control. It is not about health, it is about control. Telling kids that they have to wear masks in school is surely the ultimate control and the most cruel form of control. It is disgraceful to tell this to kids. It is very unlikely that they will ever, ever catch COVID, and if they do they probably will not notice it. It hardly impacts them at all. So why a government, a Premier, would be telling little kids that they have to wear masks in school is beyond me. It is totally beyond me.

The Premier might like to release the advice that he has based this decision on, because at this point he says, 'Trust me'. Well, I tell you what, there are very few people in Victoria who would trust the Premier. There are few people in Australia who would trust the Premier, and that is the truth. When the Premier says, 'You don't need the health advice made public. Trust me—it is all in a good cause', we know one thing for sure, and that is that there is something very, very shady going on. If Premier Andrews wants to change that perception, he will release the health advice. He will tell us on what advice these decisions were based. He will tell us the advice on which he has based the vaccine mandate, the mask mandate. This mandate that you have to do everything—it just rankles me. It puts chills up my spine when I hear governments telling the great populace of Victoria, 'You have to do this or else'. I do not want to jump into the next debate, and I will try to avoid that, but it just infuriates me when I see that. It is a slap in the face to the overwhelming majority of Victorians, it is a slap in the face to democracy and it is slap in the face to freedom. Unfortunately it is also a slap in the face to little kids in school. God knows what is going on.

Children in this state have been particularly targeted by this government, and again we do not know why. It is all very well to list things and say, ‘Why has this been happening?’. We do not know because they will not tell us. But we know we have had playground bans. I remember going for a walk with Bobbidog and going around the Bulla Reserve and recalling the photos that I took of the playground equipment being all locked up with a padlock—padlocked, if you do not mind—so that kids could not use it. It is just extraordinary that you would have tape all around the playground and all around the playground equipment. They could not play on the train that is there for the kids to play on. They could not do anything. But again the government would not tell us why.

Of course we had the curfew, where kids had to be home—in fact we all had to be home—by 8 o’clock, and then it was 9 o’clock. We all had to be inside, away from the public, because apparently the virus would get us at night. I assume that was the case. We do not know, again because the Premier would not allow us, but we do know there was no health reason for this curfew and there was no law and order reason for this curfew. It seems this was just something that the Premier wanted to impose on people and he felt it was his right. Well, it is not, let me assure you. And of course we have seen the schools closed for an extended period, and I know just how difficult it has been for my two youngest daughters, who are in secondary school. They have struggled a bit, to say the least, in the time that the schools were closed.

But to get back to the motion at hand, I strongly support the motion put forward by Ms Crozier. It was Mr Davis’s motion, but Ms Crozier moved the motion. I commend them both for that. I think—I know I speak on behalf of not just children but their parents as well and quite often their teachers too—that it is time that this government got off the back of kids and let them get on with living their lives.

Mr MELHEM (Western Metropolitan) (14:52): When I looked at this motion I was not sure whether the motion was moved this week or last week.

Mr Finn interjected.

Mr MELHEM: Well, I am asking for your help. Was that motion moved this Tuesday? Looking at it saying, ‘Labor government to immediately remove mandatory mask rules in all indoor settings’, including offices and schools et cetera, you must have missed the announcement. You must have. Maybe you should go and read that announcement. We actually complied. We actually implemented your motion. I suppose you will refer to the definition of ‘narrow settings’—maybe that is where our differences are. But then listening to Dr Finn and various other doctors contributing to the debate, suddenly we all become professors, doctors, medical experts—we know everything.

Mr Finn interjected.

Mr MELHEM: Well, hang on. I am glad you have raised that, Mr Finn, because you tell me what health advice you and Mr Davis and your colleagues have relied on to actually want to pass that motion. I will tell you what the health advice is, because every health expert around the world basically tells me that the most effective, least restrictive position on people to actually prevent a disease like COVID-19 is masks. Masks are the most effective, the cheapest and the most convenient tool in our armoury to actually reduce, minimise—unfortunately we will not be able to eliminate—the transmission of COVID-19. That is without any doubt. I think every reasonable person, every scientist, will tell you exactly that.

You have got to go back and say to yourself, ‘Why are we doing this? Oh, because the Premier enjoys’—according to Dr Cumming and other people and I think Mr Finn—‘punishing people and punishing the children by imposing mask wearing’, forgetting that we have a pandemic. And actually you can tell from my voice that it looks like I might have a collapsed lung because of COVID-19, which I got five or six weeks ago. We forget why we are doing what we are doing. We just want to play politics: ‘Let’s mandate. Let’s not mandate. Let’s make it voluntary’. Well, we will make it voluntary. I am not sure whether Dr Cumming was wearing a mask or not. Apparently there are medical exemptions, but sometimes I wonder about the hypocrisy of people using excuses for not

wearing masks when they are supposed to. Sometimes I question whether or not an exemption is a real exemption, but anyway. ‘We want to protect the children’, she said. Well, that is precisely why we are saying children under the age of 12, given the environment they are going to school in, need to wear a mask—because their vaccination rate has not reached a critical stage like with secondary schools, where the vaccination rate is really high. We want to protect these children. We are doing it to protect our own children, not because we want to punish them. We want to protect them.

Hospitality workers work in a confined space. Customers will come in, and they are entitled to take their masks off because they are drinking or eating or whatever they are doing, and hopefully they are all vaccinated. Workers in that sector need to be protected, so we make sure they are wearing masks. We all talk about the issue of mandating versus voluntary compliance, and I think that is a fair argument. It is a fair debate. People will argue about why you mandate things and why in certain instances you just recommend and about which method works better. But it has actually been proven again and again based on medical advice or scientific advice that the only way to get an effective result is to actually mandate these things. If we just left it to, ‘Okay. Everybody will do the right thing and we’ll be fine’—well, I am sorry, I wish that was the case, because that would be my preferred option, but I am a realist. I do not go and play politics, but I think it is important that in order to protect the many, to protect everyone, we have got to have rules, and they are rules that need to be implemented. So if you want to go and travel on an aeroplane, that is fine, you can do that, but you have got to wear a mask. If you work in retail, you have got to wear a mask.

Mr Ondarchie interjected.

Mr MELHEM: Well, the captain is there by himself or herself, but if there are two in the cabin I think they have got to wear a mask, Mr Ondarchie. I stand to be corrected, but that is my understanding. Next week I do not think we are required to wear masks here, but again the medical advice is that we are all vaccinated here—we are all double dosed and some are triple dosed—so we do not have to wear masks.

Mr Ondarchie interjected.

Mr MELHEM: I am sorry, Professor Ondarchie, I would rather listen to—

Mr Ondarchie: Give us the advice. Tell us the advice.

Mr MELHEM: You have got the advice, if you read the report to Parliament and all these committees we had. The problem is—

Mr Ondarchie interjected.

Ms Stitt: On a point of order, Deputy President, if Mr Ondarchie wants to contribute, he can put his name on the speaking list. I am very interested in what Mr Melhem has to say.

Mr Ondarchie: What was the point of order?

The DEPUTY PRESIDENT: The point of order is that interjections are disorderly. They are getting a bit tiresome in this debate. I ask Mr Melhem to continue and to be heard in silence.

Mr MELHEM: Thank you, Deputy President. There is too much interruption. Mr Finn spoke in silence, and we were all listening to Mr Finn; there was no interruption. Even Dr Cumming—we listened to Dr Cumming without much interruption. In the last 2 minutes I have got, the only reason we still have masks in certain environments is that that is what the medical advice is telling us. We want to protect—

Mr Ondarchie interjected.

Mr MELHEM: Let me finish, Mr Ondarchie. I will get you a copy of that advice. I am sure it is out there somewhere. If you go and listen to Professor Sutton, he will tell you. The setting for children under 12, for grade 3—

Mr Ondarchie: You know it doesn't make sense.

Mr MELHEM: Well, it makes sense to me, let me tell you. Nothing will make sense to you and to your colleagues other than playing politics.

Members interjecting.

The ACTING PRESIDENT (Mr Bourman): Order! Mr Melhem has 1 minute and 34 seconds. Can we just keep it quiet until he is done?

Mr MELHEM: Thank you, Acting President. In order to protect our children, who are the most vulnerable people in our society, we want to look after them—not, like other people are saying, punish them. It is a disgrace to have comments like that from our politicians—coming in here saying we are punishing our children. No, we are not. We are actually protecting our children because we care about our children. We do care about them.

Mr Ondarchie: Is that why you closed the playgrounds, because you care about them?

Mr MELHEM: You are too old to go to the playground, Mr Ondarchie. I will finish off the last 50 seconds by saying we do not want any more lockdowns. We are putting things in place. We are coming out of lockdown. We do not want to go back to lockdown. If we said, 'Let us let it rip, let us not have any rules, let us not have any vaccination, let us not have any masks and let us not have anything and let it rip and whoever lives lives', then we would probably go back to lockdown. This has been implemented in stages to make sure that we will never go back to lockdown. We need to learn to live with it. Thank God you lot are not in charge, because God help us, the place would be a worse place to live in. Thank God you are sitting on the other side, not on this side.

Mr QUILTY (Northern Victoria) (15:02): I will be brief. Masks mandates for years 3 to 6 children make no sense. They are not supported by the science, and they are not reasonable and proportional. Everyone looking at it—except apparently those on the government benches and their cheer squads—can see that they make no sense. But despite government MPs praising the quality of the fabric and the brightness of the colours, the Premier has no clothes. It is a petulant slap of parents who have not raced out and vaccinated their five- to 11-year-old children at the same rates at which they have vaccinated themselves—nothing more. And like the closure of the playgrounds last year, which was another petulant slap of parents, the government will backflip on this as well. How are parents to explain to their children that one of them has to wear a mask and one does not, and that it is all driven by science? More and more we will see through this spurious claim. Both parents and children will realise the rules are not worth following. Mr Gepp may not have met a parent who is not happy about the masks, but I can only suggest that could be because he has only met as many of his constituents as he can get away with, preferring to pose for photo ops on new government projects and then making a quick getaway, like so many MPs in this place who during the pandemic closed their offices, stopped answering the phones and ignored their emails. We need to take the masks off the children, and we need to do it now.

Ms LOVELL (Northern Victoria) (15:04): I rise to join in this debate and say that it is time that masks were removed in Victoria and removed for all settings. We have heard from many speakers today about the hypocrisy of the announcement for this Friday, where we have children in a composite grades 3 and 4 class where some of the children in that class will not be wearing masks and others will be. If we go back right to the beginning of this pandemic, we remember that the Premier and the chief health officer stood up and said that masks would not help, that they did not make a single difference and that masks would not stop the spread of COVID. They were actually advocating that people did not wear masks. Then I think it was just a few weeks later—they were probably saying that because they did not have the supply of masks in Victoria—that they suddenly made masks mandatory.

I just want to talk about small business for a few minutes, because small businesses, particularly retail businesses, have been the hardest hit by this mask mandate. Even larger businesses in retail, places

like supermarkets, have also been very hard hit. The workers in these environments have worn masks constantly for around probably 18 months now, if not longer. There was a very small reprieve early in 2021 where they were allowed to remove their masks, but then they were told it was compulsory and the masks came back on. Now we have an extraordinary position as of this Friday where their customers do not have to wear masks, and in fact in some cases their customers do not have to be vaccinated, but the vaccinated workers have to stand there in a mask all day. They are totally sick of masks. I would just like to quote from a Facebook post that appeared from one of the supermarket workers in Shepparton yesterday. This particular worker said:

Obviously the rules haven't made any sense since the start of the pandemic but these new ones are beyond comprehension. Retail & hospitality staff have to be triple vaxed to work and have to wear a mask but unvaxed non mask wearing customers are totally ok. If someone could explain the science behind that one, that would be awesome. Surely if people want to wear masks they can and if they don't they don't have too ...

That would be the commonsense approach to this, but of course we know that this government does nothing by common sense; everything is just made up as they go.

There is this totally ridiculous situation where we will have some people wearing masks and others not wearing masks that will come in as of this Friday. It is ridiculous in this state. We have now hit a vaccination rate where people should be allowed to go about their business and live life without living it behind a mask. I congratulate Mr Davis and Ms Crozier for bringing this important motion before the house. It does reflect the wishes and desires of most Victorians to throw away the masks and get on with living our lives as normally as possible. Particularly it does reflect the wishes of workers to be able to work in an environment where they do not have to wear face masks. People are totally over wearing face masks and want to get back to living their lives and working as normally as possible. It is a completely ridiculous situation that we have coming in as of Friday, and I urge the government to just rule that anyone who wants to wear a mask is perfectly entitled to wear a mask but that those who do not do not need to wear a mask.

Ms CROZIER (Southern Metropolitan) (15:09): I do want to sum up, because I have listened to some contributions—not all of the contributions—that have been provided during the debate, including one in particular from Mr Melhem, who said, ‘Did the opposition not get the memo?’. Well, clearly the government is making these sporadic changes all the time, and this only came into effect in the last couple of days prior to this motion coming in today. It does not take away from the fact that there is so much confusion out there. There is confusion amongst the retail sector. Hairdressers have to wear a mask but their customers do not. We have got these, as Ms Lovell has just referred to and which I spoke about, composite classes—the year 3 classes that have got some of those kids from the year below—where half wear masks and half do not. Children who are in the older age group do not have to wear a mask, whereas their siblings do. That is causing confusion and distress for parents and for those kids.

The hospitality sector is really on its knees, and we need to do everything we can to provide that support to get businesses up and operating back in the CBD. Work from home, you must wear a mask—all these things; the government is reacting, but it is reacting very slowly, in dribs and drabs. That is why this motion has come to the house today—because the government is easing restrictions in dribs and drabs and the total nonsense that has gone on with the examples that speakers have used of kids and masks demonstrates just how ludicrous the situation is here in Victoria.

As I said in my substantive contribution, leading epidemiologists, leading doctors, are all saying this is, in their words, ‘silly’, that kids should not have to do this, that the government’s policy decision is silly. I agree. It is quite stupid, and it needs to be rectified so that those parents and those kids can have the clarity, but more importantly, those doctors and those leading epidemiologists who actually know what they are talking about are taken notice of by this government. I urge members to support my motion.

Motion agreed to.

COVID-19 VACCINATION

Mr LIMBRICK (South Eastern Metropolitan) (15:12): I move:

That this house:

(1) notes that:

- (a) the vaccine mandate for workers came into effect on 7 October 2021 with a deadline to receive the first dose of a COVID-19 vaccine on 22 October 2021;
- (b) this has led to significant negative consequences, including workers being denied employment for four months;
- (c) the Minister for Health notes in the statement of reasons, dated 12 January 2022, that the mandate may be particularly onerous for parents and may disproportionately affect women;
- (d) in the acting chief health officer (CHO) advice to the Minister for Health, dated 10 January 2022, the acting CHO notes that ‘I have considered a consistent one-size-fits-all approach to vaccination mandates for all workforces and even for the general community but, at this time, I do not consider this to be a proportionate response’;
- (e) in the 4 February 2022 article published in the *Conversation* ‘Is it time to rethink vaccine mandates for dining, fitness and events?’, four out of five experts interviewed agreed that vaccine mandates should be reviewed;

(2) calls on the government to immediately revoke the Pandemic COVID-19 Mandatory Vaccination (General Workers) Order 2022 (No. 3) and the Pandemic (Open Premises) Order 2022 (No. 5);

(3) refers this motion to the Independent Pandemic Management Advisory Committee (IPMAC) and requests the IPMAC consider reviewing the pandemic orders identified in paragraph (2) and provide advice to the Minister for Health;

and requires the Clerk to write to the chair of the IPMAC to convey the terms of this resolution.

This motion calls on the government to revoke two specific orders: the COVID-19 Mandatory Vaccination (General Workers) Order and the Pandemic (Open Premises) Order 2022, and also asks the Independent Pandemic Management Advisory Committee, the new committee that was set up by the pandemic legislation, to review these orders—that is, assuming that the Minister for Health does not act on the direction if this were to pass.

What we have been talking about throughout the entire pandemic and where we have disagreed with many of the things that the government has done is where the appropriate line is or the appropriate use of force. I know that this government is not unique in using force for vaccines. Other governments throughout the country have done it, and also internationally we have seen this in many jurisdictions. We have also seen jurisdictions that have not done that, and one that I have referred to many times previously is Japan, which has had no vaccine mandates, no mask mandates, no mandates for anything and yet has a vaccination rate of, I think, over 80 per cent, off the top of my head.

The use of force in this case, for the vaccine mandates, was ostensibly to drive up overall vaccination rates. The government made the decision to use coercion, to use force, to drive up overall vaccination rates and, as has been pointed out by many in the government, we now have one of the highest vaccination rates in the world. I checked the other day and I think in Victoria it is about 94 per cent. It is probably not going to get a lot higher. The use of force did convince some people who were vaccine hesitant or did not want to have a vaccine or perhaps were waiting for a different vaccine or just did not get around to it. When they were faced with the threat of losing their job, they went and got it. Some people did that. That is absolutely true. And many of them who did that were angry that they were not allowed to do it on their own terms, because coercion in the face of a medical procedure to many people—the idea of interfering in that process—violates the ethical idea around consent, and this is one of our serious problems.

We have never had a problem with masks or vaccines. What we have had a problem with in the Liberal Democrats is the use of force. In fact if you cast your mind back to very, very early in the pandemic, when masks were not recommended for use, I actually asked a question to the Minister for Health at

the time about why the government was not recommending them. At that time I never imagined that the government would mandate them. In fact if the government had been making recommendations the whole way, I probably would not have had a problem with that.

But now we have a situation where the government has achieved its objective of very, very high vaccination rates, yet there are still some people who have chosen not to be vaccinated. This is roughly going to be about 6 per cent of the population. If we have a 94 per cent vaccination rate, then we have 6 per cent of the population unvaccinated. These people have been sacked from their jobs. They have been ostracised. They are not allowed to go to the pub. They are not allowed to go to restaurants. They are not allowed to do all of these activities. They have been demonised in the media, and for what? Why? Because they have simply been human. This is why they have been discriminated against. This is why they have been locked out. This is why they have lost their jobs. They have chosen this for whatever personal reason, and I do not question people's personal reasons on why they do things with their own body. That is none of my business, and I do not think it should be any of the government's business either, but they have made that decision, and they are still in this situation.

But clearly if they have already lost their job, the threat of losing their job and the threat of being locked out of pubs and locked out of restaurants is no longer working. It is not going to work with these people. So we have to ask: what is the objective of these general worker mandates now? Is it just punishment—that these people did not do what they were told? Why are we treating these people like this? To have such a large percentage of the population effectively turned into an underclass—how did Victoria ever come to this? It is absolutely shocking. I have heard so many times in this place people call these people crazy or conspiracy theorists or right-wing extremists or Nazis and all sorts of stuff like this. I am one of the few people that have actually gone out and talked to these people. I have gone to talk to them.

Mr Ondarchie: Me too.

Mr LIMBRICK: And yes, you have too.

Mr Finn: Me too.

Mr LIMBRICK: And yes, Mr Finn has too, but very few have gone out and talked to these people and asked them. Many of them had very varied reasons for why they have made these personal decisions. Some of them have chosen to share their reasons and explain them to me. Many of them have complex health conditions, and they have concerns. They have allergies. Some of them know a friend who had an adverse reaction from a vaccine, and they are scared. And some of them might be misinformed. But ultimately is this really justification for using force against these people like this? How long are we going to have this underclass? How long are we going to have these people unable to be employed? How long are we going to lock them out of restaurants? How long are we going to lock them out of pubs? This has to end.

The objective has been achieved. Whether or not you believed it was a valid use of force to raise vaccination rates, vaccination rates have been raised, so that objective has been achieved. And if you thought that somehow stopping unvaccinated people going into the pub or going to work was going to stop transmission, well, clearly that has been proven wrong. They have not been able to go to work and we have still had a large number of transmissions in workplaces and everywhere else. We are getting over that now; it is coming down now.

What I am asking with this motion is that at the very least we get some of these experts—and I have looked at the experts that have been appointed to this committee; some of them I do not know, some of them I do—to consider if this is still a proportionate response. Even if you thought it was proportionate a few months ago when we brought it in, is it still proportionate now? And what is the objective of it? I think these are very, very important questions, and this large group of people—hundreds of thousands of people—deserves answers. They deserve to know at least why their rights are being violated in this way. They have the same rights as every other Victorian has. I do not see

them as some sort of person that should have less rights than everyone else. They have the same rights: they have the right to work, they have the right to freedom of movement, they have the right to freedom of assembly. They have all these rights that I thought were protected by our human rights charter, but those protections have not seemed to work out too well. So I would urge members of this place to consider, if you supported mandates, why you still support them when our vaccination rates are really so high. I look forward to hearing your views on this.

Dr KIEU (South Eastern Metropolitan) (15:20): I rise to speak to the motion put forward by Mr Limbrick on the ending of the vaccine mandate. First of all, I have been listening to some of the arguments put forward, not just now but also throughout recent times, by many members, including the opposition and the crossbench. I have to say that the decisions that the government has made have been based on expert advice and based on science and evidence and data, which I will come back to shortly, and not based on the kind of pseudo or pretend science or propaganda from some, not all, of the anti-vaxxers who were recently outside the Parliament. I understand what has been said by the people outside, but some of the conspiracy theories have misinformed a lot of people—not that they are all doing it, but the messages have been misinformed and also very dangerous.

The first thing I would like to say is that vaccines do save lives. That is an irrefutable fact. Take some of the statistics coming out of the Department of Health in recent times of people who have been admitted to ICU who are unvaccinated versus the people who are vaccinated—so clearly that is the case. Compared to those who have had two doses, it is 4.5 times, or nearly five times, worse for the unvaccinated. And those who have chosen to have three doses, including the booster, are protected 34 times more than those who are not vaccinated. Those are only some of the statistics coming out of this state, where we can see that, and there are other numbers from throughout Australia and indeed the world.

The vaccine mandate has worked in saving lives, in protecting the health system and in protecting the health of the community. So far, unfortunately, we have had around 5000 deaths. I mention this because I would like to compare that with some other numbers from elsewhere. Let me take the US, which is a very advanced and developed nation. In the US there have been about 2837 deaths per 1 million people. Their vaccination rate is quite low compared to what we have here, partly because they do not have a uniform mandate—they may have mandates from state to state, but not a uniform one. At the moment only 65 per cent of US citizens in the eligible category have been vaccinated, and only 28 per cent—less than 30 per cent—have been triple dosed. The number I just quoted was the total for Australia. I just say that the vaccine works, and the vaccine mandate has been instrumental in protecting the lives of the people and the public health system and also ensuring the safety and the health of the public.

I just want to comment now on some of the arguments that have been put forward. The vaccine mandate has helped us to have around 95 per cent of people vaccinated with two doses and a lesser number with three doses. The vaccine mandates have not applied uniformly for everyone, and the recent one put in force by the government is not targeting everyone: it is only for key and critical sectors and for the workers in those sectors.

Those mandates have helped us to get to where we are today, to get to the opening of the economy and keeping the economy and businesses open. The critical sectors, which are very transparent and clearly understood, include aged care, health care—where people have to face vulnerable people themselves as well as people that they have to see and work with—disability and education. Those people have been encouraged and also mandated to have the vaccine for their protection.

It is a difficult choice. We have to, as a government, make difficult decisions between personal freedom and also our responsibility to the community, particularly critical and key workers. We have been constantly reviewing all the measures in place. This time we have many overseeing committees. We have joint parliamentary committees and we have advisory committees, and we will no longer put in place any measure that is not necessary, and we should not. We are not listening to the opinions of

people—maybe people outside, maybe politicians here—who pretend to be experts in everything and all things. We make no apologies for protecting our system, for saving lives and also for protecting the public in general.

In the few minutes I have left, I have to say this vaccine mandate was introduced for a very good reason, with the support of experts and with the support of science, and it has been showing very heartening results in terms of saving lives and saving the public's health. This motion to end the mandate without advice or expert opinion is actually a slap in the face for thousands and thousands of healthcare workers—who have to work day and night and very long hours to help the people who are infected, COVID and otherwise—their partners, their kids and their families. I would like to take this opportunity to thank all the workers who have been at the forefront: public health workers, nurses, doctors, ICU workers and all the people on the emergency staff who have to deal with the pandemic. I thank them so much for their dedication and effort in helping us to get to where we are today.

In conclusion, vaccines do work. Vaccine mandates do work. We are committed to doing what the experts tell us to do to keep the community safe. We will be constantly reviewing the situation and the advice, and we will introduce appropriate measures. Because of the measures in the past, we have been able to reopen the economy and keep the economy open.

Ms CROZIER (Southern Metropolitan) (15:29): I am pleased to rise and speak to Mr Limbrick's motion this afternoon. Mr Limbrick has gone through the reasons why he has put this motion on the paper and why we are debating it today. I have been listening to Dr Kieu, and I want to raise some points in my contribution around some of the points that he made in his commentary on this debate and also his remarks regarding some of my colleagues in this house.

I want to just go to Mr Limbrick's motion at the outset and say this motion is talking about the vaccine mandates for workers that were put in place last year. The government argues that the mandates work, because we have got 93 per cent of the population double vaccinated. That is true, we have, and Victorians have come out in droves.

I am critical of the government's lack of education and information for people. I felt that they pushed people into a corner. They had no choice to be able to participate in society but to get a vaccine. That is the wrong way to go. I am a strong supporter of vaccinations. You all know that; I have said it time and time again. I know Mr Limbrick is double vaccinated. I am not sure if he is triple vaccinated, but whatever. He is double vaccinated, but his motion talks to those people that for whatever reason have not been vaccinated.

This is quite different from what has happened in New South Wales. By mid-December New South Wales said, 'Well, we want you all to get double vaccinated. We think it's important for you to all get vaccinated, but for those that haven't we're still going to open up the economy and allow you to participate'. That is what has happened in our neighbouring state. And yes, they knew that there would be challenges in the health system, and there were. In fact—

Mr Gepp: And deaths.

Ms CROZIER: Well, let me come to that. I am coming to that, Mr Gepp. I am glad you have raised that. I am very glad you have raised that, Mr Gepp, because the figures on the deaths are: in Victoria today there are 2409; in New South Wales there are 1859—550 less despite the fact that New South Wales has opened up fully and allowed people to participate in society and in their communities.

Mr Gepp interjected.

Ms CROZIER: Mr Gepp interjects again and really ridicules those people that are not vaccinated. As I said, I am a supporter of vaccination. I am a very big supporter of vaccination. I am somebody that needs vaccination. So for you to be—

Mr Gepp: On a point of order, Acting President, Ms Crozier is right to refer to my interjection, but what she is not right to do is to verbal me about what I did and did not say. I said nothing about vaccinated people, and she should withdraw.

Members interjecting.

The ACTING PRESIDENT (Mr Bourman): Hang on, I will make a ruling which should satisfy you, Mr Finn. There is no point of order. It is just debating.

Ms CROZIER: I know the government is very testy about this, and rightly so, because there are more deaths in Victoria—550 more deaths than New South Wales. I was going to raise it in part of my contribution for Dr Kieu, because he kept comparing Victoria to the United States, and I was interjecting at the time saying, ‘Compare to the other states in Australia. That’s a better comparison about what Australia has done’. And make no mistake, in terms of stats we have done remarkably well.

Mr Gepp interjected.

Ms CROZIER: Yes, Mr Gepp, we have, but in Victoria, where we have had the harshest of restrictions and the longest locked-down city in the world, our outcomes in Australia have been the worst. And those impacts of the lockdowns on children, for the people that are shut out of society, the mental health impacts—they are not able to earn an income. How is that fair?

Dr Kieu spoke about the healthcare workers and the frontline workers, and they have done a very magnificent job, but what about those people behind the scenes in hospitals too? The orderlies, the ward clerks, the food monitors, the physiotherapists, the pharmacists, all of those people that make a hospital work—they have done a great job too. They have helped the doctors and nurses deliver the care that they have needed to do. So I think everybody in the health system should be included, not just doctors and nurses, quite frankly, and I think all of those people get left out far too often because the government’s rhetoric is all about doctors and nurses, forgetting how a hospital operates.

I say again that in Mr Limbrick’s motion he goes on and says in part (c) of the first part of his motion:

the Minister for Health notes in the statement of reasons, dated 12 January 2022, that the mandate may be particularly onerous for parents and may disproportionately affect women;

In the statement of reasons from 12 January of this year, and I will read it in:

Exclusion from a physical workplace based on vaccination status may be particularly onerous for single parents, for parents of younger children, and for parents of multiple children (who may find it impossible to work effectively at home). This may ... disproportionately affect women who typically bear more of the child-minding or caring responsibilities in the home.

That is from the government’s own statement of reasons. That is the point Mr Limbrick is making. He goes on to say in part 1(d) of the motion:

in the acting chief health officer (CHO) advice to the Minister for Health, dated 10 January 2022, the acting CHO notes that ‘I have considered a consistent one-size-fits-all approach to vaccination mandates for all workforces and even for the general community but, at this time, I do not consider this to be a proportionate response’ ...

Now, we know the Premier was on holidays when this was said, but he came back and made all these grand statements about a third dose being mandatory. I had doctors and frontline workers who were ringing my office and saying, ‘This is ridiculous. I’ve got COVID, but I am mandated to have the third dose by 12 February’, I think it was, or the 14th. They could not do it. They said, ‘I’ve got COVID now, and in 10 days time I’m expected to have a third dose because the government has mandated it’. Well, the government changed that decision because they saw how ludicrous it was. But here is the Premier coming out and mandating the third dose—saying it was being considered, again putting more stress and pressure on people who have been trying to do the right thing, let alone those that are

unvaccinated and cannot even participate. But this is what this government does. It puts an arbitrary date, an arbitrary statement, without being nuanced about the situation.

We have come through over two years now of this crisis, and we have learned a lot. And with the community being as highly vaccinated as we are, surely to goodness it enables us as a community to be able to manage this. There are, thankfully, very few people in hospital with COVID in intensive care on a ventilator—very few, less than a dozen. We were told that opening up was going to cause thousands and thousands to come into our system.

It did not happen, thank goodness, but the modelling again was wrong and the warnings again were wrong. We have just come through the masks debate, and I am very pleased that the government has supported that. They did not vote against it. Epidemiologists and senior doctors and others were saying that the modelling said it was going to be catastrophic when schools opened up. Well, that has not happened either. We know the virus is there. The government actually does not know how much virus is out there, because they have lost track of contact tracing. They lost track of contact tracing last August, I might add. They have ditched the QR codes because they know they cannot contact trace. I was saying that months ago, and finally the government came to the party on that and realised that as well.

So we have all of these issues, and we have got the Premier out there chasing his tail a bit on this. He has had to backflip on his third-dose mandatory vaccine; however, other senior officials are saying, ‘No, it’s still under consideration’. Well, I bet it is still under consideration, because you actually cannot trust what the Premier says. If there is one thing he is consistent about, he says one thing and then does another. That has been fairly consistent throughout the course of this crisis. So all of those aspects around vaccination, the advice that has been provided, the advice that has not been provided and the selective advice that is provided to the government are there for Victorians to see. And they know it. They can see what has happened. They have been watching this. And Mr Limbrick’s motion, where it goes to the heart of those people that actually do have a right to work, they have a right—*(Time expired)*

Mr GEPP (Northern Victoria) (15:39): I rise to speak on Mr Limbrick’s motion. Again this is another one of those debates that we seem to have again and again and again in this place. I think it is important that we remind ourselves that in terms of vaccines in excess of 14 million have now been administered throughout Victoria and they have played a very, very important role in us getting to the point we are at today.

As I said during the masks debate, there is not just one strategy that has been adopted here. There have been a number of different settings that have been put in place throughout the pandemic, and importantly they have been put in place to enable us to respond to the pandemic, both in terms of the spread of the pandemic but also in terms of handling those that are in our communities suffering from the effects of the pandemic—those who have contracted COVID-19. We have seen and heard again and again and again, and it is always absent in the propositions put forward by those opposite, including Mr Limbrick; I will put him in the same camp as the opposition, because he has been part of that—

Mr Limbrick interjected.

Mr GEPP: You keep interjecting, mate; I will keep whacking that back over the net straight back at you, because, yes, you have been out the front talking to those people. We have all seen some of the videos where you were the poster boy for the Reignite Democracy Australia group. You were the headline act early in this pandemic until you realised what you were in for—the groups that you were actually associating with—and you scurried off. That is what you did, and that is what you do. You sleep with the light on, mate. That is what you do: you sleep with the light on. Each and every time you go out there and you advance some weird and wacky proposition, you just come in here and shoot from the hip and think, ‘Oh, well, no-one’s ever going to check these facts’. Well, let us check the

facts you were spruiking just before about Japan. You held Japan up as the example. Well, let us compare and let us have a look at what has been happening recently in Japan. Japan is a much bigger country than Australia—4.5 million cases compared to our 3 million cases; 5000 deaths in Australia and over 22 000 deaths in Japan. So despite the fact that their case numbers—

Mr Limbrick: They have a much larger population.

Mr GEPP: I know—I said that they have got a much larger population—but the incidence of deaths compared with the number of cases does not back up your argument, Mr Limbrick. When we have a look at the last seven days, on 17 February there were 90 522 cases in Japan and 253 deaths; on 18 February, 95 603 cases and 244 deaths; and on 19 February, 92 939 cases and 235 deaths. And it keeps repeating to the extent where yesterday they had the single biggest death rate in Japan over the entire pandemic. So when you come in here and you make statements about certain countries and you want to hold them up as the example of what we should be following—no, thank you. We do check facts. We do look at the assertions that you make, unlike others who may not and who may want to blindly follow you. But if you are going to come in here and start quoting things, then at least be accurate. Do not be mendacious and bend the truth to suit your proposition—

The ACTING PRESIDENT (Mr Bourman): Order! Mr Gepp, through the Chair, please.

Mr GEPP: Do not be mendacious. Our vaccination rate here in Victoria is magnificent, and it has been a wonderful achievement for all of those Victorians who have been able to go and receive their vaccination, including, might I say, the magnificent children of Victoria. Haven't they just been wonderful? I went and got my third shot a few weeks ago at a state-run clinic up in Bendigo, and it was wonderful to see all of the children lined up on that Sunday afternoon to get their jab, doing their bit for Victoria. I want to say to them, 'Thank you; well done'. They are just fantastic little people, and if that is the sort of response we are going to get from them, then we know we have got a fantastic road ahead with our young people.

If we did not have the vaccine mandate, would we be at the number that we are at today? Would we be in a position where this Friday we are going to have significant changing of restrictions, where mask rules et cetera are changing? Of course the answer is no. If we had not had the restrictions in place, if we had not had the mandates in place, our health system would have been absolutely catastrophically overrun. Ms Crozier purports again and again and again and again to be the champion of the health system in this place and regularly reminds us of her previous occupation. Had we followed the things that Ms Crozier said that we should have done over the course of this pandemic, we would have had utter chaos in our health system. Our health system would not have been able to cope with the influx of people suffering from COVID. And I know; I have got firsthand experience. I have had a bit to do with our health system over the last couple of years, so I have seen firsthand what has happened in our health system and have been able to see very easily what would have occurred had we not had the various rules in place that we have had over the past couple of years. But I contrast that with the approach of the shadow health minister. Had we followed her advice throughout the course of this pandemic, we would be in all sorts of trouble here today. In fact I remember last year, distressingly, reading a Facebook post by the Shadow Minister for Health, who had mischievously gone out and suggested to people in this state that BreastScreen—

Ms Crozier: That's wrong.

Mr GEPP: No, it is not, because you withdrew it. It is not wrong at all. You posted it and then you had to withdraw it, as you should have, because it was a disgrace.

Ms Crozier: On a point of order, Acting President, the member is quite wrong. I never withdrew it, and he is taking it all out of context. It is still up there on Twitter, Mr Gepp. He is taking things out of context, and I would ask you to draw him back to this debate because he is getting very agitated. I would suggest that he needs to come back to Mr Limbrick's motion, because he is actually—

Members interjecting.

The ACTING PRESIDENT (Mr Bourman): It is not actually a point of order, but Mr Gepp, let us try and stay on track, please.

Mr GEPP: Thank you, Acting President. I am happy to take your advice as always, and if I inadvertently said to the house that Ms Crozier withdrew her inappropriate advice to the people of Victoria last year about the removal of breast screening operations, then I apologise. Clearly it is still up there, and it is still wrong. It was wrong then, and it is wrong today. If she has not withdrawn it, she should.

The ACTING PRESIDENT (Mr Bourman): Mr Gepp, could we get back to the matter at hand, please.

Mr GEPP: We are talking of course about the vaccine mandates. In summary I would simply say that we have put in place a series of measures over the course of this pandemic, all designed to do one thing and that is keep our Victorian communities as safe as we possibly can. I want to congratulate the Victorian communities that have complied with all of these directions and have followed the rules that we have put in place not because they wanted to but because they were a necessity that has been repeated all around the world. You would think that Victoria is an island—that we alone have suffered this and everybody else has dodged the proverbial bullet. Sadly that is not the case, but through the measures adopted by this government I am proud to say that I think we have done a sterling job. Victorians have done a sterling job, and I reject the proposition from Mr Limbrick.

The ACTING PRESIDENT (Mr Bourman): Thank you, Mr Gepp. Just before we go to Dr Cumming, I am not sure if I heard an unparliamentary term before—it was an interjection—but let us keep this professional and not use names. I am not sure enough to make an issue of it, but I am just going to give a general warning.

Dr CUMMING (Western Metropolitan) (15:49): I rise today to speak to the Liberal Democrats motion on the notice paper about stopping the mandating of vaccines for workers so we, as promised, can go back to a normal society. We were promised by this government and, if not, by others that when we hit 90 per cent we would go to COVID normal. But, no, that has not occurred. We are at 94 or 95 per cent, but, no, we cannot. The government cannot let go of control. Your promises were constantly broken throughout this pandemic. So, respectfully, this government will come in here and say, and I have heard, that if we had not mandated it on 15 October we would not have got the vaccination rates here in Victoria, which is ludicrous. Canberra did not, and they got to almost 99 per cent. Also at that time, just before 15 October, we were at 80 per cent. You knew in one or two more weeks we would be at 90 per cent. But, no, you had to mandate it and create the chaos that we have witnessed for the last four months: October, November, December, and it is going to keep going. This chaos is going to continue. But you are happy with that. You are happy that 000 calls are not being answered because of the 5 per cent of people who have chosen not to be vaccinated. It means nothing. They are in an office. I can assure you that with other places around the world that have hospital systems with unvaccinated people they are in another room or are doing rapid tests or are using another health precaution. But not this government. No, we will have to go without nurses, doctors, ambulance drivers—you name the profession—dentists, professionals, scientists. We will go without 5 per cent of them and make everyone suffer. And we can see that.

As soon as we had this mandating we could not even go back to normal with hospitality. Why? Because of that 5 per cent. People struggle. I also want to touch on the amount of people who have fled Victoria due to the amount of unnecessary lockdowns that this government imposed on us. Now, you can shake your head, government, you can keep telling us that we needed them—we did not. Western Australia, Tasmania, Darwin, Adelaide, Queensland—no, it is total mismanagement from this government.

And then to listen to the last contribution from this government about the people who were protesting—they were protesting against mandates. I have come into this chamber numerous times and said these people are pro choice. They are holding out for the other nine vaccines that are on the market. We were only given a choice of two, and we absolutely were not allowed to use the vaccine that was created here in Australia—and now the government is allowing that. But will you lift the mandates? What do you want, 100 per cent? You will never get 100 per cent. And with these vaccines, the people who are vaccinated can catch the virus and pass it on. It is ludicrous to mandate it when it is not a silver bullet. It has never been a silver bullet—never been a silver bullet.

The police response during these lockdowns was wrestling with people to wear a mask—unbelievable—shooting rubber bullets at them, pepper spraying them, locking people in prison for their beliefs and going into people's houses because they posted something on Facebook because they were pregnant and said, 'I wish to discuss this'. This was in regional Victoria when there were no mandates, and the police went in there. You should be ashamed of your response—ashamed. But, no, you are constantly trying to peddle the view that somehow you saved us. You did not save us—not at all—and the statistics show it. You do not lock down healthy people, ever, in a pandemic—not in all my training. No, no, no. Healthy people work; we protect the vulnerable.

These mandates across the whole of Victoria when there were no cases were trying to achieve a 'doughnut'—promoting the eating of doughnuts during a health crisis! There was no proper holistic response at all, nothing about wellness—eat your takeaway, drink to excess. We had the police not doing their normal responses, chasing people for a mask and wrestling them—the cloth mask that we all know does not do anything in the great outdoors. Proud you should not be. Mandating health workers especially—and everybody—is ludicrous. Mandating educated health people—they are educated, they have degrees, they are professors and they are doctors, and you are mandating them. Do you know better? I doubt it. But they cannot make their own health choices for themselves.

There is this continual abuse that you continue with with your masks on children. Shame on you. Shame on you for not allowing our children to go through this pandemic with the most protection that we could have put over them, which is making sure that they were not being abused at home, making sure that they had playgrounds to play on, making sure that they went to school and making sure that we did not need to put a mask on a small child. They did not need to see people walking around with masks on outdoors. They could have actually been watching responsible adults putting masks on when they were meant to be putting them on—around the vulnerable, around the sick. But no, you wanted this absolute psychological warfare on our children, which we are going to pay for. This shadow pandemic is going to be there for a long, long time.

Mr Ondarchie: There are going to be more lockdowns.

Dr CUMMING: It will be disgraceful if this government ever goes down that path. How much psychological abuse do they want to put Victorians through? We are psychologically abused. Go to Queensland; they can spot a Victorian wobbling and shaking around putting on a mask in the great sun. They know it; they can see us.

Ms Symes interjected.

Dr CUMMING: Not you, I know. You look at me like that. Not you, because you would not know what it is like to go without a pay cheque, to have lost your business.

Ms Symes: I think you underestimate us.

Dr CUMMING: Oh, really? Well, you have not been sticking up for all those small businesses or the people who have lost their houses or the hundreds of thousands of people who have left Victoria. That is our shortage. But continue. Continue to actually go on with your propaganda machine. What about the right-wing stuff? Hilarious! Keep peddling that rubbish. I cannot wait to see that committee, especially when I have got footage of the left-wing nutters that are out there. I cannot even say in this

chamber what they were chanting, because it would not be parliamentary. And their abuse of independent reporters such as Real Rukshan—anti-immigration. What was it? They were there, right? That is a protected species, that disgusting behaviour.

Ms Taylor interjected.

Dr CUMMING: No, no. Why don't you mention that? Why don't you mention those protestors, the pro-vaccination protestors and how they have abused people? I would love to hear that. You must be. I still have got the footage of when they were pulling people off the steps of Parliament and dragging them into Parliament—for a health response. Shame. And I feel sorry for the police officers. They are traumatised from what this government enforced during a pandemic. Shame on you. Keep mandating—disgusting.

Sitting suspended 4.00 pm until 4.18 pm.

Mr FINN (Western Metropolitan) (16:18): It does give me an enormous degree of pleasure to rise this afternoon to speak on Mr Limbrick's motion 708 on vaccine mandates and associated issues. It is amusing in its own way, I suppose, for some when we hear Daniel Andrews, the Premier of this state, get up and say, 'Equality is not negotiable in Victoria'. Well, he might think that, but of course he is not talking about the people who have not been vaccinated or indeed cannot be vaccinated. He is not talking about them because they have been locked out of Victorian life now for some months, and it would appear that the Premier has absolutely no intention of allowing them back into Victoria in the foreseeable future. I think that is a deplorable situation.

As things stand at the moment, we have somewhere in the vicinity of a 96 per cent vaccination rate. I use the word 'vaccination' loosely because vaccination means that you are protected from a disease. This vaccine does not actually protect you from the disease. It does not stop you from getting the disease. It is more of a mitigation therapy, as it were. But nonetheless 96 per cent of the Victorian population has received the vaccine.

We have heard from Mr Gepp and we have heard from others looking back over what has happened over the last two years. Let us look forward from today. Surely to God, with 96 per cent of the population fully vaccinated, we do not need mandates. Look, we have never needed mandates in my view, but we certainly do not need them now. They should be done away with.

Now, I have to say that the coercion, the bullying—and isn't this government showing a real penchant for bullying?—of the population of Victoria by this government over the last year or so, the last six months, has particularly been appalling. It is absolutely deplorable. I have to say that I find a government forcing people to have a medical procedure against their will to be repugnant. That is a clear violation of basic human rights—a clear violation. I cannot for the life of me understand why a government which supposedly stands for equality, human rights and all those wonderful things that it rabbits on about would not put that into play, because we have now about 4 per cent of the population who cannot go to a restaurant. They are not allowed to work and feed their families. They are not allowed to pay off their car. They are not allowed to pay their mortgage or their rent. They are not allowed to live life as they knew it or indeed we know it. I am not what is described as an anti-vaxxer. I am fully vaccinated and have been for some time. Indeed my wife is a nurse and she has been on the front line of the war against COVID, so I have perhaps a better understanding than most as to what is involved here. But I still say there is no need for this mandate. If there was any need at all, it has gone—it is finished, it is done. We do not need it anymore.

It seems now that the Premier is actually persecuting people, punishing them for not doing as they are told, and that seems to me to stink to high heaven. That is something that I find absolutely intolerable. For those people who gather out the front of this building from time to time—and I spoke at one of those rallies last year that attracted somewhere around half a million people—it is appalling when the government goes out of its way to disparage, indeed to defame, large numbers of Victorians who are just expressing their opinion, expressing their view, expressing their concern. I wish more people

would take the time to get involved in public affairs. We should be encouraging them, not discouraging them. But of course they do not suit this government's aims. They do not suit this government's needs, so they must be run into the ground. They must be trashed. And that is what the Premier and the government have done: they have trashed them.

One thing I must say is that the number of people I have met out the front there at the times that I have been there who are actually from my electorate has been absolutely astonishing. The number of people from the western suburbs in particular who come into these rallies has been absolutely astonishing, and there have been a couple of times when it has been like old home week; it has been like some sort of reunion of the west out the front. That is something that I do take on board, and I say to the people of the west who have come in, 'I salute you'. I say, 'Good on you'. It was good to meet those of you who I had not met before, and I want you to know that I am with you. You already knew that anyway.

But these people that the government and the media have trashed as anti-vaxxers, they are not anti-vaxxers. They believe in freedom. They believe in human rights—a big difference, a very big difference. They too are appalled by the fact that we have a government in this state that is dictating to people what medical procedures they must have. That is something that I think a lot of people would be appalled about. You do not have to be anti-vaccination to be appalled by a government forcing people to have a medical procedure against their will. I think that is a pretty basic sort of thing. These people are concerned about human rights. That is the bottom line. They are average Australians from every walk of life, and it is a great pity that more members have not joined in these rallies and these marches because I have to say that the friendliness of the people involved has astonished me in fact. The feeling, the warmth, the camaraderie, if I can use that word, has been very, very strong. For the Premier and for the media to condemn them as being extreme right-wing ratbags or neo-Nazis or whatever they might say, that is just nonsense. There may well be a few who are a little bit nutty, but you get a few who are a little bit nutty just about everywhere, including in this Parliament, I might tell you. I say that as I look at the benches opposite, and I cannot help but think to myself, 'God, how true is that?'.

But these people are just ordinary Australians expressing their opinion, and the fact that there have been hundreds of thousands of them week after week after week coming to this building is a message in itself, and I hope that they will remember what has happened over the last six or seven months here in Victoria. I am hoping that they will remember that come November and they will remember who has done it to them. I hope they will remember who allowed the government to have the extraordinary power when they voted for the pandemic legislation. I am hoping that the people out the front and others right around the state who are concerned about their civil rights and liberties will send a very clear message on election day or indeed in the two weeks before, the election period—

Ms Crozier: They need to save Victoria.

Mr FINN: They need to save Victoria, Ms Crozier, absolutely, and they have a duty, they have an obligation to do that come November. So I am hoping that it will not be a one-off—a march and a rally is not enough—that they will gather in large numbers and they will turf this crowd out, because what the Andrews government has done to Victoria and to Victorians over the past two years is nothing short of despicable, nothing short of disgraceful and something that we should never, ever tolerate again.

Ms TAYLOR (Southern Metropolitan) (16:28): I get that there are some purist sorts of lines about individualism and freedom and beliefs—I heard the word 'belief'—and that is all fair and well, but that is not actually going to help fight the disease. It is a nice purist argument, but beliefs and purist arguments are not the best weapon when you are fighting a pandemic—or so the experts say, and I actually think they have credence with that argument. If we did not literally have to share airspace, as we do in all the communal facilities and schools and otherwise, then perhaps you could live through that purist argument, sit on that rock, stand up high and say, 'Nup, I'm not going to do that because it's all about me and not about everyone else in the community in which I claim to live, because it's

just about me, me, me, me, me', but we actually do live in a community, and unfortunately pandemics involve more than one person.

In fact they involve thousands of people across the globe, because this disease spreads and it is virulent, and we have seen the consequences across the globe and locally as well. But restrictions were put in place which have helped contain the disease, hence unpalatable decisions had to be made.

You can take an obstructionist position and just oppose everything because 'We want to try and get those votes and appease the conspiracy theorists and anyone else who has a purist belief or otherwise, because we might be able to grab those votes as well', but unfortunately none of that helps in fighting a pandemic. If only it did. If only it was that simple.

What I do take exception to is the inference of such malice on the part of the government: that we have this dreadful attitude to children and to human beings and we want to torture them and inflict all this injury on them; that there could not possibly be a good motive behind what we are doing, that we actually do genuinely care about everyone in this chamber, everyone in our community, everyone across Victoria and frankly across Australia as well. I will tell you what I do, and I do not think I am out of line in saying on behalf of all those in the government that we genuinely care about our communities. We want people to be safe and healthy; we want them to have happy lives. Part of the imperative for getting people back into their workplaces and kids back into school et cetera has been the expediting of vaccinations. And yes, you can have the purist argument, 'We'll just leave it to the individual to decide when they feel they are ready to have a vaccination', but we know that we human beings get distracted, we have other things going on in our lives and we may put off some of these vital decisions. We know that sometimes human beings even when they have symptoms will put off going to the doctor. I am not criticising that; that is just part of being human. But unfortunately if you just leave it to normal human behaviour, whatever normal is, then that may mean that pandemic just gets a leg-up and goes faster and harder.

We know that implementing vaccine mandates enables, statistically, a much faster uptake of vaccinations. That in turn has enabled us to relax the restrictions to the extent that we have to date. It is a cycle. You can see that all these behaviours and these measures are put in place with a noble goal, and that is to ensure that we minimise the spread of COVID-19. No-one has in any way said that vaccinations are a silver bullet. Who said that? Nobody would say that. But they are one of the essential tools, along with masks, along with social distancing and other elements, to help minimise the risk of people getting or spreading COVID-19, or if they get COVID-19 to minimise the risk of them ending up in ICU and, in the worst-case scenario, dying.

But the imperative which has not been discussed here by those opposite is the need to think about the healthcare workers and the pressure on them and hospitals. If you want to take the pressure off those on the front line, maybe a little bit of consideration for them, then it is imperative to get the vaccination rates up so that we can take the pressure off the health system and thereby enable a return to a more normal life. I say 'more normal' because we cannot put our heads in the sand and pretend the pandemic is over. That is a consistent theme that I see over there—complete avoidance of the issue of health and the fact that there is a pandemic and that we have had to adapt and address the pandemic and the circumstances and the ramifications of that. Frankly, call me selfish, but I care about my mother's health. I care about my cousins. I care about you. I care about your parents. I care about her parents and all your relatives and your children. Everyone here matters.

Members interjecting.

Ms TAYLOR: Strangely enough, on our side of the fence we actually are governing for everybody. We are governing for everybody, and that means that sometimes we have to make unpalatable decisions, because, guess what, when you make decisions in government it is not all about getting votes, is it? It is about doing what is best for the community and ensuring that we can get to the other side of this pandemic.

There was some discussion about equality and so forth with regard to vaccine mandates. We know that vaccine mandates are not one size fits all, as evidenced by the different requirements for the highest priority workers and settings and the time frames for getting their third dose. What is the problem with that, with recognising those workers where the settings are such that they are at higher risk or those that they care for are at higher risk? Do you want facts or don't you? Does it fit the narrative? I do not know. We are not here about fitting a narrative; we are here about being frank and addressing an issue, a very pressing issue, in the community.

Specified critical sectors, including aged care, health care, disability care and education workers, must all be vaccinated with three doses to continue working given the high risk—get this—of exposure to and of spreading the virus. What is so terrible and malicious about our government taking this action when looking at those vulnerable settings and people most at risk? What is so malicious about that? I have been trying to think about that. There was even an allegation of abuse of children, and I was thinking: I beg your pardon? For goodness sake, when the calibre of the debate plummets to that level and is so devoid of facts and evidence it is frankly disgraceful. It is also extremely manipulative. I know there have been times on social media that I have seen some commentary, and it beggars belief because I can tell from that that it is not based on scientific evidence; it is based on some of the most unfortunate and manipulative and extreme angles when it comes to the pandemic, as if to suggest that there are somehow any easy decisions for a government to make under these circumstances—because there are not.

A member interjected.

Ms TAYLOR: Exactly. Like the Premier—least of all the Premier—would in any way want to have to mandate vaccines unless it was absolutely necessary. Of course he would not. But of course those opposite keep trying to infer all this malice, this nastiness, on the part of the government, and never could anyone make the presumption that actually we do care deeply about our community and we want to make sure people are safe and supported and able to live, because, guess what, a business cannot run if you are not alive. A business cannot run if you are not well. You need to be in good health to be able to run that business. And hey, if you want customers coming into your business, they need to be well too, because if they have COVID-19 and they are suffering, if they happen to be those that actually are suffering with COVID-19 and have the more severe symptoms, they are not coming into your business.

A member interjected.

Ms TAYLOR: That's right. So you need to draw that circle. A small business cannot run with sick people; it needs healthy people. Therefore the simplistic arguments about 'Oh, all these restrictions—you're just blocking business, never mind the health of the community. Never mind that, because that's an inconvenient narrative. It doesn't suit us. We want to avoid the difficult, and we want to run simple lines that suit the particular target that we're aiming for'. Well, I am afraid we deal in reality, and we are here to look after our Victorian community.

Mr MEDDICK (Western Victoria) (16:39): I will try and keep this as brief as I can. One of the founding principles of our party is a little term we call rationality, and I have to say that when I first saw Mr Limbrick's motion I had a lot of hesitation and I had a lot of anxiety around it, because I knew we would see a debate such as exactly what we have descended into. We have seen once again this subject opened up to cheap political pointscoreing, philosophical debate and flights of fancy that are just absolutely extraordinary, when in reality, when we look at this motion, if you throw all of the points that Mr Limbrick makes in point (1) out the window, it boils down to points (2) and (3). What it boils down to is referring the matters that Mr Limbrick wants to prosecute to the cross-parliamentary committee which was voted on in this chamber to be set up to do exactly that—to examine these matters. Mr Limbrick is not even asking for us to refer them in that way. What he is asking for is for the clerks to provide a letter to this parliamentary committee to ask that question. It is up to that

committee to decide whether they accept that or not, and they may not. But they may well do, and then that is the process that will be followed.

I just want to say as well about that, I did have hesitations about setting up this parliamentary committee in the first place. Why? Well, the debate that has raged today is exactly the reason why. My concerns were that it could be hijacked and used as a political tool for pointscoreing. I argued against it on that ground, and I want to thank Ms Patten actually for floating the idea—putting the proposal forward—in the first place. I had my hesitations—she was well aware of that—for the reasons I have just stated. I am pleased to say that it ended up in a bipartisan committee. I am happy with the result, because that way under that turn of rationality these matters can be discussed and referred or not, as the case may be.

But to come back to the motion, this is exactly what we set this committee up for in the first place—to refer these matters to them and to let them decide whether or not they need to be prosecuted by each of the houses again and voted on. That is up to them. Let them do the job that we asked them to do. There are members of the opposition, there are members of the government and there are members of the crossbench from both houses on the committee. It is truly a bipartisan committee, and they will make that decision. It is beholden on us then to let this go through and actually go to that committee and to let them make the decision, and then we should live with that decision. That is rationality. That is taking all the emotive arguments and the philosophical and the political arguments and, as I said, the flights of fancy away from this and bringing it back to what we are here to do: make decisions based upon the evidence. Let us let that committee do that job.

Mrs McARTHUR (Western Victoria) (16:42): I rise to speak in support of Mr Limbrick's motion, which goes to the heart of freedom of choice, liberty and the right of individuals to be individuals. For the past two years Victorians have suffered at the hands of big government. The rules and decrees that were meant to save us from a virus have in many regards caused more damage than the virus itself. Segregation—the brutal classification of people, based purely on whether they are jabbed, unjabbed or partially jabbed—has become a political weapon to formulate society. Life itself has been determined by whether you have a certain medical procedure or not. Victorians were locked up, restricted to within 5 kilometres of their homes, unable to see others and unable to visit the sick or dying or even go to a funeral when loved ones had passed away. Marriage was even cancelled under the Andrews regime. Borders became cruel lines on a map, effectively iron curtains unable to be crossed, separating people from vital medical appointments, loved ones and their homes. It forced some into paying double rent while on pensioner incomes. Who would have thought this island nation could so divide its citizens?

The decisions made by this Premier and his government on this matter alone were considered among the worst the Victorian Ombudsman said she had ever seen in her time in the job. Only one out of 10 applications for consideration to cross the border were given any merit. Ms Glass said the effect of the bureaucratic system meant some outcomes were downright unjust, even inhumane.

This government says it has saved us from the virus. Now it needs to save us from the inevitable deaths that will happen because of its chronic neglect of the Victorian hospital and health system. Code browns have exacerbated the elective surgery debacle, and for some this has sadly enforced outcomes that are negative and resulted only in the decline in health, the spread of cancer, the prevalence of undetected health conditions, loss of life for some and certainly the loss of quality of life.

The term 'elective surgery' is of course a misnomer, for there is nothing elective about it; it is vital and essential surgery. No-one chooses debilitating conditions and pain. Essential surgery is not cosmetic surgery. Schoolchildren have been forced to stare at computer screens at home instead of experiencing robust and engaging learning in classrooms, and the playground lessons and interactions that are equal to the education process.

Daniel Andrews's big government has imposed too much, asked too much and demanded too much from every Victorian. He was aided and abetted by crossbenchers who supported the pandemic bill of December last year, which merely enables the long, long shadow of control to hang over us all for many months yet. This shadow delivers doubt to businesses, to schools and to the sick, for it demands a loss of freedom and choice and requires a homogenous, monolithic response to all parts of our lives—a one-rule-fits-all system. Mandates are the weapon of choice in this. They fail any test of nuance or understanding. They fail logic, for what farmer working alone in a paddock 100 miles from nowhere needs to wear a mask to protect himself from a virus that is not the bulk killer the modellers wanted us to believe?

The omicron variant is even less foreboding, yet we face a government that continues to demand more from individuals and less from itself. And when times get tough it points the other way, calls people 'irrelevant' and calls them quite simply 'that person'. Victorian workplaces have suffered enough because of vaccine mandates and deadlines for the coercive policy. Businesses already closed down by the pandemic decrees have been handed a double whammy of being closed down due to staff not being vaccinated on time or simply not being vaccinated by choice.

This country of ours has thrived on choice. It is by choice that millions of migrants come here. It is by choice that people have become what they want to be: doctors, lawyers, bread makers, nurses, bus drivers. It is by choice that people go to the ballot box to determine who they want to run this great country and this state of ours. Mandates have conjured a contrived outcome for our population, and while I am fully vaccinated, it is something I have done not only because we are required to to simply turn up in this place and to enable me to do a job, but it is also a matter of choice, because I understand the health benefits to me and the loved ones around me.

Our vaccination rates are now globally leading. We have done our job as citizens. We have excelled in what we have been asked and forced to do. We know well that these vaccines do not stop the spread of the virus, but they do stop the degree of illness and the numbers entering our hospitals. For those now unvaccinated or partially vaccinated, they have the benefit of a surrounding populous that has taken the jab. It is time we move on from mandates. Our economy needs to spread its wings, having been clipped mightily by mandates and illogical rules for two years. Our children need to go to school without masks, COVID tests, home isolation and school closures. Living with this virus has to start to mean something. Mandating vaccines has never been the right thing to do. Sensible Australians have always made the best decisions for themselves and their families guided by good information. Victorians are capable of being responsible for themselves and their loved ones without the dictatorial heavy hand of government. And so it is that we vote today on this motion to reinvest in our beloved choice and to stop the madness of mandates that have walked our society into queues of haves and have-nots, of segregation when none was needed.

Throughout this time I have consistently argued to protect the vulnerable and to do this via due care, good systems and vaccinations. But choice must return and mandates must go—and must certainly go in this place as well. That is why I will support Mr Limbrick's motion today and why we think it is vitally important for it to be referred to the Independent Pandemic Management Advisory Committee.

That is the committee that in paragraph (3) Mr Limbrick has asked this motion to be referred to—not a parliamentary committee but the Independent Pandemic Management Advisory Committee—and he requested further that the Independent Pandemic Management Advisory Committee consider reviewing the pandemic orders identified in paragraph (2) of Mr Limbrick's motion and provide advice to the Minister for Health. It also requires that the Clerk write to the chair of the Independent Pandemic Management Advisory Committee to convey the terms of this resolution. This is vitally important, and this is why the coalition support Mr Limbrick's motion. It is time that mandates have to go.

We should take up also some points that Mr Gepp made, because he was so concerned that Japan had more deaths than us. Well, actually his facts were wrong, because of course he was not taking into

consideration the total difference between the populations of Japan and Australia. In fact if you correlate that out, you will find that Japan has had less deaths. We in Victoria have had 2409 deaths. Mr Gepp was keen to say that New South Wales had done very badly, but they have actually only had 1859 deaths—considerably less than Victoria. In fact we have had 550 more deaths than New South Wales. Also we must never forget that in the early days of this pandemic we lost over 800 people due to total failure of the hotel quarantine debacle. That was the policy of this government. It was poorly implemented, and has been proven to be so. We must ensure that all these mandates are gone now and that this committee examines Mr Limbrick's motion. I have much pleasure in supporting Mr Limbrick's motion.

Ms TERPSTRA (Eastern Metropolitan) (16:52): We are on high rotation today. We have got a few down. I rise to make a contribution in regard to motion 708 standing in Mr Limbrick's name. It is a bit of a burger-with-the-lot motion, but it effectively calls for an end to vaccine mandates.

A member interjected.

Ms TERPSTRA: Very interesting—I will say more about this point in a second, because it has been a bit of a consistent theme that we never release health advice. It talks about health advice. It talks about an article in the *Conversation*. It talks about asking the government to revoke the pandemic orders around vaccination, and then it asks for the motion to be referred to the Independent Pandemic Management Advisory Committee and that the Clerk of this chamber writes to IPMAC to convey the terms of this resolution.

I have had the benefit of listening to a number of contributions in the chamber today. I concur with Ms Taylor's earlier contribution, but I also concur with Mr Meddick's contribution—a very well thought out contribution, particularly on the content of this motion. I think what is disappointing about the tone and candour of this debate today is that we are of course having to get into combating some of the claims that are being made around vaccination, but it is also important to go to some of the elements of this motion.

I might just start with these statistics. We get the catcalls from over here that vaccine mandates are inappropriate—everyone hates them et cetera, et cetera. I will just read out these statistics: 95.3 per cent of the over-12 population has now received a first dose of a COVID-19 vaccine, 93.9 per cent have received a second dose and 55.9 per cent have received a third dose. So the majority of the Victorian community actually believe in the science. They understand how vaccination works. There has been a lot of misinformation spread around about what vaccines do, and it is very concerning to hear our Parliament actually being used to ventilate some of these claims around vaccination which have no basis in fact or in science. It is very concerning. More to the point, we have heard a lot of claims from the opposition and claims from the Liberal Democrats that the government does not release the health advice. I will point to item (1)(d) in the motion, which specifically states:

in the acting chief health officer (CHO) advice to the Minister for Health, dated 10 January 2022 ...

So clearly that advice was released. Again, it just goes to show that the candour and the conduct of these debates are never about the reality of the matter; it is just about the cheap political pointscore. People want to run their line that again goes into the whole thing about us being a secretive, bad government. It is all about claiming that the Andrews Labor government is bad, opposing everything always and running negative, misleading disinformation campaigns just to scare people and to obscure any messaging. That is where this is leading.

The bottom line is that what is even more disappointing about this is that you are talking about health messaging. It is not even political messaging; it is actually information that is meant to protect people and save lives. As I said, if you look at the amount of people in the Victorian community who are vaccinated, the majority of Victorians are actually with us as opposed to many of those opposite who claim the opposite. But again, we are in an alternative-fact universe where people keep saying the opposite and hoping that it is going to turn a vote somehow. It is just really disappointing that again

our chamber and the Parliament are being used to ventilate some of these really fanciful claims. Again, it is more to Mr Meddick's point that he raised earlier that the Independent Pandemic Management Advisory Committee that was set up as a consequence of debate in this chamber and certainly as a consequence— (*Time expired*)

The PRESIDENT: Ms Terpstra, while you were on your feet earlier Mr Davis raised a point of order about your contribution and mentioned some comments about Dr Bach. I know you indicated to the house that you would withdraw. After checking *Hansard*, I would ask you to withdraw, please.

Ms Terpstra: Thank you, President. May I just ask for clarification: if a member of this house misleads in their commentary, what would be the procedure to—

A member interjected.

Ms Terpstra: I am asking for guidance. What would be the procedure to deal with that?

The PRESIDENT: That is a different matter. I would just ask you to withdraw and sit down. Then you can raise a point of order.

Ms Terpstra: Okay, I withdraw. And I will raise a point of order.

The PRESIDENT: Thank you. Now, what is your point of order?

Ms Terpstra: I seek guidance and clarification from the Chair. If a member in this house in their contribution misleads the house, what is the process for dealing with that misleading statement?

The PRESIDENT: You can raise a point of order against the member, and we will deal with it.

Mr LIMBRICK (South Eastern Metropolitan) (16:58): I would like to thank all the members who contributed to the debate today. I would just like to clarify, or correct, a couple of things that were said during the debate. The motion does not refer to specialised worker mandates—it is only referring to general worker mandates—so any of the discussion about healthcare workers and that sort of thing was not relevant to the motion.

Also, during the debate there was talk about Japan and the number of deaths per million. For the philosophers amongst you, you would know about consequentialist arguments. Worldometer quotes Japan's death per million at 177 and Australia's death per million at 193, so they had lower deaths per million without mandates or anything. It is the same with Statista—that is another source—which is showing Japan at 174 deaths per million and Australia at 195 deaths per million. Again, they are similar numbers. I talk with my in-laws in Japan quite regularly about what has been going on here and what has been going on there, and they have been watching in horror at what has been happening here.

I would also say that there has been a lot of talk about whether or not mandates are based on the evidence or health advice. I would rebut that by saying that I do not think that you need to consult a medical specialist to know whether forcing a medical procedure or not is wrong; I think you need to consult a history book.

Motion agreed to.

Committees**PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE***Reference*

Mr RICH-PHILLIPS (South Eastern Metropolitan) (17:00): I move, on behalf of Mr Davis:

That this house, pursuant to section 33 of the Parliamentary Committees Act 2003, requires the Public Accounts and Estimates Committee to inquire into, consider and report:

- (1) by 30 June 2022, on the financial position of WorkSafe and its administered WorkCover insurance scheme, including but not limited to the:
 - (a) financial sustainability of the scheme;
 - (b) ability of the scheme to assure employees that proper financial and medical support will be received into the future;
 - (c) level of premiums paid by employers;
 - (d) the impact of any potential increased premiums on employment statewide;
- (2) by 30 September 2022, on the operations of the port of Melbourne lease, including but not limited to:
 - (a) the impact on the price of consumer items due to the outcomes of the lease;
 - (b) the failure of the operators to comply with their obligations to run the port efficiently for the long-term interests of users and Victorian consumers;
 - (c) issues of significant and sustained non-compliance with the pricing order during the review period;
 - (d) why the port of Melbourne's power has not been effectively constrained in relation to the process for setting or reviewing rents or associated payments payable by its tenants;
 - (e) the ability of current legislation, port concession deed and other contractual arrangements to constrain the port of Melbourne's power;
 - (f) the port of Melbourne's use of a broad range of negotiation strategies and processes to drive higher rent outcomes that are not appropriate in a monopoly market, where tenants at the port face significant barriers in pursuing and securing alternative suppliers of suitable land;
 - (g) whether the port of Melbourne's exercise of its power has caused material detriment; and
 - (h) whether further economic regulation is justified to ensure there is mitigation of the ability of the port to exercise power through rent seeking.

This motion seeks to make a referral to the Public Accounts and Estimates Committee under section 33 of the Parliamentary Committees Act 2003 in relation to two matters. The first is the financial position of the Victorian WorkCover Authority, WorkSafe, in relation to the financial sustainability of the scheme, the ability of the scheme to assure employees that proper financial and medical support will be received into the future, the level of premiums paid by employers and, finally, the impact of any potential increased premiums on employment statewide. The motion seeks for that reference to be considered by 30 June this year.

The second element of the motion is a referral in relation to the port of Melbourne and the operation of the port of Melbourne lease. The elements that Mr Davis seeks to have referred to the committee include the impact on the price of consumer items due to the outcomes of the lease; the failure of the operators to comply with their obligations to run the port efficiently for the long-term interests of users and Victorian consumers; issues of significant and sustained non-compliance with the pricing order during the review period; why the port of Melbourne's power has not been effectively constrained in relation to the process for setting or reviewing rents or associated payments payable by its tenants; the ability of current legislation, port concession deed and other contractual arrangements to constrain the port of Melbourne's power; the port of Melbourne's use of a broad range of negotiation strategies and processes to drive higher rent outcomes that are not appropriate in a monopoly market, where tenants at the port face significant barriers in pursuing and securing alternative suppliers of suitable land; whether the port of Melbourne's exercise of its power has caused material detriment; and whether further economic regulation is justified to ensure there is mitigation of the ability of the port to exercise

power through rent seeking. That reference seeks a response by the committee by 30 September this year. These are two very significant and important reviews that we are seeking from the Public Accounts and Estimates Committee. They are not being sought out of casual interest, they are being sought because with both the Victorian WorkCover Authority insurance scheme and the port of Melbourne lease we are now seeing material issues arise in the operation of both of those matters.

I will go firstly to the matter of the Victorian WorkCover Authority. The Victorian WorkCover Authority, as members know, has responsibility for ensuring that compensation and rehabilitation, medical and the like expenses are made available to people who are injured in the workplace. In addition, I might add, the WorkCover authority has responsibility for occupational health and safety. But this motion refers to the insurance side of that operation, which has at its heart an obligation to supply support and to fund support, be it medical and the like support, be it income support, be it lump-sum support for people who are injured in workplace accidents. It is a very substantial scheme which runs into the billions of dollars every year, and it is a scheme which is supported by a balance sheet in the order of \$10 billion to cover the long-term liabilities of that scheme.

What we have seen over the life of this government is the continuing year-on-year deterioration of the WorkCover scheme in this state. In fact the annual report for the Victorian WorkCover Authority for 2020–21 records that deterioration in the performance of the WorkCover scheme over the entire life of this government. It is not just an aberration for one year or two; over the entire life of this government, from 2015, the WorkCover scheme has been in a position where it has been deteriorating year on year on year. The table on page 62 of last year's annual report for the VWA effectively highlights that deterioration. There are really only two measures which are relevant in looking at the performance of the WorkCover scheme in this state.

As I said, it is a very large scheme. It has billions of dollars of assets, including billions of dollars invested in markets, and the value of those investments fluctuates year on year. There is a lot of noise around the performance of the WorkCover scheme because of investment returns—because of capital gains and capital losses on its investment portfolio. But when you separate out those factors and look at how the actual insurance business is operating, there are two key metrics. The first is performance from insurance operations, which takes out the noise of investment returns, takes out the noise of markets and looks at how the actual insurance business is operating.

The second key metric is actuarial release, which is where, on a twice-annual basis, the actuaries who work with the Victorian WorkCover Authority assess the long-term liabilities of that scheme and whether they are increasing or reducing based on actuarial modelling. That is a direct measure of whether the scheme is being well run.

We know the WorkCover scheme is a long-tail insurance scheme. There are injured people, injured workers, who are reliant on the WorkCover scheme in some cases over a short period of time. They may be associated with the scheme for only one year. They may receive rehabilitation medical services or compensation et cetera in a year and be out of the scheme. Other people associated with the WorkCover scheme have a very long-term relationship, which could be whole of life for the period of their injury. Particularly in those cases the liability associated with individuals who have long-term dependence on the scheme can run into millions of dollars, and that is accounted for on the VWA's balance sheet. The test of whether that is well managed, the test of whether the WorkCover authority is managing those individual claims prudently in a way that is in the interests of the claimant and in a way that is in the interests of the scheme, is whether those liabilities are adjusted up or down on an annual basis—the actuarial release. If claims are being well managed—if WorkCover is investing money in the short term to reduce the long-term liability of particular claims—that generates a positive actuarial release. It shows the scheme is being well run, and it is reflected ultimately in the balance sheet of the WorkCover authority.

But we have seen since the change of government negative actuarial releases in the WorkCover scheme year on year on year. Starting in 2014–15 we saw negative actuarial release for the first time

of \$60 million. That deteriorated the following year to \$135 million and then to \$169 million. By 2018–19 it was down to \$190 million negative, and in 2019–20 we saw a massive blowout in negative actuarial release to \$2.9 billion—effectively a deterioration in the management of the scheme of \$2.9 billion in 2019–20. It had nothing to do with investment returns and nothing to do with markets; it was purely how the scheme was being managed.

In 2021 a further downgrade in actuarial release was \$3.2 billion. So in the last two years of operation the WorkCover scheme has had negative actuarial release of \$6 billion—in a scheme that is worth, or was worth certainly when I was associated with it, around \$8 billion or \$9 billion. So this is a massive downgrade in the performance of that scheme in a very short period of time, and of course that is reflected in the overall bottom line, the performance from insurance operations, which in those last two years accounts for a nearly \$7 billion negative result in performance from insurance operations and minimal results in the years prior to that. This is an absolutely significant negative result for that scheme which has major implications for the viability of the scheme going forward. If actuarial release continues to be negative, as it has been over the life of this government, the long-term viability of the scheme is not there. We have already seen the government need to tip capital into the WorkCover scheme. I think \$550 million was tipped in by the government in 2021 to try and stabilise its viability. That is not sustainable long term. We have not seen premium rates reduced under this government for seven years. The previous government cut WorkCover premiums three years in a row. Premiums went down from 1.387 per cent of payroll to 1.272 per cent of payroll.

At the change of government in 2014 we had the most competitive WorkCover premiums anywhere in the country. That is no longer the case. I think we are actually the most expensive now, and we have not had a single reduction under the life of this government. So employers continue to pay premiums which are higher than they should be and the performance of the system has deteriorated year on year on year, to the point that it is absolutely now critical and the government has had to tip capital in. So there is a very strong reason why the opposition is calling for the Public Accounts and Estimates Committee to undertake this review of the WorkCover scheme. We have seen it deteriorate year on year under the life of this government. The last two years have been absolutely critical, pointing to absolute failures in the management of the scheme such that that negative actuarial release has blown out to the extent it has—\$6 billion over two years. We need assurance that there is a way forward with this scheme. We need confidence that the government can get it back on track where it has failed to do so over the last several years, and that is why an inquiry by the public accounts committee into the viability of the scheme is so important.

The next matter I would like to touch on is the second element of the motion today, which relates to an inquiry into the port of Melbourne lease and the consequences of that port of Melbourne lease. This is something this Parliament spent considerable time on in 2015–16. The government came forward with a proposal with legislation to lease the port of Melbourne in 2015–16. A select committee was formed by the Legislative Council to review that legislation, particularly with a view to whether that lease was going to be in the long-term interests of the state of Victoria—whether privatising the port as proposed by the Treasurer would be in the long-term interests of the state. Through that select committee we took evidence on a very wide basis. We spoke to users of the port, we spoke to stevedoring companies operating at the port, we heard from the ACCC. The chairman of the ACCC, Rod Sims, gave evidence before that inquiry. One of the things that came out of the evidence given by Rod Sims was the need for governments to ensure that when they are privatising assets they are doing it for the right reasons, and the right reasons for a government to privatise an asset are to drive productivity and to drive efficiency, not simply to seek the highest price to get the cash. The concern with the sale of the port of Melbourne is it was driven purely by the Treasurer's desire or the government's desire to get a pot of cash rather than to deliver an asset which operated more efficiently and drove productivity in the public sector hands.

Mr Finn interjected.

Mr RICH-PHILLIPS: As Mr Finn says, they have blown the cash. We saw a big cheque from the port of Melbourne—I think it was \$9.7 billion that was received by the state for the sale of the lease of the port of Melbourne. It has been spent on projects. It has gone into the black hole of capital works blowouts, and what we now have is a port of Melbourne in private hands without the regulatory framework to ensure it operates in the long-term interests of this state. That was a concern that was highlighted through the select committee inquiry. It was a matter where there were substantial revisions to the legislation forced by this house on the government. The government made concessions about ensuring the port of Melbourne would operate in a way that was efficient, operate in a way that was productive and operate in a way that was in the long-term interests of the state. Those commitments given by the government have come to naught. We saw in January the Essential Services Commission release its five-year review of the port of Melbourne's compliance with the pricing order which was put in place at the time the port of Melbourne was leased, and the Essential Services Commission has found extensive evidence that that lease, that pricing order—

Business interrupted pursuant to sessional orders.

Statements on reports, papers and petitions

GOTAFE

Report 2020

Mr GEPP (Northern Victoria) (17:14): I rise to speak on the GOTAFE 2020 annual report. I want to highlight some of the key achievements in that report, and it is a fantastic story. In 2020 GOTAFE, of course located in Shepparton right in the middle of my electorate, was awarded the Inclusive Training Provider of the Year at the Victorian Training Awards. They also launched the first TAFE social justice charter, which demonstrates a strong commitment to creating an environment where everyone feels safe and welcome and can be themselves. Impressively, over 4570 students availed themselves of the various services under that charter, with counselling the most often used service.

GOTAFE very quickly adapted to the issues confronting TAFE and the students with the blended delivery of its courses, and it continued to deliver high-quality training throughout the TAFE. It opened a new campus at Wallan, and it delivered training in business, IT, health and community education, hair and beauty, and building and construction. We invested in and opened new campuses, as I say, associated with the GOTAFE. It achieved an outstanding result in its Victorian student satisfaction survey, with students actually voting with their feet, saying it is a wonderful TAFE and a wonderful training provider and that it is fully supportive.

It works with SPC, a big employer, particularly in the Shepparton region, to deliver GOTAFE SPC scholarships. Those scholarships support students with financial barriers to get into trade-based training and employment. And there is a new plumbing stack constructed for the new Wangaratta campus. They are very important new facilities for plumbing students.

Our record in TAFE I think speaks for itself. Since coming to government the Andrews Labor government has reinvested in and rebuilt the TAFE system, which was dismantled by those opposite. Rather than the padlocks-and-chains approach that they had when they were in office, when they cut the TAFE sector to the bone, we have invested millions and millions of dollars into TAFE, particularly GOTAFE—\$10.7 million was allocated just in the recent budget for stage 2 of the Archer Street trade training centre. There was another \$2.4 million for a new GOTAFE Shepparton cafe restaurant to be used as a training facility in commercial kitchen upgrades. We have had significant funding to GOTAFE since 2017 through the Regional and Specialist Training Fund, and it goes on and on.

I contrast that with the approach of those opposite: over \$1 billion cut from TAFE and widespread job losses across the state, including at GOTAFE. They removed GOTAFE's funding for the unique role that it plays as a public provider, and operating contributions for GOTAFE went from over \$56 million in 2012 down to \$33 million in 2014 under those opposite. I told that story because what caught my eye was a contribution in the federal Parliament by the federal member for Nicholls, Damian Drum,

who sat around the very cabinet table here in 2010–14 and cut TAFE in this state to the bone—absolutely cut TAFE to the bone. And do you know what he was saying? He had the cheek to get up in the federal Parliament, as he was walking out the door—because he is not coming back—and try to give it a clip, saying:

The Victorian state government has simply stopped spending money on our Shepparton campus.

Yet when you look at the actual numbers and the investment that we have made, we have rebuilt the TAFE sector and we have invested millions in GOTAFE in particular. Yet here he is, someone who sat around the very cabinet table that launched an unprecedented attack on and almost destroyed the TAFE sector here in this state. But he did not say sorry.

A member interjected.

Mr GEPP: No, he didn't save Fremantle either. He said what we need in Shepparton is a state government that invests in the TAFE college to give them world-leading training, and he picked out the mechanics course in particular. Of course what he would know and what everybody knows is that as part of the rebuild of TAFE we have actually been to all employers, we have been to the business community and we have been to the community at large and we have talked to them about the future employment opportunities that exist in the region. That is what we have done. We have built the facility, we have built the curriculum and we have built the training programs. We are proud of our record. And Mr Drum: ta-ta.

COMMISSION FOR CHILDREN AND YOUNG PEOPLE

Report 2020–21

Mr GRIMLEY (Western Victoria) (17:20): I rise to speak on the Commission for Children and Young People's 2020–21 annual report. There were an incredible number of interesting things to come out of this report, but I only have a few minutes, so I will restrict myself to what I see as the most important or urgent.

Firstly, I congratulate the commissioner on her excellent work in holding the government and its departments accountable for their role in child protection, or lack thereof in many cases. Among their work in recent times the commission has conducted three systemic inquiries, *Keep Caring*, *Out of Sight*, and *Our Youth, Our Way*. Importantly, the commission also completed 41 child death inquiries, examining the circumstances surrounding the death of any Victorian child with child protection involvement in the preceding 12 months. They also continued to enforce and educate on the child safe standards, a topic which was debated relatively recently in this place—about increasing these standards, which I was proud to support.

The reportable conduct scheme administered by the commission has continued to grow. Among the many findings of the scheme were the following: around a third of the allegations were substantiated. For the first time the most common allegation type in all schools has been sexual misconduct, at 40 per cent. Interestingly, physical violence was the largest category of reportable allegations for females, at 52 per cent. Sexual misconduct and sexual offences accounted for 46 per cent of men's reportable offences. Disappointingly only 130 out of the 1932 reports made to police since 2017 resulted in police laying charges. Note that this is not a conviction; it is just the laying of charges. Of particular concern to me is that sexual offences allegations reported to the commission have gone from zero in both 2017–18 and 2018–19 to seven in 2019–20 and 11 in 2020–21.

The commission noted a current legislative restriction on information sharing. This prevents the Department of Justice and Community Safety from notifying the commission of the outcome of working with children check assessments following a substantiated finding of reportable conduct. In the commission's review of the administration of the Working with Children Act 2005, the commission recommended that the Victorian government amend the act to enable the DJCS to share information with the commission on the outcomes of these assessments. I would ask the state

government: why has this not been done? It seems like a very simple fix to me and would clearly allow for less red tape and more child safety.

In terms of child protection, I read some very sobering statistics in this report, including that children whose cases were reviewed through the commission's child death inquiries had been the subject of on average more than three reports to child protection. Fifteen children or 37 per cent had been the subject of between two and four reports, and one child had been the subject of 29 reports to child protection. This is just disgraceful.

I know it is more complex than this, but it seems that children can be at much higher risk in their own parents' care than in out-of-home care. In 2020–21 six children died in out-of-home care; two were in foster care and four were in kinship care. Of those in kinship care, two were Indigenous. Yet there were 100 children who died in the same time frame notified to the commission. Of interest to me, given my pursuit of the new offence of family violence in the presence of a child, I was shocked to see the joint inquiry into six child deaths found that all six had family violence aspects, yet in only one case was a specialist violence practitioner involved or called upon. My colleague Ms Maxwell will talk more about using custody, but I will commend the government in responding to the very serious youth justice issues that were occurring just a few years ago.

One thing, though, in relation to youth custody is the proportion of African youths in custody. As I understand it, for the first time ever youths of African descent have overtaken non-Indigenous Australian kids in youth prisons at a hugely disproportionate rate of 38 per cent compared to 28 per cent of the whole prison population respectively. Whilst we had the government showing off their strategy to reduce Indigenous kids in custody, we heard silence on the African kids, who are vastly more over-represented. Why? Clearly there are failures to engage African kids properly or find solutions to their criminality. More importantly, there is clearly not enough attention being paid to early intervention strategies for African families.

One solution is the City to Country project, and this is the rebrand of the Great South Coast Economic Migration project run by Carly Jordan, which resettles African families to regional areas, particularly Hamilton and Casterton. I think we should be expanding these programs sooner rather than later. Whatever the solutions, clearly the government needs to act. The commission wrote to the state government in September 2020 to address this problem, but we have heard nothing. So I strongly encourage the state government to recognise this as an issue that needs to be addressed urgently.

DEPARTMENT OF PREMIER AND CABINET

Report to Parliament on the Extension of a Pandemic Declaration

Dr CUMMING (Western Metropolitan) (17:25): I rise to speak on the *Report to Parliament on the Extension of a Pandemic Declaration*. This extension commenced on 12 January and is enforced until 12 April. I was interested to see that the acting chief health officer's advice was dated 7 January. On that day we recorded our highest ever case number, which was 51 164 new cases in a single day. By the time the extension to the pandemic declaration was in force the numbers had already steadily declined to just over 34 000. I have to question if there would have been any changes to the advice if that had been revised, since we had already reached our peak.

The acting chief health officer also mentioned that the pathology system is a core pillar of the COVID-19 response. As we all know, it was already in trouble at that time. Within a week of his advice nearly 100 000 Victorians who lined up to get tested for COVID were told that they would not be given their results, leaving many not knowing if they had the virus. Had it not been for the national cabinet agreeing to fundamental changes to testing—moving to rapid antigen testing—we would still be in the situation of this government saying that PCR tests are the gold standard. And we would be sitting in this place now with—like what occurred at that particular time, according to this—the PCR tests not having been processed in time, and many Victorians would actually attest to being told that they will not get a result for their PCR test. The national cabinet agreed to this change, and the Premier

announced it. The acting chief health officer in his report stated that Victoria 'is seeking to improve access'—at that time—'to rapid antigen tests through large-scale orders with suppliers'. It still took this government two more weeks to place an order.

But what is most concerning is the number of pandemic orders that were actually issued within that first month. There were 30 new pandemic orders, and some of those orders were these: orders that restricted visitors to hospitals and aged care—we understand that; orders regarding the wearing of masks; orders regarding mandatory vaccinations; orders regarding check-ins and QR codes; and orders still regarding border crossings. Instead of allowing adults to make their own informed choices—this government was not using the QR codes, and has not been, for contact tracing or tracking; nor were the borders shut—there were still these orders. Instead of allowing adults to make their own informed choices, this government continues to mandate. Instead of allowing businesses to make their own informed choices, this government continues to force mandates on Victorians and continues to treat Victorians with contempt and to belittle their intelligence to make their own health choices, to manage their own health. Recommend to wear a mask, do not mandate. I think after the last two years we all should know by now when we can or should or want to put a mask on in which particular settings around which vulnerable people. We do not need a mandate.

This government continues to take the rights and freedoms of all Victorians away, including their right to work and participate in normal life. This is because of your mandating and your orders. The Premier loves the power to call a pandemic. We are out of the pandemic; we are way out of the pandemic. These orders go until April. This Premier said in September he wished to mandate three vaccines; he said that in September. *(Time expired)*

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Inquiry into the Victorian Government's Response to the COVID-19 Pandemic

Ms CROZIER (Southern Metropolitan) (17:30): I rise to speak to the report on the inquiry into the Victorian government's response to the COVID-19 pandemic. The first case in Australia was found on 25 January 2020, over two years ago. It does seem like a lifetime ago. So much has happened to every single Australian and every single Victorian. Of course here in Victoria there is no doubt that, with the harshest of restrictions and the longest of lockdowns, those impacts have been felt harder than by many others around the country.

The Public Accounts and Estimates Committee, looking into the government's response at the time, made a number of recommendations. One was around looking at contact tracing and national benchmarks. They made findings around that and then made recommendations with regard to it. The government in their response did support this in principle. In their response to that particular recommendation, I note that the government said that:

The government continues to utilise all avenues available to ensure information is sufficient to allow communication with close contacts.

... The requirement is mandated under Chief Health Officer directions and provides contact tracers with immediate access to electronic records to rapidly contain an outbreak.

Expansion of this record keeping requirement to all industries is underway following the state-wide lockdown in late May 2021 and will further strengthen the availability of information for contact tracing.

Admittedly that response was written on a date I cannot quite find, but it was in response to that report of February 2021, so a year ago. They were referring to lockdown 4. Well, we have had a few more lockdowns and a few more mandates since then.

The reason I raise this particular issue in this particular report is that I received another email from a woman today that goes to the point about how poor the response has been from the department in

relation to contact tracing. She first emailed me on 10 January. She emailed the Minister for Health, telling him about the failures in the system. She said:

I am confused, frustrated and disillusioned that we are now into our 3rd year managing COVID in Victoria and still our taxes are paying for incompetence.

On the morning of 7/1/2022 my husband and I reported a Positive RAT reading and we received the text below from DHHS ...

It says:

Thank you for notifying the Department of your positive COVID-19 rapid antigen test.

...

You may be contacted by the COVID Positive Pathways Program.

We need you to do three things now ...

and it goes through that. A day later she received another text from a mobile number, which at first she thought was a scam email because it looked as if someone had hacked the site. But it was a cut and paste. It says:

Dear Kathleen,

Thank you for notifying the Department of your positive COVID-19 rapid antigen test result.

In this message it says:

This message provides updated information about your isolation period and replaces previous advice. We apologise for any inconvenience this may have caused.

She said she then received a third text on that same day. It says:

Dear Kathleen,

Thank you for notifying the Department of your positive COVID 19 rapid antigen test result.

...

Unfortunately the message sent provided your test date, which was an error. We apologise for any inconvenience this may have caused.

This is like a bad episode of *Yes Minister* or something worse. It goes on and on, and she has not had any response from the department giving her guidance about the confusing instructions that she has had. I raise that because I have been saying for many months now that the contact tracing has failed in this state. In fact it started to fail in mid-August of last year when the system became so overwhelmed. But, yes, we have had QR codes and they have finally been ditched after 100 000 PCR tests had to be thrown out because there was no way that the system could cope. This goes to a lack of planning and a lack of preparation, and it is a continual sign of the mismanagement of the COVID response.

There are so many more issues that I need to speak about in the interests of all Victorians so that these failures are not swept under the carpet, like the government is trying to do, that they are highlighted and that we can constantly improve. We have been debating all day various issues around mandates. I will be interested to see the government backflip on a few of those, no doubt, in a few days. But I will be saying more on this in the future.

BAYSIDE PLANNING SCHEME AMENDMENT

Petition

Mr HAYES (Southern Metropolitan) (17:35): I rise to talk to e-petition 407 in relation to a review of development plans under Bayside planning scheme amendment C162. The petition draws to the attention of the Legislative Council that Bayside council failed to support its own planning scheme in relation to the approval of development plans for the former CSIRO site at 37 Graham Road, Highett—a very important development site with some native grasslands included in it.

Approval was granted to Sunkin Property Group to develop the site in a manner that contradicts development plan overlay DPO2 in Bayside planning scheme amendment C162, authorised on 30 June 2020. Now, this amendment allowed some 400 dwellings on the 5-hectare site, but the subsequent plan has grown to 1022 dwellings, comprising seven-, six- and five-storey towers and numerous two- and three-storey townhouses. If this new overdevelopment proceeds there will be a significant negative impact on the traffic flow, which is already chaotic, as well as the character of the Highbett neighbourhood.

Paragraph 4 of the initial development plan, DPO2 under amendment C162, requires the layout and height of the proposed buildings in the development to be a gradation of building heights across the site, with two to three storeys where development abuts existing residential development, up to four storeys in the central area of the site and up to six storeys at the northern end of the site. Bayside City Council, however, has now agreed to a plan for a mixture of the above heights but with the inclusion of 11 towers which are seven or six storeys high.

There were over 820 submissions in respect to the development plan, of which 80 per cent were strongly opposed to this new proposal. Key concerns were the increase in traffic, parking and the size and scale of the development. The development plan approval for 1022 dwellings will overload existing infrastructure such as Bay Road and Highbett Road and the Highbett railway crossing intersection. It will lead to the narrowing of the two-lane Graham Road and Middleton Street, which service the site. The existing streetscapes will be destroyed by the development's towers.

The petitioners ask that the Legislative Council call on the government to revoke the approval granted by Bayside City Council to Sunkin Property Group's proposed development of the former CSIRO site in Highbett and to require Bayside City Council to consult directly with resident groups in the Highbett community and adhere to Bayside planning scheme amendment C162 as it was approved by the Minister for Planning.

COMMISSION FOR CHILDREN AND YOUNG PEOPLE

Report 2020–21

Ms MAXWELL (Northern Victoria) (17:38): I rise to speak on the Commission for Children and Young People 2020–21 annual report. Firstly, I would like to congratulate the commissioner on her continued advocacy for the safety and wellbeing of young people, particularly the most vulnerable in our society. I have had a number of meetings with the commissioner and always find them very informative and extremely collaborative. The commissioner's approach is one of understanding and empathy for the complex nature of working with vulnerable children and families but firm on the standards that must be upheld to ensure a child's safety and understanding that transparent oversight is integral to improving the system.

I note the commissioner is publishing the status of progress of the recommendations, including the government's response. This is important for transparency. The state coroner has recently done the same, and this is something I would like to see more of across all government agencies. The commission has a significant role in monitoring the safety and wellbeing of children and young people in contact with the justice system. Derryn Hinch's Justice Party was recently briefed by the department on the youth justice strategy, and there are a number of markers that are moving in the right direction. Of course some still have a way to go.

The number of isolations imposed due to staff shortages has decreased in youth justice centres by around half in Parkville and Malmsbury. The number of isolations due to a child's behaviour has also decreased significantly in both facilities, as has the number of assault incidents and behaviour-related incidents.

There is a shift to an intensive case management approach and diversions through the Children's Court Youth Diversion Service. The commissioner continues to advocate for appropriate mental health and

therapeutic supports for young people, particularly those in residential care. I spoke of this approach in my contribution to the Children, Youth and Families Amendment (Child Protection) Bill 2021. The out-of-home care system must be based on therapeutic and trauma-informed responses. It is fundamental to the care of these children and their families. It should also be a key feature of the youth justice system. The *Out of Sight* inquiry recommended embedding trauma-informed responses across care providers, child protection and police. It also recommended the statewide rollout of the child sexual exploitation enhanced response model, and a similar model to combat criminal exploitation. The commissioner did not review prosecution rates or policy as part of that inquiry, but stakeholders suggested that directing resources to disrupting offenders is an important part of this work. I hope the Victorian government will accept all recommendations when responding to the commissioner's report.

There continue to be systemic gaps and failures that compromise the safety of children in contact with child protection. We have a committed workforce, but the frameworks for communication, information sharing, risk assessments and response desperately need further reform. Some of this work is advancing and will make improvements to a system that has been described by so many as broken.

There are some systemic issues that still need to be urgently addressed. Examples where children are the subject of multiple reports to child protection over time yet do not have an active case open despite serious concern for their safety are simply baffling. The *In Our Own Words* report recommended that the department establish mechanisms for workers to have case loads that allow for regular face-to-face contact with children and young people. There should be a single point of contact for children in care, and the commissioner notes little progress in those areas. Similarly, patterns of repeated early case closures and a failure to follow up disengaged families is something that must be prioritised. This work has not progressed, and the department is still unable to track whether referrals to Child First, Orange Door and intensive family support result in families engaging with these services.

Urgent too is developing practice advice for children involved with child protection who are identified as at risk of suicide, as well as a suicide-prevention strategy. Flexible support for mental health and substance use is needed for people who have left care. The government says new local mental health and wellbeing services will address this need with a \$40.4 million investment.

I imagine that there will be more sobering reports to come from the commissioner's future inquiries, but this important work must continue and be embraced by the department. As the commissioner said:

While progress continues to be made, we cannot accept that better is good enough—the stakes are just too high.

Anything less than supporting these children and their families is simply not enough.

DEPARTMENT OF TREASURY AND FINANCE

Budget papers 2021–22

Mr RICH-PHILLIPS (South Eastern Metropolitan) (17:43): I rise to make some remarks on the budget papers 2021–22 this evening, particularly in relation to the appropriation for the Department of Jobs, Precincts and Regions. This is a department which has a very broad remit, and in particular I would like to speak about funding provided to Regional Development Victoria through the regional development output group. It is interesting to note that in the budget last year funding for regional development was cut from \$538 million in the 2020–21 year to just \$256 million in the 2021–22 year. This is explained in the note as:

The lower 2021–22 target mainly reflects the funding profile of a range of initiatives within the output.

In other words, it means programs are ending and the funding is cut off. One area that has been a particular concern to me not only in the 2021–22 budget but over the life of this government has been its failure to provide funding to the Regional Aviation Fund.

This is something that was first established by John Brumby as Minister for Regional and Rural Development in 2006 and 2007 and continued by John Brumby as Premier, and it provided infrastructure funding to a range of regional airports throughout Victoria. That fund was subsequently expanded by the coalition government between 2010 and 2014 and provided infrastructure upgrades. It was targeted to operational infrastructure at some 22 airports across the state, with funding of around \$20 million over that four-year period. We saw upgrades at airports including Bendigo, Barwon Heads, Latrobe Valley, Lethbridge, Tyabb, Kyneton, Orbost, Warracknabeal, St Arnaud, Benalla, Wangaratta, Warrnambool, Coldstream, Hopetoun, Kerang, Edenhope and Cohuna. Airports spread right across Victoria were the beneficiaries of infrastructure upgrades.

However, since the change of government, funding for that program has been cut. While the previous government provided \$20 million of funding to 22 different regional airports in just four years, the current government over seven years has provided less than \$6 million to just three airports, with \$5 million going to Mildura, \$327 000 to Mangalore and \$530 000 to Corryong—so less than \$6 million over seven years to only three projects. This is a major shortcoming of this government. There are numerous projects in regional communities which were awaiting funding at the time of the change of government in 2014 which have been cut off from the funding stream. This government has refused to provide funding to those projects throughout regional Victoria. Only three projects have been funded, with the bulk of the money going into Mildura and barely three-quarters of a million dollars going to two other projects in Mangalore and Corryong, so there is now a massive backlog of projects which need to be funded.

Funding to the Regional Aviation Fund should be reinstated. It was \$5 million a year under the previous government. It was funded under the Brumby government. It has been cut off under this government and starved for funds over the last seven years. It is evident from the budget papers that funding to Regional Development Victoria has been substantially cut from the last budget to this budget. Those funds need to be reinstated and funding to the Regional Aviation Fund needs to be reinstated so that those projects which have been outstanding for a number of years can now be completed.

Adjournment

Mr LEANE (Eastern Metropolitan—Minister for Local Government, Minister for Suburban Development, Minister for Veterans) (17:48): I move:

That the house do now adjourn.

HANGING ROCK PRECINCT DEVELOPMENT

Ms LOVELL (Northern Victoria) (17:48): (1758) My adjournment matter is for the Minister for Planning, and it concerns the state government's Hanging Rock master plan and a proposal to build a new visitors centre and a permanent stage in East Paddock. The action that I seek is for the minister to rule out development in East Paddock and to ensure the necessary planning amendments are made to strengthen planning protections for East Paddock, to protect the Hanging Rock precinct and to guarantee it is protected from inappropriate development in the long term.

Macedon Ranges residents have been concerned about inappropriate development of the East Paddock in the Hanging Rock precinct for some time. The East Paddock was purchased by the former Newham and Woodend shire in 1993 to relieve some of the pressure of visitation to the actual rock and surrounds but also importantly to act as a buffer between the rock and the encroaching development. The *Hanging Rock Strategic Plan* development from 2018 notes the importance of views both to and from the rock. The master plan states that some of the most exemplary and iconic views of the rock are from East Paddock and specifically states that this view is of state significance. The view from the rock is equally important, and the main objection against building in East Paddock is that when visitors stand on Hanging Rock and look down they will be looking down on unsightly buildings, a permanent stage and car parks.

Back in 2013 the Macedon Ranges shire revealed plans for commercial development within the council-owned East Paddock, including a hotel and conference centre. These plans were met with widespread anger, and the local community opposed the development. Thanks to a then member for Northern Victoria, Amanda Millar, who worked with the Hanging Rock Action Group, the then Minister for Planning, Matthew Guy, and the Macedon Ranges shire, an agreement was struck in May 2014 between the shire and the state of Victoria under the Napthine government. This agreement involved the state providing the shire with \$1 million towards the upgrade of facilities in East Paddock and the shire working with the state to strengthen planning protections for the Hanging Rock precinct to protect East Paddock from future commercial development on the site.

The Napthine government lived up to its agreement and provided the \$1 million, which has long been spent, but unfortunately the shire has been allowed to renege on its part of the agreement and has never fulfilled its responsibilities to strengthen the planning protections. The state, through Engage Victoria, is currently conducting consultation on the draft Hanging Rock master plan. That includes the sale of East Paddock by the Macedon Ranges Shire to the Department of Environment, Land, Water and Planning.

This proposed sale has caused significant concern in the local community as it goes against the original intent of the purchase of East Paddock. Also, the local sporting clubs, including the Hanging Rock Cricket Club and Hanging Rock Tennis Club, have been advised that they will be evicted from the site even before the consultation process takes place. Therefore it is imperative that the minister ensure the necessary planning amendments are made to strengthen planning protections for the Hanging Rock precinct and to guarantee East Paddock is protected from commercial development in the long term. Hanging Rock is an iconic and treasured place which needs to be preserved for future generations.

COMMERCIAL PASSENGER VEHICLE INDUSTRY

Mr BARTON (Eastern Metropolitan) (17:51): (1759) The state government and government departments have a requirement to behave as model litigants. For those playing at home, let me summarise in a few words what the government's own guidelines state:

The obligation requires that the State of Victoria, its departments and agencies:

act fairly in handling claims and litigation brought by or against the State or an agency;

act consistently in the handling of claims and litigation;

deal with claims promptly and not cause unnecessary delay;

...

consider seeking to avoid and limit the scope of legal proceedings by taking such steps, if any, as are reasonable having regard to the nature of the dispute, to resolve the dispute by agreement, including participating in appropriate dispute resolution ... processes or settlement negotiations;

where it is not possible to avoid litigation, keep the costs of litigation to a minimum, including by:

not requiring the other party to prove a matter which the State or the agency knows to be true ...

These are just some of the principles that an agency should consider in litigation. So let me tell you about a story that in my opinion does not meet these standards. After four years in court, a year ago taxi and hire car families in the Supreme Court received a ruling for Commercial Passenger Vehicles Victoria to hand over the requested documents and pay 80 per cent of their legal fees incurred. One year later taxi families have been forced to go back to court again. It is obvious that the regulator is trying to run these families out of money. It is clear to everyone. Not only is the CPVV trying to cripple the taxi families, who have already faced discriminatory regulations reform from the CPVV, but the agency also has questionable behaviour in other court battles.

We understand that the CPVV employ over 20 lawyers within their department. They have gone outside their organisation to spend big bucks on this government's preferred secret keeper, Mick Batskos. This is after Victoria's privacy commissioner has ruled in favour of the documents requested in the freedom-of-information request being handed over for the Uber trial in Geelong. Taxpayer

money is being used by the CPVV merely—merely—to hide the outcomes of a six-person trial that ran for eight weeks in 2020. With such money involved to fight a privacy commissioner’s ruling, you must wonder just what the CPVV could be hiding from this trial it ran with Uber. It certainly calls into question the legitimacy of the trial, with the outcome being the CPVV paying even more money to help Uber enter the multipurpose taxi program, putting the financial viability of disability transport at stake. This is not transparency, this is not accountability, these are not the actions of a model litigant. So I ask the Attorney-General: will you remind the CPVV of its obligation to behave as a model litigant?

GIPPSLAND AMBULANCE SERVICES

Ms BATH (Eastern Victoria) (17:54): (1760) My adjournment matter this evening is for the Minister for Ambulance Services, the Honourable Martin Foley in the other place. The action I seek from the minister is to deliver, service and provide the right resources—sufficient resources, enough resources—to bolster Gippsland’s failing ambulance services.

This is a tale of three constituents all waiting in distress for an ambulance service that took far too long to arrive—Latrobe Valley, Bass Coast and Gippsland examples. The first one is a Churchill resident. Her husband collapsed on the kitchen floor in abject pain. She called 000 for assistance. She said she waited 5 minutes at least for the phone to ring and then another 5 minutes for it to be diverted to the correct ambulance hotline. The resident was told that the wait for an ambulance would be at least 90 minutes for Churchill—coming out from the Latrobe Valley, Traralgon.

The second one is a gentleman who was riddled with arthritis and had been waiting for 20 months to have his hip replacement. Visiting her father, Sheree noticed that he had collapsed in acute abdominal pain. She called 000. She waited for 2 hours for the ambulance, and indeed the ambulance service rang back saying ‘Can you please take your father into hospital?’ on two separate occasions.

The third one is a workplace accident. Now, with this, my constituent said that he assessed his colleague. He noticed that he had multiple fractures on the hip and potentially around the lower base of his body but no spinal fractures. He called 000 and they said, ‘We’ll be at least 90 minutes’—again. He then decided that he was in too much pain, so he and his colleagues took this person into the local hospital—triaged, waited; triaged, waited. It was another 12 hours before he was transferred to the Alfred hospital. They all said the paramedics were great. I hold, with them, the greatest respect for our paramedics, but this system is failing Gippsland residents. It is failing.

The Premier said in March 2015:

By working with paramedics to fix the ambulance crisis, we’re finding the minutes that save lives.

Jill Hennessy in 2018 said—indeed it was while opening a Traralgon ambulance station—that ‘patients get faster care when they need it’. Well, my constituents are not getting that faster care. The response times from Ambulance Victoria stats clearly show that people are waiting longer. The compliance is down and people are waiting longer, and I call on the minister to fix this system, provide those adequate resources into Gippsland and stop people waiting on the floor in abject pain.

LES TWENTYMAN FOUNDATION

Dr CUMMING (Western Metropolitan) (17:57): (1761) I would like to just acknowledge the ribbon that I am wearing tonight, which is for ovarian cancer.

But my adjournment matter is to the Minister for Youth Justice in the other place, and the action that I seek is for the minister to review and increase the funding for the Les Twentyman Foundation to enable them to extend the Youth Support Service and to broaden their service provisions. The Les Twentyman Foundation has delivered support for at-risk youth for over 30 years. For over 10 years they have delivered the Youth Support Service, a program that deals with young people between the ages of 10 and 17 at their first point of contact with the law.

The Youth Support Service aims to help young people at risk of entering the youth justice system. Referrals to the Youth Support Service are made by Victoria Police, youth justice court advisers and internally by agencies providing services to young people. The program delivers intense outreach support and aims to reconnect the young person with their family, their school and their community. Working closely with young people, they comprehensively assess their needs and assist them to develop positive life goals and access other support services that they require.

The young person participates on a voluntary basis. The Les Twentyman Foundation is currently funded to deliver this highly successful program in Hobsons Bay, Moonee Valley and Maribyrnong until the end of June next year. They would love to continue to deliver this much-needed service and broaden their services. They are seeing more younger clients presenting with complex mental health issues and suicidal ideation.

With increased funding, the foundation can increase the number of youth workers, increase their service levels and provide on-call, after-hours and weekend services. They help the people of the west. They help our children keep out of courtrooms. They help our children stay in classrooms. The Les Twentyman Foundation deserves an increase in their funding. This government needs to increase the youth services in the west, and it is just not good enough to make them go begging or filling out grant applications when they have been doing their utmost for the west for the last 30 years. I urge the minister to increase the funding now.

MICKLEHAM ROAD, GREENVALE

Mr ONDARCHIE (Northern Metropolitan) (18:00): (1762) My adjournment matter tonight is for the Premier. Residents in Greenvale in my electorate of Northern Metropolitan Region have just had enough of trying to get their children to school by having to physically cross Mickleham Road. It is really busy and it is really dangerous on Mickleham Road, particularly between the Umbra estate and Elphinstone Boulevard. There is a new high school being built, and they have to cross essentially a very, very busy road—like trying to get across in that old game of *Frogger*. It is truly an accident waiting to happen.

I asked the Minister for Roads and Road Safety about this some time ago. This has been raised with me for over 12 months. I raised it with the roads minister, and the roads minister wrote back and said, ‘Oh, it’s not me, it’s the Victorian Planning Authority, or it’s the developer, or it’s somebody else’. It’s Mabo, it’s the vibe, or something—something other than him. And the Minister for Education will not respond either.

The Premier probably would not be aware that it is a really high growth area. The school is on the western side of Mickleham Road and the development is on the east side, so trying to get these kids across the road is just so dangerous. I have had parents reach out to me. They are frustrated. They have called; they cannot get answers. They have been to the minister’s office. They have been everywhere. They have been to the local member, Ros Spence, who will not even respond to them. They have been left absolutely high and dry. One lady has had to quit her job so she can drive to school in the afternoon to pick up her child, because it is just too dangerous for her child to cross the road.

There are roadworks happening up there. People are frustrated. For people to get to the Umbra estate is just so dangerous. The choices are for the kids to walk from Greenvale along a path that is not really well built. Mums cannot walk there with prams; people with disabilities cannot get along there; elderly Victorians cannot get along there either. It is really frustrating and it is dangerous.

I am just trying to work out what it will take to get somebody to do something about this. Now, there was a pedestrian hit by a car last year. They were not severely injured; nonetheless, they were hit. I went out there last Thursday myself to have a look. It is just so dangerous. What will it take? What will it take for somebody to take responsibility for this? For God’s sake, please do not let it be an accident and a death—please do not.

At the very least could we install some of those temporary pedestrian lights like they do when they are upgrading roads? We see that all the time. Can they do something to keep our children, our parents and our elderly safe out there? The question I have for the Premier is: will he do something to instruct the Minister for Roads and Road Safety or instruct the Minister for Education—instruct somebody—to put some safety mechanisms across Mickleham Road so our children will be safe? They have had a gutful. I have had a gutful. Will the local member do something?

FAMILY VIOLENCE INTERVENTION ORDERS

Mr GRIMLEY (Western Victoria) (18:03): (1763) My adjournment debate is for the Attorney-General. The action that I am seeking is for family violence intervention orders to be reviewed to assess the viability of moving the onus for removing or varying an order onto recidivist perpetrators rather than the victims and police. Without a central notification system, which has been a recommendation of many reports in recent times, notifications to victims about intervention orders are getting missed regularly, putting them at risk. I debated which minister would be the most appropriate to direct this to, and whilst the Minister for Police may seem practical, they do not make decisions about who must remove intervention orders. As I understand it, intervention orders are within the Attorney's remit, including their duration and who bears the onus to remove them.

A senior police member in the family violence unit told me some years ago that he believed it would be beneficial for recidivist family violence offenders to have the onus placed on them to remove an indefinite intervention order. Currently under the Family Violence Protection Act 2008, intervention orders can be made indefinitely under part 4, division 7, of the act. From what Victoria Police members tell me, these orders are not used nearly enough and clog up our court system with renewing orders.

The best way I can describe why we need these changes is through a real-life example. A person in my electorate recently contacted me. She has a family violence intervention order against her ex-husband, and she wishes to remain anonymous. This person was lucky in that she had remembered her IVO was coming up for expiry, so she checked in with her local police and the court registrar to see why she had not been contacted about extending it yet. The policeman sounded a bit worried on the phone and assured her that he would contact the police prosecutor to get an emergency interim order out for her protection. He told her to stay away from the town for her own safety. The interim order was served and the matter is currently going through the courts, but it never should have gotten to this stage. The affected family member never should have been expected to make contact in the 48 hours before the order expired. How are victims of crime who have an active intervention order against perpetrators still not being advised of their expiry or being asked if they want them extended?

My suggestion is a solution to make sure what happened to this person does not happen again. No-one ever expected the Royal Commission into Family Violence to pick up every little issue and address every little loophole in our family violence laws. So rather than the government continually referencing the royal commission and the \$3.5 billion spent, can we not recognise there are still some issues that are actually growing and need to be fixed? I reiterate: the action that I seek is for this reverse onus to be explored for recidivist family violence offenders who have indefinite intervention orders out against them.

COVID-19 VACCINATION

Mr FINN (Western Metropolitan) (18:06): (1764) I wish to raise a matter in the adjournment this evening for the attention of the Minister for Health. I have been approached by a number of constituents who are deeply distressed by experiences that they have had with their family doctors over recent times. They have been to see separate doctors, I might say, to ask or to inquire as to whether it is possible for them to get a medical exemption from the so-called vaccine, the mitigation treatment, that they are required to get under the coercion program put in place by the Andrews government. They have been told—even though they are fully entitled to that medical exemption and have been told by their doctors that they are entitled and that they should be, under normal circumstances, entitled

to a medical exemption—the doctors will not give them that exemption because they are terrified of the reaction of the government.

Now, this is just appalling. If the government wanted to terrify doctors, to crush any form of independent spirit that they might have, well, congratulations to the Premier and congratulations to the Minister for Health, because that is what they have done. But I tell you what, when I go to see my doctor about what I may have wrong with me, I do not want the health minister sitting in with me, and that is what is happening. That is what is going on. Perhaps on the bed in the corner you have got Martin Foley and you have got Dan Andrews sitting there looking at the doctor saying, ‘Don’t you do the wrong thing, or you’re gone, son’—or indeed ‘daughter’ for that matter.

So we have got a situation here that I never thought possible. I mean, I have always been told from time immemorial that the relationship between a doctor and a patient is sacrosanct and that nobody can come between a doctor and a patient. Well, Martin Foley can. Daniel Andrews can. This is an obscenity. This is an obscenity that is going on in this state, where people are not being able to get the treatment that they need and that they deserve because doctors are afraid of what the government will do to them. We know what sorts of countries allow that to happen. They are called communist countries. And unfortunately Victoria has gone down that path.

So what I am asking the Minister for Health to do is to give doctors back their freedom to treat their patients in a way that they see fit, without fear of retribution by a government that should not be interfering in the doctor-patient relationship.

COVID-19 VACCINATION

Mr LIMBRICK (South Eastern Metropolitan) (18:09): (1765) My adjournment item today is for the Minister for Health. I have been contacted by a large number of constituents since Novavax has been approved for use in Australia about how it fits into the vaccination mandates for workers. As the government would be aware, there are a number of people in the community who wanted to wait for their preferred vaccines and exercise their right to choose what goes into their bodies. I expect that the availability of this vaccine will increase vaccine rates more than any continued mandates.

However, the advice surrounding Novavax has been extremely unclear. Currently the Department of Health website says that Novavax is approved for first and second doses at least three weeks apart, but it is not approved for a third dose unless that person is immunocompromised. This means a number of workers subject to booster mandates who are waiting for Novavax to get their first vaccination are now being told they cannot possibly get there anyway. Are people with the recommended two doses of Novavax considered fully vaccinated? It seems that both members of the community and employers, and possibly the government themselves, are confused about this.

The government have done everything they can—and far more than I think they should—to increase vaccination rates, but if people who have waited for Novavax cannot re-enter the workforce and get their rights back, they might not bother getting it. There are many reasons why people choose to or choose not to get vaccinated, but this clearly adds an unnecessary disincentive. With that in mind, my request to the health minister is to amend any relevant pandemic orders to allow people who have had two doses of the Novavax vaccine to be considered fully vaccinated, in line with the government advice which clearly states a third dose is not required.

FYANSFORD-GHERINGHAP ROAD

Mrs McARTHUR (Western Victoria) (18:10): (1766) My adjournment matter is for the Minister for Public Transport and Minister for Roads and Road Safety and concerns the appalling state of the Fyansford-Gheringhap Road and the ongoing impact on road users and residents of the completely counterproductive wire rope barriers inflicted upon them. I have raised the Fyansford-Gheringhap Road numerous times in the chamber, yet the Labor government clearly views the plight of the hardworking residents and farmers of the area as a triviality. The road is in an appalling state, with

large potholes, rough surfaces and large ridges in the longitudinal joins in the road often causing cars to inadvertently lose their line and encounter the wire rope barriers. Since the wire rope barriers were imposed on this road and the unwilling locals there have been 16 accidents caused by the rough surface where cars have impacted the barriers.

The roadside drainage is entirely non-functional and has trees growing in the ditches along the entire length of the road. This lack of drainage has resulted in landowners' paddocks being inundated, even following relatively mediocre precipitation. Despite \$8 million being spent on this road recently no remediation work has been done to address this issue. It is obvious even to the engineering uninitiated like me that poor road drainage will only shorten the life of the road that seemingly requires work done on it every year. The longevity—or more accurately the lack thereof—of the roadworks in western Victoria continues to astound me.

To add insult to injury, these wire rope barriers, despite numerous protestations by impacted constituents, still block access gates to farming properties. This has made a massive impact on farmers undertaking their harvest and has added much cost and labour to what is an already fraught undertaking—not that everyone from the inside-the-tram-tracks government would know what is involved in harvesting huge quantities of crop. The action I seek is for the minister to inspect this appalling situation of roadworks in western Victoria, which is costing taxpayers enormous amounts of money and delivering incredibly substandard outcomes. I am sure the residents and landowners of the Fyansford-Gheringhap Road would be happy to show the minister the impact this road and the wire rope barriers are having on their day-to-day lives.

HMS COLLECTIVE

Mr QUILTY (Northern Victoria) (18:13): (1767) My adjournment matter is for the Minister for Health and Minister for Ambulance Services. I recently had the opportunity to meet with the HMS Collective. The collective is an emerging community-based not-for-profit organisation which strives to keep people with non-life-threatening illnesses and injury safe in their homes and out of ambulances and hospitals. Theirs is an innovative model which is collaborative, simple and effective and has had a lot of success overseas. Already they have made a significant positive impact to the lives of many in the communities in which they operate. HMS Collective uses a multidisciplinary approach to community health and employs paramedics, nurses, OTs, physios and osteopaths to treat people in their own home—people who would otherwise contact 000 to access medical care. Those they treat may have conditions such as dementia, disability and mental ill health, or they may have other ongoing chronic illnesses, such as diabetes, or live with multiple health conditions.

You would think the emergence of a social enterprise would be something the government would embrace, particularly as we frequently hear in this chamber about our state's overwhelmed ambulance service and hospital system driven by callers that do not need ambulances or emergency treatment but have no other option. HMS Collective could ease pressure on these systems while playing a major role in reconnecting people to preventative and primary health care. Through meeting these aims call-outs to our 000 services should decrease.

However, they have been told that because they are not all across Victoria they cannot act as a diversion service for non-critical 000 calls, and apparently at \$200 a visit they would be far too expensive for the state. In their own reporting they have found that in the communities in which they work they have reduced ambulance call-out times by an average of 90 hours a week. If you put a dollar value on this, the savings would be enormous, not to mention the flow-on savings found in reduced emergency triage and treatment costs for the state. That all sounds wonderful. However, the demand for HMS Collective is increasing, and the organisation runs on the smell of an oily rag. They largely rely on community funding drives, My Aged Care, NDIS and self-funding. Further to this, some of the passionate staff donate time on top of their wage to help the organisation make ends meet. I met one passionate paramedic who donates all her time and chooses to volunteer for HMS Collective because she believes in its aim and purpose, and the management team do not take salaries so they can

pay their clinical staff—all of this with no direct Victorian government funding. In fact when they contacted the Department of Health they were told department policy was to never partner with private health organisations.

Now, I am not one to advocate for greater government spending, but I think the emergence of HMS Collective is a sign of civil society filling the gap for a service which is sorely needed. An organisation such as HMS Collective harkens back to the way medical treatment was delivered at the start of the last century, by motivated non-government, not-for-profit organisations, but with a modern and multidisciplinary approach. If some of the cost savings they generate could be directed back to them, they could create something great for Victoria. The action I seek is for the minister to meet with HMS Collective to discuss the circuit-breaker opportunities they provide and explore how the organisation can alleviate some of the pressures on ambulance and hospital emergency services in Victoria.

VOCATIONAL EDUCATION AND TRAINING

Dr BACH (Eastern Metropolitan) (18:16): (1768) My adjournment matter tonight is for the Minister for Higher Education and Minister for Training and Skills. The action that I seek of her is to release up-to-date VET completion data for all vulnerable cohorts. It is a matter of fact that over the course of this government fewer and fewer Victorians, especially young Victorians, have been able to access training. According to the Department of Education and Training's last annual report, over just the last four years the number of young Victorians completing VET has fallen by a full 35 per cent, or 36 000 places. This fall in the number of young Victorians in particular who have been able to access training under this government through TAFE and also our independent providers—our excellent independent providers—has been most egregious when it comes to vulnerable cohorts.

That is the language that was used a little bit earlier today by the TAFE ambassador in this place, Ms Terpstra. I made a statement yesterday in which I referred to these facts—and facts they are. She took the opportunity today to say that I had lied, and she explicitly challenged me in this place earlier today.

Mr Davis: Has she withdrawn yet?

Dr BACH: She has not withdrawn, Mr Davis. She explicitly challenged me today to reveal my source. Well, I can reveal my source this evening. It is the Department of Education and Training. According to the most recent annual report of the Department of Education and Training—

Mr Davis: Is it published on the web?

Dr BACH: It is published on the web, Mr Davis. It is published through the papers office here. VET participation by learners facing barriers has decreased over the last four years alone by a significant number for Indigenous Victorians and by more than 9000 for Victorians with a disability. VET participation for unemployed learners—another vulnerable cohort—has fallen by 27 000 over the last four years. The government missed its target for the number of students without year 12 engaging in VET by over 5000 last year. The government missed its target for the number of government-subsidised course enrolments by students eligible for fee concessions—vulnerable students—by some 12 000.

Ms Terpstra said I lied. Ms Terpstra said I must reveal my source. My source is the Department of Education and Training, and its annual report paints the most sorry picture. It is a great thing that this government has provided its bipartisan support to free TAFE—that excellent Liberal program that was first initiated back in 2012 by a wonderful minister, Mary Wooldridge. That is a great thing, but there are broader problems in the training and skills portfolio that this minister and her TAFE ambassador must turn their minds to rather than impugning, wrongly, other members of this place.

SEVERE WEATHER EVENT

Ms BURNETT-WAKE (Eastern Victoria) (18:20): (1769) My adjournment request is directed to the Minister for Energy, Environment and Climate Change again. The action that I seek is for the minister to take the necessary action to have bridges repaired along walking tracks in the Dandenong Ranges. The Dandenong Ranges are one of Victoria's premier tourist destinations. People flock to the hills every weekend, on public holidays and on school holidays to soak up the scenery and enjoy what the villages have to offer. As a local I constantly see the entrances to our state parks flooded with cars and with hundreds of people enjoying the forest for a bushwalk or a hike.

It was heartbreaking to see these much-loved parks in the Dandenongs damaged during the 9 June storms last year. Trees fell and damaged multiple bridges and tracks across the mountain, and eight months on they remain damaged. Visitors are being encouraged to come and visit these beautiful parks only to find areas of the parks closed and bridges broken. Many people are still visiting the area and ignoring the closures. At the moment the whole of Sassafras Creek Nature Conservation Reserve remains closed awaiting repairs. The Friends of Sassafras Creek group have advised me that many people are still visiting the area and dangerously removing barriers on the tracks. What is worse is that some of these bridges have been damaged for over two years, including bridge 9 at Lyrebird Falls, bridge 18 at Baynes Park Road and the bridge on Wattle Track, in Sherbrooke Forest.

This is deeply concerning in terms of safety and in terms of the lack of funding allocated to repairing and preserving our parks. Friends of Sassafras Creek requested the status of repairs from Parks Victoria and have been told some bridges will not be funded until the next financial year, as part of the bigger asset replacement project. Others are still awaiting an insurance assessment.

The lack of funding for Parks Victoria to enable the timely repair of these bridges and assets is simply unacceptable. These towns in the area are built on tourism. They suffered months without tourists due to the longest lockdown in the world coupled with the restricted access in the area following the June 2021 storm. The action I seek is for the minister to prioritise the repair of bridges in parks across the Dandenong Ranges so that locals and tourists can get back to enjoying these parks safely.

VICTORIAN MULTICULTURAL COMMISSION

Mr DAVIS (Southern Metropolitan—Leader of the Opposition) (18:22): (1770) Tonight I want to raise a matter for the attention of the Premier. He is the one that is responsible for the shape of government and for the administrative orders and for decisions about the overall framework in which things operate.

We have heard over the last few weeks a series of very concerning developments in multicultural affairs. We have heard at IBAC serious testimony about corrupt behaviour inside the Victorian Multicultural Commission with respect to multicultural grants. This is a scandal. Our multicultural heritage, our multicultural structures, should be beyond reproach. They are things that should have full bipartisan support and should be respected and protected at every turn. The idea that grants are being put out on a factional basis, a political basis, that is sharpened in this way by Labor is very concerning.

The testimony from Ms Vaghela and Mr Somyurek I think was very instructive in this regard, and other information that the IBAC has also heard is concerning.

A member interjected.

Mr DAVIS: No, no, this is just a set of facts that we have heard in open testimony. Of course in 2015 the newly elected Labor government made serious changes to the structure and independence of the Victorian Multicultural Commission. This opened the way for risks of politicised decision-making in grant allocation and reduced the independence of the Victorian Multicultural Commission. I think we should all be very concerned about the politicisation of the VMC and the fact that the VMC has not been able to make the inroads in certain areas that it needed, and not been able to do that in a way that is without political interference. So it was pulled back into the minister's office rather than being

an independent VMC. The decision-making on grants was taken away from the VMC. It is a scandal, actually, and now we have seen the consequences of it come to light: the roting, the shocking allocation decisions being made by the government through its officers. This is concerning, and it needs to be dealt with.

I would say the VMC needs to have the independence that is required. It needs to have guarantees of that independence. It needs to be beyond reproach. It needs to be in the Department of Premier and Cabinet again, not at a secondary department, so that the Premier can actually take the steps with the administrative orders. My action is that I want the Premier to ensure the independence of the VMC, ensure that these corrupt practices stop and make sure that the administrative orders bring it home to the Premier's department again.

RESPONSES

Mr LEANE (Eastern Metropolitan—Minister for Local Government, Minister for Suburban Development, Minister for Veterans) (18:25): Thirteen MLCs have directed 13 adjournment matters to nine different ministers. None of those matters are directed to me, so I show my appreciation to the chamber for that. I will make sure those matters are sent to the appropriate ministers.

The DEPUTY PRESIDENT: The house stands adjourned.

House adjourned 6.26 pm.