



# **Hansard**

## **LEGISLATIVE ASSEMBLY**

### **60th Parliament**

**Thursday 28 November 2024**



**Office-holders of the Legislative Assembly**

**60th Parliament**

**Speaker**

Maree Edwards

**Deputy Speaker**

Matt Fregon

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Juliana Addison, Jordan Crugnale, Daniela De Martino, Paul Edbrooke,  
Wayne Farnham, Paul Hamer, Lauren Kathage, Nathan Lambert, Alison Marchant,  
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John Pesutto

**Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition**

David Southwick

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Danny O’Brien (from 26 November 2024)

Peter Walsh (to 26 November 2024)

**Deputy Leader of the Nationals**

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Mary-Anne Thomas

**Manager of Opposition Business**

James Newbury

**Members of the Legislative Assembly**  
**60th Parliament**

<b>Member</b>	<b>District</b>	<b>Party</b>	<b>Member</b>	<b>District</b>	<b>Party</b>
Addison, Juliana	Wendouree	ALP	Lambert, Nathan	Preston	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel <sup>1</sup>	Mulgrave	ALP	McCurdy, Tim	Ovens Valley	Nat
Battin, Brad	Berwick	Lib	McGhie, Steve	Melton	ALP
Benham, Jade	Mildura	Nat	McLeish, Cindy	Eildon	Lib
Britnell, Roma	South-West Coast	Lib	Marchant, Alison	Bellarine	ALP
Brooks, Colin	Bundoora	ALP	Matthews-Ward, Kathleen	Broadmeadows	ALP
Bull, Josh	Sunbury	ALP	Mercurio, Paul	Hastings	ALP
Bull, Tim	Gippsland East	Nat	Mullahy, John	Glen Waverley	ALP
Cameron, Martin	Morwell	Nat	Newbury, James	Brighton	Lib
Carbines, Anthony	Ivanhoe	ALP	O'Brien, Danny	Gippsland South	Nat
Carroll, Ben	Niddrie	ALP	O'Brien, Michael	Malvern	Lib
Cheeseman, Darren <sup>2</sup>	South Barwon	Ind	O'Keefe, Kim	Shepparton	Nat
Cianflone, Anthony	Pascoe Vale	ALP	Pallas, Tim	Werribee	ALP
Cleeland, Annabelle	Euroa	Nat	Pearson, Danny	Essendon	ALP
Connolly, Sarah	Laverton	ALP	Pesutto, John	Hawthorn	Lib
Couzens, Christine	Geelong	ALP	Read, Tim	Brunswick	Greens
Crewther, Chris	Mornington	Lib	Richards, Pauline	Cranbourne	ALP
Crugnale, Jordan	Bass	ALP	Richardson, Tim	Mordialloc	ALP
D'Ambrosio, Liliana	Mill Park	ALP	Riordan, Richard	Polwarth	Lib
De Martino, Daniela	Monbulk	ALP	Rowswell, Brad	Sandringham	Lib
de Vietri, Gabrielle	Richmond	Greens	Sandell, Ellen	Melbourne	Greens
Dimopoulos, Steve	Oakleigh	ALP	Settle, Michaela	Eureka	ALP
Edbrooke, Paul	Frankston	ALP	Smith, Ryan <sup>7</sup>	Warrandyte	Lib
Edwards, Maree	Bendigo West	ALP	Southwick, David	Caulfield	Lib
Farnham, Wayne	Narracan	Lib	Spence, Ros	Kalkallo	ALP
Foster, Eden <sup>3</sup>	Mulgrave	ALP	Staikos, Nick	Bentleigh	ALP
Fowles, Will <sup>4</sup>	Ringwood	Ind	Suleyman, Natalie	St Albans	ALP
Fregon, Matt	Ashwood	ALP	Tak, Meng Heang	Clarinda	ALP
George, Ella	Lara	ALP	Taylor, Jackson	Bayswater	ALP
Grigorovitch, Luba	Kororoit	ALP	Taylor, Nina	Albert Park	ALP
Groth, Sam	Nepean	Lib	Theophanous, Kat	Northcote	ALP
Guy, Matthew	Bulleen	Lib	Thomas, Mary-Anne	Macedon	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Tilley, Bill	Benambra	Lib
Hall, Katie	Footscray	ALP	Vallence, Bridget	Evelyn	Lib
Hamer, Paul	Box Hill	ALP	Vulin, Emma	Pakenham	ALP
Haylett, Martha	Ripon	ALP	Walsh, Peter	Murray Plains	Nat
Hibbins, Sam <sup>5,6</sup>	Prahran	Ind	Walters, Iwan	Greenvale	ALP
Hilakari, Mathew	Point Cook	ALP	Ward, Vicki	Eltham	ALP
Hodgett, David	Croydon	Lib	Wells, Kim	Rowville	Lib
Horne, Melissa	Williamstown	ALP	Werner, Nicole <sup>8</sup>	Warrandyte	Lib
Hutchins, Natalie	Sydenham	ALP	Wight, Dylan	Tarneit	ALP
Kathage, Lauren	Yan Yean	ALP	Williams, Gabrielle	Dandenong	ALP
Kealy, Emma	Lowan	Nat	Wilson, Belinda	Narre Warren North	ALP
Kilkenny, Sonya	Carrum	ALP	Wilson, Jess	Kew	Lib

<sup>1</sup> Resigned 27 September 2023

<sup>2</sup> ALP until 29 April 2024

<sup>3</sup> Sworn in 6 February 2024

<sup>4</sup> ALP until 5 August 2023

<sup>5</sup> Greens until 1 November 2024

<sup>6</sup> Resigned 23 November 2024

<sup>7</sup> Resigned 7 July 2023

<sup>8</sup> Sworn in 3 October 2023

**Party abbreviations**

ALP – Australian Labor Party, Greens – Australian Greens,  
Ind – Independent, Lib – Liberal Party of Australia, Nat – National Party of Australia

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**Thursday 28 November 2024**

**The SPEAKER (Maree Edwards) took the chair at 9:33 am, read the prayer and made an acknowledgement of country.**

*Bills***Family Violence (Right to Disclosure of Information) Bill 2024***Introduction*

**Cindy McLEISH (Eildon) (09:34):** I move:

That I introduce a bill for an act to provide for disclosure in certain circumstances of information held by Victoria Police about a person's history of violent behaviour and for other purposes.

We would all be aware in this place that this week kicked off 16 Days of Activism Against Gender-based Violence, and we are all aware that this is still an absolutely top-of-mind issue for so many people. I think it is fair to say that everybody thinks that we need to do more in this space, and this bill that I am introducing is a mechanism to help us do more in this space. It is based on Clare's Law in the United Kingdom, which has been in place for a decade, and more recently a bipartisan scheme that is operating very successfully in South Australia.

By way of brief explanation, the right-to-ask component provides an avenue for individuals with concerns about their partner or former partner's potential history of abuse to be able to contact police. The police in turn will conduct initial checks, and if warranted they will have a face-to-face meeting with the applicant and assess the risk and gather more details. This scheme, the right to ask, also provides an avenue for friends and relatives of an individual to contact police. The second component of this is the right to know, and this is the component that is initiated by the police. It will allow the police to disclose information when they believe it will protect a potential victim from harm. It is important to balance privacy rights with public safety through the assessments in this space.

Despite investment and the Royal Commission into Family Violence, the figures in Victoria are not heading in the right direction. We see the total number of family violence incidents increase. The number of incidents involving women and children have increased. Family violence related kidnapping and abduction offences trended up from 2014 to 2022. Family violence related sexual offences have also trended up from 2014 to 2022, with an 83 per cent increase in offending when comparing 2014 to 2022.

I am very keen to have government support on this bill. I want to quote from *Hansard*. The Minister for Prevention of Family Violence said on Tuesday:

Violence has a ripple effect. Its harm spreads across communities. It costs the Victorian economy more than \$8.3 billion a year across business, government and families. Government has a leadership role to play, and we are leading Australia in the work we have done and continue to do. Community has a role too. We must bring about change together.

That to me is saying that the government is willing to work with everybody, including us, to help bring about this change. The bill that I am putting forward is another step. It is not a silver bullet; it is another step to help move in this space. It is about prevention, and we know it needs to play a greater role. The minister talked about a lot of the achievements of the government, and she said:

We will keep doing this work not just over 16 days but every day.

That is what I am asking the minister to do. Let us get it started today. I want her to continue doing this. The chair of Respect Victoria Kate Fitz-Gibbon in an interview last week with Justin Smith said:

No one intervention alone ... full spectrum of responses from prevention to early intervention ... but also recovery and healing ... is incredibly important ...

In Australia there was one fatality a week allegedly by males of someone they knew. Now it is one every four days across Victoria.

I think you need to consider, though, what also happens when somebody has access to this sort of information. What then? Because of that, this bill proposes to keep women safe, because once you hear this information it can be quite traumatic. Not only do you have the police command that play their role with their family violence experts, but it also allows counselling sessions for the person who has been the victim about how they are going to develop strategies and how they are going to remain safe, because that is something that is a concern once they have this information. That is built into this bill.

I would really like to see the government support us on this rather than vote it down. It is important. They know there needs to be more work in prevention in the family violence space. I call on the minister to support us, because too many women have lost their lives.

**Tim RICHARDSON** (Mordialloc) (09:39): This is an important discussion on the 16 days of activism around the elimination of gender-based violence. I am really glad that the prevention of family violence is a feature and has been a feature of this Parliament.

**Roma Britnell** interjected.

**Tim RICHARDSON**: I note the member for South-West Coast is interjecting. It is not a time to interject on these issues, and it is also –

*Members interjecting.*

**Tim RICHARDSON**: I know it is really important that we raise the standards. We have come a long way from when the former Premier described the royal commission as a lawyers picnic. Remember, some of the people in this place observed the then Premier of the state describe the Royal Commission into Family Violence as a lawyers picnic. We have come a long way since that was the description of an internationally leading royal commission that saw in January 2023 all 227 –

*Members interjecting.*

**Tim RICHARDSON**: There are interjections from the member for Lowan, who was part of the team that was describing at that time the royal commission as a lawyers picnic. We have come a long way from that. The member –

**James Newbury**: On a point of order, Speaker, this is a procedural motion, not an opportunity for the member to sledge.

**The SPEAKER**: The point of order is?

**James Newbury**: On relevance.

**The SPEAKER**: I am aware of the point of order. I was going to comment on the comment that you made after the point of order. Member for Mordialloc and other members who will speak on this, it is a procedural motion.

**Tim RICHARDSON**: It is important in the context we have come to, because the bill being put forward today suggests that there is not a substantial amount of prevention work already going on, as does the urgency of bringing on a bill on the last day, when we have a decade-long evidence base that is informed by a royal commission and some of the most innovative, internationally leading evidence and research that is led by Respect Victoria.

**John Pesutto** interjected.

**Tim RICHARDSON**: I would ask the Leader of the Opposition to be respectful during this debate – I know it is the last day and yelling across the chamber about the prevention of family violence

is really important – and to lift the standards in this debate and this discussion, like when we were out there in Queen’s Hall the other day, and the important work that is done around prevention. The reason this procedural debate and this bill are not at an appropriate time is that we are on the edge of nation-leading, if not internationally leading, work with the saturation model out at Ballarat.

**Tim McCurdy** interjected.

**Tim RICHARDSON:** The member for Ovens Valley can say, ‘Yeah, yeah, we’ve heard that all before,’ but we have not heard that all before. We have not had a saturation model where every bit of preventative work has been tested – four years of the most innovative work in the prevention of family violence. It is something that every single one of us should be absolutely excited and passionate about. I do acknowledge that the Shadow Minister for the Prevention of Family Violence was there throughout the 16 days of activism launch, and members across this place participated in the march as well. We have had the 227 recommendations, and then the family safety package of more than \$100 million was implemented. And then on top of that, and why this procedural debate is not at the appropriate time, there is the perpetrator study that was funded as part of that.

In my role as Parliamentary Secretary for Men’s Behaviour Change I support the outstanding and tireless work of the Minister for Prevention of Family Violence. Never have we seen so much commitment and support in this area. I appreciate the values and the views of the shadow minister –

**Emma Kealy** interjected.

**Tim RICHARDSON:** Could the member for Lowan allow me to give some praise to the shadow minister, who has shown that bipartisanship, who has fronted up and been briefed. I appreciate the interest in this area.

I want to also say that there are two elements that need to be considered in this context. One is: what are the requests that are coming from the innovative research agency Respect Victoria? We have already got the multi-agency risk assessment and management framework in place, which is absolutely critical, and then we have the central information point – nation leading. The central information point, for those that are not aware, provides timely information to support effective risk management and assessment, particularly in medium- and high-risk cases. The central information point and the risk assessment and management panel; Safe Steps; men’s referral services; and courts and the Department of Families, Fairness and Housing provide that critical central information and oversight that Victoria Police interact with as well.

In any consideration of change, we are absolutely up for future discussion, but how does it add to that volume? How does it add to that innovative work rather than the politicised interjections that have been shown by the colleagues of the shadow minister?

**Jade BENHAM (Mildura) (09:45):** I am thrilled today to rise to support the member for Eildon in this bill that has been put forward. In the context of this debate, instead of using the term ‘victim-survivors’, I will use ‘we’, for obvious reasons. And you know what we find really annoying? The politicisation of family violence. I have the utmost respect for the member for Mordialloc, and in his role as the Parliamentary Secretary for Men’s Behaviour Change I hope that he would lead by example and stop the politicisation of a topic like this.

The Shadow Minister for the Prevention of Family Violence bringing about a bill like this is incredibly important. I have said this before. You can talk about the amount of investment that has been put in, you can talk about saturation models in Ballarat, which is great, and the Orange Door – they are all great steps forward – but we hear ‘\$29 million package’ and all we hear is a lot of zeros and zero outcomes, because the stats are just growing: 82 women this year. It is getting worse. All of those zeros are having zero effect in bringing the stats down, so let us stop.

I plead with the government to support this, because we need to do this. You have got no choice. We need to work together. Support us. Yes, there have been models of this that may be brought up

before which have not been supported for whatever reason, but, you know what, the conversation has to go two ways. It is so important. It is too important to go, 'It wasn't our idea so we're not even going to look at it.' It is just disgusting to have that, and we as victim-survivors – and I hate the term victim-survivor; I am not a victim. I was once. Now I and people that I work with, like Kim O'Reilly, consider ourselves survivors, surviving for a reason, and this is it – agents for change, but you have got to come with us. Two ears, one mouth – use them in that order. Please, we are begging you. You have to at least have the conversation.

The member for Eildon has done a huge amount of work here, and it is one step forward. There are other things obviously that need change. There is no silver bullet, we all know that, but the most important thing here is stop patronising us, honestly, because it is not only silly politics but it is also really quite offensive to people like me. Stop politicising it. Just sit down, have the conversation and let us move forward. Let us start to bring those stats down. This is a bill that has \$9.4 million across 2024–25 and then to 2027–28. \$9 million – it is a drop in the ocean when we hear the government talking about the amount of investment that goes in with zero outcomes. This is something that could actually work; this is a good policy decision and a way forward. There is evidence that this works. There is Clare's Law in the UK, and South Australia has a similar model.

This is evidence-based policy that could actually work, so why won't the government support it? I am pleading with the government to please support this for people like me, people like the nine Victorians this year that did not get the chance, like the 82 women this year in Australia that did not get the chance. It is time to stop politicising this. It is time to make some good policy and evidence-based decisions and start making some actual change in moving forward in the state so that we can bring those numbers down. We do not have a choice anymore. We have to act right now. You can start to make change.

**Daniela DE MARTINO** (Monbulk) (09:50): I have heard and listened to the genuine impassioned pleas from the member of Mildura, and I thank her for her candour in this place, because I know that this is not easy to discuss. I recognise too that the member for Eildon is genuinely concerned about these issues, as all of us are in this chamber. I do not think that there is anyone in here –

*Members interjecting.*

**Daniela DE MARTINO**: I would prefer to not be heckled as I try to contribute to this in as measured a way as possible without becoming incredibly emotional as well. It is a procedural motion, and I am very aware of that, so I will try to stay to the procedure.

This is about prevention. I hear that this is something we have been working incredibly hard on, and I think Respect Victoria is the government agency that is leading the way. It is actually nation-leading, and I know that it is cold comfort to some to hear that when they have been on the receiving end of this or they are no longer with us because of family violence. But the work that Respect Victoria is doing is remarkable, and the way to do this, the way for us all to move forward is through the appropriate government agencies, through the machinery of government. Introducing a bill on the last sitting day of the year is not the way for us to move forward in this manner. It does not mean we are not listening; it means that this is not the way to go about things. This is not the way to introduce a bill that has not made its way through and had consultation with Respect Victoria. This is incredibly important. It is such delicate, important work that it must be dealt with in the most thorough and considered way possible.

The member for Mordialloc, with his globally groundbreaking role – there is nowhere else that we know of where this portfolio is held – raised a number of salient points. He raised so many important points here. He was saying that whatever we do in this space has to completely add to the body of work already undertaken. We held a royal commission, we adopted every single recommendation – that was groundbreaking work. I have spoken with my Orange Door network. I am just trying to explain here why it is so important that we tread carefully, because Victoria is being looked at by the

rest of the nation on how to pioneer this as best as possible. The way we proceed is being held up as a beacon for every other state and territory in this country; therefore we cannot rush anything, and we must do it through the machinery of government. We must give this the absolute consideration it deserves. We must use every agency and lever of government that we have to hand to ensure that whatever it is that we do and whichever way we move forward is the best possible way. We should leave nothing to chance and nothing to any unintended consequence that may eventuate from it. It is incredibly imperative upon all of us that this is tackled in the most bipartisan of ways, and that means not introducing a bill on the last sitting day of the year. There is a way to go about it.

We can all feel the passion, the rage and the grief that comes from family violence, and the people who are no longer with us who should be here. None of us lack that emotion; none of us lack that passion. I am looking around the chamber on every single side. I know everyone feels deeply. I am saying genuinely: we must consider this so carefully. This is not a motion we will be supporting today, because it needs to be done through the machinery of government. It needs to be considered. Respect Victoria is the agency and the appropriate mechanism; we need to go through that. I know that there is genuine concern and passion, but this is not the way forward. We will not be supporting it.

**Nicole WERNER** (Warrandyte) (09:55): I rise to support the member for Eildon's bill because there is nothing more important than protecting women from domestic violence. I acknowledge that there is a lot of emotion in this place, and I acknowledge the fact that one in three women have experienced physical or sexual violence since the age of 15 and that is a real and urgent matter that we are discussing today. We either are someone or know someone who has been a victim of sexual or physical abuse because of gender-based violence, and that is why it is incumbent upon us in this place to protect women in Victoria. That is the reason we are introducing this bill, and all we are asking for is support to debate it. We are not asking for you to say yes to the bill, but to just simply debate it, to talk about it. We are asking for us to talk about it in this 16 Days of Activism Against Gender-based Violence. In 2021 alone there were 92,700 family violence incidents reported in Victoria. That is 92,700 moments of terror, fear and despair. Since 2014 family violence related kidnapping and abduction offences have increased by a staggering 92 per cent, and 93 per cent of these victims are women. Family violence related sexual assaults have risen by 83 per cent. That is why this is urgent. That is why we are moving to debate this this week. It is our responsibility in this place to protect these women.

We know the truth that the system is failing. It is going backwards. Despite the government's claims of fully implementing the recommendations of the 2015 Royal Commission into Family Violence, family violence rates continue to rise. These resources currently in place are not enough, and it was your chair of Respect Victoria Professor Kate Fitz-Gibbon in an interview last week who said there is no one intervention alone, that we need a full spectrum of responses from prevention to early intervention for recovery and healing.

We are moving this today because we need to protect women. There have been women today, there have been women this year, who have been subject to gender-based violence, and staggeringly, in the Public Accounts and Estimates Committee in May, we heard that the government have underspent in their budget. So I want to name them, because that is our responsibility in this place, to name them, to remember them, and to take action on their behalf, because it is our responsibility. It is our responsibility in this place to not just virtue-signal, not just wear orange, not just have all the things in place but actually take action.

On 16 February, Rebecca Young – we remember her – was 42 years old. Her partner is believed to have stabbed her and then taken his own life. On 4 February, Samantha Murphy, 51; 9 March, Swetha Madhagani, 35 – her body was found locked in a wheelie bin, and her husband reportedly fled to India with their young son; 5 April, Hannah McGuire, 23 – her former boyfriend was charged with murder, her body found in a burnt-out car; 23 April, Emma Bates, 49 – her neighbour was charged with assault-related offences but not murder; 23 July, Annette Brennan, 67 – it is alleged that her murderer was known to her; 7 October, Isla Bell, 19 – unknown; 26 October, Nikkita Azzopardi, 35 – her partner

was charged with murder; and 16 November, just a couple of weeks ago, Vicky Van Aken, 51 – her neighbour was charged with her murder. That is why it is urgent. That is why we must debate this. That is why we must introduce this bill, so we can talk about this and we can take real action.

It is not about politics, it is about an evidence-based bill that has made a significant difference in the UK and in South Australia. This is what we need to do. It is urgent. It is working in other places. That is why we must debate this bill. That is why we must introduce it to this place. There have been bills that the government has also introduced in the last sitting week, so why not allow us to as well? This is absolutely crucial.

**Juliana ADDISON** (Wendouree) (10:00): I am going to try and bring the tone down –

*Members interjecting.*

**The SPEAKER:** Order! I remind members about this debate being very triggering for some members. The emotion in the chamber is palpable. Without interjections, the member for Wendouree.

**Juliana ADDISON:** because we are all angry. We are not just angry today, we have been angry for decades. That is why we have 16 days of activism and decades of women campaigning around the world against gendered violence – and Australia is really good at it. We are world leaders in killing women. We are world leaders in bashing our loved ones. We are world leaders at gendered violence. That is why this state – our state – did the royal commission, the first one in the world, because we said: we do not want to be the best at this, we do not want to be the best people in the world at killing women, at impacting our children, at bringing about intergenerational trauma where we stuff up our future because we do not address violence. That is what the Royal Commission into Family Violence was. It was not political, it was getting independent commissioners to speak to experts, to speak to people with lived experience, to speak to people who have researched this. It was not about a media grab, it was not about a moment in time; it was about getting the best evidence to make sure that we are spending taxpayers money to address this scourge on our whole society, in every household, in every electorate. There are some issues that do not impact every single electorate in this state, but this is one that does. It unifies all of us.

The member for Warrandyte mentioned the women who got killed in my electorate this year. Of the 82, three lived in my community. We are leading the pack; Ballarat is really good. We are the gold-medal winners. We have got three out of 82 nationally. This is why we have to make a stand, for people like Rebecca Young in Sebastopol, who was killed by her husband, whose kids go to the local school with so many other people. The ripple effect of Rebecca Young's murder in Sebastopol by her intimate partner started in February. Not many people know about Rebecca Young. She did not get a lot of coverage, because it was just another murder. But we all know about Samantha Murphy, going for a run. And now my community, the schools that her kids went to and the schools that the alleged murderer went to are all impacted. Everyone is impacted in Ballarat. Then Hannah McGuire, during the school holidays, was a teacher's aide at Delacombe Primary. They had their writers festival last October – the most amazing thing – and I met Hannah McGuire. She showed me her kids' work. She was so proud of those kids. She was killed by her intimate partner. That is three murders in Ballarat within two months because of family violence, because of gendered violence. That is why we need to listen to the people who know best – the experts.

I take up what the member for Mildura said – that we need to talk about lived experience. We need to amplify and hear the voices of lived experience. That is why the saturation model that is being brought to my community in a world first will be co-designed with service providers: with WRISC, with the Central Highlands Integrated Family Violence Committee, with BADAC, the Ballarat and District Aboriginal Co-operative, with CAFS – all of these locals who know what is best. It will not be by me, not by a member of Parliament, but by the people who work with survivors, who deal with the trauma of children, who deal with the men who are responsible for violence in my community.

**Assembly divided on motion:**

*Ayes (28):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Gabrielle de Vietri, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Tim Read, Richard Riordan, Brad Rowswell, Ellen Sandell, David Southwick, Bill Tilley, Bridget Vallence, Kim Wells, Nicole Werner

*Noes (48):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Iwan Walters, Vicki Ward, Dylan Wight, Belinda Wilson

**Motion defeated.****Corrections Amendment (Assisted Reproductive Treatment) Bill 2024***Introduction*

**Brad BATTIN** (Berwick) (10:11): I move:

That I introduce a bill for an act to amend the Corrections Act 1986 to provide that a prisoner does not have the right to undergo assisted reproductive treatment or any procedure for the purposes of another person undergoing assisted reproductive treatment and for other purposes.

I introduce this today given what has been highlighted in the media this week, where a person who has been convicted of murdering a mother of three now has access to reproductive rights to go out and get treatment. This is a person who stole the life of a mother of three children, who now have to be raised as orphans, and it spits in face of the victim's parents, family and those that are impacted. It is a big issue and one that I know the community is very, very passionate about.

When I do this, and I know it is a procedural motion, we do it because in the government's program, in our daily program, there is a section which is about the introduction of bills. If I am correct, what I have heard from the other side continuously is there is no process for the opposition to introduce bills. Their argument continuously is it has got to go through a consultation, it has got to go through other organisations. May I remind the government that when they introduce bills, the first time that the opposition see those bills is generally on the second reading before going through that consultation process. All we are asking from the government is the respect that we can have that same process.

We want to introduce these bills because the community are rightfully angry when they hear that a person is getting out of the prison system, taking leave to go and get treatment. I note that the minister in the other house has come out and stated that it is a self-funded IVF treatment. I will take out of the fact of that that even if it is self-funded, it is not something that we believe we should be supporting when it comes to taking care of the child.

I think it is really important that we get onto the record during this part of debate some of the issues that were raised when the government changed the process in the legislation in 2020 concerning reproductive rights to say that you could not take into consideration anymore a person's criminal history. However, when that was changed by the government in 2020 it did clearly state that:

While the checks are no longer required, a number of safeguards remain in place. In particular, ART providers continue to have a statutory obligation to have regard to the guiding principles set out in section 5 of the ART Act when making a decision about whether to treat a person. These principles include that the welfare and interests of the child to be born are paramount.

I am not sure which world we live in where the rights of the child are being put well and truly behind the rights of a person who stole the life of a mother. If I am looking at it, as any person in this place should look at it, I do not get how it is against the human rights of the child when we say we are going to have them born into a prison and for the first five years that is where they will remain. That is how the system is set up. That is what is trying to happen here with this murderer – they are trying to get a system where the person who will have a child will keep that child in custody for five years. If the mother does not get parole at the end of that five years, the child is then released from prison and sent out to other family members.

That is not in the best interests of the child, it is not in the best interests of our system, and it puts a further burden on our already stretched justice system. The Dame Phyllis Frost Centre has already had rolling lockdowns due to staff shortages. They have already had to lock down other inmates at specific times because they cannot get staff. Staff are working up to 16-hour shifts back-to-back. They are giving up their RDOs, and do you want to know why? It is because the people who work in there genuinely care. They want to make a difference in the lives of the people in there. But they are also the ones that are raising the issue here that this is further stretching the resources, overtime costs and all of the transport costs that go with this to make sure that a person can go and get treatment for IVF.

We on this side 100 per cent fundamentally disagree with this process. I have said publicly that I do not understand in what world this seems to be okay. We have spoken in media. We have gotten responses from people continually, and messages are coming to my office. I know we sometimes look at topics that are pretty fragile and we will get some responses that go one way and some the other. I have only heard two people come out and say that we should allow a person to go and get IVF or use ART whilst they are in the prison system. From all the messages coming back, the community simply do not support it.

The government is using the 2010 decision. I want to put that in perspective: the 2010 decision was for someone to continue treatment for IVF who was a welfare thief. A welfare thief doing under 18 months in prison, and now the government is using that as an excuse for a person who murdered a mother of three over a \$50 debt. We encourage the government to support this bill to ensure it does not continue.

**Sarah CONNOLLY** (Laverton) (10:16): I rise to speak against the introduction of this bill. This is quite obviously another delaying tactic regarding the government business program and debate on a bill before the house today that is actually really important, and that is the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. There are a lot of speakers on this side of the house that are really keen to speak on this bill and give personal experiences about the importance of having paramedic practitioners here in Victoria, which may I remind the house will be a nation-leading first.

The matter that the member for Berwick is talking about is simply being used here in this place to continue to further delay getting through really important government legislative reform as part of our big legislative reform agenda here in this place. It is another disappointment, another tactic from the member for Berwick, who I thought would have thought twice about such tactics given his antics over the past couple of weeks.

**James Newbury**: On a point of order, Deputy Speaker, this is a procedural debate.

**The DEPUTY SPEAKER**: The member had started to stray from the procedural debate. I ask her to come back.

**Sarah CONNOLLY**: I actually thought I was going high, not low, considering the antics that have been going on in this place from those opposite over the past couple of weeks, but I do digress. This is another delaying tactic to us being able to put through a bill that was part of our election commitment in 2022 and is quite clearly something that all Victorians voted for in 2022 thanks to an Allan Labor government. I am not going to spend a great deal of time talking and continuing to further delay our

legislative agenda program for this week, the last sitting week for 2024. This is another tactic that those opposite are using to disrupt, cause chaos in the house and further delay a really important legislative reform program that Victorians voted for and want to see us get done, so I speak against this bill.

**James NEWBURY** (Brighton) (10:18): I rise in support of the member for Berwick's move on the Corrections Amendment (Assisted Reproductive Treatment) Bill 2024 and its introduction. The debate now and the debate earlier are about the moral compass of this chamber. The divisions on both of these items have been about the moral compass of this room and the members in it, because both of these bills seek to correct things that are wrong and need to be corrected. The government speakers have spoken about the need for only experts to draft bills, and I will leave out for a moment that the government drafters have drafted these bills. But if the government were moving an alternate bill that did the same thing or fixed these problems, I would look at it and say perhaps they had an argument that we on this side of the chamber should listen to.

But what has happened today is our side of the chamber has sought to move two bills to fix things that are wrong. They are not just wrong in practice but also morally wrong, and for the government to be voting against them is at the very least disappointing. I would hope that the government could stand up and say that they will look into these issues and seek to solve those same problems, and if they did, they would have some standing.

The first bill would have empowered women and their loved ones with knowledge. How could you possibly vote against that? And what this bill seeks to do is say that the rights of the victim should always be put ahead of the rights of the criminal. What this government is saying is that the criminal, who in this certain circumstance committed one of the most egregious crimes by murdering a mother of three, has more rights than the victim and the victim's family and is fit, as a murderer, to bring a child into jail. So we on this side of the house have said the system as it stands is wrong.

I would say to the government: if you are going to vote against this bill – and speakers have suggested they will – why not at least commit, both on this and the former matter, to making a similar reform? The community would expect the rights of a victim to be put ahead of the rights of a criminal, which should always be the case, and that has been lost sadly in the state. But also the earlier matter would have empowered women with knowledge. That is something that other states do, empower women and their loved ones with knowledge, because to solve the broader issue you need the broader community and you need people's loved ones to be part of the knowledge base to help solve these broader issues.

I would say to the government, as they stand and say they have a busy legislative agenda: do not simply just vote this down, but do so committing to similar reforms, because otherwise a vote against these bills is not just a political vote, it is also a vote that is morally wrong, and that goes to the heart of the character of every single member who votes against these bills, and frankly, members of this place should do better.

**Iwan WALTERS** (Greenvale) (10:23): Let us be clear, this is a procedural motion; it is not a second-reading debate. We are not voting against bills. But to the extent that this procedural motion speaks to what is in effect a piece of ad hominem legislation, I would like to extend my sympathy to the victims in that particular case. I do not want to trail over things that might still be sub judice, but just to emphasise, we are talking about children here. There has been a lot of discussion about morals and ethics, but the simple fact, as the shadow minister suggested, is that the *Castles v. Secretary* decision of 2010 did set a precedent that women in custodial settings are entitled to fertility treatment and that access to treatment, as it stands, is a Supreme Court decision. Those opposite may wish it was otherwise, but we do have a separation of powers in this state.

As the shadow minister's contribution also emphasised, there are real ethical complexities here. I would suggest that the ethical complexities about the rights of as yet hypothetical and unborn children are real and the rights of victims are real, and that is why considering these issues is not best done in a

kneejerk last-day-of-sitting, populist kind of gesture where those opposite assert their moral supremacy over us all. It is not the way to address these issues. As Minister Erdogan in the other place has very articulately said, there are many questions that need to be asked about the appropriateness and the necessary nature of this treatment, and there are ethical questions about these treatments for long-serving prisoners, but those questions are not addressed or ventilated and analysed in any effective way via a procedural motion that is basically just designed to hold up the notice paper and the government business program.

So I am not going to hold up that business program any further in my contribution. Suffice to say that there are ethical questions here that the minister is working with his department to resolve and to investigate. The way in which the opposition have sought to bring this on today is not the way to do that. So I will resume my seat. I will be voting against a procedural motion that accomplishes nothing, and I urge the house to vote against it as well.

**Nicole WERNER** (Warrantdyte) (10:26): I rise to support this bill from the Shadow Minister for Police, the member for Berwick, and can I just say at the outset: if the government were truly serious about their very urgent legislative agenda, then perhaps they would not have wasted everyone in this chamber's time by debating a frivolous and fickle political pointscore motion yesterday which was absolutely slanderous. And I take personal offence because there were many accusations across that side of the house about us being xenophobes, and when I look in the mirror that is not what I think about myself. So I take great offence to that. Every member that spoke to it, every member that accused us of racism, every member that had something to say about that – that is so offensive.

**Belinda Wilson:** On a point of order, Deputy Speaker, this is a procedural debate, and the member for Warrantdyte is not speaking on the procedure.

**The DEPUTY SPEAKER:** The member for Warrantdyte I am sure was coming to the procedural debate.

**Nicole WERNER:** What we are dealing with at hand is a convicted murderer who killed a mother of three, who said:

I don't care if she took it or not –  
the \$50 that she killed this woman over –  
I'll gut her.

A mother of three was murdered by a now convicted murderer in prison who is seeking to go and have IVF treatment. I understand she is paying the cost for herself, but the taxpayer will have to bear the cost of her being transported and will have to bear the cost of her child being raised until the age of five in prison. As a woman who is a mother-to-be who experienced her own fertility challenges, this to me is outrageous, absolutely outrageous. And it is not about politics, it is about right and wrong. It is about taking action. It is about taking decisive legislative action when something is just categorically wrong. And it is so wrong that the victims – the children who are now orphans because this woman murdered their mother in cold blood and stabbed her one, two, three times over \$50 in an ice-induced rage – have spoken out, and we want to be the voice for these victims. Tobias Evertsen-Mostert, who he was 12 when his mother was murdered just a year after he lost his father, says this:

I was an orphan, when this –  
b –

... did this, my dad died a year earlier, so all my milestones as a kid, I had nobody to celebrate them, I had no parents.  
You left three kids motherless, you animal. You stabbed your friend. I stand strongly against this ...

referring to the IVF treatment. He said he did not care if she had a child once she left prison, but it was his belief she was trying to cut short or make easier the jail time she had left to serve. Secondly, there is Miranda –

*Members interjecting.*

**Nicole WERNER:** I am actually quoting, thank you, these victims that lost their mother and are actually orphans now.

**The DEPUTY SPEAKER:** Through the Chair, member for Warrandyte, please.

**Nicole WERNER:** Thank you, Deputy Speaker, for allowing me to continue to quote these victims of this murder. Miranda Evertsen-Mostert, Tyrelle's sister, said:

Where's the justice? She ... is in maximum security prison to serve her time. It's getting hard for her and now she's trying to get the next leg a lot easier.

Referring to the murderer:

She was a mum once, but not a good one. How does her child feel? She's been abandoned and is now going to be replaced. Another child traumatised, being brought up in jail for five years. No knowledge of large groups of people, pets, buses, shops.

It's a stupid idea and what about the three boys who have grown up without their mother?! They have just passed their mum's 10th anniversary of her death. The boys are suffering traumas due to their mother's death.

It's insane that this could even be thought of, let alone passed by government. Our family are the victims, and if she goes ahead with it the new baby and the other child will also be victims. I miss her ... every single day.

Then there is Jim and Yvonne Gentle, the parents of Jason Gentle, who was Tyrelle's partner when she was killed and who is the father of her youngest son, who was in the house during this cold-blooded murder. They said this:

If you're in prison and you have committed a crime so diabolical and calculated, surely you don't have the same rights as anyone else ...

The law might say you have rights, the law might say it's legal but it doesn't make it right.

You shouldn't have these privileges. What's the point in going to prison? What's the point of punishment? She took away a life.

This is why we must urgently talk about this today.

**Gary MAAS** (Narre Warren South) (10:31): I rise to speak against the introduction of this bill by the member for Berwick. Never put it past the member for Berwick to seek to try to divide communities –

*Members interjecting.*

**The DEPUTY SPEAKER:** Order! The house will come to order. The member for Berwick is warned.

**James Newbury:** On a point of order, Deputy Speaker, the member for St Kilda is clearly straying from this procedural motion.

**The DEPUTY SPEAKER:** The member for Brighton knows to use correct titles. The member for Brighton's point of order on relevance is upheld. I ask the member for –

*Members interjecting.*

**The DEPUTY SPEAKER:** Order! Members will be removed from the chamber without warning. The member for Narre Warren North is also warned. Seriously. The member for Narre Warren South to continue on the procedural motion.

**Gary MAAS:** The Liberals are about control. What they are doing with the introduction of this bill is reinforcing –

**James Newbury:** On a point of order, Deputy Speaker: relevance.

**Sarah Connolly:** On the point of order, Deputy Speaker, it is quite clear that the member for Brighton is continuing to raise frivolous points of order to interrupt the contribution of the member on his feet. I ask you to counsel the member for Brighton about frivolous points of order.

**The DEPUTY SPEAKER:** I made statements in that regard yesterday. They still hold. The member for Narre Warren South had had 2 seconds and I am sure was making it relevant to the procedural debate.

**Cindy McLeish:** On a new point of order, Speaker, I refer you to *Rulings from the Chair*, page 133. I think that the member on his feet should by now know the procedure for taking a point of order. You called the leader of opposition business and the member failed to sit down. He is required to give way, and he kept talking for at least another 10 seconds. I ask you to familiarise him with the procedures of the house.

**Gary Maas** interjected.

**The DEPUTY SPEAKER:** The member for Narre Warren South does not have the call, and I would advise all members to refrain from interjecting. I will give the member for Narre Warren South the call, and I advise him to continue on the procedural motion.

**Gary MAAS:** I am trying to continue on the procedural motion by making this point: those who seek to reinforce oppressive structures that control women and perpetuate inequitable treatment of women –

*Members interjecting.*

**Nicole Werner:** On a point of order, Deputy Speaker: relevance.

**The DEPUTY SPEAKER:** The member has twice now just started to be in the middle of a sentence. It is hard to understand whether it is relevant or not if he does not finish. I take the point.

**Gary MAAS:** As I was saying, if you reinforce oppressive structures that control women, you are perpetuating inequitable treatment of women. And we know that this party is all about this. It effectively punishes women twice.

*Members interjecting.*

**Wayne Farnham:** On a point of order, Deputy Speaker, there is no relevance to what he is saying. This is a procedural debate very clearly. The member has strayed a long way, and he is bordering on defamatory again.

**The DEPUTY SPEAKER:** Members have had some context in this procedural debate, and the member's time has expired.

**Assembly divided on motion:**

*Ayes (25):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keefe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bill Tilley, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner

*Noes (53):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Gabrielle de Vietri, Steve Dimopoulos, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie

Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Pallas, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

**Motion defeated.**

### *Rulings from the Chair*

#### **Member conduct**

**The SPEAKER (10:42):** Yesterday afternoon I suspended the member for Bentleigh from the house under standing order 124 for an hour. As he left the chamber, the member responded to interjections in a very disorderly way. While the member's comments were not directed at any individual member, they could certainly be interpreted as a reflection on the Chair. I consider his conduct to be well below the standard required of all members. I ask the member for Bentleigh to apologise to the Chair immediately.

**Nick Staikos:** I apologise unreservedly.

### *Business of the house*

#### **Orders of the day**

**The SPEAKER (10:42):** General business, orders of the day 4 and 5, will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 2 pm today.

### *Petitions*

#### **Caulfield South development**

**David SOUTHWICK (Caulfield)** presented a petition bearing 166 signatures:

Issue:

This petition concerns the proposed pedestrian operated "push button" crossing outside no. 365 and 362 Kooyong Road, Caulfield South. The local residents of Kooyong Road object to this proposal, as Council has failed to consider: a) The recent reduction of speed to 50 kph and low pedestrian flow recorded, b) The existing crossing at the traffic lights 250 meters away, at Glen Huntly Road and an additional crossing some 300 meters away closer to North Road. Both signals provide safe crossing and access to Wesley College. c) The impact on traffic along Kooyong Road. d) The lack of a traffic masterplan as the above will see 5 sets of traffic lights on the 1.6 km stretch of Kooyong Road, excessive by standards. e) The significant \$300,000 cost considering a pedestrian crossing or pedestrian refuge have not been considered. f) The loss of on-street parking and availability of parking in nearby side streets. g) Accessibility for elderly residents. h) The traffic count conducted by Council is nearly two years old and would reflect inflated pedestrian numbers from COVID-19. i) Alternative suggestions put forward by residents such as a refuge island and further reducing traffic to 40km/h to establish a school zone. With two major supermarkets coming into the area, and the Calvary Health Care premises requiring a crossing, a masterplan would assist in coordinating current and future development with fluctuating traffic patterns.

Action:

The petitioners therefore request that the Legislative Assembly of Victoria calls on the government to work with Glen Eira Council and the Department of Transport and Planning to complete an updated traffic management count and a masterplan to better consider growth and development in the Caulfield South area. We ask that the project be delayed until an alternative plan be proposed that meets the needs of both residents, State and Local Government.

**Ordered that petition be considered tomorrow.**

**National parks**

**Wayne FARNHAM** (Narracan) presented a petition bearing 13,969 signatures:

Issue:

This petition of residents of Victoria draws to the attention of the Legislative Assembly the current consideration being given by the Allan Labor Government to establish more national parks in Victoria, particularly in the central highlands and Gippsland regions. Communities are concerned that this will mean areas of state park, forest and bush are not accessible and will lock out users from a range of activities, including bushwalking, 4 x 4, motorbiking, horse riding, hunting, fishing, camping and other similar activities. This could significantly impact both these user groups and the communities where these parks may be established, limiting tourism and visitation.

Action:

The petitioners therefore request that the Legislative Assembly call on the Allan Labor Government to not create any new national parks and keep our forest regions and bush open for public access and enjoyment.

**Ordered that petition be considered tomorrow.**

**Documents****Department of Families, Fairness and Housing**

*Inclusive Victoria: State Disability Plan*

**Ben CARROLL** (Niddrie – Minister for Education, Minister for Medical Research) (10:44): I table, by leave, the *Inclusive Victoria: State Disability Plan – Midway Report 2022–2024*.

**Department of Energy, Environment and Climate Action**

*Sustainability Fund Activities Report*

**Steve DIMOPOULOS** (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (10:44): I table, by leave, the *Sustainability Fund Activities Report: Investing in a More Sustainable Future*.

**Victorian Infrastructure Delivery Authority**

*Tunnel and Stations Public Private Partnership: Project Summary Addendum 2*

**Danny PEARSON** (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (10:45): I table, by leave, the *Metro Tunnel Tunnel and Stations Public Private Partnership: Project Summary Addendum 2*.

**County Court of Victoria****Magistrates' Court of Victoria****Supreme Court of Victoria**

*Report 2023–24*

**The Clerk:** I have received for presentation by command of the Governor the County Court of Victoria report for 2023–24, the Magistrates' Court of Victoria report for 2023–24 and the Supreme Court of Victoria report for 2023–24.

**Tabled.**

**Documents**

**Incorporated list as follows:**

**DOCUMENTS TABLED BY COMMAND OF THE GOVERNOR** – The Clerk announced that the following documents had been lodged for presentation by Command of the Governor:

County Court of Victoria – Report 2023–24

Magistrates' Court of Victoria – Report 2023–24

Supreme Court of Victoria – Report 2023–24

Ordered to be tabled.

**DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** – The Clerk tabled:

Auditor-General – Staff Wellbeing in Fire Rescue Victoria – Ordered to be published

Australian Grand Prix Corporation – Report 2023–24

Beaufort and Skipton Health Services – Report 2023–24

Caulfield Racecourse Reserve Trust – Report 2023–24

Cenitex – Report 2023–24

Central Gippsland Health Service – Report 2023–24

Community Visitors – Report 2023–24 – Ordered to be published

Consumer Affairs Victoria – Report 2023–24 – Ordered to be published

Corangamite Catchment Management Authority – Report 2023–24

Country Fire Authority (CFA) – Report 2023–24

Court Services Victoria – Report 2023–24

East Gippsland Region Water Corporation – Report 2023–24

Environment Protection Authority:

Report 2023–24

Report 2023–24 under s 30L of the *Surveillance Devices Act 1999*

*Financial Management Act 1994*:

Reports from the Minister for Environment that he had received the reports 2023–24 of the:

Commissioner for Environmental Sustainability

Dhelkunya Dja Land Management Board

Gunaikurnai Traditional Owner Land Management Board

Reports from the Minister for Planning that she had received the reports 2023–24 of the:

Heritage Council of Victoria

Surveyors Registration Board of Victoria

Fire Services Implementation Monitor – Report 2023–24

Forensic Leave Panel – Report 2023

Harness Racing Victoria – Report 2023–24

Independent Broad-based Anti-corruption Commission:

Chief officer report 2020–2021 to the Minister under s 31 of the *Crimes (Assumed Identities) Act 2004*

Chief officer report 2021–2022 to the Minister under s 30L of the *Surveillance Devices Act 1999*

Chief officer report 2022–2023 to the Minister under s 30L of the *Surveillance Devices Act 1999*

Chief officer report 2023–2024 to the Minister under s 30L of the *Surveillance Devices Act 1999*

Report 2021–2022 under s 31 of the *Crimes (Assumed Identities) Act 2004*

Report 2022–2023 under s 31 of the *Crimes (Assumed Identities) Act 2004*

Melbourne Convention and Exhibition Trust – Report 2023–24

Mental Health and Wellbeing Commission – Report 2023–24

Mental Health Complaints Commissioner – Report 1 July to 30 August 2023

Mildura Base Public Hospital – Report 2023–24

*National Parks Act 1975* – Report 2023–24 on the working of the Act

Phillip Island Nature Parks – Report 2023–24

Puffing Billy Railway Board – Report 2023–24

Racing Integrity Commissioner – Report 2023–24  
Recreational Fishing Licence Trust Account – Report 2023–24 on the disbursement of revenue  
Robinvale District Health Services – Report 2023–24  
Safe Transport Victoria – Report 2023–24  
Seymour Health – Report 2023–24  
*Subordinate Legislation Act 1994* – Documents under s 15 in relation to Statutory Rules 132  
Sustainability Victoria – Report 2023–24  
Treaty Authority – Report 2023–24  
Triple Zero Victoria – Report 2023–24  
Trust for Nature (Victoria) – Report 2023–24  
VicForests – Report 2023–24  
Victims of Crime Commissioner – Report 2023–24  
Victoria Police – Report 2023–24 under s 31 of the *Crimes (Assumed Identities) Act 2004*  
Victorian Civil and Administrative Tribunal (VCAT) – Report 2023–24  
Victorian Environmental Assessment Council – Report 2023–24  
Victorian Fisheries Authority – Report 2023–24  
Victorian Gambling and Casino Control Commission – Report 2023–24  
Victorian Institute of Forensic Medicine – Report 2023–24  
Victorian Institute of Forensic Mental Health (Forensicare) – Report 2023–24  
Victorian Marine and Coastal Council – Report 2023–24  
Victorian Planning Authority – Report 2023–24  
Victorian Professional Standards Councils – Report 2023–24  
Victorian Responsible Gambling Foundation – Report 2023–24  
Yarram and District Health Service – Report 2023–24.

**PROCLAMATION** – Under SO 177A, the Clerk tabled the following proclamation fixing and operative date:

*Justice Legislation Amendment (Integrity, Defamation and Other Matters) Act 2024* – Division 2 of Part 12 and Schedule 1 – 10 February 2025 (*Gazette S648, 26 November 2024*).

### *Committees*

#### **Parliamentary committees**

##### *Membership*

**The DEPUTY SPEAKER** (10:46): I have received the resignations of Danny O’Brien from the Public Accounts and Estimates Committee effective 27 November 2024, of Nicole Werner from the Environment and Planning Standing Committee effective 27 November 2024 and of Wayne Farnham from the Economy and Infrastructure Standing Committee effective 27 November 2024.

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (10:47): I move, by leave:

That:

- (1) Jade Benham be a member of the Public Accounts and Estimates Committee;
- (2) Nicole Werner be a member of the Economy and Infrastructure Standing Committee; and
- (3) Wayne Farnham be a member of the Environment and Planning Standing Committee.

**Motion agreed to.**

*Motions***Government performance**

**John PESUTTO** (Hawthorn – Leader of the Opposition) (10:47): I move, by leave:

That this house condemns the Premier and the member for Melton for Labor's 10 years of failure and for putting all of their eggs in one basket with the \$216 billion Suburban Rail Loop, forcing Melton locals to miss out on the roads they deserve and pay the price for Labor's mismanagement.

**Leave refused.**

**Opposition performance**

**Dylan WIGHT** (Tarnait) (10:48): I move, by leave:

That this house condemns the Leader of the Opposition for knowing about the presence of Nazis at a Liberal Party event and being too much of a coward to do anything about it until the media found out.

**Leave refused.**

**Government performance**

**Danny O'BRIEN** (Gippsland South) (10:48): I move, by leave:

That this house condemns the Premier and the member for Ringwood for Labor's 10 years of failure and its disgraced local Labor MP, forcing Ringwood locals to miss out on the representation they deserve and pay the price for Labor's mismanagement.

**Leave refused.**

**Opposition performance**

**Katie HALL** (Footscray) (10:48): I move, by leave:

That this house condemns the Leader of the Opposition who as Shadow Attorney-General stood by and did nothing while the Leader of the Opposition stoked fear and hatred by raising issues of African gangs in my community.

**Leave refused.**

**Middle East conflict**

**Gabrielle DE VIETRI** (Richmond) (10:49): I move, by leave:

That this house notes:

- (1) that tomorrow is the United Nations day of solidarity with the Palestinian people;
- (2) that this Labor government is complicit in Israel's genocide of the Palestinian people; and
- (3) that the Greens will not stop fighting for a free Palestine until Palestine is free.

**Leave refused.**

**Opposition performance**

**Tim RICHARDSON** (Mordialloc) (10:49): I move, by leave:

That this house notes the comments of the Leader of the Opposition in the secret and now public recording of the member for Caulfield that 'Nazism is like the most toxic acid that can run through any political party, and it runs through us.'

**Leave refused.**

**Member conduct**

**David SOUTHWICK** (Caulfield) (10:50): I move, by leave:

That this house notes the 16 allegations made by Labor MLC Sonja Terpstra, including sexism, bullying and sexual harassment by Labor colleagues, notes the silence of the Premier and the entire Labor caucus and demands that the Premier act on the allegations of sexual harassment within her Victorian Labor Party.

**Leave refused.**

**Opposition performance**

**Belinda WILSON** (Narre Warren North) (10:50): I move, by leave:

That this house condemns the Leader of the Opposition for welcoming racism, homophobia and misogyny into the heart of the Victorian Liberal Party.

**Leave refused.**

**Government performance**

**Emma KEALY** (Lowan) (10:50): I move, by leave:

That this house condemns the member for Ripon for blindly supporting the Premier despite –

*Members interjecting.*

**Emma KEALY:** Without interjection, please, Deputy Speaker.

*Members interjecting.*

**The DEPUTY SPEAKER:** Order! I know it is the last day, but we can do it properly. The member for Lowan to start again, please.

**Emma KEALY:** Deputy Speaker, the member for Wendouree just said that I was a disgrace. I ask her to withdraw. I am offended.

**The DEPUTY SPEAKER:** Member for Wendouree, please withdraw.

**Juliana Addison:** I withdraw.

**Emma KEALY:** I move, by leave:

That this house condemns the member for Ripon for blindly supporting the Premier despite Labor's 10 years of failure, forcing the Ripon community to pay the price for Labor's mismanagement through crumbling roads, longer commute times, a health crisis and a higher cost of living.

**Leave refused.**

**Opposition performance**

**Gary MAAS** (Narre Warren South) (10:51): I move, by leave:

That this house condemns the Leader of the Opposition and the member for Berwick for waiting three days and for a call from the *Age* to come clean about the fact that neo-Nazis had rocked up to a protest that they had organised.

**Leave refused.**

**Government performance**

**Kim WELLS** (Rowville) (10:52): I move, by leave:

That this house condemns the member for Sunbury for blindly supporting the Premier despite Labor's 10 years of failure, forcing the Sunbury community to pay the price for Labor's mismanagement through crumbling roads, longer commute times, a health crisis and a higher cost of living.

**Leave refused.**

**Opposition performance**

**Sarah CONNOLLY** (Laverton) (10:52): I move, by leave:

That this house condemns the Leader of the Opposition and the member for Berwick for spending their entire parliamentary careers spewing hate, whether it was African gangs, backflipping on treaty or attacking our much-loved Sikh community.

**Leave refused.**

**Government performance**

**Michael O'BRIEN** (Malvern) (10:52): I move, by leave:

That this house condemns the member for Cranbourne for blindly supporting the Premier despite Labor's 10 years of failure, forcing the Cranbourne community to pay the price for Labor's mismanagement through crumbling roads, longer commute times, a health crisis and a higher cost of living.

**Leave refused.**

**Opposition performance**

**Anthony CIANFLONE** (Pascoe Vale) (10:53): I move, by leave:

That this house condemns the Leader of the Opposition for letting Mrs McArthur in the other place off scot-free after she inferred our First Peoples should say thank you for colonisation.

**Leave refused.**

**Government performance**

**Matthew GUY** (Bulleen) (10:53): I move, by leave:

That this house condemns the member for Eltham for blindly supporting the Premier despite Labor's 10 years of failure, forcing the Eltham community to pay the price for Labor's mismanagement through crumbling roads along Sherbourne Road, Main Road and Karingal Drive, longer commute times on the Hurstbridge line, a health crisis and a hospital promised but never built and a higher cost of living.

**Leave refused.**

**Opposition performance**

**Lauren KATHAGE** (Yan Yean) (10:54): I move, by leave:

That this house condemns the Leader of the Opposition for blindly supporting his members and instead of standing up for minority communities in the face of the vile comments of his backbench saying, 'I can't babysit every MP.'

**Leave refused.**

**Government performance**

**Danny O'BRIEN** (Gippsland South) (10:54): I move, by leave:

That this house condemns the member for Bass for blindly supporting the Premier despite Labor's 10 years of failure, forcing the Bass community to pay the price for Labor's mismanagement through crumbling roads, longer commute times, a health crisis and a higher cost of living.

**Leave refused.**

**Opposition performance**

**Ella GEORGE** (Lara) (10:54): I move, by leave:

That this house condemns the Liberal Party for allowing extremists to remain in their party room.

**Leave refused.**

**Steve McGHIE** (Melton) (10:55): I move, by leave:

That this house condemns the Leader of the Opposition for saying he is totally satisfied with the actions of the member for Berwick, who did not leave the Nazi protest immediately and has not released a statement condemning it.

**Leave refused.**

#### **Government performance**

**Sam GROTH** (Nepean) (10:55): I move, by leave:

That this house condemns the member for Hastings for blindly supporting the Premier despite Labor's 10 years of failure, forcing the Hastings community to pay the price for Labor's mismanagement through crumbling roads, longer commute times, a health crisis and a higher cost of living.

**Leave refused.**

#### **Opposition performance**

**Daniela DE MARTINO** (Monbulk) (10:55): I move, by leave:

That this house condemns the Leader of the Opposition and the Liberal Party for allowing a Liberal member for Western Victoria in the other place to table a homophobic petition for debate.

**Leave refused.**

#### **Government performance**

**Bridget VALLENCE** (Evelyn) (10:56): I move, by leave:

That this house condemns the member for Monbulk for blindly supporting the Premier despite Labor's 10 years of failure, forcing the Monbulk community to pay the price for Labor's mismanagement through crumbling roads, longer commute times, a health crisis and a higher cost of living.

**Leave refused.**

#### **Opposition performance**

**Pauline RICHARDS** (Cranbourne) (10:56): I move, by leave:

That this house condemns the Leader of the Opposition for failing to stand up to extremists and backing in the member for Berwick, who has failed to condemn or apologise for the neo-Nazis who showed up at his divisive rally.

**Leave refused.**

#### **Member conduct**

**Bridget VALLENCE** (Evelyn) (10:56): I move, by leave:

That this house notes the 16 allegations made by Labor MLC Sonja Terpstra, including sexism, bullying and sexual harassment by Labor colleagues and the allegations of harassment against the former Labor member for South Barwon and condemns the Premier and Labor for continuing to stand by creep corner – and yet the member for Bass stands by this.

**Leave refused.**

#### **Opposition performance**

**Iwan WALTERS** (Greenvale) (10:57): I move, by leave:

That this house condemns the Leader of the Opposition for saying one thing on Glenferrie Road, another thing in Greenvale and something completely different on Spring Street.

**Leave refused.**

**Government performance**

**Roma BRITNELL** (South-West Coast) (10:57): I move, by leave:

That this house condemns the member for Mordialloc for blindly supporting the Premier despite 10 years of Labor's failures, forcing the Mordialloc community to pay the price for Labor's management through crumbling roads, longer commute times, a health crisis and a higher cost of living.

**Leave refused.**

**Opposition performance**

**Nathan LAMBERT** (Preston) (10:57): I move, by leave:

That this house condemns the Leader of the Opposition for allowing Dr Heath from the other place back into his party room after she was deemed too extreme by the member for Bulleen.

**Leave refused.**

**Government performance**

**Tim BULL** (Gippsland East) (10:58): I move, by leave:

That this house condemns the member for Glen Waverley for blindly supporting the Premier despite Labor's 10 years of failure, forcing the Glen Waverley community to pay the price for Labor's mismanagement through crumbling roads, longer commute times, a health crisis and a higher cost of living.

**Leave refused.**

**Prahran by-election**

**Brad BATTIN** (Berwick) (10:58): I move, by leave:

That this house urges the member for Kororoit to stand up for her local community, represent her neighbours, go into bat for the part of the world she lives in and run for the seat of Prahran.

**Leave refused.**

**Opposition performance**

**Luba GRIGOROVITCH** (Kororoit) (10:59): I move, by leave:

That this house condemns the Leader of the Opposition for his hypocrisy in not kicking the member for Berwick out of his caucus when he kicked out Mrs Deeming from the other place – misogynistic.

**Leave refused.**

**Member conduct**

**Bridget VALLENCE** (Evelyn) (10:59): I move, by leave:

That this house condemns the member for Mordialloc, the so-called men's behaviour change minister, for allowing the 16 allegations made by Labor MLC Sonja Terpstra, including sexism, bullying and sexual harassment by her Labor colleagues, to stand and so far having done absolutely nothing about them.

**Leave refused.**

**Opposition performance**

**Meng Heang TAK** (Clarinda) (10:59): I move, by leave:

That this house condemns the member for Berwick, who has put out only celebratory statements about his divisive event where he was joined by neo-Nazis.

**Leave refused.**

**Government performance**

**David HODGETT** (Croydon) (11:00): I move, by leave:

That this house condemns the member for Bayswater for blindly supporting the Premier despite Labor's 10 years of failure, forcing the Bayswater community to pay the price for Labor's mismanagement through crumbling roads, longer commute times, a health crisis and a higher cost of living.

**Leave refused.**

**Opposition performance**

**Paul MERCURIO** (Hastings) (11:00): I move, by leave:

That this house notes the Leader of the Opposition is only protecting the member for Berwick in an attempt to save his own leadership.

**Leave refused.**

**Government performance**

**Richard RIORDAN** (Polwarth) (11:00): I move, by leave:

That this house condemns the Premier and the ever absent member for South Barwon for Labor's 10 years of failure and its disgraced local MP, forcing South Barwon locals on the Surf Coast to miss out on the representation they deserve and pay the price for Labor's endless mismanagement.

**Leave refused.**

**Opposition performance**

**Nina TAYLOR** (Albert Park) (11:01): I move, by leave:

That this house condemns the Leader of the Opposition for continuing his racist rhetoric and leadership and calling cultural heritage protections a 'housing handbrake' at the Liberal state council this year in an attempt to 'throw some red meat towards the extreme right wing of his party'.

**Leave refused.**

**Government performance**

**Jade BENHAM** (Mildura) (11:01): I move, by leave:

That this house condemns the Allan Labor government's 10 years of failure, corruption and sleaze by self-interested MPs like the Minister for Climate Action, who helped Labor rort \$388,000 from taxpayers as part of the red shirts scandal.

**Leave refused.**

**Wayne FARNHAM** (Narracan) (11:01): I move, by leave:

That this house condemns the Allan Labor government's 10 years of failure, corruption and sleaze by self-interested MPs like the member for Macedon, who took a \$10,000 kickback from a property developer alongside the member for Cranbourne.

**Leave refused.**

**Martin CAMERON** (Morwell) (11:02): I move, by leave:

That this house condemns the member for Ashwood for backing the Premier despite her failure as minister for the Big Build to respond to serious allegations she received from an Indigenous labour hire firm in 2022 outlining CFMEU misconduct on taxpayer-funded worksites.

**Leave refused.**

**Tim McCURDY** (Ovens Valley) (11:02): I move, by leave:

That this house condemns the member for Bellarine for blindly supporting the Premier despite Labor's 10 years of failure, forcing the Bellarine community to pay the price for Labor's mismanagement through crumbling roads, longer commute times, a health crisis and a higher cost of living.

**Leave refused.**

**Kim O'KEEFFE** (Shepparton) (11:03): I move, by leave:

That this house condemns the Premier and the member for Greenvale for Labor's 10 years of failure and for putting all their eggs in one basket with the \$216 billion Suburban Rail Loop, forcing Greenvale residents to pay the price for Labor's mismanagement and miss out on the roads they deserve.

**Leave refused.**

**Cindy McLEISH** (Eildon) (11:03): I move, by leave:

That this house condemns the member for Yan Yean for blindly supporting the Premier despite Labor's 10 years of failure, forcing the Yan Yean community to pay the price for Labor's mismanagement through crumbling roads, longer commute times, a health crisis and a higher cost of living.

**Leave refused.**

**John PESUTTO** (Hawthorn – Leader of the Opposition) (11:03): I move, by leave:

That this house condemns the member for Niddrie and Deputy Premier not only for Labor's 10 years of failure but for jeopardising the futures of hundreds of thousands of Victorian students because of the botching of 56 VCE exams, forcing students in Niddrie to pay the price for their local member's utter incompetence.

**Leave refused.**

**Nicole WERNER** (Warrandyte) (11:04): I move, by leave:

That this house condemns the Premier and her government for shamefully slandering, targeting and defaming multicultural members, including me as the first Asian woman elected to the Legislative Assembly in this place.

**Leave refused.**

**Nicole WERNER**: I move, by leave:

That this house condemns the Premier and her government for gaslighting, victim-blaming and sexually harassing a member in the other place, Ms Terpstra MLC, and protecting the women who according to the member have enabled it.

**Leave refused.**

**David SOUTHWICK** (Caulfield) (11:04): I move, by leave:

That this house notes that the home of a Melbourne rabbi was subject to an antisemitic attack, forcing him to flee, notes that this rabbi has applied to the Victorian government for security funding but has not heard back and condemns the Premier for abandoning Melbourne's Jewish community.

**Leave refused.**

### **Prahran by-election**

**David SOUTHWICK** (Caulfield) (11:05): I move, by leave:

That this house condemns the Greens for their antisemitic, divisive behaviour, condemns the gutless Allan Labor government for capitulating to the Greens by not running in the seat of Prahran and calls on the Prahran community to send the hateful Greens a message and put them last.

**Leave refused.**

**Gabrielle de Vietri**: On a point of order, Deputy Speaker, I take offence, and I ask the member to withdraw.

**The DEPUTY SPEAKER:** The reference, I recall, was to a collection of people, not an individual. Therefore it is a matter for debate. If it was an imputation on a single member, I did not hear that.

### **Government performance**

**James NEWBURY** (Brighton) (11:06): I move, by leave:

That this house condemns the government for allowing the Parliament to be disgraced for the last two days instead of dealing with genuine concerns facing Victorians in our state. What they have allowed to happen brings disrepute to this entire institution.

**Leave refused.**

**Chris CREWITHER** (Mornington) (11:06): I move, by leave:

That this house condemns the member for Frankston for blindly supporting the Premier despite Labor's 10 years of failure, forcing Frankston locals to pay the price for Labor's mismanagement through crumbling roads, higher cost of living, more crime and failed builds like the Culcairn Drive apartments, where Labor is doing nothing.

**Leave refused.**

### *Members statements*

#### **Melbourne Market**

**Emma KEALY** (Lowan) (11:07): Yesterday Premier Allan announced she would give regulators more power to stop excessive rent increases while at the same time her Labor government is doubling rent for our vital fruit and veg vendors at the Melbourne Market. What hypocrisy from a two-faced Premier who absolutely sucks at running Victoria. These massive rent increases will make Melbourne Market the most expensive in Australia, over \$100,000 more than their counterparts at Sydney Markets. And of course yet again it is Victorians that will pay the price, with these massive government rent increases being passed on to Victorians through higher fruit and veg prices at our local markets and grocers and pushing up the cost of having dinner at our favourite pub, restaurant or cafe. After 10 years of this rotten Labor government Victorians are far worse off and continue to pay the price for Premier Allan's complete and utter incompetence.

#### **Mount Arapiles rock climbing**

**Emma KEALY** (Lowan) (11:08): In another masterclass of how to stuff up all the good things in our lives and cause division, with Victorians paying the price, Premier Allan, Minister Dimopoulos and Minister Hutchins have completely botched the handling of the consultation and negotiations around Mount Arapiles Dyurrite, and it can barely be believed. Thousands of rock climbers and outdoor enthusiasts who live locally, in Melbourne or around the world are outraged that the best climbs in Victoria will be closed, including what was once the hardest rated climb in the world, Punks in the Gym, which put Natimuk and Mount Arapiles on the map. Only Labor could stuff something up where even the Aboriginal people are upset.

#### **Western Chances**

**Ben CARROLL** (Niddrie – Minister for Education, Minister for Medical Research) (11:09): We all believe in second chances, but in Melbourne's west we believe in Western Chances. I had the great pleasure of joining former Prime Minister Julia Gillard and the wonderful founder Terry Bracks to celebrate 21 years of Western Chances in Melbourne's west, giving young people scholarships for everything from textbooks to transport, making sure they get to live their dreams and have the opportunity to fulfil a life of purpose. It was wonderful gala evening at the Melbourne Town Hall celebrating more than two decades. On that night we raised \$185,000 for kids in the western suburbs of Melbourne. This will see 185 scholarships going to young people in Melbourne's west, motivating

them, making sure they are the leaders of tomorrow. We heard from former Prime Minister Julia Gillard that night. She said:

... postcodes were the strongest factor in determining a person's chances of success ...

I know the people of Niddrie, 3042, and growing up in Niddrie and Airport West and going to St Christopher's Primary School and St Bernard's College was a lottery I won, going to those two schools. Since 2004 Western Chances has invested more than \$9 million in life-changing scholarships, providing over 10,000 scholarships, a remarkable achievement. To the current chief executive officer Zac Lewis, congratulations, and to the visionary leader and founding chair Terry Bracks and to the patron the Honourable Julia Gillard, here is to another 21 years of transforming lives and supporting motivated people in Melbourne's western suburbs.

### **Bianca Jones and Holly Bowles**

**Brad ROWSWELL** (Sandringham) (11:10): It is with a heavy heart that I rise today to offer my condolences to the family and friends of Bianca Jones and Holly Bowles, two beautiful young women from my community who tragically died on Thursday 21 November and Friday 22 November respectively in Laos last week.

Bianca and Holly were best friends living their best life, on the trip of a lifetime to explore the world, a well-trodden path for young Australians. Bianca and Holly were teammates at Beaumaris Football Club, the Sharks. Holly graduated from Beaumaris Secondary College last year, a member of their foundation class. Holly's father Shaun has publicly remembered her for the joy she brought to their lives and the kindness she showed to others. I was struck by a moving tribute from Holly's boss at Frank's, a Cheltenham cafe. He said:

Holly was the best of us ... Believe me when I say that I couldn't fault her.

Bianca was a cherished daughter and sister. She graduated from Mentone Girls' Grammar last year. Bianca's friends and family will remember her for her infectious smile, tenacity and dedication to those around her. Her father Mark said:

Bianca wanted to explore the world, make new friends, lead and create change for good.

The Jones and Bowles families have been overwhelmed by the support of our local community during this difficult time. Friends of Holly and Bianca have adorned our community with blue and yellow ribbons in their memory. The local football club has also flown Holly and Bianca's premiership flag from 2022 at half-mast. Local service providers, the Better Health Network, Family Life, Headspace, Bayside and Kingston councils, local police, the girls' schools and our local federal member have all said yes to helping coordinate community support, and then there is the incredible support received through the GoFundMe page. Our hearts are broken. Vale, Bianca and Holly.

### **Eleanor Bryant**

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (11:12): I rise to acknowledge the life and extraordinary contribution of Eleanor Bryant, a cherished member of the Riddells Creek community whose tragic death has deeply impacted so many. On 11 November Eleanor displayed remarkable bravery, acting to protect children of the Macedon Ranges Montessori Pre-School when a truck ploughed into the kinder. Eleanor's actions epitomised the selflessness and courage known to all who loved her.

Eleanor was a highly regarded speech pathologist and a devoted mum, wife, daughter and friend who brought light and joy to everyone that she met. Her smile, sense of humour and generosity made her a cornerstone of the community. She was deeply involved in local life, including the Riddells Creek Basketball Club, the Riddells Creek Primary School and the Macedon Ranges Running Club.

The Macedon Ranges Montessori Pre-School staff, families and children and the broader Riddells Creek community have shown immense strength and unity in the face of this tragedy. From the heartfelt tributes at the Lions Park vigil to the floral memorial at the kinder, the outpouring of love and support reflected the profound impact that Eleanor had on all who knew her. I am grateful to the Macedon Ranges Shire Council and local police for arranging opportunities for community to grieve and support one another. I thank the first responders, counsellors and departmental staff, who continue to provide care during this very difficult time. To Eleanor's husband Tim and their two children: please know that you are in our hearts. Eleanor's legacy of love, kindness and courage will never be forgotten.

#### **Elwood Shule**

**James NEWBURY** (Brighton) (11:14): With their foundation stone laid in February 1956 and the building opened in September the next year, the Elwood Shule has been an ark of faith and sanctuary in my community. The shule recently congregated to celebrate the induction of Rabbi Gavriel Fogelgarn. I wish Gavriel, his wife Leah and their three boys blessings of success, and congratulations to the president Mark Kuran and the board on their event.

#### **St Mary's Pre-School, Brighton East**

**James NEWBURY** (Brighton) (11:14): This year St Mary's Pre-School community kindergarten celebrates its 65th anniversary. Based in Brighton East, the kindergarten provides high-quality kinder education to local Bayside three- and four-year-old children. Local families enjoyed a wonderful celebration for the anniversary recently. Thank you to the centre business operator Sophie Craig and president Myles Harris for their ongoing effort and leadership.

#### **Gwladys and Robert Jeavons**

**James NEWBURY** (Brighton) (11:14): I want to acknowledge the passing of Gwladys and Robert Jeavons. Gwlad and Bob were well-known members of the Brighton community who, sadly, passed aged 96 and 97. Gwlad was from the Hollow family, who were renowned builders across Melbourne, while Bob was an executive at ICI Plastics and one of our few remaining World War II veterans. They will be sadly missed.

#### **Housing**

**James NEWBURY** (Brighton) (11:15): Thousands of people joined a community walk which filled Church Street recently. People from Bayside, Boroondara, Moonee Valley, Stonnington and Whitehorse joined the walk to push back strongly against the Premier's plan to stuff 20-storey high-rise towers into our community. The plan is to enable the Premier's agenda to grow Melbourne into a megacity through massive population growth. Labor has no mandate.

#### **Women's health**

**Lily D'AMBROSIO** (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (11:15): I rise to highlight the success of the women's health, wellbeing and pain management forum that I hosted for my electorate this month. Women of all ages joined me to share their experiences. I thank Kat Theophanous MP, the terrific Parliamentary Secretary for Women's Health, and Dr Magdalena Simonis, a distinguished women's health expert, for being guest speakers.

I wanted to give a voice to local women through this forum to be heard as part of the Allan Labor government's women's pain inquiry. We know that too often women are not believed when it comes to their pain. That is why our government is running the first women's pain inquiry in the country. The experiences of girls and women across the state, including my electorate, will form an important part of the findings and recommendations of this inquiry to be released next year. In the meantime our government continues our commitment to supporting the health and wellbeing of women in my electorate through the introduction of many vital services. We opened the Orange Door in Epping, providing critical support for those affected by family violence. We now have a dedicated women's

health clinic at the Northern Hospital, providing free and comprehensive care for conditions including endometriosis, polycystic ovary syndrome and more. We have also funded the DPV Health sexual and reproductive health hub in Mill Park. The Allan Labor government is ensuring that everyone in our community has access to the care they deserve.

### **Knitted Knockers Australia**

**Martin CAMERON** (Morwell) (11:17): I rise today to talk about knockers – Knitted Knockers and the Traralgon Knitted Knockers ladies. Knitted Knockers are free, 100 per cent cotton prostheses knitted by volunteers. What they do is they use a special 100 per cent cotton wool, which is purchased from the Bendigo Woollen Mills, and fill the prostheses with a polyester fibre toy filling, which they purchase from Spotlight, and the prostheses are provided to women who have had mastectomies due to breast cancer. It is a wonderful thing that they do. I got to sit down with founder Cheryl Webster, and it is right across Australia. I have a set of Knitted Knockers on my table in my office, and there are a few members that are in the chamber here that have felt them and touched them and seen them. This is just another option for ladies and women that have had to go through this procedure of having their breasts removed. It is a lightweight option which these women can put perfectly inside their bras and move around. It is giving back the freedom to ladies that have gone through this, so well done to the Traralgon Knitted Knockers.

### **Senior Sergeant James Egan**

**Anthony CARBINES** (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (11:18): Senior Sergeant James Egan was the longest currently serving Aboriginal Victoria Police officer, serving 39 years before his passing. Last week Senior Sergeant Egan was farewelled at the Victoria Police Academy chapel – standing room only, a testament to the impact he had on his friends, family and colleagues. In an interview with NITV James said that he did not join Victoria Police because he was Aboriginal; he thought policing would be a great career, and he just happened to be an Aboriginal man. He recalled at the age of 18 his greatest challenge came from his family and community who were concerned that he had crossed the line when he joined, such was the relationship between Victoria Police and the Aboriginal community in the 1980s. But James led by example over his long career with Victoria Police, leading the design and delivery of Aboriginal cultural awareness training to Victoria Police employees.

James was also an integral member of the Victoria Police Museum Aboriginal working group, advising on the internal and public-facing working of the museum in relation to Aboriginal communities and their history. James was actively involved in the Aboriginal employee network council, where he provided leadership, mentoring and input, ensuring the cultural safety of Aboriginal employees of Victoria Police. Before the Chief Commissioner of Police appeared before the Yoorrook Justice Commission in 2023, he sat with James, who willingly shared his personal story and insights into the pressures of being an Aboriginal police officer. As the chief said in his tribute at the service, James's contribution is unique in the history of Victoria Police.

### **Movember**

**Chris CREWETHER** (Mornington) (11:20): Mornington CFA has proudly supported our community since 1917. Five members are currently growing moustaches. It is important to them to support the impact that mental health and cancer issues can have on family, friends, fellow members and the community. By taking part in Movember these CFA members are raising awareness of the organisations available to help men. It is crucial that we encourage men to be more proactive about their health by promoting regular visits to doctors and annual check-ups. By doing so we can make a significant difference. Let us continue to support men's mental health and cancer awareness. As some may notice, I am also participating in Movember, and it is certainly not too late to make donations. Thank you for your support.

### Country Fire Authority

**Chris CREWETHER** (Mornington) (11:21): On the CFA, with the summer fire season fast approaching, now is the time to ensure that our properties are fire safe and that fire plans are in place. The community-based CFA and volunteers, with over 1200 stations across Victoria, protect people and properties, along with Fire Rescue Victoria and Forest Fire Management Victoria. That includes, along with Mornington, the Moorooduc, Mount Eliza and Mount Martha CFA brigades in my electorate. At Christmas our brigades are also called upon to provide popular transport for Santas and their helpers to many community events and to bring smiles to the faces of many. This Christmas and this summer be safe, be prepared, be supportive and thank your CFA.

### John Malios and Hun Khoon Ng

**Steve DIMOPOULOS** (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (11:21): I rise to acknowledge two extraordinary people who have served the Oakleigh and broader communities for many years.

Dr John Malios, with 50 years of service on Warrigal Road, Oakleigh, served predominantly the Greek community as a general practitioner. His sister Helen worked in reception, and his nephew Anthony has taken over the practice over the last few years. He has been there since the 1970s, a calm, wise, empathetic GP. He got involved in with, among many other things, Thalassaemia and Sickle Cell Australia. He became the convener of medical panels in Victoria – an extraordinary contribution.

The second doctor in Oakleigh I want to acknowledge is Dr Hun Khoon Ng. He passed away a few weeks ago, and I want to pass on my thanks and condolences to his family. He was on North Road, Oakleigh. His daughter now runs the practice. He was a migrant to this country, with a warm, huge smile and a no-nonsense approach. Nothing was too much of a burden for Dr Ng. He spoke Greek – he learned Greek through his Greek patients. It was fantastic to have this beautiful Chinese Australian doctor who spoke Greek.

Those two doctors served along with many others, but I am acknowledging those two in my community because they were my local doctors. They were not just GPs; they were rocks of the community. They battled, on behalf of their patients, Centrelink and government services. They became confidants. They became counsellors. They really supported the community over many decades.

### Emergency services

**Wayne FARNHAM** (Narracan) (11:23): Coming into the Christmas break, I would just like to put a shout-out to our emergency services personnel – our ambos, police, SES, firies, the whole lot – because although we might go on a Christmas break, they will always be on call for our community. It is very important that we recognise that they will give up their time to help us.

### Baw Baw Food Relief

**Wayne FARNHAM** (Narracan) (11:23): While we are on the Christmas theme, we know a lot of people are doing it tough at the moment with cost-of-living pressures. I have a great organisation in Warragul, Baw Baw Food Relief, and I would encourage anyone in my electorate that has got some food to spare to drop down there or give a cash donation, because they do help hundreds of people in my electorate. They go in there and shop for food, and it is a great organisation.

### John Delzoppo

**Wayne FARNHAM** (Narracan) (11:24): In closing, I would like to send my condolences to Beth Delzoppo and her family. Former Speaker of this house John Delzoppo passed away last week. John was a terrific man, a strong advocate for his local community, and he will be very, very sadly missed in our electorate of Narracan. He served for quite a long time and sat in that chair and was very well

respected by both sides of the house. My sincere condolences to Beth and her family, and I am sure we will be doing condolences in the new year.

### **Kalkallo Youth Advisory Council**

**Ros SPENCE** (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (11:24): I would like to take this opportunity to thank my 2024 Kalkallo Youth Advisory Council for their work throughout the year. This year members decided to focus on environmental issues, in particular getting to know your rubbish and learning to bin it correctly. Members noticed that within their local communities, including their schools, there was a lot of littering, incorrect materials being put in the bins and a lack of awareness of impacts on the environment. In response they decided to develop an information flyer, website and video to assist young people to help the environment through small actions that can have a big impact, including through the terrific container deposit scheme, which has returned over \$2 million to my local community. Thank you to the Minister for Youth for meeting with the group on Tuesday night and listening to their report. I know they were very grateful. Thank you and well done to Aarav, Ammar, Aneeta, Athena, Divjot, Eshaal, Gabrielle, Harkirat, Husain, Jayde, Kayla, Manraj, Mantasha, Marseel, Matthew, Nathaniel, Omar, Sarah, Shannon and Uthish.

### **Felicitations**

**Ros SPENCE** (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (11:25): As we head to the end of the year, can I also thank my staff in both my electorate office and my ministerial office. To Chanmali, Alex, Shraddha and Jo in the EO and Grant, Bec, Almendra, Tara, Ann, Hendrik, Hannah, Carina, Joey and the department liaison officers in the MO – thank you for everything you do. And finally to all of the clerks and parliamentary staff – thank you for what you do to help all of us every day. I hope everyone has an enjoyable and safe summer with family and friends.

### **Yarra City Council**

**Gabrielle DE VIETRI** (Richmond) (11:26): Ripping up bike lanes for more car parking, cancelling the construction of a new public park outside a library, giving over public land to private developers, tax breaks for property owners and extra cops to police our young people at night – these are policies that you would expect from Trump if he woke up in the middle as mayor of a progressive town. But believe it or not, these are all things that Yarra council has agreed to this week. The new mayor and his bunch of conservative independents have wasted no time in bulldozing progressive initiatives that the Yarra community and the Greens have been proud to pioneer. Their à la carte politics is totally rogue, and it is very concerning. They are cutting projects for the community while asking the council to give them money to eat out at restaurants every fortnight. They are recklessly spending on their pet projects, and for personal gain. All of this was rushed through with absolutely zero consultation. Jolly has signalled his priorities for this council term, and it is cars, property investors and pearl clutchers. If you are none of these, rise up and tell him this is not how we do things in Yarra.

### **Moonee Valley City Council**

**Danny PEARSON** (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (11:27): If the member for Richmond feels so strongly about this, I would encourage her to go back to local government, where she belongs.

I am delighted to rise and acknowledge the new council that has been elected at the City of Moonee Valley, and I want to acknowledge Ava Adams as the new mayor. I very much look forward to working with Ava. She will prove, I am sure, to be an outstanding mayor. I do want to acknowledge the great contribution a good friend of mine Pierce Tyson has made as the former mayor, as well as Katrina Hodgson. Both Pierce and Katrina discharged their obligations and their duties as

representatives of my community with the highest level of integrity and with distinction. They left the place better than they found it. They have both made significant contributions, and I really wish them all the very best for the next chapter in their lives – there is more to be done, for both of them.

#### **Julie Jones**

**Danny PEARSON** (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (11:28): I want to acknowledge that the dowager empress of the Maribyrnong federal electorate assembly Julie Jones is not well at the moment. Julie is an outstanding branch member. She has been just an absolute joy to work with. Jules, we are all thinking of you, and we hope that you are on the pathway to recovery.

#### **Ausmusic T-Shirt Day**

**Danny PEARSON** (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (11:28): Ausmusic T-Shirt Day is a great opportunity to embrace old and new. I am a deeply conflicted man; I have got a Cold Chisel T-shirt and I have got an Amyl and the Sniffers T-shirt. *Cartoon Darkness* – you have got to get on it. It is a fantastic album by Amyl and the Sniffers. These guys from Melbourne are doing a great job, and if you think about that for a moment, it is a great day to celebrate Australian music.

#### **Echuca Gun Club**

**Peter WALSH** (Murray Plains) (11:29): Every gun club in Victoria, be it pistol, rifle range or shotgun, needs to be concerned about what is happening to the Echuca Gun Club at the moment. Echuca Gun Club is a national clay target range that hosts Victorian and national shooting championships. It has been located at its current site for more than 40 years. The club has invested literally millions of dollars in this great facility. It was badly flooded in October 2022, and the club had the heartbreaking job of repairing the damage from that. There is currently a vexatious attack on the club's right to exist from two neighbours that chose to move near that particular facility – there was a gun club there when they relocated there. The EPA is now threatening to close the club unless they build a \$500,000 sound barrier wall, with no guarantee that that will be enough to satisfy the two neighbours. This is another example of the Allan government using a government agency to attack the rights of hunters and shooters in Victoria, leaving the club and the Victorian Clay Target Association with a huge cost to defend their right to function. There is no natural justice for the Echuca Gun Club; they are considered guilty by the EPA and have to go to the expense of defending their right while the complainant does not have to justify anything. This is a multigenerational shooting facility. Kiara Dean, a world champion, actually grew up shooting at this site. If the Allan government closes it, there will be no more Kiara Deans learning to shoot in Victoria.

#### **Women's health**

**Sonya KILKENNY** (Carrum – Minister for Planning, Minister for the Suburbs) (11:30): It is a privilege in this role meeting so many diverse and wonderful Victorians, and so it was meeting Maria Harran for coffee recently. Our conversation quickly turned to women's health, and we could have spoken for hours, such is Maria's insight, experience and determination for change. Maria, her friend Julia Browne and others are helping to elevate the voices of women experiencing perimenopause and menopause. They have formed the Peri Pausers, an Instagram chat group, so women can share experiences. They have hit the media, and they are making a difference.

There is a gender gap in health care, something the Allan Labor government is already working to fix, with big investments in 20 specialised women's clinics around the state, including in Frankston; expanding our sexual and reproductive health hubs network; doubling the number of laparoscopies for endometriosis and associated conditions; and providing scholarships for more than 100 women's health specialists. Thank you, Maria and Julia and the thousands and thousands of Victorian women who are helping us to deliver a complete transformation of women's health in Victoria.

### Hindu Society of Victoria

**Sonya KILKENNY** (Carrum – Minister for Planning, Minister for the Suburbs) (11:31): I am honoured to acknowledge and congratulate the appointments of Usha Gullapalli, the Hindu Society of Victoria's first ever female president, and HSV secretary Inthirai Parameswaran, two outstanding women who have already contributed so much over many years to Victoria's Hindu community. I want to thank and commend Usha, Inthi and the HSV executive committee and volunteers for another tremendous Diwali celebration at the Shri Shiva Vishnu Temple. HSV's dedication to celebrating community diversity and promoting inclusivity strengthens our collective spirit and inspires harmony across Victoria.

### Ciro Lombardi

**Natalie SULEYMAN** (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (11:32): I rise today to pay tribute to **Ciro Lombardi**, a lifelong St Albans local turning 90 years old. Born in Italy in 1934, **Ciro** migrated to Australia with nothing more than a suitcase at the age of 17 and quickly became an active member of our community. **Ciro's** legacy includes being the first mayor of Brimbank in 1998 after serving as mayor of Keilor and being a lifelong member of the Australian Labor Party, where he also served as branch president and a federal electorate assembly delegate and in many other positions. He has volunteered on many campaigns.

A justice of the peace for over 40 years, **Ciro's** community contributions extend beyond politics. He helped established St Albans North Primary School and the mighty Green Gully Soccer Club, the first club in the west, and of course has contributed throughout, including 36 years at the waterfront before retiring. He now enjoys retirement with his wife Dot, six children, 17 grandchildren and 22 great-grandchildren, who take pride in his remarkable legacy. Thank you, **Ciro**, for your service, commitment and dedication not only to our movement but of course to the west. Happy birthday, **Ciro**.

### Felicitations

**Natalie SULEYMAN** (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (11:33): On another matter, I would like to thank my electorate office, my ministerial staff and of course all parliamentary staff as well.

### City of Ballarat Municipal Brass Band

**Juliana ADDISON** (Wendouree) (11:33): Congratulations to the Ballarat city brass band on a successful year. Well done to president Troy Cheesman, the executive and the committee. It was great to attend their AGM and enjoy the very polished performance of some of my favourite hits, including *Funkytown*, *Birdland*, the James Bond theme and *Go West*. I was very impressed with the talent development band. Congratulations to Bronwyn Akers for the Ken Pattie most improved player award, Michelle Farrington for the band player of the year award and young player of the year Matthew Farrington for the Ron Farrington memorial award, named after his grandfather. I would also like to recognise Robert Pattie for 70 years of service to the Ballarat city brass band and other service awards recipients Joshua Schmidtke, Sarah Schmidtke, Aliyah Tapster, Henry van der Linden and Faith Van Gaans. I wish musical director Dennis Stevenson and the band all the best for the 2025 nationals. Let us bring it home for Ballarat.

### Felicitations

**Juliana ADDISON** (Wendouree) (11:34): This week marks just two years since the last state election and six years of being an MP, a job that I absolutely love. I am so proud to represent my community and never take for granted what a privilege it is to be the member for Wendouree. I will continue to work hard every day to make Ballarat an even better place to live and be the best representative I can. I could not do this job without my hardworking and dedicated electorate office staff Kat Petrucco, Christy Bell, Amelia Sevier and Hayley Murphy. Also, thank you to Michelle Kerr and Matthew Burns.

**Rising Moon Tai Chi School**

**Paul MERCURIO** (Hastings) (11:35): Last sitting week I had the absolute pleasure of inviting the Rising Moon Tai Chi School to Parliament. Owner and Sifu Jenny brought along about 20 of her students, who were all very excited about practising their Beijing 24 form in our very beautiful gardens.

**Woodleigh School**

**Paul MERCURIO** (Hastings) (11:35): On another matter, I was invited to Woodleigh School to listen to a presentation by Hugo, who has been working on his year 9 community project for the past year. It was a great in-depth presentation about all things trains on the Mornington Peninsula. Great job, Hugo.

**Somerville Rise Primary School**

**Paul MERCURIO** (Hastings) (11:35): On another matter, it was great to visit Somerville Rise Primary School to view their indigenous garden. I am very glad to say all the indigenous plants were supplied by the nursery at Willum Warrain in Hastings.

**McClelland Sculpture Park and Gallery**

**Paul MERCURIO** (Hastings) (11:36): On another matter, I would like to thank the Minister for Creative Industries for accepting my offer to come down to McClelland Gallery for two important meetings, the first with the executive director of the gallery Lisa Byrne to talk about their upcoming summer program. The second meeting was with members of the Dance Arts Alliance to talk about their efforts in becoming a peak body to represent schools and ballet schools around Victoria.

**Hastings electorate economic development**

**Paul MERCURIO** (Hastings) (11:36): On another matter, I would like to thank the Treasurer for coming down to my electorate to meet with local business leaders at Chief's Son Distillery in Somerville to discuss the future economic growth and development of our community.

**Felicitations**

**Paul MERCURIO** (Hastings) (11:36): Lastly, I would like to thank all of those people behind the scenes in this place that make sure the wheels keep turning and we can keep doing our jobs. I am forever grateful to you all.

**Felicitations**

**Colin BROOKS** (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (11:36): On this last sitting day I want to wish you, Acting Speaker Hamer, and all the other Acting Speakers, the Speaker and the Deputy Speaker, parliamentary staff, the clerks and all the people in departments across the Parliament – in particular my electorate officers – who assist us in the important work that we do as members of Parliament. I wish everyone a merry Christmas and a safe new year.

**Plenty Gorge**

**Colin BROOKS** (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (11:37): One of the things that makes living in the northern suburbs so fantastic is how close we are to areas of natural beauty such as the Plenty Gorge parklands. Plenty Gorge is already a wonderful place for a day out or to get some exercise, which I need, especially for residents in Mill Park and Bundoora. Thanks to investment by the Allan Labor government, locals will soon have even more to enjoy. Construction is progressing steadily on the first stage of a \$19.3 million project to extend the Plenty River Trail from Greensborough to Mernda, constructing 5 kilometres of new walking trails, installing new lookouts, new footbridges and new picnic areas. At the moment –  
(Time expired)

***Business of the house*****Notices of motion**

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (11:38): I advise that the government does not wish to proceed with notices of motion 1 to 6 today and ask that they be removed from the notice paper.

***Bills*****Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024***Statement of compatibility*

**Gabrielle WILLIAMS** (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (11:39): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024:

**Opening paragraphs**

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 Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024 (the **Bill**).

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

**Overview**

The purpose of the Bill is to acquit the Victorian Government's public commitment in the Housing Statement to:

- Introduce initiatives to address issues that drive up the cost of housing for renters, prospective property purchasers, and property owners in strata developments;
- Increase renter protections by providing more certainty over their leases, living standards and finances; and
- Strengthen the Victorian planning system by implementing Red Tape Commissioner recommendations and related reforms.

The Bill amends laws across the Consumer Affairs, Planning, and Attorney-General portfolios, including amendments to –

- the *Residential Tenancies Act 1997* (**RT Act**) to:
  - repeal provisions that provide for residential rental providers to give notices to vacate to renters at the end of first fixed term residential rental agreements;
  - prohibit residential rental providers and agents from accepting unsolicited offers of rent from prospective renters;
  - provide for further matters to be considered in reviews of rent increases;
  - extend notice periods in proposed rent increases and certain notices to vacate to 90 days;
  - prohibit the use of an application form to enter into a residential rental agreement that is not in the prescribed form;
  - provide additional protections around the disclosure, use and destruction of renters' personal information;
  - prohibit rental providers, their agents or third party rent-tech platforms from charging fees for prescribed matters in relation to applications to enter residential rental agreements and the payment of rent;
  - require premises advertised or offered to be let under residential rental agreements to comply with the rental minimum standards; and
  - require residential rental providers to ensure any smoke alarms installed on rented premises are correctly installed and in working condition; and
  - make miscellaneous and other consequential amendments.

- the *Estate Agents Act 1980 (EA Act)* to:
  - provide for the requirement for registration of agents' representatives;
  - provide for continuing professional development requirements for estate agents and agents' representatives; and
  - increase the penalties for certain offences in relation to conduct by estate agents and agents' representatives in the sale of residential property; and
- the *Owners Corporations Act 2006 (OC Act)* to:
  - provide for appointment, registration, and initial educational requirements for officers in effective control of corporations that are managers of owners corporations;
  - provide for initial education requirements for natural persons who are managers of owners corporations; and
  - provide for continuing professional development requirements for natural persons who are managers of owners corporations and registered officers in effective control; and
- the *Conveyancers Act 2006* to provide for continuing professional development requirements for licensed conveyancers;
- the *Sale of Land Act 1962* to increase the penalties for certain offences in relation to the sale of land;
- the *Planning and Environment Act 1987 (PE Act)* in relation to the planning scheme amendment process and permit application process, planning panels, proceedings before the Victorian Civil and Administrative Tribunal (VCAT) and compensation.
- the *Victorian Civil and Administrative Tribunal Act 1998 (VCAT Act)* in relation to:
  - proceedings under planning enactments; and
  - providing for dispute resolution by RDRV for certain applications under the RT Act.

### **Human Rights Issues**

The human rights protected by the Charter that are relevant to the Bill are:

- Recognition and equality before the law (section 8)
- Freedom of movement (section 12)
- Privacy and reputation (section 13)
- Freedom of expression (section 15)
- Property rights (section 20)
- Fair hearing (section 24)

### ***Recognition and equality before the law (section 8)***

Section 8 of the Charter provides that:

- Every person has the right to recognition as a person before the law.
- Every person has the right to enjoy their human rights without discrimination.
- Every person is equal before the law and is entitled to the equal protection of the law without discrimination and has the right to equal and effective protection against discrimination.
- Measures taken for the purpose of assisting or advancing persons or groups of persons disadvantaged because of discrimination do not constitute discrimination.

### **Estate Agents Act 1980**

The Bill promotes the right to recognition and equality before the law by removing gendered language in the EA Act. These amendments promote this right by clarifying that the provisions in these Acts are inclusive of all persons, including women and non-binary persons by replacing references to gendered pronouns with non-gendered terms such as 'the person', as is standard under such revisions. For these reasons I am of the view that the Bill promotes the right to recognition and equality before the law across the EA Act.

New section 37 of the EA Act (clause 70) may engage the right to equality and equal protection against discrimination by providing eligibility criteria for a person to be registered to be employed as an agent's representative. The specified eligibility requirements (new section 37(2)) cover a number of matters including that the applicant is at least 18 years of age, has passed any prescribed courses of instruction or examination, is not an insolvent under administration, and is not a represented person within the meaning section 3(1) of

the Guardianship and Administration Act 2019. To the extent that this provision limits the right, the limitation is reasonable and proportionate, as estate agents and their representatives provide professional services to people who are often making significant financial decisions or who are otherwise affected significantly by an agent's representative's actions, therefore it is reasonable for the public to rely on and expect that an agent's representative satisfies these eligibility criteria, as they are relevant to performing the role. For these reasons I am of the view that this provision is compatible with the Charter.

#### Owners Corporations Act 2006

Clause 91(2) may engage the right to equality and equal protection against discrimination by inserting a new eligibility requirement into section 179 of the OC Act, which provides that a natural person is not eligible to be registered (as a manager or officer in effective control) if the person has not completed any prescribed courses or examinations. To the extent that this provision limits the right, the limitation is reasonable and proportionate, as managers or officers in effective control provide a number of important functions in relation to the management and control of common property, repairs, and insurance, on behalf of and for the benefit of, owners of a property. It is reasonable for owners, prospective owners, and residents to rely on and expect that managers or officers in effective control undertake prescribed courses or examinations, as they are relevant to competently performing the role. For these reasons I am of the view that this provision is compatible with the Charter.

#### Planning and Environment Act 1987

New sections 158C to 158E of the PE Act (clause 509) permit two or more submissions to a panel to be treated as if they were one submission, if the panel is satisfied that the issues raised in the submissions are the same or substantially the same. The persons who made the submissions may nominate one submitter the lead submitter. Alternatively, the panel may designate one or more of the persons who made the submissions to be a lead submitter, having regard to the person's capacity to advance the matters raised by the submissions, and whether the nomination will facilitate the efficient and timely hearing of the matter. The panel will only be required to give an opportunity to be heard in relation to the submissions to the lead submitter. If no lead submitter can be nominated, the panel is not required to give an opportunity to be heard in relation to the submissions to any person, but may do so. In considering submissions, panels are also bound by the rules of natural justice as provided for in section 161 of the PE Act.

New sections 158F and 58G (clause 509) set out a process where a panel may consider submissions referred to it by a hearing, on the basis of documents, or both. The panel must give the Minister, the relevant planning authority and any person who has made a submission that is referred to the panel the opportunity to make a submission to the panel about the proposed decision. The Minister may also direct a panel to consider one or more of the submissions about an amendment referred to a panel or give a person a reasonable opportunity to be heard by conducting a hearing.

I consider that the process in relation to like submissions, and the requirement to afford natural justice, will be reasonable in the circumstances so as to not constitute discrimination (for example in relation to those with disability, or language or cultural barriers to communicating effectively in writing). I also consider that, by giving all persons who have made a submission that is referred to a panel a reasonable opportunity to object to the proposed written process and make submissions as to why they should be heard by a panel conducting a hearing, any subsequent decision to determine the matter using a written process will also be reasonable in the circumstances so as to not constitute discrimination. I consider the Bill to be compatible with the right to recognition and equality before the law in this regard.

#### ***Freedom of movement (section 12)***

Section 12 of the Charter provides that every person lawfully within Victoria has the right to move freely within Victoria, to enter and leave it, and has the freedom to choose where to live. This right is, however, not an absolute right under the Charter and may be subject to such reasonable limitations as are demonstrably justified in a free and democratic society, including the property rights of others.

#### Residential Tenancies Act 1997

The amendments to the RT Act in Part 2 of the Bill promote the right of renters to choose where to live. In particular, clauses 25 (repeal of sections 91ZZD and 91ZZDA which provide for 'no reason' notices to vacate), 19–24 (increasing notice periods of rental increases and notices to vacate from 60 days to 90 days), and 16 (inserting new section 65B advertising of premises for rent that do not comply with rental minimum standards at advertisement).

These amendments are part of the broader reforms to protect housing for renters by providing more certainty over their leases, living standards and finances, and promote the right of renters to choose where to live by:

- providing renters with more time to assess housing options and move when issued with a notice to vacate or rent increase (clauses 19–24);

- providing renters with more flexibility to choose whether they wish to continue a periodic tenancy after the end of an initial fixed term (clause 25); and
- providing confidence that rental advertisements may be relied on to comply with the rental minimum standards (clause 16).

For these reasons I am of the view that these amendments are compatible with and promote the right to choose where to live under section 12 of the Charter.

### ***Privacy and reputation (section 13)***

Section 13 of the Charter provides that a person has the right not to have their privacy, family, home or correspondence unlawfully and arbitrarily interfered with and the right not to have their reputation unlawfully attacked. An interference will be lawful if it is permitted by a law which is precise and appropriately circumscribed, and will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought.

### **Residential Tenancies Act**

#### ***Information gathering, protection and sharing***

New section 30BA of the RT Act (clause 6) engages the right to privacy by permitting a residential rental provider to request prescribed information from applicants. This information includes prescribed identity information, prescribed financial information, prescribed information relating to the applicant's employment, and any other matter prescribed.

New section 30BAA of the RT Act (clause 5) prohibits a rental provider or their agent from preparing or authorising the preparation of a rental application form that is not in the prescribed form. This reform will have the effect of requiring prospective renters to provide information required in the standard form application. Although there is no requirement that a person submit any of the information, if they do not provide this personal information, then their residential rental application will be incomplete, which may place the person at a disadvantage.

To the extent that this right is engaged by these reforms, there are existing protections in section 30B of the RT Act which provides that a residential rental provider or that person's agent must not use personal information disclosed by a person on an application form used to apply to enter into a residential rental agreement unless the use is for assessing the person's suitability as a renter or any other requirement of the RT Act. In addition to these protections, disclosure of this type of information is not arbitrary as it is necessary to promote a robust and fair process for assessing applications. Based on the information provided, the residential rental provider may enter into a legally binding rental agreement with the preferred applicant(s), and this information is required to provide legality and certainty to the agreement.

The Bill also provides further protection of renter's information in clause 46. New section 505CAB of the RT Act provides an offence for failure of a residential rental provider or their agent to take reasonable steps to protect renter's information from misuse or loss, and unauthorised access, modification, or disclosure.

New section 505CAD provides that a residential rental provider or the provider's agent must not disclose information unless written consent has been given by the renter, the disclosure is in accordance with an order of a court or tribunal or an Act of Parliament, necessary to prevent threat to life, public safety, or in compliance a number of other matters in relation to statutory functions of law enforcement agencies.

New section 505CAC provides that a residential rental provider or the provider's agent must destroy or permanently de-identify the renter's information within 3 years after the residential rental agreement terminates, or for an applicant for a residential rental agreement whose application is unsuccessful within 30 days (after an agreement is entered into for that property) or within 6 months days (after an agreement is entered into for that property, for the purposes of the applicant applying for other properties, with written consent of the applicant.)

Lastly, new section 505CAE provides that a residential rental provider or the provider's agent is not required to comply with sections 505CAB, 505CAC or 505CAD to the extent that the residential rental provider or the provider's agent has complied with, or has been exempted from compliance with, a corresponding obligation under Australian and Victorian privacy laws.

While these amendments protect and promote renters' rights to privacy, they also provide for exceptions enabling rental providers or their agents to retain, use and disclosure of information in specified circumstances that may impact renters' right to privacy under section 13 of the Charter. However, these exceptions are necessary and appropriate to ensure that the proposed information management framework aligns with existing Victorian and Australian privacy frameworks and responds appropriately to relevant risks (such as threats to life) on a case-by-case basis.

For these reasons, I consider that these new provisions in the RT Act are compatible with the right to privacy, and further promotes the right to privacy by protecting renter's personal information.

*Right of renters not to have their home unlawfully and arbitrarily interfered with*

The amendments to the RT Act in Part 2 of the Bill may promote the right of renters not to have their home unlawfully and arbitrarily interfered with under section 13(a) of the Charter. In *Director of Housing v Sudi* VCAT 328 (31 March 2010), the Victorian Civil and Administrative Tribunal found that evicting or seeking to evict a person from their housing may constitute an interference with their right to home.

Section 13(a) of the Charter requires that the interference be lawful, governed by 'clear and publicly accessible rules of law and procedures that are predictable and foreseeable, and not arbitrary in the sense of being reasonable, necessary and proportionate.

In particular, clauses 25 (repeal of sections 91ZZD and 91ZZDA which provide for 'no reason' notices to vacate) may promote this right by removing the ability of rental providers to issue notices to vacate arbitrarily or with no specific reason at the end of fixed term leases.

To the extent that this right is engaged by the Bill, for these reasons, I am of the view that these amendments are compatible with and promote the right of renters not to have their home unlawfully and arbitrarily interfered with under section 13(a) of the Charter.

Estate Agents Act 1980

New section 33(3A) of the EA Act (Clause 68) may engage the right to privacy as it provides that the public register of estate agents and agents' representatives must contain details in relation to each registered agent's representative. These matters include a number of personal details including the person's name and registered address, the name and address of the estate agent who employs the registered agent's representative, and any Tribunal or court orders concerning the registered agent's representative of which the Registrar has notice. Section 33 of the EA Act currently provides for the register to exist and be open for public inspection. Section 33(3) of the EA Act also currently provides that the register must contain these types of personal information in relation to licensed estate agents or estate agency businesses, including agent's representatives. New section 33(3A) has the effect of capturing these types of personal information in relation to registered agents' representatives, and does not further engage or limit the right to privacy.

New Part IIIA of the EA Act (Clause 70) may engage the right to privacy as it provides that an application of to be registered or to be employed as an agents' representative must include personal information, such as name and address, of the applicant, and the licenced estate agent who employs the applicant. Although there is no requirement that a person submit an application, it is a condition of registration, used for the purposes of assessing the application and for inclusion on the register. To the extent that this provision limits the right to privacy, it is reasonable and proportionate as a means to assess a person's suitability to be a registered agent's representative and to permit the public to access information about registered agents' representatives, and is in accordance with the law.

For these reasons, I consider that these provisions are compatible with the right to privacy.

Victorian Civil and Administrative Tribunal Act 1998

*Rental Dispute Resolution Victoria proceedings*

New section 38AA(2) of the VCAT Act (clause 1303) authorises VCAT to disclose information and data to the Director of Consumer Affairs Victoria (DCAV). Section 109 of the Australian Consumer Law and Fair Trading Act 2012 establishes a range of functions for the DCAV in relation to Victorian Consumer Acts, including the RT Act. These functions include regulatory monitoring, compliance and enforcement functions in relation to the residential tenancies industry. The DCAV requires access to certain information about the resolution of residential tenancies disputes through RDRV in order to exercise their monitoring, compliance and enforcement functions for the residential tenancies industry.

To the extent that the information disclosed by VCAT includes personal information, the Bill engages the right to privacy. However, the disclosure of personal and identifying information is not arbitrary as new section 38AA(2) provides that data and information may only be disclosed in accordance with an information sharing arrangement established under section 133 of the *Australian Consumer Law and Fair Trading Act 2012*.

Section 133 of the *Australian Consumer Law and Fair Trading Act 2012* provides that the information to which the information sharing agreement may relate is limited to the following:

- information concerning investigations, law enforcement, assessment of complaints, licensing or disciplinary matters;

- probity assessments and reference checks concerning persons who provide, or propose to provide, goods or services to consumers;
- any other information affecting the interests of consumers; and
- any other information of a prescribed kind.

As the disclosure of information will be limited to circumstances provided for by an information sharing agreement in line with section 133, I am of the view that this provision is compatible with the Charter.

#### Planning and Environment Act 1987

As discussed above in relation to recognition and equality before the law, new section 158C to 158E of the PE Act (clause 509) permits two or more submissions to a panel to be treated as if they were one submission, if the panel is satisfied that the issues raised in the submissions are the same or substantially the same. If a lead submitter is nominated or designated, a limited amount of personal information such as the lead submitter's name and contact details may need to be provided to other submitters. However, I note that the disclosure would be made with their knowledge and consent.

The Bill also contains provisions that require a person to provide information, including by enabling a person to request that a municipal council prepare an amendment to a planning scheme in force in its municipal district (new Division 1AA in Part 3 of the PE Act (clause 308)). A municipal council must decide whether to refuse the request or to apply to the Minister for authorisation to prepare the planning scheme amendment. A copy of the request must be given to the Minister.

To the extent that the information collected under these or other provisions include personal information, the right to privacy will be engaged. However, the collection of information will be permitted by law and will be confined to information that is necessary for the fulfilment of various statutory functions (such as determining applications).

Accordingly, I consider that any interference with a person's privacy resulting from these provisions will be lawful and not arbitrary.

#### ***Freedom of expression (section 15)***

Section 15(1) of the Charter provides that every person has the right to hold an opinion without interference. Section 15(2) of the Charter provides that every person has the right to freedom of expression. This includes the freedom to seek, receive and impart information and ideas of all kinds; whether orally, in writing, in print or by way of art or other medium chosen by that person. The right to freedom of expression is generally considered to encompass the right not to impart information. Section 15(3) of the Charter provides that special duties and responsibilities are attached to the right to freedom of expression and that the right may be subject to lawful restrictions reasonably necessary to respect the rights of other persons and for the protection of national security, public order, public health or public morality.

#### Residential Tenancies Act

New section 30BAA of the RT Act (Clause 5) may interfere with the right to freedom of expression by prohibiting a residential rental provider or their agent from preparing or authorising the preparation of an application form used to apply to enter into a residential rental agreement that is not in the prescribed form. However, I consider that this provision is necessary to ensure that residential rental agreements are compliant with the RT Act, promote a clear understanding of parties' rights and responsibilities in relation to the agreement, alleviate administrative burden on renters applying for multiple rental properties, and to protect privacy rights by ensuring renters are not required to provide information that is neither appropriate nor necessary for the purposes of assessing a residential rental application.

New section 65B of the RT Act (Clause 16) may also interfere with the right to freedom of expression by prohibiting a residential rental provider or their agent from advertising or otherwise offering premises to let unless at the time the premises are advertised or otherwise offered to let, the residential rental provider or the provider's agent reasonably believes the premises comply with the rental minimum standards. I consider that this provision is necessary to protect members of the public and public morality under section 15(3) of the Charter to protect the public from misleading advertisements in relation to housing, and to protect the rights of renters to apply for and reside in rental properties that comply with the minimum legal standards of repair and functionality required under the RT Act.

Therefore, to the extent that the freedom of expression is engaged, these provisions fall within the exception in section 15(3) of the Charter, as reasonably necessary to respect the rights of other persons.

#### ***Property rights (section 20)***

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred

by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely.

While the Charter does not define 'property', case law indicate that the term should be interpreted 'liberally and beneficially to encompass economic interests'. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely. Existing authority also suggests that the laws that permit or require a deprivation of property should not operate arbitrarily. Accordingly, an assessment of compatibility will depend upon the extent to which a deprivation of property does not operate arbitrarily, and is sufficiently clear and certain to be considered 'in accordance with the law'.

#### Residential Tenancies Act

##### *Prohibition on accepting unsolicited offers for higher rents*

Clause 7 may engage property rights under the Charter by inserting a new offence into section 30F of the RT Act prohibiting a residential rental provider or the provider's agent from accepting an unsolicited or otherwise uninvited offer of an amount of rent that is higher than the advertised amount of rent for the rented premises. This expands upon section 30F(3) of the RT Act which prohibits a residential rental provider or that person's agent from soliciting or otherwise inviting an offer of an amount of rent that is higher than the advertised amount.

This reform may inhibit the owner's ability to receive a higher price for the tenancy of their property. However, this engagement does not amount to a deprivation of property, as it does not limit the price that the owner may choose to advertise the rental property for, nor does it affect any accrued rights of the owner.

For these reasons I am of the view that the provision does not limit the property rights of the owner.

##### *Repeal of 'no reason' notice to vacate*

Clause 25 engages the property rights under the Charter by repealing sections 91ZZD and 91ZZDA of the RT Act. Sections 91ZZD and 91ZZDA provide for a residential rental provider under a fixed term residential rental agreement to give the renter a notice to vacate the rented premises at the end of the initial fixed term. The relevant term in relation to section 91ZZD is a fixed term of not more than 5 years, and section 91ZZDA a fixed term of more than 5 years.

While this reform may engage property rights, the RT Act contains a range of provisions permitting a residential rental provider to issue a notice to vacate for specified reasons, such as the premises being sold (section 91ZZB), premises to be occupied by residential rental provider or provider's family (section 91ZZA), and premises to be used for business (section 91ZZ). These existing provisions protect the residential rental provider's property rights, in the sense of being able to control their property, and remain unaffected by reforms proposed in the Bill.

Further, by removing the option for a residential rental provider under a fixed term residential rental agreement to give the renter a notice to vacate the rented premises at the end of the initial fixed term, renters' property rights (in relation to their rental agreement becoming a periodic residential rental agreement under section 91Q of the RT Act) and the right to protection against unlawful and arbitrary interference with their home are promoted. The amendments are part of a broader framework for securing housing for Victorian renters, including by promoting the property rights of renters under a residential rental agreement. As such, any deprivation of property as a result of clause 25 will not be arbitrary or unreasonable and in accordance with the law.

For these reasons I am of the view that clause 25 is consistent with property rights.

#### Estate Agents Act 1980

Clause 82 may engage property rights of an estate agent or agent's representative who is found to have committed an offence against sections 47AE(1), 47AF, (2D), (2E), (2F) or (2G) of the EA Act, by amending section 94A of that Act to include these provisions. Section 94A provides that the Court may order the person (found to have committed the offence) to pay to the Victorian Property Fund any commission in relation to that offence. Clause 82 does not create any new offences, and any forfeiture of commission received is effectively a fine in the amount of the commission and not a confiscation of property. Even if it were considered to be a deprivation of property, in my view it is lawful and not arbitrary, as the commission was calculated and invoiced as a result of an estate agent or agent's representative having committed an offence, and the language in the Bill is clear as to which offences it relates.

#### Planning and Environment Act 1987

New sections 99A and 104B to 104C (clauses 701 and 702) amend the PE Act to provide that if a person is liable to pay interest on compensation under Part 4 of that Act, the Governor in Council may, by order published in the Government Gazette, determine the rate of interest to be paid in respect of unpaid

compensation. The Minister may only recommend that such an Order be made after consulting the Attorney-General, the Treasurer, and the Minister administering the *Major Transport Projects Facilitation Act 2009*. In addition, the Minister may only recommend a rate that the Minister considers is both compensatory in nature, and is commensurate with a fair market rate that reflects the opportunity cost of money.

This does not amount to a deprivation of property, as it does not affect any accrued rights of the owner and requires any interest rate that is determined to be compensatory in nature. I am therefore of the view that the provision does not limit the property rights of the owner.

#### ***Fair hearing (section 24)***

Section 24(1) of the Charter provides that a person who is a party to a civil proceeding has the right to have the proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The term 'civil proceeding' in section 24(1) has been interpreted as encompassing proceedings that are determinative of private rights and interests in a broad sense, including some administrative proceedings.

#### **Planning and Environment Act 1987**

##### *Enhanced case management powers*

New Division 3A of Part 4 of the PE Act (clause 604) enables VCAT to actively manage a proceeding under that Act where desirable in the interests of the just, timely and efficient determination of the proceeding. This includes powers to impose time limits on the making of submissions or examination of a witness, to prohibit or limit the cross examination of a witness, and to impose reasonable limits, restrictions or conditions in respect of the conduct of the proceeding or the conduct of a party, if all the parties to the proceeding agree. VCAT may also conduct all or part of the proceeding entirely on the basis of documents, without agreement of the parties, where desirable for the efficient determination of the proceeding.

New Division 3A also gives VCAT the power, in a proceeding under the PE Act, to confine the proceeding to particular matters in dispute, or summarily strike out or dismiss all or any part of the proceeding that lacks substantive or objective merit and has no real prospect of success. Notably, VCAT may only exercise this power when constituted by a presidential member or a member who is an Australian lawyer.

New subsection 23(6) of the PE Act (clause 501) provides that a submission in relation to a planning scheme amendment must not be referred to a panel by a planning authority if the submission is frivolous, vexatious or wholly irrelevant to the amendment under consideration.

As discussed above, new sections 158F and 58G (clause 509) set out a process where a panel may consider submissions referred to it by a hearing, on the basis of documents, or both.

New sections 159A and 162A (clauses 511 and 513 respectively) also enable panels to give directions about conferences of experts and joint experts reports.

Regulating the making of submissions and cross-examination of witnesses for the just, timely and efficient determination of a proceeding and with the consent of all parties will not, in my view, limit the right to a fair hearing under the Charter. Similar powers to actively manage proceedings exist in the Civil Procedure Act 2010. While conducting a proceeding on the basis of documents has the potential to limit the right, it is well recognised at common law that a hearing based on written submissions can be fair, provided that parties can fully present their case and respond to adverse material. Further, the identification and dismissal of unmeritorious claims that have no real prospect of success is not at odds with the right to a fair hearing, particularly as these powers will be construed consistently with procedural fairness and relevant Charter rights, including the right to equality and non discrimination. Accordingly, I consider that these powers will be compatible with the right to a fair hearing.

##### *Treatment of like submissions and objections*

As discussed above, new sections 158C to 158E of the PE Act (clause 509) permits two or more submissions to a panel to be treated as if they were one submission, if the panel is satisfied that the issues raised in the submissions are the same or substantially the same. Similarly, new section 83AA of the PE Act (clause 601), provides that where two or more objectors who seek to contest a proceeding and lodge objections relying on similar grounds or raising similar issues, VCAT may treat one or more of the objectors as representatives, with their consent.

While these provisions may deprive a particular individual of an opportunity to be heard, they will not unreasonably limit the right to a fair hearing. Each submission or objection must still be considered by the relevant body, and will only be affected by these provisions where it raises substantially the same issues as another submission or objection. In those cases, the issues will be heard by the relevant body through the group representative. It is anticipated that this process will allow greater time for substantive issues to be presented and interrogated by the panel or authority, compared with the current panel process in which a large

number of submitters with the same submission will each only have a short period of time to present. For these reasons, I consider that these provisions are compatible with the right to a fair hearing under the Charter.

*Expedited consideration of planning scheme and permit applications*

New section 23A of the PE Act (clause 310) disapplies sections 23 to 27 of that Act in relation to amendments that are in a class prescribed to be a low-impact amendment, or which then Minister has determined is a low-impact amendment pursuant to the new section 16N (clause 308). The provisions support a pathway for less complex amendments to be considered. The Minister must not determine that an amendment to a planning scheme is a low-impact amendment under this section if the planning authority has agreed under section 96A(2) of the PE Act to consider an application for a permit concurrently with the preparation of the amendment.

I consider these amendments to be consistent with the right to a fair hearing. As noted, the provisions apply only to less complex amendments and do not apply if a person who requests a planning authority to prepare an amendment to a planning scheme also applies to the planning authority for a permit for any purpose for which the planning scheme as amended by the proposed amendment would require a permit to be obtained, and the authority may agree to consider the application for the permit concurrently with the preparation of the proposed amendment.

I also note that clause 409 of the Bill amends section 97E(1) of the PE Act to provide that the Minister for Planning may refer any objections or submissions received in respect of a permit application referred to the Minister under section 97B or 97C of that Act, including any late objections or submissions, to a panel appointed under Part 8 of the PE Act. Section 97B provides that the Minister may direct the responsible authority to refer a permit application to the Minister in certain circumstances. Section 97C provides that the responsible planning authority may request the Minister to decide the application.

The amendments will enable the Minister to more efficiently intervene in permit applications that are experiencing unreasonable delays in circumstances where the Minister is satisfied that there is no need to obtain further independent review and advice from a planning panel to assist the Minister, who remains required to give regard to objections or submissions received in respect of a permit application referred to the Minister. Clause 409 also makes consequential amendments to section 97E(5) to omit paragraphs (a) and (b) of the PE Act. Paragraph (c) is retained.

In my view, the provisions strike a reasonable balance between the rights of applicants and of submitters and are the least restrictive means of achieving the intent to ensure that decisions are not unduly delayed. For that reason, I consider that these provisions will be compatible with Charter rights.

Victorian Civil and Administrative Tribunal Act 1998

Clause 603 inserts new clauses 56A and 56B in Schedule 1 to the VCAT Act. New clause 56B states that if, in a proceeding for review of a decision under a planning enactment, VCAT affirms or varies the decision, it is sufficient for the purposes of section 117 of the VCAT Act for VCAT to give a summary of the key basis for that decision. Access to reasons for a decision is relevant to the right to a fair hearing insofar as a statement of reasons enables those affected by a decision to know the basis on which the decision was made and to facilitate an effective right of appeal. However, I consider that the provision of reasons in summary form does not limit a person's right to a fair hearing. The option to provide reasons in this manner will only be available to VCAT when affirming the decision under review or making variations to it, and any reasons must still set out the key basis for VCAT's decision. Accordingly, an appeal court would be able to follow the conclusions of fact and law which form the basis for the decision. Further, reducing the level of detail required in reasons for certain decisions may promote the right to a fair hearing more broadly, by reducing delays and enabling matters to be heard more expeditiously.

The Bill provides for the effective and prompt resolution of disputes between renters and residential rental providers through RDRV proceedings under the VCAT Act.

*Rental Dispute Resolution Victoria*

Fair hearing (section 24) Section 24(1) of the Charter provides that a party to a civil proceeding has the right to have the proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

*Delegation by VCAT or principal registrar*

Clause 1302 inserts new section 32AB into the VCAT Act. New section 32AB(1)(a) provides that the principal registrar is authorised to assess applications under the RT Act for suitability or eligibility to be dealt with as a RDRV proceeding. The requirement that a proceeding must be considered 'suitable' in order to be in scope for RDRV ensures that a just decision can be reached through the most appropriate resolution method for each proceeding. The requirement to assess applications for their suitability and eligibility also allows

potential limitations to the effectiveness of ADR, such as power imbalances between parties, to be managed effectively, and the parties to be triaged to the right type of proceeding.

New section 32AB(2) provides that the principal registrar may delegate any function the principal registrar has in relation to ADR in RDRV proceedings to member of staff to perform. This includes the functions of assessing applications and conducting RDRV proceedings. The principal registrar may only delegate a function to a member of staff if the member is appropriately qualified to perform the function. New section 32AB(4) provides that ‘appropriately qualified’ has the same meaning as in section 32A(4) of the VCAT Act.

The definition includes having the qualifications, experience or standing appropriate to perform the relevant function. The requirement that ADR proceedings be conducted by a person who is appropriately qualified to do so upholds the right for parties to a civil proceeding to have the proceeding decided by a competent Tribunal.

Clause 1305 inserts new section 93D into the VCAT Act. New section 93D(1) provides that if the Tribunal or the principal registrar considers that an application under the RT Act is suitable to be dealt with at RDRV or as an RDRV proceeding, the Tribunal or principal registrar may refer the application to be dealt with as a RDRV proceeding. New section 93D(2) provides that a referral to RDRV may be made with or without the consent of the parties. The participation of parties in RDRV proceedings does not limit their right to a fair hearing if the matter is not resolved. If parties are unable to successfully reach an agreement at RDRV, the option to have the dispute heard as proceeding at VCAT, and have the matter heard and decided by a competent tribunal, remains available. New section 93H of the VCAT Act provides that evidence of anything said or done in the course of an RDRV proceeding is not admissible in any subsequent hearing before the Tribunal in the proceeding to which the application under the RT Act relates, unless all parties agree to the giving of the evidence. This provision ensures that if the matter is not resolved in an RDRV proceeding, the participation of parties in the RDRV proceeding does not limit procedural fairness if the matter progresses to a Tribunal hearing.

I consider that the Bill is compatible with the Charter because it does not limit any rights under the Charter, and to the extent that there is limitation, it is reasonable and justified.

**Gabrielle Williams MP**

Minister for Consumer Affairs

### *Second reading*

**Gabrielle WILLIAMS** (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (11:39): I move:

That this bill be now read a second time.

### **Increased protections for renters over their leases, living standards and finances**

That is what this bill is about.

The Victorian government is committed to making renting fairer.

We know that, for some, renting is a transition to property ownership. For a growing number of Victorians it is a long-term housing option.

A third of Victorians rent – more than ever before. And we expect that number to climb.

This highlights why it is so important to increase protections for renters, providing them with greater certainty over their rental agreements, living standards and finances.

On 20 September 2023 the government released the housing statement, outlining a 10-year plan to improve housing supply and affordability for Victorians. The bill before us today is another important step in delivering on the housing statement commitments by introducing a range of reforms that will increase protections for renters rights and ease their cost-of-living pressures.

The bill contains a number of reforms, all as equally important as each other in terms of delivering a fair and safe rental marketplace. These reforms build on our 2018 amendments. And, together, they represent the biggest advancement in rental rights this state has ever seen. It is the culmination of hard work, consultation and advocacy.

And it's advocacy I'd particularly like to highlight here today, before I get into further detail about the bill.

In 2022, Ballarat man Simon Scarff tragically lost his life to the effects of fire. Simon was a loved brother, son, nephew and friend. Simon's rental property did not have a smoke alarm installed. Simon called 000 but was unable to communicate to the operator what he needed. Had there been the beeping of a fire alarm in the background, the dispatcher would have known to send a fire truck.

We know smoke alarms save lives.

Simon's death was subject to a coronial investigation, which made the recommendation – one recommendation – to mandate smoke alarm safety checks annually. I'm aware that this recommendation was in no small part the result of tireless advocacy from Therese and Jo Scarff, who are in the gallery here with us today.

This government introduced new rental laws which came into effect in 2021. Those laws mandate safety checks on smoke alarms in rental properties, fortifying laws that have long been in place that require smoke alarms to be installed in all residential buildings.

In order to give enough time to the industry to comply with the new requirements, when first introduced, smoke alarm safety checks only applied to rental agreements entered into from 29 March 2021 onwards.

This bill now extends smoke alarm safety requirements to all rental properties to provide equal protections to all renters regardless of when they commenced occupation of their rented premises. This will include some 240,000 properties previously excluded from the requirement.

Therese and Jo Scarff have worked tirelessly and hard to advocate for the expansion of the smoke alarm safety check requirement. About a year ago, following an invitation from the very hardworking and passionate member for Wendouree, I sat down with the Scarff family, with Therese and Jo, in Ballarat and heard their story. I was new to the portfolio and still finding my feet, and that meeting will stay with me for life.

We all cried.

Therese and Jo were thoughtful, knowledgeable, and dignified in their advocacy. And they are heartbroken. They turned that heartbreak into action.

Again I will say smoke alarms save lives.

I want to thank each and every member of the Scarff family – of course Jo and Therese but also Simon's mum Joan – for their persistent advocacy for 2½ long years to ensure that rules are in place that are designed to protect every renter's safety.

To Jo and Therese: whenever you see a 'For lease' sign in Victoria, you can know that renters in that dwelling will be safer because of what you have achieved.

You have ensured that Simon's death was not simply a preventable tragedy.

You have ensured that Simon's legacy is the increased safety of every renter in this state. Well done, and thank you.

The bill will also introduce a number of other important changes.

Significant rent increases have become a rising issue in the marketplace. In some instances, they can effectively serve as an eviction notice for a tenant who cannot afford to pay. With a tight rental market, they might leave others needing to stretch themselves well beyond their capacity.

To address cost-of-living pressures the bill makes amendments to enhance the rent increase review framework to ensure strong rigour and fairness around rent increases. It will do this by including a

power for additional matters to be prescribed that must be considered by the director of Consumer Affairs Victoria and the Victorian Civil and Administrative Tribunal (VCAT) in a rent review.

The bill will also introduce targeted reforms to provide certainty over leases by extending the notice period from 60 to 90 days for rent increases and for notices to vacate for private rentals, rooming houses, caravan parks and residential parks.

It will also require that a residential rental property complies with rental minimum standards at the time it is advertised or offered to let. This will improve the ability of the regulator to enforce the important minimum standards that this government introduced in 2018 and will further entrench these standards as the minimum that Victorians expect of their housing.

Further, anecdotal evidence from advocacy groups and renters indicates strong concerns around the use, collection and disclosure of renters' personal information provided for the purposes of assessing a rental application.

To address this, the bill will standardise rental application forms to prevent requests for unnecessary information and personal data that is often collected by real estate agents and rent tech apps when renters apply for a home.

The bill also increases protections for renters' personal information, requiring the holder of renters' information to take reasonable steps to protect it and requiring the destruction and de-identification of renters' personal information.

The bill will introduce penalties for failing to comply with these requirements.

Renters should not be slugged by fees just to apply for a property or to simply pay their rent. That's why this bill will also allow the government to prohibit businesses from charging fees in relation to making an application for a rental property or paying rent.

The bill will also introduce amendments to completely remove no-cause eviction notices, providing security of tenure to renters in their homes. The reasons for evicting someone remain unchanged, whether it's because you're moving into your property or because a renter has caused serious damage. But you must have a reason, and it must be valid.

In 2018 we introduced a ban on property owners or their agents soliciting rental bids for properties. However, we know rental bidding still occurs and can drive up the cost of rents and the cost of living for Victorians.

We are striving to make renting fairer, to make applying for a rental property a level playing field. That's why the bill will introduce amendments to ban a rental provider or their agent from accepting an unsolicited rental bid or accepting more than a month's rent in advance.

### **Mandatory licensing and training to improve property industry professionals' competence and tougher penalties to deter poor conduct**

The Victorian government recognises that poor conduct by property industry professionals can cause financial, health and social harms to consumers. Renters are particularly vulnerable to poor conduct. That is why the government committed in the housing statement to introduce mandatory training and licensing for property industry professionals to raise competence and standards in the industry and improve outcomes for Victorian renters and consumers.

Not all professionals currently working in the property industry need a licence or registration. That means that consumers may lack assurance that the professionals they engage with are suitably qualified. Existing education requirements are also not as comprehensive as they could be. No property professionals are currently required to undertake continuing professional development to maintain their skills and knowledge, while those working in the owners corporation management sector are not currently required to meet any mandatory education requirements.

The bill amends the Estate Agents Act 1980 to require agents' representatives to be registered. Agents' representatives assist estate agents with their functions and typically work as property managers or sales consultants. Agents' representatives are the professionals that renters are likely to engage with the most. Currently, a licensed estate agent employer is responsible for assessing a person's eligibility to work as an agents' representative. Under the registration scheme to be established by this bill, persons wishing to be employed as agents' representatives will be personally required to demonstrate to the Business Licensing Authority that they meet eligibility requirements before being registered.

Existing eligibility requirements for agents' representatives will continue to apply, including the requirement to complete a certificate IV qualification in real estate practice.

Similarly, the bill amends the Owners Corporations Act 2006 to extend registration requirements for owners corporation managers to a natural person in effective control of an owners corporations management business. As the majority of registered owners corporation managers are currently corporations rather than natural persons, this reform will enable education requirements to be applied to a natural person in control of each owners corporation management business.

Officers in effective control will need to complete initial education to register. As Victoria increases its housing density, quality owners corporation management is becoming increasingly important to more Victorians. This reform will ensure that owners corporation managers are suitably skilled to perform their work, meet their statutory obligations, and do the right thing by their clients.

The bill will also introduce mandatory continuing professional development for estate agents, agents' representatives, and conveyancers. Owners corporation managers who are sole traders or an officer in effective control of an owners corporation management business will also be required to complete continuing professional development.

Mandatory continuing professional development will ensure property industry professionals maintain their skills and knowledge, improving outcomes for consumers while also boosting productivity for their employers.

Initial education and continuing professional development requirements will be prescribed in regulations authorised to be made by this bill.

The bill also introduces tougher penalties for estate agents and sellers who break the law. We know that Victorians are concerned that existing penalties are insufficient to deter poor conduct by estate agents and sellers when selling property. Tougher penalties will further deter agents and sellers from making misrepresentations to consumers in a pressured housing market.

Estate agents who misrepresent the estimated selling price of a property, or who fail to revise or substantiate an estimated selling price that is no longer reasonable, will face a maximum penalty of 240 penalty units. This is increased from 200 penalty units.

Property sellers who make misrepresentations in selling property will face a maximum financial penalty of 240 penalty units. The bill also extends the existing discretionary powers of courts to confiscate estate agents' commissions to cover the full range of underquoting offences.

We know that underquoting continues to frustrate Victorians looking to buy a home. The extension of these powers will supplement the efforts of Consumer Affairs Victoria's underquoting taskforce, which continues to monitor and enforce compliance with underquoting restrictions across Victoria.

### **Strengthen the Victorian planning system by implementing red tape commissioner recommendations and related reforms**

The red tape commissioner undertook a review of the planning system and produced a report, *Turning Best Practice into Common Practice: Planning and Building Approvals Process Review Report to Government*, that was subsequently published. As part of our housing statement, the Victorian government committed to improving and strengthening the planning system by implementing the red

tape commissioner's recommendations through key changes to the Planning and Environment Act 1987.

Planning scheme amendments are a critical part of the planning system as they establish the rules and policy for development and land use proposals. The bill will introduce changes to the planning scheme amendment process to improve transparency and efficiency of the system.

A new low-impact amendment pathway for less complex amendments and amendments that are expected to have relatively limited impacts will be introduced. Such amendments will still be subject to public consultation, but unresolved submissions will not be required to be referred to a planning panel for consideration. Submissions will instead be considered by the planning authority and the outcomes reported to the minister. Amendments suitable for this pathway will be determined by the minister and the bill includes an ability for regulations to be used to prescribe types of amendments that can be considered under this pathway.

The bill will formalise the process for how proponent-led amendments are considered, with a requirement for the council to advise the person and the Minister for Planning of the council's decision on the request. This will remove ambiguity and ensure a more transparent process.

The bill also provides the ability for the minister to decide to proceed with amendments or parts of amendments that have been abandoned by a planning authority.

Improvements will also be made to support a more efficient and timely planning permit application process.

Currently, permit applications can be made without including all the information required to be able to assess the application. The bill provides an authority for responsible authorities to undertake an initial review of applications and seek any additional information required by the PE act at the start of the process. If the information is not provided, the responsible authority can reject the application.

The bill also includes an ability for the minister to issue guidelines that a responsible authority must have regard to when determining who to give notice to on the basis of material detriment. This is an area where there is currently a high degree of uncertainty, leading to practices that increase costs and delays.

The current default planning permit expiry timeframes in the PE act are considered too short and may not be appropriate for larger, more complex developments. While there is an ability for permit-holders to apply for extensions of time for their permit, the requirement to undertake this administrative process creates uncertainty, and results in additional cost burdens for permit-holders and responsible authorities. The bill will extend the default planning permit expiry times for the use and development of land. Responsible authorities will continue to be able to set different timeframes to the default.

The bill will make it discretionary instead of mandatory to refer a permit application to a planning panel when permit applications are called in from responsible authorities. Allowing flexibility in determining if a matter should go to a panel for advice will enable the fast-tracking of proposals, whilst ensuring that certain matters can still be referred to a panel by the minister where appropriate.

The bill also establishes a new power to grant exemptions from the metropolitan planning levy in prescribed circumstances and in instances where payment of the levy would, in effect, result in the levy being charged twice for the same development.

Amendments to planning panels seek to improve the efficiency of panel considerations whilst protecting their role.

Planning authorities will no longer be required to refer submissions to a panel which are considered to be frivolous, vexatious or wholly irrelevant to the amendment.

Panels will also be provided with an ability to consider matters on the basis of documents if the panel is satisfied that it will not need to consider a major issue of policy.

To reduce the time taken in public hearings to hear debates between technical experts, the bill will give panels the power to direct expert witnesses engaged in proceedings to hold a conference of experts or to prepare a joint experts report and determine the subset of issues where there are differences of opinion.

The bill also introduces an ability for a panel to treat two or more submissions that are the same or substantially the same as if they were one submission. The panel will have the ability to designate one or more submitters to become the lead submitter, with the consent of the persons proposed.

Furthermore, the bill will introduce improvements for planning matters considered at VCAT.

The tribunal will be given the ability to treat two or more objectors as a group if the statements rely on similar grounds or raise similar issues.

Additional improvements will be achieved through amendments that provide the tribunal with a capacity to conduct hearings on the basis of documents, impose limits on submissions and examination of witnesses and give directions on the proceeding of a hearing.

VCAT will also be given the ability to confine proceedings to particular matters in dispute, or to summarily dismiss all or any part of a proceeding that lacks substantive or objective merit and has no real prospect of success.

These changes will address inefficiencies in the case management practices and proceedings of the planning and environment division, seek to reduce hearing times and potential delays, and improve timely access to VCAT.

The bill will make changes to how compensation claims are considered under part 5 of the Planning and Environment Act 1987.

It will introduce new information requirements for claims lodged, including a requirement for claims to be made using a prescribed form and to include any supporting evidence as specified by the minister in an order published in the *Government Gazette*.

The bill also provides a capacity for the Governor in Council, on the recommendation of the minister, to set a rate of interest that would be paid to the claimant on compensation claims that are in dispute and need to be determined by VCAT or the Supreme Court. Any interest rate prescribed is required to be compensatory in nature and commensurate with a fair market rate.

### **Proposed amendments will support the establishment of Rental Dispute Resolution Victoria to resolve simple residential tenancy disputes**

Rental Dispute Resolution Victoria will be a one-stop shop for renters, rental providers and estate agents to resolve simple residential tenancy disputes. It will be focused on early resolution of rental disputes through the provision of alternative or appropriate dispute resolution – or ADR, as it is better known.

Rental Dispute Resolution Victoria will work via telephone, online and in person to provide information, facilitated discussions and mediation. All of this is aimed to help people reach a preferred outcome at the earliest possible point.

The ADR component of Rental Dispute Resolution Victoria will be delivered by a dedicated team at VCAT. Applicants will be quickly triaged into dispute resolution services where appropriate, instead of directly to a hearing.

The bill will amend the Victorian Civil and Administrative Tribunal Act 1998 to clarify that VCAT can provide a broad range of ADR to parties, clarify the VCAT principal registrar's powers in relation

to the delivery of ADR at VCAT, clarify that ADR is considered a ‘proceeding’ within the meaning of the VCAT act and clarify that VCAT can provide information to the director of Consumer Affairs Victoria. These amendments will ensure that Rental Dispute Resolution Victoria will commence its work by June 2025 and enable orders made at Rental Dispute Resolution Victoria to be binding and enforceable.

I commend the bill to the house.

**James NEWBURY** (Brighton) (11:59): I move:

That debate be adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 12 December.**

### **Retirement Villages Amendment Bill 2024**

#### *Statement of compatibility*

**Gabrielle WILLIAMS** (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (12:01): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Retirement Villages Amendment Bill 2024:

#### **Opening paragraphs**

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 Retirement Villages Amendment Bill 2024 (the Bill).

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

#### **Overview**

The Bill amends the **Retirement Villages Act 1986** (the Act) to –

- improve the regulation of retirement villages,
- further provide for the needs of the aging and diverse residents of retirement villages,
- further provide for consumer protection and additional mechanisms to support the interests of residents of retirement villages,
- provide for regulation that anticipates future growth and innovation in the retirement villages sector,
- provide further protection of the rights, interests and needs of current, and future residents of retirement villages and residents that are leaving retirement villages,
- providing processes for resolving disputes between residents, operators and proprietors of retirement villages, and
- make minor related amendments to that Act and other Acts.

#### **Human Rights Issues**

The human rights protected by the Charter that are relevant to the Bill are:

- Freedom of movement (section 12)
- Privacy and reputation (section 13)
- Freedom of expression (section 15)
- Protection of families and children (section 17)
- Property rights (section 20)
- Fair hearing (section 24)
- Rights in criminal proceedings (section 25)

***Freedom of movement (section 12)***

Section 12 of the Charter provides that every person lawfully within Victoria has the right to move freely within Victoria, to enter and leave it, and has the freedom to choose where to live. This right is, however, not an absolute right under the Charter and may be subject to such reasonable limitations as are demonstrably justified in a free and democratic society, including the property rights of others.

Clause 18 of the Bill engages the freedom of residents to choose where to live by providing a new framework for the termination of residence contracts in circumstances of a significant breach of contract (new section 16D) or for health and safety reasons (new section 16F). Termination of a residence contract will result in the eviction of a resident from their place of residence, removing their ability to choose to continue to live in the retirement village.

The framework introduced by clause 18 clarifies the existing framework that governs the termination of residence contracts that is necessary for the proper operation of the Act. The new framework seeks to balance the competing objectives of respecting an individual resident's right to choose where to live, and the broader protection of providers, contractors and neighbours, as well as the resident themselves by:

- Clarifying what a 'substantial breach' of a residence contract that engages the termination of contract process,
- Provides for an extension of time for residents to remedy an alleged breach of contract,
- Introducing clear criteria for when termination of contract for health and safety reasons may be required, including where there is a 'substantial risk' to the health and safety of any person,
- Requiring an operator to seek VCAT approval to terminate a contract on health and safety grounds, and
- Introducing a 'reasonable and proportionate' test before a residence contract can be terminated for any reason, with regard to the retirement village principles, the effect on the resident and whether alternative course of action is reasonably available.

For these reasons, I am of the opinion that these provisions are compatible with the right in section 12 of the Charter.

***Privacy and reputation (section 13)***

Section 13 of the Charter provides that a person has the right not to have their privacy, or home unlawfully and arbitrarily interfered with. An interference will be lawful if it is permitted by a law which is precise and appropriately circumscribed, and will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought.

***Application of the Director of Consumer Affairs Victoria's powers***

Clause 58(1) inserts new subsection 40(1AA) into the Act to provide that Part 6.2 of the *Australian Consumer Law and Fair Trading Act 2012* (the ACLFT Act) applies to the Act. Part 6.2 of the ACLFT Act sets out a range of powers for the Director of Consumer Affairs Victoria (Director CAV), including:

- receiving complaints about the supply of goods and services,
- institute proceedings in relation to a dispute about the supply of goods and services,
- issuing show causes notices, and
- require the provision of information or documents to assist in investigating a contravention of the ACLFT Act, or in monitoring compliance with its provisions.

Specifically, under section 126 of the ACLFT Act, the Director CAV may compel a person, whom the Director believes is capable of assisting in the investigation of a contravention of the ACLFT Act, to provide information, documents, or give evidence on oath or affirmation. It is an offence for a person to refuse or fail to comply with a request under section 126, punishable by a fine of up to 60 penalty units.

To the extent that this clause 58(1) engages the right to privacy but requiring the disclosure of information of a private nature under section 126 of the ACLFT Act, I consider that any interference with the right to privacy and reputation resulting from section 40(1AA) provisions will be neither unlawful nor arbitrary. The Bill engages powers the scope of which are clearly defined and exercisable in circumstances set out in the ACLFT Act. Access to material evidencing non-compliance with or breach of the Act allows the Director CAV and inspectors to effectively and efficiently exercise their regulatory functions in relation to the retirement villages sector. Section 126 is circumscribed in its scope and can only operate to compel the provision of material necessary to monitor compliance with, or investigate a breach of, the Act. This provision is necessary to ensure that other residents do not continue to suffer loss or damage as a result of a breach of the residence contracts or the Act. Any information that is provided to the Director CAV under section 126 is not admissible

in evidence against the person who disclosed the information, except in any criminal proceedings relating to a failure to disclose the information requested.

Disclosure of certain information

Clause 19 introduces a new framework for pre-contractual disclosure, requiring operators to provide certain information to prospective residents in the form of an information statement. Clause 19 engages the right to privacy by requiring the disclosure of personal information in the information statement:

- including the proprietor's their name and address,
- the operator's name, address and telephone number, and
- the name of the operator's representative at the retirement village.

The operator must publish the information statement, with offences for failing to do so (new section 20). The Bill also includes an offence for failure to update the information statement (new section 21), an offence for failure to provide an information statement to a person proposing to become a resident (new section 22), and an offence for knowingly providing false information (new section 25).

Clause 12 inserts new section 11A into the Act which requires the operator of the retirement village to give a notice to the Director CAV that includes personal information, including the name and address of the operator of the retirement village, upon the lodgement of a retirement village notice under section 9. New section 11A replaces section 38L of the Act (repealed by clause 55), which currently requires the name and address of the 'manager' of the retirement village to be provided upon the lodgement of a retirement village notice under section 9.

Although clauses 19 and 12 of the Bill engage the right to privacy, I consider that these provisions are compatible with the Charter as they do not unlawfully or arbitrarily interfere with the right to privacy. The new provisions clearly articulate the personal information that must be disclosed and the circumstances in which it must be disclosed. The disclosures are considered reasonable and a non-invasive method to ensure proprietors and operators of retirement villages are held accountable via the public register of retirement villages, and to support prospective residents to make informed decisions about entering into and living in a retirement village.

External Dispute Resolution Scheme

Clause 57 of the Bill establishes a new alternative dispute resolution scheme for retirement village disputes (the Scheme) in the Department of Government Services (DGS). It is proposed that the Scheme will deliver complaint handling and conciliation services for disputes under the Act. Responsibility for the administration of the Scheme and all the necessary powers to deliver dispute resolution services will vest in the Secretary to DGS (the Secretary).

New section 38ZH provides that the Director CAV may refer matters to the Secretary for conciliation and is to be treated as an application for conciliation made by a party to the dispute. A referral to the Secretary must include a range of information that can include personal information, including identifying the parties to the retirement village dispute, identifying the grounds of the dispute, and specifying the particulars of the dispute.

New section 38ZK also enables the Secretary to request information and documents for the purpose of inquiring into and assessing the suitability of village disputes for conciliation. New section 38ZO provides a similar power to request information for the purpose of conducting conciliation. The Secretary may disclose information obtained to all parties to the dispute with the consent of the person who has provided that information under new section 38ZP. This may require the collection and disclosure of personal information.

New section 38ZU(2) provides that the Secretary DGS may issue a 'no resolution' certificate. New section 38ZV provides that a 'no resolution' certificate must include information specifying:

- whether conciliation was conducted on an application or referral from the Director CAV,
- the Secretary assessed the dispute as suitable,
- that the matter has not been resolved by conciliation, including reasons why the matter remains unresolved,
- the terms of any recorded agreement issued and a summary of why the recorded agreement was terminated, and
- any other prescribed information.

New section 38ZU(3) provides that the Secretary DGS may include information specifying:

- that the Secretary is satisfied that a party to the dispute did not participate or did not participate in good faith in conciliation,

- a statement setting out an outcome to the dispute that the Secretary considers is a fair and reasonable outcome, and the particulars and terms of that outcome,
- advice on any further available options for the parties to resolve the dispute, including any application that may be made to VCAT or a court, and
- any other prescribed information.

To the extent that the provisions of the Bill outlined above constitute an interference of the right to privacy under section 13, I consider that these provisions are compatible with the Charter as they do not unlawfully or arbitrarily interfere with this right. Information can only be collected by the Secretary for specific purposes outlined in the relevant provisions, being to inquire into and assess suitability of disputes and for the purpose of conciliating disputes.

The provision of information by the Director CAV, and by a person upon request of the Secretary, is necessary for the proper functioning of the Scheme, to ensure conciliation is delivered effectively and to help manage power imbalances between the parties to the dispute. Without the information to be provided, the Secretary would be unable to contact parties to assess their willingness to participate in conciliation in good faith, understand the issues that are in dispute, formulate approaches for the resolution of disputes, and recommend fair and reasonable outcomes to disputes. The Bill does not compel a person to provide the information requested by the Secretary or impose penalties for a failure to do so.

Disclosure of information by the Secretary as part of a record of agreement or no resolution certificate is also necessary for the transparent and effective operation of the Scheme. The information to be included is the minimum required to ensure appropriate record-keeping of services provided under the Scheme, to promote effective compliance with agreements reached in conciliation, and to encourage parties to continue attempts to resolve their dispute on the basis of an agreed background and facts of the dispute.

The Bill ameliorates interferences with a person's right to privacy by ensuring that evidence of anything said or done in conciliation is not admissible in any proceeding before VCAT or any other legal proceeding before a court or tribunal unless all the parties to the dispute agree in writing to the giving of the evidence. Any interference with a person's privacy as a result of these reforms is further ameliorated by the requirement that information collected and held by the Secretary in accordance with the information privacy requirements of the *Privacy and Data Protection Act 2014* and the *Public Records Act 1973*.

For these reasons, I am of the view that these amendments do not limit the right to privacy. To the extent that the Bill does interfere with a person's right to privacy, the interference is lawful and not arbitrary, as clauses 12, 19, 57 and 58(1) are clearly articulated in law, specific, necessary for the operation of the Scheme, and are reasonable and proportionate to achieving that objective.

***Right to protection from unlawful and arbitrary interference with a person's home (section 13)***

Section 13(a) of the Charter provides a right to protection from arbitrary or unlawful interference with a person's home.

***Termination of resident contracts***

Clause 18 of the Bill provides for residents to be issued with termination notices in circumstances of breach (new section 16D) or health and safety (new section 16F), which may have the effect of interfering with a resident's home.

As outlined above in the discussion relating to the right to freedom of movement, the circumstances in which residents may be issued with termination notices are clearly set out in the Bill and are appropriately circumscribed. The provisions seek to balance the competing objectives of respecting residents' rights to continue to live in their home in a retirement village, and the broader protection of providers, contractors and neighbours, as well as the resident themselves. The new framework for the termination of residence contracts inserted by clause 18 provides a more clearly defined process with specified criteria than what is currently provided for in section 16 of the Act.

***Modification of fixtures and fittings by non-owner resident***

New section 37B (clause 44) provides that a non-owner resident must not add, remove or alter any fixtures or fittings on their premises unless the addition, removal or alteration is prescribed, or they have first made an application to the operator, and the operator has given consent.

These amendments may be considered an interference with a person's home, as the resident is precluded from making any such alterations to their home without consent. The Bill sets out clearly defined processes for obtaining an operator's consent for a proposed addition, removal or alteration. The purpose for introducing this framework is to provide clarity for both non-owner residents and operators about their responsibility for reinstating the retirement village premises upon a resident's exit from the village, including the condition to which the premises must be reinstated. The impact of this right is mitigated by the requirement that an operator

must not unreasonably withhold consent to an addition, removal or alteration of a fixture in a non-owner resident's premises. Further, the Bill also enables the creation of regulations to prescribe additions, removals or alterations to fixtures that do not require an operator's consent.

In my view, clauses 18 and 44 of the Bill does not limit the right to protection from unlawful and arbitrary interference with a person's home as any interference with that right will not be unlawful or arbitrary.

#### ***Freedom of expression (section 15)***

Section 15(2) of the Charter provides that every person has the right to freedom of expression. Section 15(3) of the Charter provides that special duties and responsibilities are attached to the right to freedom of expression and that the right may be subject to lawful restrictions reasonably necessary to respect the rights of other persons and for the protection of national security, public order, public health or public morality.

#### ***Information statements***

Clause 19 introduces a new framework for pre-contractual disclosure, requiring operators to provide certain information to prospective residents in the form of an information statement. Clause 19 engages the right to privacy by requiring the disclosure of personal information in the information statement:

- including the proprietor's their name and address,
- the operator's name, address and telephone number, and
- the name of the operator's representative at the retirement village.

The operator must publish the information statement, with offences for failing to do so (new section 20). The Bill also includes an offence for failure to update the information statement (new section 21), an offence for failure to provide an information statement to a person proposing to become a resident (new section 22), and an offence for knowingly providing false information (new section 25).

I consider that these provisions are necessary to protect retirement village residents by supporting prospective residents to make informed decisions about entering into and living in a retirement village, through accessible and truthful pre-contractual disclosure.

To the extent that the freedom of expression is engaged, these provisions fall within the exception in section 15(3) of the Charter, as reasonably necessary to respect the rights of other persons.

#### ***Protection of families and children (section 17)***

Section 17(1) of the Charter provides that families are the fundamental group unit of society and are entitled to be protected by society and the State. Section 17(2) of the Charter provides that every child has the right, without discrimination, to such protection as is in their best interests and is needed by them by reason of being a child. Section 17(2) recognises the particular vulnerability of children due to their age and confers additional rights on them. Its scope is informed by the United Nations Convention on the Rights of the Child, which requires that in all actions concerning children, the best interests of the child shall be the primary consideration.

Currently, there are many people who co-habit with residents in a retirement village who may not be residents themselves, in accordance with a resident contract. This includes carers, friends and family members (in addition to resident's spouses and domestic partners who are defined under the Act as residents themselves). Clause 9 introduces a new provision to formalise the status of people living with residents in a retirement village and recognises the diversity of families in the community, including in relation to residents who may have caring responsibilities for younger family members.

New section 6 (substituted by clause 9) engages the protection of families and children by providing that, on application by a resident, an operator may give permission for a person other than a retired person, who is of or under the age of 55 years, to live in the retirement village with a resident. The operator must not unreasonably withhold permission for the other person to live with the resident. New section 6A provides a right to a person who lives with a resident in a retirement village to continue to occupy the premises for a period of three months following the death of a resident, providing protection for children or family members to make any necessary alternative arrangements in a difficult time.

This amendment promotes the protection of families and children, by allowing a resident's family member to reside with them promoting family unity. Clause 7 of the Bil supports this reform by providing that residents can access internal and external dispute resolution processes in relation to an operator's failure to give permission for a person to live in a retirement village under new section 6.

#### ***Property rights (section 20)***

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred

by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely. In considering whether this right has been limited, a court will consider whether the relevant law deprives a person of property, and whether deprivation is in accordance with law.

While the Charter does not define 'property', case law indicates that the term should be interpreted 'liberally and beneficially to encompass economic interests'. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely. Existing authority also suggests that the laws that permit or require a deprivation of property should not operate arbitrarily. Accordingly, an assessment of compatibility will depend upon the extent to which a deprivation of property does not operate arbitrarily, and is sufficiently clear and certain to be considered 'in accordance with the law'.

#### Payment of exit entitlements

New section 32I (clause 34) may engage property rights as it increases the maximum time for payment of an exit entitlement to a vacating resident, from 6 months after the non-owner resident has delivered up vacant possession (section 26(2)(b)(iii) of the Act) to 12 months after the day on which the resident permanently vacates the residential premises.

Although this amendment permits a longer timeframe for vacating residents to be paid their exit entitlement, the previous 6-month maximum period was not practical and often not achievable. There are many factors that may impact the turnover of premises in a retirement village, including delays due to probate where a resident has died, complex arrangements in relation to deceased estates, debt financing prior to settlements of sale or lease, and any required renovation or reinstatement works that may be required before re-leasing or selling the premises. While retirement village units in Victoria take on average approximately 6.4 months to sell, some units can take significantly longer including in some, taking up to several years to sell.

In many cases, repayment of an exit entitlement is contingent on the sale of a unit or the right to occupy a residence. Depending on the residence contract, exit entitlements may be more than one hundred thousand dollars. The delay in repayment of those entitlements to former residents or their estate can cause significant hardship and uncertainty. Conversely, a requirement for retirement village operators to repay exit entitlements to residents within a short period time, including before the premises has been re-occupied by a new resident, may also have significant impacts on the existing business model and liquidity of retirement villages, with the potential to cause an increase in costs to residents this additional financial burden.

Clause 34 of the Bill strikes a balance between the rights and interests of residents and operators by imposing a maximum period for payment to 12 months after the day on which the resident permanently vacates the premises. The Bill does not permanently deprive residents of their property rights to an exit entitlement, but rather only extends the time by which operators are required to pay the exit entitlement. The impact on the property rights of residents to the use and control of their exit entitlement is mitigated by:

- an ability to agree with an operator to an exit entitlement period that is less than 12 months,
- introducing an offence for an operator's failure to repay an exit entitlement within the required time, punishable by a fine of up to 60 penalty unit for an individual or 300 penalty units for a body corporate,
- jurisdiction to apply to VCAT for an order as to payment of an exit entitlement, including payment of interest for the period for which payment is overdue, and having regard to any hardship caused to former resident by reason of the delay (new section 32N).

To the extent that clause 34 does deprive a resident of their property, I consider that the deprivation is in accordance with law as the framework for repayment is structured, accessible to the public, and formulated precisely. It is my view that the amendments are reasonable and proportionate, and they appropriately balance consumer protection and industry viability.

#### Termination of residence contracts

Clause 18 of the Bill provides for residents to be issued with termination notices in circumstances of breach (new section 16D) or health and safety (new section 16F). Clause 18 may engage the property rights of residents by permanently depriving them of their right to occupy the retirement village premises under a lease or a licence interest in that property.

As outlined above in the discussion relating to the right to freedom of movement, the circumstances in which residents may be issued with termination notices are clearly set out in the Bill and are appropriately circumscribed. Currently, section 16 of the Act outlines a process for terminating a contract for breach, including providing the resident with an opportunity to remedy the breach within 28 days. Clause 18 promotes property rights under this framework by introducing a definition of 'substantial breach' to further clarify the circumstances when a residence contract may be terminated. Clause 18 promotes property rights

further by introducing additional processes that must be followed for the termination of a residence contract for health and safety reasons, including by requiring consideration of the availability of care services under the *Aged Care Act 1997* (Cth) and the National Disability Insurance Scheme, introduces a ‘substantial risk’ threshold, and requiring VCAT approval to terminate a residence contract on health and safety grounds.

Clause 18 further promotes property rights by introducing a ‘reasonable and proportionate’ test for the termination of residence contracts, requiring consideration of:

- the retirement village principles (set out in new section 1A),
- the effect the notice will have on the health, safety or wellbeing of the resident,
- whether any other course of action is reasonably available,
- in the case of a notice of termination of contract for breach, the risk to any other relevant persons if the contract is not terminated, and
- any other prescribed matters.

The provisions governing the termination of residence contracts are necessary for the proper operation of the Act. The reforms introduced by clause 18 seek to balance the competing objectives of respecting an individual resident’s right to occupy premises at the village, and the broader protection of providers, contractors and neighbours.

For these reasons I am of the opinion that these provisions are compatible with the right in section 20 of the Charter, and to the extent that a termination notice may constitute a deprivation of property, any such deprivation will be in accordance with law and therefore compatible with the right to property.

#### *Application of the Director of Consumer Affairs Victoria’s powers*

As discussed above in relation to the right to privacy, the Bill provides that Part 6.2 of the ACLFT Act applies to the Act (clause 59(1)). Clause 59(1) will enable the Director CAV to require a person to provide information or documents, if the Director believes that a person is capable of providing information, producing documents or giving evidence relating to a matter that constitutes, or may constitute, a contravention of the Act (see section 126 of the ACLFT Act). The Director CAV will also be able to seize documents produced, if the Director considers that the documents necessary to obtain evidence for proceedings under the Act or regulations, or if the Director believes on reasonable grounds that it is necessary to prevent the documents being concealed, lost or destroyed.

Clause 59(1) may engage property rights by requiring any person to relinquish custody or control of documents or evidence to the Director CAV. However, the powers available to the Director CAV are governed by a comprehensive framework under Part 6.2 of the ACLFT Act, providing for the return of document copies to the person from whom the documents have been seized and the return of seized documents within 3 months. The framework also does not permanently deprive any person of their property rights in relation to the documents.

For these reasons I am of the opinion that these provisions are compatible with the right in section 20 of the Charter, and to the extent that provision and seizure of information and documents may constitute a deprivation of property, any such deprivation will be in accordance with law and therefore compatible with the right to property.

#### ***Fair hearing (section 24)***

Section 24(1) of the Charter provides that a person who is a party to a civil proceeding has the right to have the proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The term ‘civil proceeding’ in section 24(1) has been interpreted as encompassing proceedings that are determinative of private rights and interests in a broad sense, including some administrative proceedings.

#### *External Dispute Resolution Scheme*

Clause 57 of the Bill introduces new Part 6E to the Act to establish a scheme for the resolution of specific retirement village disputes. The Bill supports the establishment of the scheme within the Department of Government Services, led by the Secretary to DGS, with powers to deliver conciliation services to resident, operators and proprietors of retirement villages.

The scheme does not constitute a court or a tribunal as it does not have the power to hear civil or criminal proceedings, nor the ability to make orders to resolve disputes. While the scheme will operate to deliver conciliation impartially, in accordance with the Australian Government *Benchmarks for Industry-based Customer Dispute Resolution*, the scheme is not a body established independent of government.

New section 38ZI provides that the Secretary to DGS may assess the suitability of the dispute for conciliation, and reject the application if satisfied that the matter is not suitable. The Secretary must not assess the dispute as suitable if:

- the dispute does not fall within the definition of village dispute, or
- the application or referral was made outside any required time, or
- the application or referral is vexatious, frivolous, lacking in substance or was not made in good faith, or
- the dispute has been resolved.

The requirement that a dispute must be suitable for conciliation ensures that the village dispute can be reached through the most appropriate resolution method for the dispute, including where an application to VCAT or to a court may be more appropriate. The requirement to assess applications for their suitability and eligibility also allows potential limitations to the effectiveness of ADR, such as power imbalances between parties, to be managed effectively, and the parties to be triaged to the right type of proceeding.

New section 38ZN provides that the Secretary may decide to conciliate the dispute under new Division 4 of Part 6E. The participation of parties in conciliation does not limit their right to a fair hearing. If parties are unable to successfully reach an agreement through conciliation, the option to have the dispute heard as proceeding at VCAT or a court, and have the matter heard and decided by a competent tribunal, remains available to the parties. New section 38ZZG provides that evidence of anything said or done in the course of a conciliation conducted by the Secretary is not admissible before VCAT, a court or a tribunal unless all parties to the dispute that was the subject of the conciliation give written agreement to the giving of the evidence. This provision ensures that the participation of parties in the conciliation does not limit procedural fairness if the matter progresses to a subsequent hearing.

#### ***Rights in criminal proceedings (section 25)***

Section 25(2)(k) of the Charter provides that a person charged with a criminal offence is entitled not to be compelled to testify against themselves or to confess guilt. This right under the Charter is at least as broad as the privilege against self-incrimination protected by the common law. It applies to protect a charged person against the admission in subsequent criminal proceedings of incriminatory material obtained under compulsion, regardless of whether the information was obtained prior to or subsequent to the charge being laid. It is also an aspect of the right to a fair trial protected by section 24 of the Charter. Consequently, it is necessary to consider the proportionality or justification of the limitation on this right, by reference to its purpose. Section 7(2) of the Charter provides that Charter rights may be subject under law only to such reasonable limits as can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom, taking into account all relevant factors.

#### ***Right not to be compelled to testify against oneself and the right to a fair trial***

As discussed above in relation to the right to privacy, and property rights, the Bill provides that Part 6.2 of the ACLFT Act will apply to the Act (clause 59(1)). Clause 59(1) will enable the Director CAV to require a person to provide information, documents and evidence, if the Director believes that a person is capable of providing information, producing documents or giving evidence relating to a matter that constitutes, or may constitute, a contravention of the Act, including by appearing to give evidence on oath or affirmation (see section 126 of the ACLFT Act). A person is not excused from answering a question, providing information or producing or permitting the inspection of a document on the ground that the answer, information or document may tend to incriminate that person.

Therefore, clause 59(1) may limit the privilege against self-incrimination. However, the powers that may limit the privilege against self-incrimination are part of a comprehensive framework of powers already in effect under the ACLFT Act and includes direct use immunity by prohibiting the use of answers, information, and documents from being admissible in evidence against the person in any other criminal proceedings (see section 126(5)).

I am of the view that any such limitation is reasonable under section 7(2) of the Charter. The privilege against self-incrimination prohibits the state from compelling an individual to assist in proving that they have committed an offence, prevents oppressive government conduct, ensures the reliability of evidence, and protects privacy. However, the purposes for the limit to the right against self-incrimination in clause 59(1) is to enable the Director CAV to monitor compliance with, and to investigate potential contraventions of, the Act. These powers are integral to the Director CAV's effectiveness in regulating the retirement villages sector which is necessary to adequately protect residents from detriment.

The direct use immunity provides appropriate safeguards to justify the limitation. It would not be appropriate to include a derivative use immunity in response to the Director CAV's compulsory information-gathering

powers as that would severely inhibit the Director's ability to monitor compliance with and investigate contraventions of the Act. It follows that there are no less restrictive means reasonably available to achieve the purpose of this limitation. Therefore, I am of the opinion that clause 59(1) of the Bill is compatible with the Charter right of a person not to be compelled testify against themselves or to confess guilt.

I consider that the Bill is compatible with the Charter because it does not limit any rights under the Charter, and to the extent that there is limitation, it is reasonable and justified.

**The Hon. Gabrielle Williams MP**  
Minister for Consumer Affairs

### *Second reading*

**Gabrielle WILLIAMS** (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (12:01): I move:

That this bill be now read a second time.

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

### **Incorporated speech as follows:**

The Retirement Villages Amendment Bill is the culmination of years of work and advocacy from residents and operators to reform the *Retirement Villages Act 1986* and make retirement villages fairer for older Victorians. This Bill will drive a more equitable and sustainable retirement village sector. This Bill will introduce stronger protections around mandatory exit entitlements to be paid back to residents, as well as clarity on how operators must calculate and disclose fees to residents. The Bill will substantially improve the information that older Victorians are provided before they enter a retirement village so they can make informed choices about their next stage in life.

A strong and comfortable retirement village sector is a core component of Victoria's housing make-up, providing older Victorians opportunities to live and age in home. Retirement villages offer an opportunity not just for Victorians to age with dignity and with the supports and social activities and connections they deserve.

#### **Listening to consumers in the growing retirement villages industry**

This Bill reflects the Victorian Government commitment to making living in a retirement village a fairer and comfortable choice for older Victorians. The needs and demographics of Victorians is changing. Victoria's population is expected to reach 10.3 million by 2051. As Victoria's population grows, so too will its older population, with estimates that one in four Victorians will be aged 60 years and over by 2046. It is important that Victoria's housing solutions includes appropriate accommodation option for older Victorians that support them to live a full and supported life, with dignity and choice. Retirement villages offer a long-term accommodation option for older Victorians to remain independent and support residents to age well by delivering safe and secure accommodation and social inclusion, as well as access to recreational activities, amenities, and personal supports.

The makeup of residents entering retirement villages is also changing. Victorians are entering villages later in life, with an average entry age of 76 years old when, and the average length of tenure in a retirement village is 8.4 years. Many residents are also receiving more home care services to support their continued stay in villages. As reported by the Property Council of Australia and in the PwC 2023 Retirement Living Census, 61 per cent of operators in Australia reported providing regulated home care services to residents, an increase from 46 per cent in 2022. The Bill is designed to reflect this change in resident needs.

The Bill is informed by detailed reviews and public consultation and has been shaped by the feedback we have received from residents, operators, industry stakeholders and consumer advocates. In 2016–17, the Legislative Council's Legal and Social Issues Committee undertook an inquiry into the operation and regulation of the retirement housing sector (the Inquiry). The Inquiry highlighted concerns about contract complexity, unfair fees, and dispute resolution mechanisms, recommending that the Retirement Villages Act be reviewed.

In response to the Inquiry, the Government committed to undertaking a comprehensive review of the *Retirement Villages Act 1986*. While several significant changes to the Act have occurred since 1986, the Act had not been the subject of a comprehensive review since 2004. The government launched the Review in October 2019 releasing an Issues Paper for public consultation. More than 150 submissions were received from retirement village owners, retirement village residents and their families, researchers, and other interested parties. In addition, community forums were conducted across Victoria and an Options Paper was subsequently released for public consultation in mid-2021. Over 260 submissions to the Options Paper were

received, with approximately 90 per cent of submissions coming from residents, their families and residents' committees, emphasising the need for reform.

The Review culminated in the release of an Exposure Draft Retirement Villages Amendment Bill in 2022. Public consultation on the Exposure Draft during October 2022 and from April to May 2023 generated a total of 112 submissions. This Bill reflects the detailed feedback and engagement that took part in the public review and consultation.

The consultation process was clear on the need to reform and clarify residents and operator rights and obligations, improve dispute resolution, and address information contract complexity and information asymmetries. The Bill seeks to address each of these concerns. It is critical that as Victoria's population continues to grow, there is a strong and fair retirement village market. This Bill sets up a new regulatory framework to meet the needs of residents and industry and support growth of the sector. This Bill will reshape the framework for the retirement village sector and respond to community concerns. There will be more work to do. Key features of the new regulatory framework will be designed in regulations, in close consultation with residents and stakeholders. The amendments will be reviewed two years after introduction and no later than five, to assess the impact of the reforms and whether additional changes are required to continue to meet the needs of residents and the sector.

#### **Enabling residents to make informed decisions about retirement living**

Recent media has highlighted community concerns regarding the complexity of retirement village contracts and the difficulty in accessing information needed to make informed decisions about financial obligations and requirements for both operators and residents at departure from a retirement village.

To support greater resident understanding of retirement living, the Bill introduces a new requirement that contracts must be in a standard form, which will be prescribed in regulations. The Review heard that the variety, and technical nature, of retirement village contracts makes it difficult for residents to compare villages and to understand their obligations and overall costs. When drafting the regulations, the government will work with stakeholders and residents to meaningfully design standard form contracts that are expressed in plain English and are easy to understand. The Bill establishes offences and penalties for operators who use contracts that are not in the prescribed form, for failing to give a copy of a residence contract to a resident, and for contracts that contain prohibited terms.

The Bill will introduce targeted reforms to improve prospective residents' access to relevant and clear information to ensure they are supported to make fully informed choices about entering, living in and exiting retirement villages. The Bill will streamline pre-contractual disclosure by requiring village owners to provide a single 'information statement' in a form approved by the Director of Consumer Affairs Victoria. Information statements will be required to include key information about a village, including the identity of the owner and operator, and specified contractual and financial matters. Information statements will be provided to prospective residents, published on the operator's website and must be updated at least annually.

The Bill also introduces a framework for annual contract checks to be provided by village operators to support residents' ongoing understanding of retirement village payment models. Contract checks will be required to include information about any requirements the resident must follow when terminating a contract, selling a residence and leaving the village. During the annual contract check, operators will also be required to provide residents with a reasonable estimate of their exit entitlements and liabilities, the likely sale price for their unit or residence right and how much the resident would be likely to be paid out by the operator if they vacated the retirement village at the time of the check.

#### **Promoting best practice in the operation of retirement villages**

The Bill introduces for the first time overarching principles to be used to guide interpretation and clarify the objectives of the Act. These principles will apply to operators in the operation of a retirement village, and particularly when providing accommodation and services in the village, and also to residents when living in a retirement village. Principles include that all residents should be treated with dignity and respect, villages should be kept safe and maintained in reasonable repair and that residents should have quiet enjoyment of their premises in the retirement village.

The Bill introduces a mandatory Retirement Villages Code of Practice (the Code) to be prescribed in regulations. The Code will be developed by the Director of Consumer Affairs Victoria (CAV) and approved by the Minister for Consumer Affairs to enshrine mandatory professional conduct obligations and provide guidance for operators of retirement villages. Development of the Code will be subject to consultation with industry stakeholders, including representatives of retirement village proprietors, operators and residents. To ensure the Code remains fit for purpose, the Bill will introduce a mandatory three-year review period to ensure that it continues to be effective in a dynamic industry context.

The Bill will introduce a new framework for the granting of exemptions to retirement village operators from complying with the Act or from compliance with specific provisions within the Act. Further rigour is required to ensure that exemptions, where required, are valid and thoroughly justified by operators to support the operation of the retirement villages regulatory framework. The Bill introduces clear criteria that the Director of Consumer Affairs must consider before granting an exemption. These include the impact that an exemption would have on village residents and whether they would be disadvantaged if the exemption was granted. Residents will also have the right to make a submission to the Director on a proposed exemption before any exemption can be granted.

To further increase transparency for residents, operators will be required to notify the Director of Consumer Affairs of information that must be displayed on the public register of retirement villages about their village and ensure it is kept up to date.

To enhance the ongoing safety of residents in their homes, the Bill will amend the Act to require emergency and evacuation plans be developed for all villages. Currently, emergency and evacuation plans are not compulsory in Victoria and residents have reported that some villages do not have them in place. This is of particular concern for villages located in areas with a high fire or flood risk. The Bill ensures all retirement villages are prepared by requiring an emergency plan to include procedures for emergency response, evacuation, procedures for emergency services notification and medical treatment, and communication protocols. Operators will also be required to undertake annual safety inspection and evacuation exercises. Such reforms are particularly important as it will ensure that emergency planning appropriately reflects the diverse and developing needs of residents, such as wheelchair access, 24-hour vehicle access, and the use of other auxiliary aids.

#### **Supporting residents to resolve disputes effectively, fairly and accessibly**

The Bill will enhance internal dispute resolution processes in retirement villages to ensure fairness for residents to reach a resolution at the local village level and where possible, reduce escalation of disputes. Residents' committees will also no longer have a role in mediating disputes between residents. Where a dispute cannot be resolved internally at a retirement village, it is essential that there are effective external dispute resolution processes to allow residents and operators to resolve disputes and promote harmony in a village.

The Bill supports residents and operators to resolve disputes through introduction of a free, fair and accessible alternative dispute resolution scheme to be located within the Department of Government Services. The Scheme will also be supported by a close connection with Consumer Affairs Victoria as the retirement villages industry regulator, enabling information sharing and appropriate and timely regulatory action. The Scheme will be funded through the Victorian Property Fund in accordance with the provisions of the *Estates Agents Act 1980*.

The dispute resolution scheme will operate in accordance with the Australian Government *Benchmarks for Industry-based Customer Dispute Resolution*, ensuring staff adhere to the principles of accessibility, independence, fairness, accountability, efficiency and effectiveness when providing dispute resolution services. The Director of Consumer Affairs will also be empowered to take appropriate regulatory action against operators who fail to uphold an agreement. If a dispute cannot be resolved through conciliation, parties will receive a certificate verifying their good faith participation in conciliation and providing recommendations to support parties to continue negotiations.

In some cases, disputes may arise between residents and retirement village operators that are highly complex or may have serious implications for the lives of residents. In those cases, it is appropriate that residents can seek binding and authoritative resolution through the VCAT Civil Claims List. The Bill will expand VCAT's jurisdiction allowing it to hear and determine the most complex retirement village contractual disputes. The Bill will replace existing arrangements for contract terminations with new, clearer provisions enabling operators to terminate contracts either following a substantial breach of the contract by the resident, or for health and safety reasons.

One of the most common dispute types between residents and operators relates to repairs, maintenance and maintenance fees. The Bill clarifies maintenance responsibilities and provides for residents to have oversight of and accountability for increases in maintenance charges. The Bill also introduces new requirements for village operators to complete capital maintenance works within a reasonable timeframe, to report annually to residents on capital maintenance plans and to establish capital maintenance funds. Reforms will also prohibit operators from charging maintenance charges and optional ('personal services') charges after the resident has left the village.

**Easier, timelier and fairer settlement when exiting a retirement village**

The Bill clarifies requirements for operators to pay exit entitlements to residents within 12 months after the resident has delivered vacant possession. The Bill also contains provisions for departing non-owner residents who transition into aged care to receive aged care payments and for non-owner or owner residents to receive alternative accommodation payments from their village operator during any interim period between the resident vacating and the sale of their home or residence right in the village. This means that residents and their families can have certainty of their entitlement upon exit and will not be left out of pocket at the time they transition into aged care or alternative accommodation.

The Bill also clarifies how operators must calculate exit entitlement payments and introduces requirements for operators to disclose all relevant departure fees and calculations to residents at the time they are entering a village.

The Bill includes requirements for how 'deferred management fees' must be calculated – with reference to the resident's entry payment and detail on how that fee will increase annually. It is common for deferred management fees to accrue annually, and the Bill requires this to be clearly stipulated. It is also common for operators to provide a cap on deferred management fees, for example, after a resident has resided in a property for 5 to 10 years, their fees may be capped at 20 to 40 per cent of their entry payment. This Bill does not intend to limit or interfere with this contractual practice. Further requirements for the calculation of deferred management fees may be stipulated in the regulations. The Bill will include a new prescribed standard form contract, to be designed in regulations, which will provide operators clarity on how to calculate and communicate fees and will provide residents a consistent and simple way to compare exit fees and entitlements.

The Bill clearly outlines capital gain or loss requirements including that a residence contract must not provide for an arrangement where capital losses are shared between residents and a village in a higher proportion than capital gains.

The Bill provides an option for vacating residents to make an agreement with operators to share in equal proportion the costs of any renovation or reinstatement to be undertaken at the end of a residency and the capital gains resulting from a sale. The Bill adds a requirement for operators and non-owner residents to complete and agree on a condition report at the commencement of residency, which is to be used to assess the dwelling's condition at the end of a residency.

**Enhancing the monitoring and enforcement role of Consumer Affairs Victoria**

The Bill will provide the Director of Consumer Affairs with enhanced compliance and enforcement powers to address serious forms of financial harm and misconduct, as well as new powers to collect and share data, conduct research, and publish reports on retirement village disputes. This new centralised data collection function will help to inform compliance activity and future reviews of the Act. The Bill also introduces new offences for serious non-compliance and increases the penalties for some existing offences.

An operator will be required to provide the Director of Consumer Affairs with a report detailing the number and nature of management complaints or resident disputes in the previous year, the outcome of each complaint or dispute, any action taken to resolve the complaint or dispute, and any changes made or proposed to be made to address the issues arising. The Bill clarifies that the full range of enforcement powers for the Director of Consumer Affairs under the *Australian Consumer Law and Fair Trading Act 2012* apply to the Retirement Villages Act.

It is critical that Victoria's regulatory framework remains at the forefront of ensuring the retirement housing sector provides safe and secure housing for residents and supports residents to age well and in comfort. This Bill supports consistent good practice in the administration of retirement villages across Victoria and will better protect the rights of resident.

I commend the Bill to the house.

**James NEWBURY** (Brighton) (12:01): I move:

That the debate be adjourned.

**Motion agreed to and debate adjourned.**

**Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 12 December.**

**Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024***Second reading***Debate resumed on motion of Natalie Suleyman:**

That this bill be now read a second time.

**Emma KEALY** (Lowan) (12:02): The irony is that today I need some good drugs in my system to help battle this upper respiratory tract infection that I have, and I look over the table and I see the Minister for Agriculture also wiping her nose. We have all been hit hard just before Christmas, and I would encourage everybody over this Christmas period to look after their health. It can be a time when people do push themselves very hard in order to catch up with their social life. Make sure that you do look after yourself. Particularly take extra care on the roads. We know that it can be dangerous over this period; people drive further distances on unfamiliar roads, they are not quite sure where those potholes are and they drive for a bit longer than they should. So to all those in the chamber and in the community, please take care this Christmas and new year, and we look forward to being able to come back here in the new year and to being able to continue into that third quarter, as we like to put it, of our four-year terms and continue to stand up for Victorians. In terms of the Nationals, we will always fight for rural and regional Victoria.

This bill, the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024, is, as it says, in relation to establishing a legal framework for paramedic practitioners and authorising those that have completed a prescribed postgraduate qualification to be sent out to lower acuity patients and prescribe medications or other treatments without the need for them to be transported to hospital. This is a concept that goes back a very long period of time. The use of practitioners in healthcare settings is probably most well known around nurse practitioners, and it would be almost two decades ago that we were talking about nurse practitioners as a way to be able to save primary health care in rural and regional parts of Australia. Unfortunately, we have not seen enough nurse practitioners trained up. There have been challenges around ensuring that the scope of practice approvals is consistent with what the needs are for the local community, so it can be very difficult for nurse practitioners to move from place to place, and just generally I think there have been challenges that were unforeseen around attracting nurses to do another qualification. Often nurses who have been in the industry for a really long time are wondering, ‘Do I look towards staying in my current role? I’m already in a senior position. Do I want to go back and do more training?’ It would unlock of course a different scope of practice, a different level of work that they could do, a new challenge in their career. Or do they look at doing what they do? And they do it very well, whether that is in a hospital setting, in a community health setting or in other businesses – it might be a medical clinic or out in the community or through disability or ageing.

Our nurses do a fabulous job, as do our paramedics and everybody who is involved in the health system. We know the past four years has been a very, very challenging time to be involved in health care, particularly in Victoria. We are still, I think, feeling the impacts of lockdown through the impact on people’s mental health, particularly younger people’s mental health. They are still trying to relearn a lot of those social skills of interacting with other people, looking people in the eye and being confident within themselves to achieve things out in the big wide world. Even things like playing sport or a musical instrument, being artistic – these are things that a lot of younger people are finding a challenge. If it may stray a little bit, I was speaking to someone who owns some McDonald’s restaurants in my side of the state. Even McDonald’s is finding it very, very difficult to attract young people to work in that setting. Their view is that this is directly related to the impacts of lockdowns on young people’s ability to engage with people face to face rather than through a screen. It is a massive challenge that we have, and it is important that we are fully focused on acknowledging there is an issue and then putting things in place to make sure that we can address it and best support young people in our community.

This bill proposes to amend the Drugs, Poisons and Controlled Substances Act 1981 to establish paramedic practitioners as a class of registered paramedics and to authorise paramedic practitioners to obtain, possess, use, sell and supply certain substances. This is very much around ensuring if you have got paramedics, when they go out to attend a 000 call or they are in the community they have the ability to provide and dispense drugs which otherwise they would not be allowed to do. This is a really novel approach. It is great to see that Victoria is doing this; it is something that has been trialled in other places around the world. It is looking at how we can have a more integrated health system where people who are in our communities who have fabulous education and qualifications behind them and extensive experience are given just one additional piece of the puzzle in how they can deliver health care to more people.

If the government can get this right, it could result in people attending emergency departments less often. If there is something that we do need to see, it is that we make sure that there are strategies in place to stop the ramping that we are seeing in hospitals, to stop the long wait times for people to be able to get care in an emergency department, to stop the bed block that we see in hospitals where all of the beds are full and therefore nobody can be admitted from emergency, which means that nobody can be seen in emergency, which means the ambulance is parked out the front with somebody on board and they are getting treatment in the back of an ambulance. That then takes away the opportunity to have ambulances on the road to attend to 000 call-outs. It all cascades and it all fits together.

While this certainly will not fix those issues, I think in the minister's second-reading speech there is a reference to the paramedics who are currently undertaking the additional training that is required. It is a very, very small number of people. At the moment there are 30 students who started their training in February of this year. There is another lot who are looking at going through this coming year. Every year there will be an intake of students. I do question whether the capacity of the training program will be able to meet the demand or the aspirations that the government has for paramedic practitioners in the community to take off all of that pressure that we are seeing, where every single point of our health system is at breaking point.

If you think about it, if you have just one team who are focused on being paramedic practitioners and offering this service, if it is going to be a 24/7 service – let us go very, very baseline and minimalistic here – there are three 8-hour shifts a day. We know there will be a bit of duplication in there as well. With seven days a week, that is 21 shifts you have to cover. You need at least five staff to be able to do that. When only 30 students are entering the course, you do not know how many will finish the course and you do not know how many will end up practising after they finish the course as well. It is a very, very limited scope of how this is going to be applied. It is not going to stop the health crisis that we see in Victoria. It is a small piece of the puzzle. At least it is something – it is better than nothing – but it is certainly not going to be the be-all and end-all.

We know that there are other opportunities to utilise the health professionals in our community, and I will speak more to those later in my contribution. I think that it is very important that all parts of the health system and all of our professionals are respected for the skills, knowledge and qualifications that they have, also their experience, and that we look at these novel approaches to unlock them. But we also have to ensure that there are sufficient resources provided to individuals so that they are able to train to get this additional certification if they choose to follow this pathway and that they are remunerated appropriately for taking on these additional skills.

We need to make sure that when we are looking at these types of programs, we are not just looking at such a small number of practitioners that are a very, very small number of people. Most likely just people in Melbourne will be able to reap the benefits. We need to make sure these types of programs are available in all corners of the state, because when it comes to access to doctors, when it comes to access to 24/7 support, whether it is through urgent care centres or bush nursing centres in the further reaches and less populated areas of this state, there often is not a choice, and in fact you have to travel at least a hundred kilometres or more to access support. I actually think these sorts of models, whether they are around paramedic practitioners or community paramedics, are something that should be

targeted for areas where there is the least access to general practitioners and to that other, as it was referred to in the minister's second-reading speech, lower level, lower acuity of people, who simply need to access some medicines either to keep an existing condition well managed or, when you are sick like me, to access some antibiotics to get on top of that illness before you get very, very sick or you share it with everybody in your community or your parliamentary team.

I can see that the government have an idea around this. It should be explored, but it simply does not go far enough to be able to make the difference that has been stated. I think that the Labor government have drastically overstated what the impact will be of this paramedic practitioners bill. I know that my words there will probably be twisted around. That is not to say that it is not a step forward, but let us see the government invest properly in this and provide the appropriate resources to paramedics so that they can access that additional qualification and be appropriately remunerated and so that these models can be put in every corner of Victoria, not just a couple of services around Melbourne, where there is a much higher density of general practitioners than anywhere else in the state.

Going through the main provisions of the bill, clause 1 establishes paramedic practitioners as a class of registered paramedics and authorises them to obtain, possess, use, sell and supply certain substances. Those substances, because this is part of the drugs, poisons and controlled substances amendment, are medications of course, so that will enable a paramedic who has additional qualifications and has an approved scope of practice to dispense certain drugs. They will be able to provide those on the ground in the community. Clause 4 defines a paramedic practitioner as:

- ... a registered paramedic who –
- (a) has completed a prescribed postgraduate qualification; and
- (b) satisfies the prescribed experience requirements ...

This qualification is completion of the master of paramedic practitioner delivered by Monash University. It is fabulous that Monash have worked up this training program, this qualification, the master of paramedic practitioner. However, one of the limitations that we experienced with nurse practitioners was that there simply were not enough places available to undertake that additional level of qualification across Victoria; in fact for some period of time you could only achieve that qualification through Queensland-based universities.

We need to ensure that this is a model that can be taken up by other universities, and it may be that the government is required to provide support to universities, whether at a state level or a federal level, to work up those qualifications so that there are further courses available. This of course opens up choice, and if we can ensure that there are training opportunities in rural and regional Victoria, we are more likely to see rural and regional paramedics take on this additional qualification and the studies associated with that to be able to deliver these services in the communities where they currently live, where they are currently paramedics. That is very, very important, and I would encourage the government to look at how we can expand the number of places available not just through the masters degree but also for other universities around the state.

Clause 5 allows any paramedic practitioner to obtain, possess and use, sell or supply a schedule 2, 3, 4 or 8 poison. Again, that is a limitation. It is not anything that they are distributing, it is limited to approved poisons. Of course anything that is one of the approved poisons, they also have to be TGA-approved and the like, so there is no question about what type of drugs these paramedics will be able to dispense or provide. Schedule 2 and 3 pharmacy medicine, or pharmacist-only medications, include local anaesthetics and analgesics that are commonly referred to as over-the-counter medicines. This is important for people who are in pain or who have suffered a higher level injury but something that does not require hospital support.

At this point I would like to reflect upon one of the biggest injuries that we have that probably requires analgesic and wound treatment, and that is accidents on farms. We have seen too many farm injuries right across the state this year. Certainly in my electorate of Lowan we have a high density of farms,

and unfortunately this year we have been hit really hard with on-farm deaths. They are not through lack of experience. It is certainly not through people who are cowboys or do not know what they are doing. These are simply things that have happened which have had absolutely tragic outcomes, not just for the individual and their family but people are still talking about some of the people who have passed away this year. We have had quad bike accidents, we have had vehicle accidents where people have been crushed, we have had horrific things happening on farms. Farming is a fabulous profession. It is very dangerous because of the unstable terrain that we work in, the heavy machinery and equipment that we utilise. There is so much variety in what you do on a day-to-day basis. There is a level of fatigue because during harvest and during other times such as sowing or shearing people are working very long hours and are fatigued. But we are not making a dent on improving farm safety.

I would like to acknowledge Ross Johns, who has been a passionate advocate for farm safety improvements, not just in Victoria but nationally. He is very keen to set up a similar resource to support a reduction in on-farm deaths as we see in the mining sector and to get the agriculture sector to come together to achieve that. I really commend Ross for his work. Ross is driven by the fact that his best mate Mick Morcom was killed in an on-farm accident earlier this year. I pay my respects to Mick, who was a fabulous bloke and gave so much to the community, and I also pay credit to Ross, who is certainly ensuring that he has no more mates dying on farms. It is an absolute credit to him.

Schedule 4 prescription-only poisons include local anaesthetics, antibiotics and stronger analgesics, such as Panadeine Forte. Schedule 8 is controlled drugs that require strict legislative controls, such as opioid analgesics like pethidine, fentanyl, morphine, oxycodone, methadone, buprenorphine, benzodiazepines and ketamine. There are a whole range of different drugs that paramedic practitioners would be able to supply. They will have the relevant qualifications to understand how this will impact on the individual and what the dosage that is appropriate for that individual would be. We all metabolise drugs in different ways and at different speeds. When I was at Healthscope Pathology many, many moons ago now, there was a lot of genetic work that they were doing in terms of the rate of conversion of drugs by individuals, which would help dosing of some medicines like warfarin, which is used as an anti-clotting agent. It is a very skilled science to understand dosing, to understand medicine interactions that can be damaging to the kidneys or liver or can cause much more serious outcomes, and so while it is important that paramedic practitioners have those skills and qualifications, they will need the experience and they will need strict guidelines about the usage of those medicines as well.

Clause 10 enables paramedic practitioners to access the monitored poisons database, which is SafeScript, which contains records of patients' prescriptions and supply history for high-risk medicines. This is aimed at facilitating safer clinical decisions and preventing the misuse of high-risk medicines and drugs of dependence.

I have spoken in this place on many occasions about SafeScript. It can be a fabulous program, but we have not yet seen from the Labor government sufficient support for pharmacists and for GPs to be able to understand what to do when somebody is flagged as having too much of a medicine dispensed or if they look like they have an addiction issue. There are not enough supports in place to be able to refer somebody to rehabilitation or treatment, because there are no places available. There are about 5000 Victorians waiting for drug and alcohol treatment on the waitlist today. It is an enormous number of Victorians who cannot access the support to try and get them off these drugs, and many of them are prescription drugs. They are incredibly dangerous, and they are incredibly addictive.

I also would like to take a moment to acknowledge the work of John and Marg Millington, who lost their son Simon to a prescription medicine overdose. I have told this story many, many times. They are close friends of mine. It was initially a commitment by the Liberal–Nationals government in the lead-up to the 2014 election – in fact 10 years ago; I am celebrating 10 years in Parliament, that I have been in this place, this week – and I think that was probably the first moment during the election commitment period when you make those promises to the public over what you will do in government. I am very proud that we were able to deliver that even in opposition, and that is something that is a

fabulous program, but without the supports it cannot achieve the full outcomes and aspirations of what SafeScript should be able to provide. We need to be wary that this paramedic practitioner model is not used as an alternative to work around the SafeScript flagging system.

There are many aspects of course of the health system which are really under pressure at this point in time. We can look at different models which are available, and I would encourage the government to look at these and consider expanding what they are doing with paramedic practitioners and to expand it to other models where we can utilise highly skilled medical practitioners who are based in rural and regional Victoria, where there is a need and underservicing of people's health needs. But we have got people who are also underutilised because of their role.

I would like to particularly acknowledge the work of Community Health First and ARRCH, which sits underneath that. It is the organisation which represents community health organisations across the state. Community health organisations really punch above their weight. They take a very, very small amount of money and they make sure that people who have diagnosed chronic disease are well supported, and they also help to make sure that people are well in the community. They take so much pressure off the system. They take so much pressure off hospitals in particular and GPs. It is something that we should see more investment in, and what Community Health First are looking for at the moment is a really small amount of money. They are looking for just \$7 million to expand their community paramedics model, and this is something that has been enormously successful up in the Sunraysia area – the tropical north, as my friend the member from Mildura would say. This very small amount of money, \$7 million, would avoid 7000 emergency call-outs. Seven thousand emergency call-outs would be removed, and 2300 emergency presentations would be avoided. This is a very, very small amount of money when you look at the entirety of the health budget. It is something that ARRCH and also Community Health First have been pushing for for a long time. In fact I have got a document here that goes back to 2023. It is their budget submission for last year. This ask is repeated this year. I encourage the government this time, when they are looking through the figures, to consider investing in that fabulous program.

The second thing I would like to highlight to the government that is a way that we can take pressure off the overburdened health system is to ensure that pharmacists are granted a full scope of practice. At the moment we have small steps in Victoria towards having pharmacists being allowed to dispense certain drugs. The ones that we hear about most often are treatments for UTIs and the pill, which was the commitment that Mary Wooldridge made when she was the shadow minister for health, but there are a range of other medicines that pharmacists could dispense quite safely. We have seen it take place in other areas and other states across Australia, and now Victoria has fallen well behind. We should not be the last to implement an expanded scope of practice for pharmacists. They understand the drug interactions; that is what they were trained to do. They understand when drugs are appropriate and when they are not. When we have a limited number of general practitioners in the wider community and when we know that the lack of treatment for certain conditions can lead to hospitalisation if you do not deal with it appropriately and quickly, then I cannot see why you would not go ahead with supporting the Pharmacy Guild of Australia in encouraging and providing the opportunity for pharmacists to have a full scope of practice in exactly the same way that we are seeing with this legislation today. Paramedic practitioners can have an expanded scope of practice to dispense drugs directly and to see when that is needed, and pharmacists can do the same. I commend the Pharmacy Guild of Australia for their advocacy around that. Victoria has fallen behind; we need to catch up and we need to utilise these fabulous health practitioners for all of the skills, knowledge, qualifications and experience that they have.

We know that the health system needs help. I am in a region where we have suffered the impacts of Labor's forced amalgamation of health services into Grampians Health, which is managed out of Ballarat. I cannot explain how devastating it has been for our health staff in particular to have managers that are a couple of hundred kilometres away and totally detached from decision-making and the problems that are on the ground. It has really hit their morale hard, and they have lost a lot of fabulous

staff. We currently have a situation where the linen service machines are all broken down. We have got laundry staff who are travelling 2000 kilometres a week to do the laundry from Horsham at Ballarat hospital. We have got situations where anaesthetic machines are past their end of life and the foundation are being leaned on to replace anaesthetic machines that should be paid for by the state government. We have had devastating losses of staff and expertise. We still have not got a dental service in Edenhope. The first thing that Grampians Health did was shut the dentistry service in Edenhope.

**Michaela Settle:** It was voluntary.

**Emma KEALY:** It was not. And I note the rumours at the moment that the board chair has been sacked and replaced. I understand they had a new board chair take over the meeting last night. This is just a small snapshot.

*Members interjecting.*

**Emma KEALY:** I can hear the Labor members who are laughing in the background about this. It is no laughing matter when people cannot access health care at home. It is inappropriate –

**Steve Dimopoulos:** On a point of order, Acting Speaker, the member on her feet is impugning the members on this side. They were not laughing; she should at least be more honest about the characterisation of what their contribution was.

**The ACTING SPEAKER (Wayne Farnham):** There is no point of order.

**Emma KEALY:** The minister at the table might not like the fact that Labor have completely destroyed health in my part of the state, but it should not be a surprise, because they have destroyed health care right across the state. Our healthcare system in Victoria has gone from the best to the worst in Australia, and it can only be described as appalling how the Minister for Health has handled this issue. There is no acknowledgement there is a problem, even though it is obvious to everybody when you cannot call 000 and get someone to answer the call, when people are dying on the front lawn waiting for an ambulance for hours for different conditions, when ambulances are ramped up outside our public health service for hours and hours and hours, when you have even got the ambulance union calling for an inquiry in the Parliament to understand what issues are going on, when you have got emergency departments who are so stressed and overwhelmed that there are people being treated in the corridors – a disgraceful situation – and when you have got bed blocking. In fact just this morning one of my friends sent me a message that their best friend's partner has been waiting for over 18 hours –

*Members interjecting.*

**The ACTING SPEAKER (Wayne Farnham):** Member for Melton and member for South-West Coast, stop. I want to hear the member for Lowan. That is enough.

**Emma KEALY:** When you have got somebody in an emergency department who is having an acute psychotic episode – I think half an hour ago a doctor finally saw them after an 18-hour wait –

**Danny O'Brien** interjected.

**Emma KEALY:** Eighteen hours with an acute onset. They have schizophrenia resulting in acute psychosis and they were waiting in an emergency department for 18 hours, and you try and push back? Labor members in here are shouting at me saying that there is no health crisis in this state – it is absolute rubbish. Listen to the members of your community. Listen to your constituents. Look at the statistics. Ambulance response times are terrible in this state. Health outcomes are terrible in this state. The cuts to health care by the Labor government are appalling. We see over and over and over the impact that the Allan Labor government has on Victoria's health system, and it is Victorians that are paying the price. They are paying the price in the most horrific way – absolutely unacceptable.

It is all very good for the Labor MPs in here, who I am sure all have private health insurance; they do not have to worry about that. But, you know what, it is the Victorians who cannot afford private health insurance in this cost-of-living crisis who will pay the price the most. The people who do not have choice, the people who Labor purport to stand up for at every single step, are the ones that Labor always leaves behind. They always leave them behind. Under Labor and under Jacinta Allan we see a health service in absolute crisis, and Victorians are paying the price.

**Michaela Settle:** On a point of order, Acting Speaker, correct titles, please: the Premier of Victoria.

**The ACTING SPEAKER (Wayne Farnham):** I think the member has finished her contribution.

**Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (12:32):** It is a real pleasure to rise on this bill. I am going to start with a different point, but I am going to start by saying you cannot trust the Liberal–National coalition in Victoria to say anything that resembles the truth – not one clause in one sentence. The louder the member for Lowan’s voice gets, the more she departs from truth and goes into fiction. That is the reality. This is a person who knows very well that her party in government closed hospitals in Eildon, in Koroit, in Mortlake, in Red Cliffs, in Macarthur, in Clunes, Birregurra, Lismore, Elmore, Waranga – should I keep going? They closed a swathe of hospitals.

**Emma Kealy:** On a point of order, Acting Speaker, the minister has strayed from this very narrow bill about paramedic petitioners and has failed to mention the hospital closures in western Victoria under his watch.

**Michaela Settle:** On the point of order, Acting Speaker, the minister was being entirely relevant talking about hospitals, which we just had to listen to in the contribution from the deputy.

**The ACTING SPEAKER (Wayne Farnham):** I will rule on the point of order now. The minister was responding to a previous contribution, and I am sure the minister will come back to the bill very quickly.

**Steve DIMOPOULOS:** I was responding to the mistrust by the community of the Liberal–National coalition in Victoria. In her debate the member said that the health system is at breaking point. Then she said it is in complete disarray and crisis. Absolutely there are always tensions in health services. You do not leave gaps in capacity in such a busy portfolio, nor in education and health; you respond to the needs of the community at the time they are presented.

Let me give you the real truth, because you will not hear it from the member for Lowan. The real truth in Victoria is we have the longest life expectancy nationally. You will not hear that in the mistruths from the Liberal–National coalition, including the member for Lowan. The other truth is we are the only state or territory where all category 1 surgery patients are treated on time – the only state. We are the safest state to have surgery, with the least number of adverse events and the least number of readmissions of any state. This is not a Victorian government report; this is a report from Canberra, the report on government services. It is a national report. This is not me telling me how good I am or the Victorian government saying how good we are. We have the shortest planned surgery waiting times in the country. Did you hear that? The shortest planned surgery waiting times in the country. We have the best cardiac arrest survival rates, but you will not hear that from the member for Lowan, because she is absolutely departing from truth. She is heading to fiction. She is misrepresenting the situation. She is alarming the Victorian community. We expect far better –

**Danny O’Brien** interjected.

**Steve DIMOPOULOS:** No, I did not say it was all going well, Leader of the Nationals. We were the only state that saw improvements in emergency treatment times as a percentage of patients seen on time – all hospitals, all categories – from the 2021–22 financial year to 2022–23. We had among the quickest ambulance response times of any state. They have gone all quiet; they cannot cope. They cannot cope that the Victorian community never trusts the Liberal or National parties with health,

ever – or education. They never trust those parties with health and education. They want everybody to fend for themselves. They do not depart too much from Adam Smith, really – a hundred years later and they still subscribe to the economic rationalist theory: if you can afford to pay your way, you should pay your way.

**A member:** Through the Chair, please.

**Steve DIMOPOULOS:** I think that was through the Chair. Anyway, we have also grown the workforce by almost 50 per cent since 2014. The member for Lowan talked about the workforce. She did the whole appeal: ‘The workforce work really hard.’ Of course they work hard, but, you know what, when you had a chance to support them, you did not. It is okay to pay lip-service to the workforce, but we actually put our money where our mouth is with the workforce. We have grown the workforce, adding an additional 40,365 nurses, midwives, doctors and allied health professionals over 10 years. They would not do that over 100 years; they would not know where to start. And then we have had the biggest year-on-year growth in the past 12 months in Victoria’s history. We made it free to study nursing and midwifery, with sign-on bonuses for graduates. We strengthened Victoria’s nation-leading patient ratios, something the other side of politics tried to dismantle.

I will get to the rest of the bill, but it is not appropriate to let those ridiculous mistruths stand in *Hansard* from somebody who is one of the biggest alarmists I have seen and also has a glass jaw. You come back at the member for Lowan and she falls apart. Anyway, the point about this is, of course –

**Emma Kealy:** On a point of order, Acting Speaker, the minister is misleading the house. I am more than happy to punch back when I am punched.

**The ACTING SPEAKER (Wayne Farnham):** There is no point of order, but I will ask the minister to come to the bill. A mention of paramedics would be good.

**Steve DIMOPOULOS:** This is a very, very important bill and I have enormous pride in speaking on the bill, because it is an Australian first – and I think the member for Lowan did actually accept that – effectively recognising highly specialised and trained paramedics to take some pressure off the emergency departments of hospitals but also, more than that, to actually give treatment more quickly to people that they are trying to help by arriving at their front door or wherever they may be in distress and needing an ambulance. They will do things like, for example, wound care and closure; treating minor infections, dislocations and fractures; and a whole range of other minor treatments of patients. It has worked well in the UK, Canada and the Netherlands, as the Minister for Health said in her second-reading speech, and they will have the powers to obtain, possess, use, supply, administer and prescribe scheduled medicines.

I was one of the lucky people to attend the launch of this announcement in my electorate, at Monash University in Clayton, where we saw some of the highly trained paramedics who would be amongst the first graduates. The first graduates, some 30, will be on the road in regional and rural Victoria by the end of 2026, and early next year the university will take the new admissions for the next batch. I thank Monash University for their collaboration with us. That institution is extraordinary. You cannot build a paramedic workforce and you cannot build a health workforce if you do not have the training providers, whether that be Monash or other training providers. When the Monash heart hospital – another proud Labor government achievement and the only heart hospital in Australia, in the country – was being proposed and constructed the vice-chancellor, now Governor of Victoria, said to me it would be bigger than many heart hospitals around the world because of its collaboration with the medical faculty of Monash University, because Monash University’s medical faculty is one of the biggest medical faculties around the world. This is the capacity of the training opportunities available to us because of that prestigious university and because of the heart hospital.

Of course across the road we have got the Moderna plant, again a proud Labor government achievement. The then Premier, the current Premier, the Treasurer and others were involved in procuring that. And we have got the synchrotron, another proud Labor government achievement under

John Brumby and Steve Bracks. This is one corner of Blackburn Road and Wellington Road in my electorate – one corner – let alone then the rest of the businesses and the medtech industry around that area. Then those on the other side, that unimaginative, hopeless lot on the other side, say, ‘You can’t have a Suburban Rail Loop.’ How do you get to those institutions and facilities? How do you get there? Monash University is the biggest university in Australia. Monash heart hospital is the only heart hospital in Australia. Monash Health is the biggest hospital network in Victoria. Do you leave them all without a train line? Do you leave customers, patients and students without a train line to those prestigious facilities?

For all those reasons, because we have built the ecosystem of the health services of this state – the workforce, the infrastructure and now the transport links to those very extraordinary facilities – this paramedic practitioners bill is just another notch in the belt of significant achievements and building on workforce capacity in this state that will be unmatched.

**Roma BRITNELL** (South-West Coast) (12:42): I rise to speak on the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024, which basically is a bill that amends the Drugs, Poisons and Controlled Substances Act 1981 to allow a legal framework to be put around ambulance officers who want to upskill and become practitioners, a concept that we saw in the nursing world many years ago and that has been quite a successful advantage to the system. So I absolutely think this is something we should be endorsing. I look forward to talking to the ambulance officers as they do upskill and to continuing my support for them, because I think they do an amazing job. Ambulance officers under extraordinary pressure do amazing work. They do not often have around them the system that I worked in, a hospital with everything coming out of the wall, like oxygen and suction; they have to pull it all out of the back of a vehicle and attend to people in extraordinary situations in farm accidents or road accidents. So I always take my hat off, and I loved the time that I did spend working with the ambulance when I was training.

But I think this bill does not go far enough. We have had 10 years of a Labor government who have destroyed the health system, and the ambulance officers need far more support than just these 30 trainees that we will see becoming practitioners. If the government were really serious about giving them the resources they need, they would probably start with the issue we have got in Portland and fix it. We have a helipad in Portland that has been closed for two years. No-one has given the community an understanding as to why that is. Initially the minister tried to blame the civil aviation people, and they said it was not them that changed any regulations. I have asked for a risk assessment so that we can see as a community what the risk assessment looked like that actually resulted in the cessation of the helipad being used. What we are seeing now is the ambulance officers having to go out to the airport and back and forth when the helicopter should be able to take off from the helipad at the hospital, as it had been doing previously for nearly 10 years. The people of Portland are not fools; they actually can see the yellow flashing lights and all the safety measures that are in place to make sure that the helicopter lands safely. It is disrespectful I think to take away a helipad with no explanation. If there are more safety measures that need to be put in place, then the government can get on and do that.

I have seen in other jurisdictions, in other states, where exactly the same situation exists. The government in Queensland, for example, is backing in the contractors that the government employs, but our contractors are not backed in by the Victorian Minister for Health and the Labor government, so they are not able to land and feel they can do so with the government’s backing. What needs to take place should be supported by the government even if there is some risk, because right now not landing a helicopter on the helipad at the hospital that was designed to have helicopters land on it is putting patients at risk. When they have been affected by trauma, which is often why you get a helicopter – major traumas – time is critical. It makes no sense, so the government needs to fix that. The community have waited long enough, and I call on the government to release that risk assessment and fix the issues that they see as a problem.

If the government was really serious about helping the ambulance service, they would do far more in Warrnambool. The ambulance officers in Warrnambool only have one mobile intensive care ambulance, and it is a sedan. The paramedics are dispatched in a sedan, which is not able to fit a patient, limiting their ability to respond to emergencies that require a highly skilled team. In a situation like a cardiac arrest, for example, a single MICA paramedic is currently dispatched and is expected to perform life-saving procedures like intubation, cannulation and defibrillation, all with just one pair of hands until backup hopefully arrives. This unrealistic expectation puts paramedics and patients at risk. All they are asking for is a two-up system, like we have in the police, where two paramedic officers are dispatched with an ambulance that supports them, fully equipped. We see this in smaller jurisdictions, we see it in Ararat and we see it in areas that are not as highly populated as Warrnambool, so there is absolutely no reason. However, the government has just released their plan for the next five years, and Warrnambool is not going to be getting that MICA paramedic that they need for two officers with their ambulance.

This also restricts the area from being able to train further MICA paramedics, because we have situations where locals wanting to train have to go away. One particular gentleman has a very sick child and his family cannot have him in Geelong or Melbourne where he needs to be to train because there is more than one MICA to be able to help supervise. They can train in other jurisdictions around the state where they have the two MICA paramedics, with less population. Unlike what the minister has shared with me in her rationale for him not being able to train locally, like others have, it is simply because we have not given Warrnambool the resources.

Furthermore, we had this 15 years ago, with a population less than it obviously is today with the growing population of this state. We still have only two ambulances equipped for Warrnambool. It needs a third ambulance. Fifteen years ago that was what they were using to meet the demand of the population. Now that it has grown, there is clearly a need, but no, in that report that the government has released they have no plans to give Warrnambool the resources. It is all very well to give a pay rise, and I am very, very pleased that the ambulance officers have got that. They deserve that. But when you are a health professional, there is nothing more debilitating as a health worker than losing a patient due to insufficient resources. As a former nurse I empathise deeply with the local officers who desperately need this third ambulance to meet the growing need and who desperately need a second MICA paramedic.

I urge our community to really get behind our ambulance team and feed into the government's inquiry. There is a parliamentary inquiry on now; it is open until February. Write up your stories, I urge you, to help our ambulance officers. If you did not get the ambulance on time that your family needed or if you were experiencing, like I heard about in a café in Warrnambool, a situation where someone collapsed and it was an hour and the staff were having to step over this person who had collapsed for an hour because the ambulance could not arrive, please get that submission on the internet on the Parliament's website and feed your stories in. It helps our ambulance officers. They need your support.

Here we have 10 years of Labor, and the health system that I used to once proudly say we were very blessed to have in Victoria is in an absolute crisis. After 10 years of starving the health services of much-needed funding, even today it is becoming more evident – it is in the news today – that in 2018 the cracks were showing. Our waitlists for emergency surgeries are absolutely too long. 61,000 people are waiting for planned surgeries in pain, often starting to get concerned about how many opiates they are having to take to manage that pain. Very, very clearly we have seen, and I have certainly had cases in my office, even children addicted to opiates waiting for hip replacements, which is something you never, ever want to see.

I am really sad to hear my nurse friends tell me that they are being asked by the theatre team to actually take leave or go and work on the wards. We have got theatre lists that are not being filled because we have not had the full complement of anaesthetists, general surgeons, other surgeons and other specialists that are actually needed. I understand that 20 physicians have been employed recently by the hospital, but whilst we have got a Department of Health and a government, the Labor government,

not doing the analysis of what is needed and utilising the resources or getting the resources that are needed, we should not have any theatres not at full capacity when we have got 61,000 people on a waitlist. It is devastating to the nurses that need to be supported to do the jobs they love and have such stress levels going on. The levels of sick leave and burnout that they are experiencing they are telling me about. It is really quite a crisis.

We were promised a hospital that would be built to scope. We waited years and years because we were told as a community that the right planning had to be done, and yet, after the Premier visited – she did not say it, because she was not game enough, while she was there – a week later they said, ‘No extra funds for Warrnambool Base Hospital because costs of building have gone up, so cut the scope. We’re currently redesigning and having to cut out things like pathology and upgrades to parts of the hospital that were deemed necessary just a few years ago and are now not necessary.’ Surely if the government can find money for other hospitals that they have increased the funding to – and if you just have a look around the state where many of the Labor seats are, they have done exactly that – why won’t they give a hospital in Warrnambool the extra funds they need? The building costs have gone up because of their dirty Big Build, and the waste is just criminal. We need that addressed, and they need to absolutely fund the hospital properly and make sure there is the scope there to futureproof it.

**Steve McGHIE** (Melton) (12:52): I proudly rise today to contribute on the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. I find it a bit ironic that the member for South-West Coast talks about supporting paramedics when those opposite were at war with paramedics when I was the secretary of the union only a few years ago. So it is a bit ironic to suggest that they would be supporting paramedics.

Anyway, as I said, I was the secretary of the Victorian Ambulance Union for a number of years, and I started the discussions with the former Minister for Health the Honourable Jill Hennessy back in 2016 about paramedic practitioners and continued those discussions with subsequent health ministers Jenny Mikakos and Martin Foley and of course the current minister Mary-Anne Thomas, who has now brought this bill into the house. I am pleased to say we have finally got there and are introducing paramedic practitioners into the state of Victoria.

Of course this was an election commitment by the Andrews–Allan Labor government, and we are delivering on that commitment. Yes, there are currently 29 paramedics that are studying the Australian-first master of paramedic practitioner degree at Monash University, and it is fantastic. It will expand their level of care and how they can treat people pre hospital or out of hospital. While there are 29 paramedics going through the training in this course in level of care and practice, our commitment is to 100 scholarships over the next four years. It started with 30. I think there are only 29 that are currently on the course, and we wish them well with their quite extensive training, an extension of what they currently do as paramedics. Most of them are very experienced paramedics that are doing this particular training.

We know that different models of out-of-hospital care need to be provided. The way the ambulance service is responding now, we cannot keep doing it the same way as we have done it for decades. There is an increased volume of case load. I think recently they have had the highest numbers of cases in a three-month period, and a high percentage of those cases are probably unnecessary emergencies that come through the 000 system. But the ambulance service has to respond. As the population grows and the demand grows, it is not just about putting more paramedics on the road. There are 2000 more paramedics on the road as of today than when this government came into office. When I left the union we had just over 4000 paramedics in the state of Victoria; now there are about 6500. So the recruitment into the ambulance service has been enormous in the last few years.

The paramedic practitioner is a new role, and the whole idea of it is to try and reduce the number of people that need to go into a hospital. It is about treating people at home, and depending on the acuity of their condition, it is allowing these newly trained and extensively trained paramedics to administer scheduled medicines. They can also prescribe and supply medicines. This is about treating people

where they actually are, rather than having to come through an ED to be treated – unnecessarily in an ED probably, because it is better for them to be at home. If it is a nursing home or an aged care facility, then these paramedic practitioners can treat them there, and it is much better for the patients and the patients’ families. Paramedics regularly transfer patients with serious but non-life-threatening conditions to hospitals. Again, some of the treatment that these paramedic practitioners give will mean that these patients may not need to be transferred to a hospital. They can be dealt with at home and recover at home. It is advanced clinical training. They will be able to assess and diagnose patients, treat them in the field, treat them at home and treat them in a nursing home, as I said, and again, that would be good for that individual patient but also for the ambulance service and the health system.

Before I run out of time, because I can see the clock, I did mention that they had 29 paramedic practitioners doing the course, and I am going to read out all of those 29, because it is history in the making. These people are starting this new concept in Australia, and I am going to read out all of their names. These are the ones that are currently practising, and these will be the first ones on the road providing this level of care to patients out in the field: Craig Beamish, Kim Baker, Philip Bell, Jo Brooks, Ben Carty, Julia Cosgrove, Sarah Dalton, Nancy Di Grande, Sean Duggan, Brian Gansbuehler, Jonno Harper, Michael Heffernan, Jayda Hunter, Robert Kemp, Norieul Kinross, Tennille Lakey, Justin Lanser, Glenn Lazzaro, Jake Lurati, Mark Lyszczarz, Jacob McEwan, Dion Meade, Michael Moldoveanu, Laura Mowbray, Shannan O’Leary-Colliver, Heidi Opteynde, Georgia Ryan, Martin Starick, Jade Taylor, Amanda Taylor-Hall, Megan Vearing, Peter Wagstaff and Bianca Margaret Wilkie. I congratulate them and wish them well in their studies and in their practice when they hit the road in dealing with and looking after Victorian patients. I should also mention the trainers Alessia Restiglian and Natalie Fonda. As I said before, I wish them all well, and I think Brendan Shannon is also another trainer of these fantastic paramedics.

I want to give a shout-out to all the paramedics around the state. They do an amazing job. Keep up the great work. I know that you are voting right now on your new wage deal. I wish you well. As I said, I started the discussions on this back in 2016 with the Honourable Jill Hennessy. Here we are in 2024, and you will be on the road by 2026 delivering this great service to the Victorians that need it that will keep people out of hospital. You can treat people at home, in their nursing homes and in their aged care facilities for better outcomes for those individuals, better outcomes for the ambulance service, better outcomes for the state of Victoria and better outcomes for the health services. This is a fantastic bill. I commend the minister for bringing this forward. I commend the Andrews–Allan Labor government, which committed to this election commitment for the paramedics. I commend the bill to the house.

**Sitting suspended 1:00 pm until 2:02 pm.**

**Business interrupted under standing orders.**

**The SPEAKER:** I acknowledge in the gallery today the Ambassador of Türkiye His Excellency Ufuk Gezer and the Consul General Doğan Işık.

*Questions without notice and ministers statements*

**Economic policy**

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:02): My question is to the Premier. Last week the Auditor-General confirmed that funds raised via the COVID debt levy on landholdings and payroll will not be spent paying off Victoria’s eye-watering debt. Why not?

**Jacinta ALLAN** (Bendigo East – Premier) (14:02): Revenue that has been raised through the budgetary measures that have been outlined in this year’s and last year’s budgets, as signed off by the Auditor-General, is going to a range of measures. It is going to those frontline nurses, those additional nurses that work in our health system. The revenue is going towards the delivery of the school saving bonus, which is hitting parents’ emails this very week. We outlined in the 2023 budget the COVID

repayment plan, recognising that during the worst of times, the most difficult of times, the one-in-100-year pandemic, we used the strength of the government's balance sheet to protect and support businesses, households and of course most importantly the health of our community. On that point of businesses and the economy, we invested \$21 billion during the pandemic, keeping people in work, keeping businesses supported –

**John Pesutto:** On a point of order, Speaker, on relevance, can I ask that you draw the Premier back to the question about why the COVID debt levy is not being used to repay COVID debt.

**The SPEAKER:** Order! I remind members that points of order are not an opportunity to repeat the question. The Premier was being relevant, but I do remind the Premier of the gist of the question.

**Jacinta ALLAN:** As I was saying, we used the strength of the government's balance sheet to protect businesses, to protect households and to protect the strength of the economy. That is why in last year's state budget, in the 2023 state budget, we outlined that COVID repayment plan. That included the establishment of the \$10 billion future fund, a fund that is dedicated to supporting, by legislation. This is why we have a budget, as signed off by the Auditor-General, that is showing how the revenue that is being collected is going through –

*Members interjecting.*

**Jacinta ALLAN:** Of course we all remember that during the pandemic there were some who said, 'Let it rip.'

**James Newbury:** On a point of order, Speaker, on relevance, the Premier is debating this very basic economic question.

**The SPEAKER:** I ask the Premier to come back to the question.

**Jacinta ALLAN:** That is why we outlined that COVID repayment plan. It is accounted for in the budget, which is signed off by the Auditor-General.

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:06): The Auditor-General also found:

The state Budget committed to investing \$132 billion in capital projects from the 2024–25 financial year and beyond. The majority of this investment is expected to be debt funded.

Can Victoria afford an extra \$132 billion in debt?

**Jacinta ALLAN** (Bendigo East – Premier) (14:07): The Leader of the Opposition has answered his own question. It has been provided for through the budget papers, it is accounted for through the budget papers and, guess what, we are getting on and delivering it.

**John Pesutto:** On a point of order, Speaker, on relevance, the question was whether \$132 billion of extra debt can be afforded by Victoria.

**The SPEAKER:** The Premier to come back to the question.

**Jacinta ALLAN:** Of course, on that question too, we have a fiscal strategy that is outlined in the budget papers, a fiscal strategy that we are delivering against. Do you know what is contained in that fiscal strategy? A program that keeps people in work. And do you know what you do when you keep people in work?

**John Pesutto:** On a point of order, Speaker, again I ask that you draw the Premier back. It is a very simple question that the Premier should be expected to understand. You are in charge of the economy, and you do not understand. Can Victoria afford –

**The SPEAKER:** Order! Points of order will be made succinctly and without making statements to the house. The Premier to come back to the question.

**Jacinta ALLAN:** I know the Leader of the Opposition loves to explain things, loves to show the world how clever he is –

**James Newbury:** On a point of order, Speaker, the Premier is debating the question. This is a simple and basic question.

**The SPEAKER:** I ask the Premier to come back to the question.

**Jacinta ALLAN:** As I was saying in answering the question from the Leader of the Opposition, the capital program that he referred to, which is outlined in the budget papers, accounted for in the budget papers and signed off by the Auditor-General, is keeping tens of thousands of Victorians in work. That is absolutely what Victorians want our government to be focused on: keeping people in work.

### Ministers statements: housing

**Jacinta ALLAN** (Bendigo East – Premier) (14:09): There is another area that Victorians want our government to be firmly focused on, and that is building more homes, because we know that building more homes is one way to make sure that millennials and young Victorians are not locked out of homes, locked out of opportunity, locked out of the chance to build their long-term wealth. We do that by building and approving more homes for more Victorians – more homes than any other state in the nation, more homes for renters, more homes if you want to live near the people you love or if you want to start afresh and move to a new town, move to a new suburb or move to a smaller house.

It is pretty simple – we have been getting some lectures today about simplicity: supply and demand. When you block, you shrink demand. Do you know what you also do? When you block, you not only shrink demand but you shrink hope, you shrink opportunity and you deny millennials particularly the opportunity other generations have had to find a home, to build their long-term wealth and to live near the people they love. That is why we are getting on and building more homes. That is why we are looking at using every lever we have, and that is why we will say to the blockers, ‘You won’t stand in our way either,’ because we know we have got to get on with the task of building more homes. We are building and approving more homes than any other state, more homes for more Victorians, and that is what my government will remain firmly focused on. The blockers can block; the builders will build.

### Economic policy

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:11): My question is to the Premier. The Auditor-General has found that:

... the government has not established a long-term specific target for net debt to GSP ratio or ceiling on the quantum of debt it plans to take on.

Without either the Auditor-General’s debt-to-GSP ratio or ceiling on debt, will Victoria’s gross debt reach \$268 billion by 2028?

**Jacinta ALLAN** (Bendigo East – Premier) (14:12): The budget papers clearly outline the government’s fiscal strategy. Of course there are choices, and the choice we make through our fiscal strategy is to support people and keep people in work to grow our economy. There are alternatives of course. There are alternatives that have already been outlined to the Victorian community to cut and close.

**Brad Rowswell:** On a point of order, Speaker, the Premier is debating the question.

**The SPEAKER:** The Premier will come back to the question. The Premier has concluded her answer.

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:13): The Victorian Auditor-General found:

When the government spends more money on interest payments, there will be less money available for public services.

With less money for public services because of Labor's debt, is this why hospitals, roads, Ambulance Victoria and Triple Zero, with its annual report showing a \$38 million funding cut to call-taking and dispatch services, are in a state of crisis?

**Jacinta ALLAN** (Bendigo East – Premier) (14:14): The answer to the opposition's question is no.

#### **Ministers statements: housing**

**Sonya KILKENNY** (Carrum – Minister for Planning, Minister for the Suburbs) (14:14): I rise to update the house on the Allan Labor government's year of building more homes and more opportunity for Victorians. We have been working with local communities, planning experts and the government architect to make better decisions faster, with improved designs, more affordable homes and enhanced community outcomes. Through this work we have said yes to thousands and thousands of new homes, an increase of more than 100 per cent on previous years. We have said yes to 350 homes in Hawthorn, with 10 per cent affordable housing and more local space for the community too; 84 homes within 350 metres of Brighton Beach station; and 60 new homes in Glen Iris, with 10 per cent affordable housing, all within 500 metres of a tram stop. But what do all of these homes have in common? Every single one of them was blocked by their local Liberal MP. That is hundreds and hundreds of homes for Victorians that just would not be built if those opposite were in government.

Let me say this as simply as I can for those opposite: you cannot block your way out of a housing crisis. That is why we are pulling every lever to build more homes, making it easier for families to build a second home and making it easier to subdivide and build a second house on your block too. We are planning for wonderful new homes close to train and tram stops across the state, despite the Brighton blocker over there, making it cheaper for people to buy an apartment, unit or townhouse off the plan by slashing stamp duty, delivering the longest ever pipeline of family homes and backyards and providing more funding for the things that matter, like schools, kinders, parks and better bus and train services. While those opposite have wasted their year blocking homes, the Allan Labor government have spent our year building them.

#### **Economic policy**

**Danny O'BRIEN** (Gippsland South) (14:16): My question is to the Premier. Is Victoria's central banking system account in overdraft today?

**Jacinta ALLAN** (Bendigo East – Premier) (14:16): In 2019 the government established the central banking system process, bringing together thousands of different bank accounts from across the government, and it is reported to have saved expenditure of up to \$400 million by undertaking that process.

**Danny O'BRIEN** (Gippsland South) (14:17): In May 2023 the Treasurer approved the provision of \$5 billion to repay a portion of the central banking system overdraft. How much of this \$5 billion has been spent bailing out Victoria's primary bank account to date?

**Jacinta ALLAN** (Bendigo East – Premier) (14:17): The member had 10 years on PAEC. He probably could have done with a year or two more, I think. I am not sure who is replacing the new Leader of the National Party on PAEC. Which one of the remaining geniuses in the National Party is replacing the member on PAEC?

**James Newbury**: On a point of order, Speaker, the Premier is debating the question, a question that the Premier should know the answer to – a very basic question.

**The SPEAKER**: The Premier will come back to the question.

**Jacinta ALLAN:** The advice I have, for the benefit of the former member of PAEC, is that the funds from the account that were transferred have been transferred back into those departments. This is through a centralised banking account process that has saved hundreds of millions of dollars across government.

### Ministers statements: State Electricity Commission

**Lily D'AMBROSIO** (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (14:19): It is Ausmusic week, and I am absolutely thunderstruck to update the house about how in 2024 we have brought back the SEC, and it is here for good. There were some very dirty deeds done back in the 1990s, done dirt cheap too, which shamefully some are still celebrating today. Last week I absolutely had the proud honour to join with the Premier in Horsham to start construction on the first 100 per cent government-owned electricity generator since the SEC was sold off in the 1990s, and even the member for Lowan was trying to get in on the action. What do the locals say about this? The *Buloke Times* on Tuesday 26 November said:

Power and Profit Back to the People:

#### SEC Renewable Park For Horsham

The State Electricity Commission (SEC) is back for good – and its second investment is locked in.

And we had the Horsham *Weekly Advertiser* saying ‘SEC to soak up the sun’, and that is exactly what we are doing.

Let us look at what we have already done in bringing back the SEC. This year the SEC Melbourne renewable energy hub is more than halfway through construction at the Sydenham site, one of the biggest batteries in the world, and has already created 650 jobs in Victoria. What is more, right now the SEC is out there helping families to slash their energy bills, with 10,000 households already using the trusted electric home planner. And we passed legislation earlier this year that has enshrined the SEC in the Victorian constitution, protecting it from sell-offs into the future. The SEC is powering Victoria for Victorians. Those opposite are tearing themselves apart on a highway to hell whilst the Allan Labor government runs to paradise for more renewable energy and cheaper bills.

### Rental reform

**Tim READ** (Brunswick) (14:21): My question is for the Premier. Too many Victorians have to move house every year because of out-of-control rent rises. Lack of rent control seems to embolden some landlords to raise rents as high as they like. The ACT, along with a dozen or more European countries, Japan and Singapore, already has some form of rent control, and it is not a radical idea to treat housing as a human right rather than an investment so that renters do not have to live in fear of eviction in the form of an insurmountable rent rise. So what is stopping the government from setting caps on rent increases?

**Jacinta ALLAN** (Bendigo East – Premier) (14:22): I thank the member for Brunswick for his question. Of course one of the ways – the key way – to deal with affordability for renters is to build more homes. I will take from the member’s question then, if he is so focused on supporting renters, that he will tell his Greens political party colleagues in this place, in the other place and in every council chamber around the state to stop blocking the building of more homes. We see that from the Liberal Party; we would hope to see a different approach from the Greens political party.

The other way to support renters is to bring more investment into more housing projects. That is why the Minister for Planning has been very, very busy approving more and more housing projects worth billions and billions of dollars of business investment to our state. That is also about building more homes and particularly homes that are purpose-focused on the build-to-rent market. Indeed not only is Melbourne the biggest city in the country; it is the rent-to-buy capital of the country because of the regime that the Treasurer has put in place that has seen this business investment be attracted to this state to have more build-to-rent properties in this state.

The member went, in his question, to caps. I have lost count of the number of times in this house I have answered this question from a representative of the Greens political party. I will say it again – the member referred to overseas examples: the evidence from overseas is that it does not work. I would have thought that a group of people who are part of a political party that says it is evidence-based would sit back and look at the evidence. If we look at the evidence, it tells us that it does not work. But what will work is the legislation that we introduced into the Parliament just yesterday. I know I cannot anticipate debate on the notice paper, but building on the 130 rental reforms that we are implementing already, we are bringing new legislation to the Parliament to deal with excessive rent rises – to deal with this matter. I thank the Minister for Consumer Affairs for listening to renters, working with the community and working on legislation. Maybe the member for Brunswick in his supplementary question can indicate his party's support for this important piece of legislation so we can get on and provide more support for renters, because we know that the rental market has to be fair for everyone and we also know we have to build more homes so more renters can have more opportunities to have a roof over their head.

**Tim READ** (Brunswick) (14:24): If I had a house for every time that a small number of Greens councillors have been accused of causing the housing crisis, it would be solved by now. Unreasonably high rent increases act as evictions in disguise, and they often come soon after renters ask for their protected rights, like minor repairs and maintenance. The question is: why does this government continually prioritise investor profits over the right of vulnerable people to have a roof over their heads?

**Jacinta ALLAN** (Bendigo East – Premier) (14:25): I am going to send the member for Brunswick a copy of the housing statement we released last year and a copy of the bill, which I understand has already been second read into the Parliament today, but I will send someone from my office around with a copy and pop it into the office of the member for Brunswick, because we have already announced that we will ban no-cause evictions. We have already said this. We have also recognised that it is unfair for renters who want to make sure that the properties that need those simple repairs get them. We had Loris yesterday join us when we were announcing the introduction of this bill, who spoke really strongly about why it is so important that when you move into a new property you have the things that most of us probably take for granted – that the dishwasher works, that the light when you turn it on works – working for you as a renter. That is why we are focused on making renting fairer. The rental market has to work for everyone, and we will make sure the member for Brunswick gets some extra information.

#### Ministers statements: education

**Ben CARROLL** (Niddrie – Minister for Education, Minister for Medical Research) (14:26): We know families are doing it tough, and that is why in just three days more than \$5 million has already been claimed from the Allan Labor government's school saving bonus. It has been a wonderful result. That is \$5 million of \$280 million. That is another \$275 million still to go – real cost-of-living relief for a kid's education and a kid's tuition.

*Members interjecting.*

**Ben CARROLL:** He is going bananas. The last time they went bananas they cut Free Fruit Friday, and we have delivered –

*Members interjecting.*

**Ben CARROLL:** Last time they were in office – and we know who was driving a lot of the reform in the Premier's private office – Free Fruit Friday was cut. We have delivered 50 million school breakfasts. They cut the Reading Recovery initiative. We are delivering 25 minutes of daily explicit phonics. We do have a lot of wellbeing programs too for students to make sure they get the best start in life. We know they promised 3D printers for every school and they promised to build four schools. We promised 100, and we are going to open 100 by the next election. Two thousand upgrades –

**David Southwick** interjected.

**Ben CARROLL:** I get an interjection from the member for Caulfield. Everyone has a pathway in the Education State. We have more than 30,000 students doing the VET program as I speak, and I know the member for Caulfield is looking at doing a course in sound recording. He might be surprised. Music and sound recording might just improve his audio quality next time he decides to tape the Leader of the Opposition.

*Members interjecting.*

**The SPEAKER:** Order! Member for Caulfield, this is your final warning.

### Government performance

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:29): After 10 years of Labor, Victoria now has –

**Danny Pearson** interjected.

**John PESUTTO:** My question is to the Premier.

*Members interjecting.*

**The SPEAKER:** Order! Minister for Transport Infrastructure! It is the last question on the last sitting day. Be nice, people.

*Members interjecting.*

**The SPEAKER:** The member for Cranbourne can leave the chamber for half an hour. The member for Sunbury can leave the chamber for half an hour. The member for Bass can leave the chamber for half an hour.

### Members for Cranbourne, Sunbury and Bass withdrew from chamber.

**John PESUTTO:** My question is to the Premier. After 10 years of Labor, Victoria now has the highest taxes per capita of any state, the highest state government debt, the highest unemployment of any state –

*Members interjecting.*

**The SPEAKER:** The member for Yan Yean can leave the chamber for half an hour.

### Member for Yan Yean withdrew from chamber.

**John PESUTTO:** the highest public housing waitlist, the highest revenue from fines, the highest regulatory burden for business, the highest number of victims of armed robbery and the most government secrecy. After 10 years of Labor, why are Victorians worse off?

**Jacinta ALLAN** (Bendigo East – Premier) (14:31): I am going to be very clear and anticipate what may be some points of order that will come. In answering the question from the Leader of the Opposition, I strongly disagree with the proposition that has been put by the Leader of the Opposition, and I am going to use my time to explain to the Leader of the Opposition, in answering his question, why I strongly disagree and why he is wrong. The Leader of the Opposition mentioned unemployment. We have created more jobs in this state than any other state in Australia. That is data from the ABS.

*Members interjecting.*

**The SPEAKER:** The member for Eildon can leave the chamber for half an hour.

### Member for Eildon withdrew from chamber.

**Jacinta ALLAN:** Indeed in the last 10 years we have seen 880,000 jobs created here in Victoria. So in terms of how Victoria is faring over that period, 880,000 more Victorians are in work.

**Brad Rowswell:** On a point of order, Speaker, it is important for the Premier to be factual in her response. For the last seven months Victoria has had the highest unemployment of any state in the country.

**The SPEAKER:** I cannot determine the facts or otherwise of an answer or a question.

**Jacinta ALLAN:** I will send the member for Sandringham a link to the ABS website that shows that we have created more jobs than any other state in the nation and we have created 880,000 jobs over the past decade. Do you know why we have done that? Because we have been focused on workers and families. Workers and families have been our focus every single day that I have been a member of a Labor government in this place. We are focused on them. Every Labor government I have been a member of that has come into government following a period of opposition – do you know what we have had to do? We have had to rebuild the state.

**John Pesutto:** On a point of order, Speaker, on relevance, we just want a simple answer: are Victorians better off or worse off? If Victorians are better off, just say so. Just say the words.

**The SPEAKER:** The Premier was being relevant to the question.

**Jacinta ALLAN:** Of course over the past 10 years one of the great projects we have been so busy working on is the Metro Tunnel. Do you know what is going to happen next year? The Metro Tunnel is going to open a full year ahead of schedule. When I became the Minister for Public Transport in 2014, do you know what we had to do? We had to rescue the Metro Tunnel from the scrap heap that the Liberal government had thrown it on. With what we are doing now, 7000 Victorians have been employed on this project. It is going to open next year. It is going to join the Sunbury and the Cranbourne–Pakenham corridors, a 97-kilometre-long corridor that is also going to be level crossing free. We have removed 84 dangerous and congested level crossings right around the suburbs – suburbs like Caulfield – and that has kept people in work, because behind every worker is a family who relies on that pay packet and relies on a Labor government to support them with the school saving bonus and free kinder.

**John PESUTTO** (Hawthorn – Leader of the Opposition) (14:35): The chair of Melbourne-based biotech giant CSL Brian McNamee has said that:

Victoria is uninvestable ... given the fiscal mismanagement of the last 10 years ...

Prominent independent economist Saul Eslake has said that:

Victoria has become a poor state over the past 10 years ...

... Victoria is worse off in most respects than it was in 2014.

Why are Victorians poorer after 10 years of Labor?

**Jacinta ALLAN** (Bendigo East – Premier) (14:36): Of course the organisation that the Leader of the Opposition refers to is making an \$800 million investment in this state. It is just one of the many businesses that are seeing this state have the highest level of business investment since 2020, more than any other state in the nation. Again I remind Leader of the Opposition why supporting a strong economy is so important to me and to the Labor government. It is because it represents an opportunity for every worker in every suburb in every town to have a good job, to have an opportunity and to support them and their family. As the daughter of a power worker who lost their job because of the privatisation agenda that they cheer for, I am focused on supporting workers and families every day.

#### **Ministers statements: government achievements**

**Colin BROOKS** (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (14:37): Absolutely everybody knows Victoria is the live music capital of the

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nation, and the Allan Labor government backs that in with Always Live, 10,000 Gigs, the Live Music Festivals Fund, songwriting in schools and helping music workers doing it tough through the work of Support Act. This is our last sitting day and it is also Ausmusic T-Shirt Day, and I urge every member of this place to support Aussie live music in their communities but also to support Support Act, who do great work looking after people.

Other states envy our live music, our culture, our arts, our sports and our major events, but everybody knows that we are the real funky town. It is such a great place to live that it is no wonder our state is growing as people run to paradise. The Allan Labor government has Victoria heading in the right direction, investing in education because we know that from little things big things grow. That is why we are building more homes and fighting the blockers, even if we are haunted by that Brighton image of someone standing on the outside looking in. We are doing everything we can to take the pressure down on household budgets, investing in our hospitals and ambulances, while we know that those opposite would gut health. And we are standing firm on treaty with our First Peoples.

Meanwhile, in contrast, we have seen the Nationals this week quite unfairly say to the member for Murray Plains, 'You're just somebody that we used to know.' I say to those who think they are the new sensation that there are plenty behind you with ego – yesterday's hero even, who might have been an easybeat – who are asking the question that many people will be asking over summer: am I ever gonna see your face again?

### *Constituency questions*

#### **Polwarth electorate**

**Richard RIORDAN** (Polwarth) (14:40): (940) My question this afternoon is to the Minister for Emergency Services in the other place, and my question to the minister involves the release today of the independent Fire Services Implementation Monitor's report, which has identified the fact that the 140-odd seconded staff from FRV that are supporting Polwarth CFA volunteers have not been able to be filled or fulfilled through the amalgamation of the two fire services. On any given week there are some 17 vacancies of these, and at worst some weeks there are 33 vacancies. As we approach the fire season, which started this week – and we have already had a major outbreak in the Polwarth region in the Otways – Minister, can you tell the people of Polwarth, the CFA volunteers and others when you will be able to give us the solution to how we will solve the problem of not being able to fulfil these important roles in CFA management that are there to help support our volunteers and keep communities safe?

#### **Hastings electorate**

**Paul MERCURIO** (Hastings) (14:41): (941) My question is for the Minister for Education. How many families in the electorate of Hastings will benefit from the \$400 school savings bonus? One of the most often asked questions I get from local parents is if there is any additional support for them to buy school uniforms, pay for camps or pay for extracurricular activities like sport. With the commencement of this bonus, I am sure there will be many families that will benefit from the bonus, and it is coming at a time when it is so needed as we deal with cost-of-living pressures. This is just one way of alleviating some of those pressures. As we are on the topic of schools, I do just want to highlight the incredible work that all our teachers, principals and school support staff do each and every day. It is certainly not an easy job to do, but they work extremely hard to make sure that the next generation of kids are smart and resilient and have all the tools they need to have a bright future. I hope you all have a great holiday.

#### **Evelyn electorate**

**Bridget VALLENCE** (Evelyn) (14:42): (942) Flooding of homes, roads and facilities in Lilydale remains a significant concern for residents as a result of drainage infrastructure that is no longer fit for purpose and not adequately managed by Melbourne Water or Yarra Ranges council. My question is to the Minister for Water on behalf of hundreds of residents that live near the Lilydale open drain,

including in Nimblefoot Way, Delta Close, Nelson Road, Cave Hill Road, The Gateway, Morokai Grove and many other surrounding streets: when will Melbourne Water introduce a quarterly maintenance schedule to ensure regular clearing and de-silting of the entire Lilydale open drain from Nimblefoot Way near Saintly Place to Nelson Road? Our community needs Melbourne Water to comply with its obligations to ensure the hydraulic functioning of the drain, which cannot happen if it is full of reeds, rubbish and debris. It is currently blocked, flooding people's homes. The Minister for Water advised me the open drain is maintained once annually, but our community knows firsthand that is not sufficient to mitigate the flooding risk, so we need the minister to facilitate clearing of the blockages and a de-silt of the open drain without delay.

**Thomastown electorate**

**Bronwyn HALFPENNY** (Thomastown) (14:43): (943) My question is to the Minister for Women. Minister, how is the free pads and tampons program being rolled out across Victoria and in particular the electorate of Thomastown? We currently have an access point at the Lalor Library, but I have received a lot of interest from residents, particularly from former students, who advised me when I went down to many of the secondary schools how great the program has been since it was introduced a number of years ago in our schools.

**Lowan electorate**

**Emma KEALY** (Lowan) (14:44): (944) My constituency question to the Treasurer is on behalf of the people in my electorate wondering where the mental health levy is being spent, and the information I seek is specific detail on how every dollar of the mental health levy has been expended, including the funded program, organisation responsible for delivering the program and the total amount granted and extended by financial year. We know that so many of the royal commission's recommendations are now overdue, and I have quickly flicked through the Mental Health and Wellbeing Commission's annual report, which was tabled today, which identifies that 44 of the 65 recommendations are now overdue, with a further three of the seven interim report recommendations overdue. There are increasingly worse mental health outcomes for Victorians, and access to services is simply getting worse. The community want to know where the mental health levy is being spent, and I therefore ask the minister to provide that information.

**Monbulk electorate**

**Daniela DE MARTINO** (Monbulk) (14:45): (945) My constituency question is to the Minister for Emergency Services in the other place. The Dandenong Ranges is an area of extraordinary natural beauty, but it is also highly vulnerable to the threat of bushfires. The Yarra Ranges was also identified in a report released by Emergency Leaders for Climate Action and the Climate Council as the second highest hit local government area in Australia for declared disasters since 2006. As we approach the fire season, residents in my community are increasingly anxious about the risks posed by dry conditions and the need for robust preparedness measures. Minister, what actions are being taken to prepare the Dandenong Ranges for the upcoming fire season? And if I could, with your indulgence Speaker, just take a moment to thank all of our volunteer emergency services across the hills, namely our SES and CFA volunteers – I wish them all a very safe and happy Christmas and new year and an uneventful summer season.

**Melbourne electorate**

**Ellen SANDELL** (Melbourne) (14:46): (946) My question today is for the Minister for Planning, and it comes on behalf of several constituents who have contacted my office about the planning permit application by Australian Property Trust to build a private hospital at 265–281 Errol Street in North Melbourne. The question is: will the government extend the timeline for community consultation on this matter and actually meaningfully consult with the local community on this change? This site is currently occupied by the Mercure hotel, and while I know many in North Melbourne would appreciate new health services, local residents received a very, very short timeframe for responding to

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this proposal. They were notified by the Department of Transport and Planning on 8 November and were told they need to respond by the 22nd. Residents are understandably concerned that two weeks is simply not enough time to consider such a detailed proposal that could have such a significant impact on our local community. Some of the concerns are about traffic, the height and the noise – (*Time expired*)

### Greenvale electorate

**Iwan WALTERS** (Greenvale) (14:47): (947) My constituency question is for the Minister for Roads and Road Safety. Residents in growing communities like Greenvale need services and infrastructure to keep pace with that growth and ensure that all residents have access to opportunities and the quality of life they deserve. That is why our government is upgrading Mickleham Road, delivering the fantastic Greenvale Secondary College, reopening Greenvale Reservoir Park, building a new public kindergarden at Greenvale Primary, delivering a new government primary school at Greenvale West, investing nearly \$10 million to deliver Greenvale's new Mary Queen of Heaven Primary School and expanding Kolbe Catholic College. These are just some of the important projects taking place right now in the suburb of Greenvale alone. But while I am getting on with delivering for the Greenvale community, too many Greenvale residents, especially those in northern Greenvale, have been waiting a decade for long-promised shops at 1090 Mickleham Road. I share residents' frustrations and their desire to see these shops delivered. I am continuing to advocate for a new retail precinct that meets the needs of residents in our growing community while ensuring road safety. Can the minister please advise me and the Greenvale community of the process that needs to take place before these shops can be delivered and the considerations that need to be taken into account by the Department of Transport and Planning in assessing any application?

### Mornington electorate

**Chris CREWITHER** (Mornington) (14:48): (948) My question is to the Minister for Planning. What is the minister doing to support owners and residents at 5 Culcairn Drive in Frankston South, many of whom have been forced to move out and some of whom are now Mornington electorate constituents? This now marks the eighth time I have raised this in Parliament and the 11th time that members overall have raised this issue, yet so far we have seen little to no action from the Minister for Planning. The member for Frankston finally – under pressure – raised this back in August, but still nothing has happened. The member for Brighton and I met with the residents earlier this year, and I first called for help for these residents way back in my first term in Parliament as the federal member for Dunkley in late 2018. These residents have been facing a living nightmare, with significant costs, cladding issues, balcony collapses, cracking and more. I call on Labor to take action.

### Sunbury electorate

**Josh BULL** (Sunbury) (14:49): (949) It is nice to be back in the house after a little break. My question is to the Minister for Education. Minister, how many students in the Sunbury electorate have accessed the \$400 school saving bonus? As the minister knows, this program delivers \$400 to support the family of every child who attends a Victorian government school. Parents or carers of over 700,000 students should expect an email granting them access to the program this week. This is to be used of course for textbooks, uniforms, camps, excursions and other important activities. I thank the outstanding Minister for Education for his work, and I look forward to his reply.

**Tim Bull:** On a point of order, Speaker, I wish to raise an issue around five unanswered questions I have. They are questions 1783 through to 1787 and everything in between. All questions are to the Minister for Environment, some relate to the upcoming fire season. Speaker, I would be grateful if you could expedite answers to those.

*Bills***Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024***Second reading***Debate resumed.**

**Kat THEOPHANOUS** (Northcote) (14:51): I rise to contribute to the debate on the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. This bill represents a landmark moment in the evolution of health care in Victoria. It establishes paramedic practitioners, a pioneering initiative that positions Victoria as the first jurisdiction in Australia to implement this model of care. This is a historic milestone for Victoria. Before the last election the Allan Labor government committed to bringing paramedic practitioners to Victoria, promising to put 25 practitioners on the road in rural and regional areas by 2026. Today we are taking a decisive step forward in fulfilling that promise.

This bill will enable paramedic practitioners to work autonomously to provide urgent care in the field without needing to transport patients to emergency departments. Once graduated, they will be able to treat conditions that commonly see people visit hospitals, including urinary catheter care, wound care and closure, minor infections, dislocations and fractures. This will have profound impacts, including reducing pressure on our emergency departments, improving access to primary and urgent care and supporting better health outcomes for rural and regional Victorians. It is a practical step. It is step that makes sense, and it goes to our Labor government's vision for the future for health care in our state.

In order to make this vision a reality the 2023–24 budget allocated \$20.1 million to establish this initiative. We have also worked closely with Monash University to launch Australia's first-ever paramedic practitioners masters degree, ensuring these practitioners are equipped with the skills and confidence to operate independently. The program welcomed its inaugural cohort of 30 students this year, with a second intake set to begin early next year. Scholarships have also been made available to support students, reflecting our commitment to building a highly skilled and diverse workforce that reflects the Victorian community.

We know that Victoria is home to world-class health workers. They are leaders, incredibly skilled, agile and willing to take on more challenging roles. They deserve the opportunity to utilise their full capabilities to improve people's access to health care, particularly for our rural and regional communities. Paramedics are amazing. In the most complex of situations they pull off some superhuman stuff with an enormous amount of dedication, compassion and resilience. One of my husband's and my closest family friends, indeed he was our best man, worked as a paramedic in Victoria for many years, and he and his partner continue to work in Victoria's healthcare system. We have heard many stories from James about his time on the road and the many and varied situations he has been thrown into. The adrenaline in those situations is immense, sometimes ending in elation and sometimes in heartbreak.

What is clear is that paramedics in Victoria are driven by a commitment to deliver the very best patient-centred care, and this bill gives them the opportunity to do even more. It allows paramedic practitioners to provide more comprehensive support and care to patients, reducing demand on hospital emergency departments and creating more opportunities for home visits and treatment of housebound patients. This initiative draws on successful international models in countries such as the UK, Canada and the Netherlands. It reflects our government's belief that healthcare workers, including nurses, midwives and paramedics, should be empowered to work to their full scope of practice. We have already taken steps to support endorsed midwives to work to their full scope of practice by repealing an outdated list which limited their prescribing powers. By doing this we have enabled endorsed midwives to finally prescribe for conditions commonly experienced during pregnancy and labour – such as heartburn and acid reflux – and pain relief without needing to go to a GP.

This reform also improves access to medical abortion by removing barriers to prescribing, making it safer and easier for women, including in rural and regional areas of Victoria, to access abortion services closer to home, which is an essential part of the work that the Minister for Health and I are undertaking as part of our women's health reforms in Victoria.

To the specifics of the bill, we are legislating to define a paramedic practitioner as a registered paramedic who has completed postgraduate studies and meets the required experience criteria. It gives them equivalent authority to nurse practitioners, allowing them to prescribe medications, administer treatment and access the SafeScript database to ensure safe prescribing practices.

The Allan Labor government has consistently demonstrated its unwavering support for our hardworking paramedics. Since coming into office we have invested over \$2 billion in ambulance services, growing Ambulance Victoria's on-road workforce by more than 50 per cent, adding over 2200 paramedics to our roads since the Liberals were last in office. In the past three years alone we have recruited over 1300 paramedics to meet surging demand, which is now 30 per cent higher than pre-pandemic levels. In fact Victoria now has more registered paramedics than any other jurisdiction. This is in stark contrast to when the Liberals were in government, with Victoria's response times the worst across mainland Australia. Victorians remember the chaos the health system experienced under the previous Liberal government. Response times were declining year-on-year, and in the face of this reality they chose to stop releasing the data altogether. Victorians knew things were going terribly wrong when they chose to hide the evidence. Their contempt for paramedics was exemplified by the shameful behaviour of the then health minister, who accused paramedics of staging photos and referred to them as 'militant' and 'thugs'. Demonising this critical workforce is and was unfathomable, and Victorians would not stand for it. It took us two years to clean up the mess that they left, but we ended their war on the paramedics and ambulance response times improved to 80 per cent of code 1 cases responded to in 15 minutes. It shows how our continuous investments in this critical workforce have led to better tangible outcomes for all Victorians.

Today our paramedics are dealing with record demand, but we remain on the right path with our record investments, with the last quarter showing a 16-second improvement on the previous quarter. To help paramedics respond to increasing demand this government has doubled the capacity of the Victorian Virtual Emergency Department, which has now treated over 400,000 patients with an 85 per cent diversion rate. My own family has used this service, and I can tell you that it is absolutely brilliant. Being able to receive care at home virtually and freeing up ambulances for critical cases is another example of an initiative that just makes good policy sense.

We have also invested in medium-acuity transport services and expanded secondary triage, which redirects 20 per cent of 000 calls to alternative care pathways, relieving pressure on emergency departments, and we are focused on delivering state-of-the-art facilities for paramedics. Since 2015 we have invested \$279 million in ambulance infrastructure, delivering 51 new ambulance stations across the state. These facilities provide paramedics with better working conditions and ensure emergency care is available to all Victorians.

We have also reached an in-principle agreement with paramedics to maintain their status as amongst the highest paid in Australia, while introducing new measures like an end-of-shift management procedure to help paramedics get home sooner and safer. This is an election commitment we are proud to be delivering. At the last election we stood alongside paramedics to announce the vision. We also pledged to hire 40 additional mobile intensive care paramedics and create Australia's first centre of excellence in paramedicine in partnership with Victoria University. This \$20 million facility will train up to 1500 paramedic students annually, using cutting-edge simulation equipment to deliver the highest quality education for both undergraduate students and paramedic practitioners.

We acknowledge that the challenges facing our health care system are large, but we approach these challenges in partnership and collaboration. Unlike those opposite, who left paramedics demoralised and under-resourced, this government has consistently listened to and invested in and elevated our

healthcare workforce. I want to thank the hardworking paramedics across Victoria. Every day they are out working in our communities, saving lives, supporting Victorians in some of their most vulnerable and frightening moments and at times confronting devastating scenes. It is challenging work, it is critical work, and we are so grateful to them for their support on the front lines.

Along with paramedics, I want to thank our whole health workforce, many of whom call Northcote home, as we have a very large representation of healthcare workers living in our community. These workers have been going above and beyond, particularly since the pandemic – our nurses, clerks, cleaners, kitchen staff, doctors and everyone who keeps our health systems up and running. They are the best of us, and we thank them.

I also commend the Minister for Health, who has not wasted a single moment in moving to implement significant reform in our health system. It is an honour to work as her Parliamentary Secretary for Women's Health on the critical work to ensure Victorian women and girls are treated with dignity and respect and have their health issues recognised, understood, diagnosed and treated.

This bill is yet another example of the Labor government delivering real action, and it shows what can be achieved when we respect, value and invest in our healthcare professionals. I look forward to seeing us empower paramedic practitioners to improve healthcare delivery and build a system that is more accessible and responsive for Victorians. I commend the bill to the house.

**Jade BENHAM** (Mildura) (15:01): The Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024 is a bill that this side of the house does not oppose, because we recognise how helpful this will be, particularly in the regions. I spend a lot of time with our hero paramedics. I have a lot of them in the family. A shout-out in particular to the team leader in Robinvale, who is on maternity leave at the moment, having just given birth to a baby girl, which is fantastic, and she is also a cousin of mine, which is fantastic.

This bill, which proposes to amend the Drugs, Poisons and Controlled Substances Act 1981 to establish paramedic practitioners as a class of registered paramedics and to authorise paramedic practitioners to obtain, possess, use, sell and supply certain substances, is a step in the right direction in hopefully keeping people out of our EDs. Mildura Base Public Hospital has an emergency department that is about 30 beds too small – and has been for about 15 years now – and it really needs some pressure taken off it.

This is another avenue not only to allow paramedics to work to their full scope of practice but also to enable paramedics to have continuity of care of some patients, much like with the community paramedic program. I know I talk about this a lot. The community paramedic program that is provided by Sunraysia Community Health Services in the Sunraysia region has changed the landscape. It has changed the lives of our community paramedics, including Travis, who was here doing health checks a month or so ago and talking about the community paramedic program. One of the things that Trav said was that it allows that rapport and relationship building that otherwise paramedics do not often get. Sometimes it can be quite a traumatic experience or it is that one-on-one at the hospital – maybe there is some wait time there – but you do not get a lot of contact with patients beyond that. The community paramedic program in particular has demonstrated how paramedics do want to evolve. They do want to keep upskilling.

Clause 4 of this bill defines a paramedic practitioner as a registered paramedic who has completed a prescribed postgraduate qualification and satisfies the prescribed experience requirements of the completion of a master of paramedic practitioner by Monash University. We have a Monash University school of rural health in Mildura, you will be happy to know, and they do a fabulous job. We have a La Trobe University campus, which has just opened the new Dr Deb Neal wing for nursing, which is state of the art. La Trobe University have invested a huge amount of money into this facility, which is fantastic. It is capable of delivering that biomedical science degree, which then would allow end-to-end learning for GPs through the Monash school of rural health, so you have that end-to-end

learning that students could do in Mildura under the guidance of Dr Travis Taggart. That is the end goal. That would be brilliant – to have more GPs – and obviously having Monash University in Mildura is also really important for the paramedics that want to upskill to paramedic practitioners, which is again allowing them to have another avenue.

There are some frustrations from some of my paramedic friends and family. I had a paramedic grad in the office last week who is a friend of some of my team and who is so passionate about health care and has already done a bit of work at the Hattah hospital that Dr Trav sets up during that amazing event to be the healthcare provider when people inevitably have a spill and break bones or injure themselves coming off dirt bikes. That kind of medicine is what I think paramedics love, and they would take any avenue to be able to work in that space. But, on being able to upskill and have other avenues, the graduate that I was talking to last week was saying that it is so hard for her and her classmates to get a job. They cannot get a job. She is devastated. Her entire class are having real trouble just because of the lack of supervision. She does not want to move away from Mildura. She wants to practise in the regions, but the fact is that she cannot get a job. I think there are 1200 graduate paramedics that are looking for jobs at the moment, approximately, but cannot get jobs because there are not enough of those in supervision roles. That is really alarming for those that are going into paramedicine that they cannot get a job when our healthcare system is crumbling. To upskill to this paramedic practitioner role of course you have got to be able to get there first.

I was talking about Sunraysia Community Health and the community paramedics program earlier. I also heard the member for Lowan refer to this fabulous program, and it really is. There has been lots of talk about the investment that is needed, and I did speak to the Minister for Health about this earlier, that the community paramedics are federally funded – but not through Sunraysia Community Health; when it is delivered through community health it is a state funding model. Community health providers do not get the credit or the funding they deserve; they just do not. They are the underdog in the healthcare system, particularly Darren Midgley and Janet Hicks and their team at Sunraysia Community Health. They bat so far above their weight with the funding that they are allocated, and they are delivering the community paramedics program. Travis said in the south library at the function that they only need \$6 million. You could fund it statewide. Imagine: it would give current paramedics another avenue to practise. It would alleviate pressure on those already overfilled emergency departments and hospitals that are clearly under pressure. We saw the annual report for Mildura Base Public Hospital come out today. It is looking absolutely awful.

Robinvale District Health Services is an MPS, which leads me to my next point. An MPS is a multipurpose healthcare service block funded to deliver what the community needs. Imagine if community health services like Sunraysia Community Health were block funded to be able to allocate the funding that their community needs, because funding for Sunraysia Community Health is going to be different to what is needed in Horsham. They have very different populations, very different communities. They are going to be different to what Colac needs. Imagine if it went all the way right through the regions in particular. Maryborough is obviously very, very different again to Mildura and Horsham. Imagine what could be done if those community health services were actually funded in such a way that they could utilise it, alleviate some of the audits and the reporting that needs to be done and just allow them to get on with the job. Then we could have community paramedics right around regional Victoria taking the pressure off the hospital system. Wouldn't that be nice? I mean, maybe that is a utopian or commonsense wish, and it appears that 'commonsense' and 'utopia' are used in the same sentence as far as the government is concerned.

The paramedic practitioner bill is one that we support. I know the Shadow Minister for Health and Shadow Minister for Ambulance Services in the other place has done an extensive amount of stakeholder engagement. I have done my own piece of stakeholder engagement with those on the front line that are in the ambulances, that are community paramedics, that are team leaders, that are community engagement people and even the ACOs, the ambulance community officers. They are all in favour of this because they recognise that there is a huge need for –

**Emma Kealy** interjected.

**Jade BENHAM:** Yes, we just need more money put into the health service, and it should be a priority. What a novel idea. This should be a good thing. We will wait and see. The devil is always in the detail with these things. We will see what happens when it comes to regulating the service, but for now it is something that, as I said earlier, is a step in the right direction.

**Natalie SULEYMAN** (St Albans – Minister for Veterans, Minister for Small Business, Minister for Youth) (15:11): I move:

That the debate be now adjourned.

**James NEWBURY** (Brighton) (15:11): The government is about to misuse this Parliament again. What an outrageous abuse from those Labor members to use the Parliament's time again to sledge. That is what this government wants to do again, to spend another 2 hours of time in this place to sledge and sledge and sledge. The members on that side of the chamber should be absolutely ashamed of themselves. We are currently debating a paramedics bill, and the government wants to move to a sledge motion instead of debating that bill. I look forward to hearing all of the members on that side of the chamber stand up and explain why a sledge motion is more important than debating the bill that the house currently is.

What an absolute disgrace this government is. Yesterday did the government not embarrass themselves multiple times? Multiple times I went to the government and said, 'Please stop. Please stop using this place in this way. Please stop it.' I went to the Premier and said, 'Please stop it. Please stop demeaning this place.' During part of the debate yesterday there were school students in the gallery, so we will now have members on that side of the place stand up and explain why we should move to a sledge motion over debating a paramedics bill. Shame on this government. To think that the government wants to park the bill so that it can play its little games. The government should be ashamed.

What is now clear, what we now know, is that these decisions could only be made if they were approved by the Premier herself. This much parliamentary time would not be misused had the Premier not personally approved it, so we know that the government from the Premier down is saying they want to have an outrageous, vicious, dirty use of this Parliament's time, so much so that the Speaker yesterday made a number of comments about the debate that was then underway. The Speaker herself made a number of comments about the debate that was underway. I felt and hoped that the mistakes the government made yesterday would be left there, but no. The government again, from the Premier down, clearly want to get into the mud. We know going into another day of this snarky, nasty dirtiness that only the Premier could approve this. We oppose entirely moving away from this paramedics bill to move to a sledge motion. Can you imagine it?

What are the members on the other side of the place going to justify that decision on? On what grounds could they possibly justify the need to debate that motion over the legislation that was being debated by both sides of the chamber? In fact there are members on both sides of the chamber who have not yet spoken; the speakers list is not even exhausted. The government is now saying, 'Let's move away from a bill that essentially is around paramedics, to just waste the Parliament's time with dirty, nasty sledges.' Well, the Premier needs to come in and explain it. Why doesn't the Premier actually stand up and explain why this procedural motion should occur? The coalition will be opposing this. We will absolutely be opposing this gutter behaviour from the Labor Party. That is what they do when they are losing – always straight into the gutter. That is what is going to happen, so we will be opposing this motion and we will do everything we can to call out their behaviour.

**Tim RICHARDSON** (Mordialloc) (15:16): I am just checking my microphone is working, because I am not sure if the member for Brighton's was. I might just remind the member for Brighton that as the record holder for procedural motions interrupting the government's legislative program –

**James Newbury** interjected.

**Tim RICHARDSON:** Sixteen seconds in, and I am building up to my crescendo on the point I am trying to make.

**James Newbury:** I'm waiting.

**Tim RICHARDSON:** That is all right. You will wait a bit longer if you keep interjecting. The record holder for breaking important legislation for the last two years – on procedural motions, on health bills, on a range of justice bills, on critical infrastructure bills and legislation – says that suddenly moving to other parts of business is such an egregious thing. That literally has happened up to 40 or 50 times on procedural motions that have been moved by the member for Brighton. The member for Brighton puts forward the contention that we are suddenly moving away from a bill. That is literally what the member for Brighton has done in the absence of coalition speakers over and over and over on bills. When they have literally had no contributors on bills, it has been a way to pad out the time a bit.

The reason it is important to move back to this important discussion – and it has been a lively and emotive discussion – is that we are in a huge crisis in Victoria, where some of the nastiest and worst elements of I would not even say politics, I would say fascism, have found their way into the political discourse. It is an important discussion to have. I read out a motion this morning about the words of the Leader of the Opposition himself talking about this being an acid and a poison that runs through the Liberal Party. This is a discussion that needs to be had. We need to talk openly as a Parliament about how we can have a multipartisan approach to how we rid the political discourse of some of the nastiest elements.

**Richard Riordan** interjected.

**Tim RICHARDSON:** The member for Polwarth interjects, 'How is it a multipartisan thing?' From what the member for Berwick has talked about and said, he called police and moved away from that protest. Also Mrs Deeming in the other place did the same thing. So the important discussion around how this is handled –

**James Newbury:** On a point of order, Speaker, on relevance, this is a procedural motion.

**Tim RICHARDSON:** On the point of order, Speaker, the reason to go back to this motion is integral to why we are going back to this motion. It might be uncomfortable for the member for Brighton –

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

**Tim RICHARDSON:** It is an important, critical part. People can term it as what the motion would be. That is a part of debate, and people around the Parliament have put forward their contentions on whether that motion stands or not – some with more force and more vigour and more angst than others. But I think it is an important discussion to put on the record around a significant crisis that we face in the discourse in Victoria, the likes of which we have not seen before. Some of the worst elements of fascism and hate in our community are trying to infiltrate our political discourse.

It is upon others to debate individual members of Parliament – if I have an opportunity to speak, that will be a chance as well – and for those across the Parliament to put forward their reflections. Whether that is fair or unfair is for them to debate. The fundamental point is this is an important discussion to have, going back to why this motion is important. I just think it is a bit rich that there is so much passion and noise from the member for Brighton in putting the contention forward about suddenly adjourning a piece of legislation when there have been 40 or 50 instances of critically important bills in this place when the member for Brighton has moved a procedural motion not once but sometimes two or three times on the same legislation, denying his colleagues the opportunity to contribute. The notion that this is an exceptional thing – no, this happens every single sitting week. I have spoken on more procedural debates moved by the member for Brighton than some of their backbench have spoken on bills in the whole of their term.

Maybe those opposite could coach their fellow Liberals to just take a leaf out of the book of some of the Nats – just have a dip, have a crack, put their name on the list, speak on some bills and make a contribution every now and then. We count. Even though we have brought this into the public forum, the lack of contributions from the part-timers that rock up in the coalition agreement, it still has not changed any behaviour. There are still some that speak on nothing. You wonder what they do for the three days. Maybe they will come into this motion discussion and put their view forward on this existential crisis in the political discourse that we are facing.

**Richard RIORDAN** (Polwarth) (15:21): I rise to absolutely and totally forcefully put the point that this is a complete abuse of this Parliament's time, taking the opportunity from me, the member for Polwarth, representing 10 regional hospitals. The member for Eildon alongside me wanted to speak on the healthcare needs of regional Victoria. We have had the member for Mildura talking on it. We have other country members, the member for Euroa and others, wishing to spend time letting this government and this Parliament understand the full consequences of underfunded and poorly maintained and looked after health services here in the state of Victoria. This is one the few bills that this government has implemented that might actually go some way in helping alleviate the medical crisis that is on in regional Victoria at the moment.

For the member for Mordialloc to start pontificating that we interrupt government business because there are never enough opposition speakers – well, member for Mordialloc, this week in this session there are a heap of opposition speakers who you are denying the opportunity to put their case forward, because what does this government –

**The SPEAKER:** Member for Polwarth, through the Chair.

**Richard RIORDAN:** Sorry, Speaker. Through the Chair, it is important that the opportunity is given to fully flush out the state of the health crisis here in Victoria. This Parliament will not come back and sit and have an opportunity to discuss the needs of regional Victorians for a bit over two months. That is a long time when we hear day in, day out the absolute crisis of the budget that this state is in, the cost-cutting that is going on, the uncertainty that exists in every regional health service in Victoria. In fact across my own region the 10 health services do not know whether next year they going to be part of new local area health service networks that are going to be run from Geelong. Are the people of Cobden, are the people of Timboon, are the people of Colac, are the people of Apollo Bay and other communities in my electorate going to wake up sometime in the next few months only to find out that their services have been cut and they are going to have to travel longer, travel further and endure more hardship to maintain basic health services because of the incompetence of this government? That is what this Parliament should be talking about.

If we went out onto the steps of Parliament and spoke to the average Victorian out there, do you think they would really want this Parliament, on the last sitting day before a two-month recess, to be having some childish university student sort of pathetic sledge motion, a childish sledge motion? The member for Mordialloc actually agrees that it was not true; he actually said that he knew that the member for Berwick did the right thing. So what are we debating? It is absolutely concocted outrage. The concocted discontent and importance that this government has put on it is just a shallow, lame attempt to divert the discussion and the time of this Parliament away from much more important issues. There is not a Victorian that would not think that good-quality First World health care is an absolute right of all Victorians and something that this Parliament absolutely should be spending time on.

To cut it short with at least three or four regional members still not given the opportunity to debate it but instead allow this government more time to go on a fanciful diversion, a sidetrack issue that is used for cheap, purely political purposes that do not improve or enhance the lives or the services of Victorians, is an absolute outrage. We must all as a Parliament stand against and object to the adjournment of this debate this afternoon.

It is absolutely critical that we get the opportunity to discuss and continue to debate the pros and cons of this bill that has only been waved in front of this Parliament for a handful of speakers. To think that this government wasted most of yesterday afternoon and again seeks to disrupt the business of the house today on a folly that is just designed to allow the government speakers for the rest of the afternoon not to focus on what is important to Victorians but to focus on something entirely irrelevant. They have not even been able to drum up much media interest in this topic, because even the media understands that the government is just trying to waste time and filibuster its way through to the end of the season. It is not good enough. This house should absolutely reject the adjournment motion being put forward by the government. We should absolutely return to the business that we agreed on at the start of the week.

**Dylan WIGHT** (Tarneit) (15:26): I should not say it gives me pleasure, but I rise this afternoon to speak about the fact that we absolutely have to go back to this motion. The member for Polwarth just made the point: who in Victoria outside of this place would think that it is a good idea for us to use this place like this? I can tell you who: the Victorian Sikh community. I can tell you who: the Sikh community in my electorate. I have two gurdwaras in my electorate. My Sikh community, those two gurdwaras, the people that run them and the people that attend them are some of the most amazing residents that we have in my electorate of Tarneit. They are some of the kindest and most generous people that you will ever meet. I will reiterate that there are people outside of this place that absolutely want us to be speaking about this, because what happened on the weekend was an absolute travesty.

The member for Berwick and those opposite sit there and say that they are not racist, and fair enough. I am not going to call you racist.

**The SPEAKER:** Order! Through the Chair, member for Tarneit.

**Dylan WIGHT:** But do not sit here in this place and say that this was about a lack of consultation, because that is absolute rubbish. It was an election commitment.

**Brad Rowswell:** On a point of order, Speaker, I believe that the member for Tarneit is reflecting upon the Chair.

**The SPEAKER:** The member for Tarneit did reflect on the Chair. However, member for Tarneit, this is a procedural motion. Speak to the procedural motion.

**Dylan WIGHT:** I am indeed outlining why it is incredibly important to go back to this motion. I am outlining why it is incredibly important to do that, because it is incredibly important for Victorians to listen to this debate and to know exactly what happened on the weekend and to know why it is such a danger for those opposite to ever be in control of this state. This was not about a lack of consultation. This was an election commitment. I am not sure that you can have more consultation than that.

**Cindy McLeish:** On a point of order, Speaker, given your last ruling, the speaker on his feet is wavering from the procedural motion and starting to talk on the motion itself. I ask you to bring him back.

**Natalie Suleyman:** On the point of order, Speaker, the member for Tarneit has been totally relevant to the procedural motion that is before the house.

**James Newbury:** Further to the point of order, Speaker, on relevance, the member was speaking to the motion's substance that the government seeks to bring on, the sledge motion, rather than the procedural motion before the house.

**The SPEAKER:** Member for Tarneit, please come back to the procedural motion.

**Dylan WIGHT:** We heard the member for Brighton in his contribution on this procedural motion speak, as the member for Polwarth did, about this motion that we will get to after the procedural debate as a waste of this place's time. I have outlined why that is absolutely incorrect. Also, I think it is worth noting the rank hypocrisy of the member for Brighton, who says that we on this side of the chamber

are wasting people's time. As the member for Mordialloc said, I do not even speak on every procedural motion, but I reckon I have spoken on more procedural motions from the member for Brighton than half of their backbench. It is rank hypocrisy. The member for Brighton comes into this joint, moves procedural motions and then uses privilege to name people so somebody that did an internship in his office can write a frivolous article about someone. It is rank hypocrisy. The member for Brighton uses this joint as an absolute plaything.

**Cindy McLeish:** On a point of order, Speaker, the speaker on his feet has moved away from the procedural motion again.

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

**Dylan WIGHT:** As I will repeat, on the procedural motion, it is rank hypocrisy for the member for Brighton to come in here and say that we are wasting this house's time. I will repeat: the member for Brighton uses the privilege of this place to name people so somebody that did an internship in his office can write frivolous articles. If that is not a waste of this chamber's time, I do not know what is.

**Cindy McLEISH (Eildon) (15:31):** I am rising to oppose the adjournment of the debate on the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024 to move on to the sledge motion. First of all, I will note that on the government business program and on today's daily program other motions are listed, but this one is not, so the government have moved from what they put forward.

I want to also comment on what the member for Mordialloc mentioned earlier, that there is an existential crisis. I would suggest there is a health crisis. I would suggest there is an ambulance crisis at the moment, and I am one who would very much like the opportunity to talk on the bill that we were just debating. That bill does a couple of things. It introduces a new initiative, a new concept that I think people are pretty excited about. In fact I cannot imagine the disappointment of the member for Melton, because he talked about having discussions about this sort of concept with Minister Hennessy. She was around 10 years ago, so he has been waiting all of this time to try to get this concept off the ground. And now the members of his team have decided it is not important enough for us to continue debating for the rest of the afternoon, which is not particularly long.

What I could also infer from this is that we must be coming back tomorrow to finish the debate on the paramedic practitioners bill given that it is an important bill. I know we have got a list of speakers, I know the government has list of speakers, and I think it is only fair that we give that bill its due consideration. Not only, as I have mentioned, is it a new initiative, but we also have that crisis that is before us in the ambulance system and in the health system. We know that there are so many issues happening that need to be aired, and I can think of so many that I would like to have talked about.

We know even now that very recently Ambulance Victoria failed to publish their rosters in the required 28-day period of notice, which has implications for coverage over Christmas. We have had the CEO resign after a short time, we have had the CFO go, the board is in all sorts of disarray – it has had changes after changes – and we know also that a fish rots from the head. The reason we have this crisis is we have a government that is not managing the health crisis, not managing the ambulance service, and we have to then put that out there for discussion and look at the role of the paramedics and how the government has consistently let them down. We are introducing 30 people who are going to have the opportunity to become these paramedic practitioners, which is a new initiative, and I think it does need to be fully evaluated and discussed through both sides of politics in this chamber. But instead we have decided to cut this short and move on to a motion that is nothing more than a sledge motion.

I want to come to that motion, because yesterday we saw how heated it got late in the afternoon. The member for Bulleen in his contribution I think brought down the tone of that. He mentioned how it reflected on all of us – how a frivolous and politically motivated motion reflected on all of us. It reflected on the government itself, it reflected on the opposition and it reflected on the Speaker having this sort of motion go through the house which is there simply to be divisive and to be a sledge motion.

We know also that the government are pretty keen to try and shore up some of their seats because things have not been going their way, but I think we are not giving due consideration to the paramedics who the government say that they support no end, without question. Today we see they that have let them down. They have not let people put on the record their thanks for the work that they do, for the hard work that they do, for the fact that they have been overworked and understaffed and that they have got a pretty dismal leadership from above that is not addressing the problems. These are issues of the health crisis and the ambulance crisis that we need to be debating and we need to be talking about.

We do not need to move on to a sledge motion which demeans all of us, and I think when you hear some the comments that people have been making from the government side, it is pretty disrespectful and it is pretty low that they would think you need to do that. The Parliament chamber and the privilege of being in Parliament are to be used for better things than that.

**Assembly divided on Natalie Suleyman's motion:**

*Ayes (49):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (27):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Gabrielle de Vietri, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Tim McCurdy, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Tim Read, Richard Riordan, Brad Rowswell, Ellen Sandell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner, Jess Wilson

**Motion agreed to.**

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (15:42): I move:

That the debate be adjourned until later this day.

**James NEWBURY** (Brighton) (15:42): This is an outrageous abuse of the Parliament's time. While the Premier is sitting in this chamber, I can say the Premier is taking this Parliament into the gutter and knowingly misusing this Parliament's time to take it into a sledge motion.

**Colin Brooks:** On a point of order, Speaker, the member knows that reflecting on another member is disorderly.

**The SPEAKER:** Order! Member for Brighton, be mindful of not reflecting on members.

**James NEWBURY:** The Labor government is seeking to again waste this Parliament's time by sledging. How ashamed they should be. We will fight it at every single step. We will cause a division at every single step, because the Premier needs to own this. The Premier needs to be called out for allowing this most outrageous abuse of our Parliament's time. Victorians should be watching on, with an hour or so left, in theory, of the last day of the week for Parliament before Christmas, to see the type of gutter behaviour of this Labor government.

To think that this government is going to finish the year moving on to a sledge motion again after using the Parliament's time so shamefully yesterday. I put on record again how many times I went to the government yesterday to say, 'Please stop using the Parliament's time in this way.' Today I again

said to the government, ‘Leave yesterday’s mistakes in yesterday. Do not move the mistakes of yesterday into today.’

We now see a procedural motion that takes away debate on a bill on paramedics to sledge a member of the opposition. It is absolutely shameful. The government would only agree to using two days of its time in this way if the Premier personally approved of it. And that says everything about the Premier’s character, doesn’t it? We know that is what it does. This is an outrageous abuse.

**Iwan Walters:** On a point of order, Speaker, this procedural motion is not an excuse for the member for Brighton to reflect upon those opposite and to impugn the character of the Premier or any other member.

**The SPEAKER:** Member for Brighton, be mindful of not reflecting on members in the chamber.

**James NEWBURY:** I was reflecting on the collective Labor government, who have now for two days wasted time. The Leader of the House talks about sledging. I tell you what, the Leader of the House is the king sledger of this place – the absolute sledger of this place – to allow the Parliament to be used in this way. What I can also let the Parliament know is that during the division the Greens and the National Party advised me that they do not want to speak on the sledge motion. I advise the Speaker that the National Party and Greens advised me during the division that they do not wish to speak on the sledge motion.

**Pauline Richards:** On a point of order, Speaker, this is a tight procedural debate, and I would ask you to bring the member back to the procedural debate.

**The SPEAKER:** Member for Brighton, come back to the procedural motion.

**James NEWBURY:** I was speaking to the procedure. During the division the National Party and the Greens advised me that they do not wish to speak on the sledge motion. We will oppose it at every single step of the way. This is disgusting, and it shows quite clearly to everyone the Premier’s character.

**Michaela SETTLE (Eureka) (15:47):** I stand in support of this motion. It is an incredibly important motion. We have seen communities, our local communities, come to us in distress about this, and they are very keen to have this debated. It looks to me like it is a protection racket for those that were involved, and I just have to ask myself: why are they so afraid to debate this? This is an important motion that we need to speak about.

**Richard RIORDAN (Polwarth) (15:48):** I am absolutely aghast that again this government are seeking to ignore the business of this house, a business program that they themselves put to this Parliament at the start of the week, a business program that they said was important, a business program that we divided on and agreed that we would speak to this important bill about giving more powers and support to our paramedics. It is a bill that many speakers from the opposition have not yet had an opportunity to contribute on. The reason so many people in the opposition still want to speak to the bill on giving paramedics more powers and more ability to look after remote and regional communities – we want to talk to that because this is a matter of great interest and of great concern to the people of Victoria. The people of Victoria would be more than aghast, they would be absolutely disappointed – and it would be another reason to be disappointed with the Allan government – to think that with the Parliament rising tonight for more than two months before this Parliament –

**The SPEAKER:** Member for Narre Warren North, are you eating in the chamber? The member for Narre Warren North will leave the chamber to finish her food.

**Richard RIORDAN:** I guess it highlights the contempt some people on the other side have for the Parliament at times, but at a time with two months break we hear regularly, day after day, another disaster befalls this government. We learned today that Triple Zero Victoria, the most critical life-giving, supporting, disaster-managing agents that we have in this state –

**Anthony Cianflone:** On a point of order, Speaker, this is a very tight procedural debate, and I ask you to draw the member back to the substance of the procedural debate, not talk about Triple Zero Victoria and other matters that have nothing to do with this. This is about social cohesion, which the Liberal Party have no interest in maintaining. Talk about –

**The SPEAKER:** Member for Pascoe Vale, that is not the way to raise a point of order. I will not call you again on a point of order if you do that. Member for Polwarth, there is no point of order, but do come back to the procedural motion.

**Richard RIORDAN:** We have a two-month break. Victorians need to know that this Parliament is doing its job well and raising the issues of the day. We only learned today, for example, that Triple Zero has been in deficit – it has run out of money. We learned this week that they have resorted to pen and pencil.

**Pauline Richards:** On a point of order, Speaker, again, a different member but the same point of order: this is a narrow procedural debate. I ask you to bring the member back to the procedural debate.

**The SPEAKER:** Member for Polwarth, come back to the procedural debate.

**Richard RIORDAN:** This procedural debate is about the desire of this government to ignore its own business program that it put to the vote earlier in the week that said we would have time to debate this important bill that it put forward about giving paramedics more powers and more capacity to serve and look after the people of Victoria. This government is choosing to adjourn that off without giving many opposition members the opportunity to contribute to the debate. And what are they doing it for? For cheap political purposes. Even the media has not picked up on the desire, no matter how hard this government have gone. They have put out press releases; they have tried and they have tried. They have gone around into various communities throughout the east and the west of Victoria to deliberately stir –

**Mary-Anne Thomas:** On a point of order, Speaker, once again the member for Polwarth is defying the ruling that he stay speaking on the narrow procedural motion.

**The SPEAKER:** The member for Polwarth will come back to the procedural debate.

**Richard RIORDAN:** The point is we do not want to adjourn this off to later this day. We do not want the opposition to be denied the opportunity to contribute to this important bill. And most importantly, the opposition, like most people in Victoria, do not want the important business of this house corrupted by this government seeking cheap political points by making cheap attacks on members of Parliament who they know well are good local members who represent their community, who bring people together to do something that this government has failed to do, and that is to undertake genuine consultation.

**Nick STAIKOS (Bentleigh) (15:53):** I will just make some brief remarks, because I really do want to get back to this motion. There is no doubt that this is a very, very uncomfortable conversation on the part of those opposite, but it is a conversation that we do have to get back to because it is a very important discussion. Those opposite want to be the next government of Victoria, but from what I have seen today and yesterday they cannot handle the sort of scrutiny that it takes to be the government of Victoria. Instead of running a protection racket for some of their members who have done the wrong thing and have organised –

**James Newbury:** On a point of order, Speaker: relevance.

**The SPEAKER:** I do ask the member for Bentleigh to come back to the procedural motion.

**Nick STAIKOS:** Highlighting why it is important that we do come back to this motion, there should be no protection rackets. This is a discussion that has to be had. What happened last weekend was unacceptable and should not be acceptable to a major political party of this state.

**Sam GROTH** (Nepean) (15:54): I support the member for Brighton. This is a terrible use of this Parliament's time, and to follow the member for Bentleigh, who this morning was ordered by the Speaker to come into this chamber and issue an apology for how he took the debate yesterday on the motion that the government is trying to –

**Mary-Anne Thomas**: On a point of order, Speaker, the member on his feet is not being relevant to the motion that is being debated. I ask that you ask him to come back and not to use the opportunity while on his feet to impugn members of this place.

**The SPEAKER**: The member for Nepean will come back to the procedural motion.

**Sam GROTH**: On the point of order, Speaker, I was directly following the member for Bentleigh. He had spoken to the procedural motion and why it was important to come back, and I was directly rebutting what –

**The SPEAKER**: I would hope that you speak to the procedural motion, member for Nepean.

**Sam GROTH**: I will happily speak to the procedural motion. Just this morning, when the member for Berwick and the member for Eildon tried to introduce private members bills on issues that are of public importance in this place, they were told they were wasting the Parliament's time and that there was important legislative reform that had to go through this place, legislation that we planned to debate and that many members on this side of the chamber have not had the opportunity to speak on. There is a long list of members we have on this side to speak on the importance of what the ambulance service does in our state and the failures within the health system. Many members want to speak on that. We were told this morning how important it was to continue debating the legislation in this place, the government business program and the issues brought forward by the government.

**Emma Vulin**: On a point of order, Speaker, on relevance, I would like to bring the member back to the tight procedural debate.

**Sam GROTH**: On the point of order, Speaker, I was being directly relevant to the procedural motion at hand and why we should not be moving to the motion.

**The SPEAKER**: Member for Nepean to continue his contribution. There is no point of order.

**Sam GROTH**: We heard this morning that it was important to continue debating the legislation that the government put forward, and now the government feel the need, just as they did yesterday, to bring on a sledge motion for nothing other than political purposes and not debate the issues important to the people of Victoria. It was only a few months ago that ambulances in this state were being driven around with messages, just like the police in this state are driving around with messages on their windows. The government continues to fail –

**Anthony Cianflone**: On a point of order, Speaker, on relevance. What the member is talking about has nothing to do with the procedural motion.

**The SPEAKER**: I ask the member to come back to the procedural motion.

**Sam GROTH**: Good to hear from the member for Pascoe Vale. He should have spent a little bit of time with the member for Mordialloc and men's behaviour change with the outburst we saw in the chamber just before from the member for Pascoe Vale.

**Mary-Anne Thomas**: On a point of order, Speaker, the member for Nepean is clearly out of order. He continues to reflect on members in this chamber in a wholly inappropriate way. This is a narrow procedural debate. I ask that you ask him to obey your rulings.

**The SPEAKER**: Member for Nepean, back to the procedural motion.

**Sam GROTH**: I will come back to the procedural motion. This is an absolute abuse of the time of this Parliament. As the member for Brighton said, everything is being run through the Premier and has

to be approved by the Premier. Where is the Premier to come in and speak on the motion, speak on the need for it to be pushed through and speak on the need to not address the ambulance crisis, the health crisis that she is overseeing? We should be debating the legislation. We have 1 hour of normal time left in Parliament for the year. There is a need to debate the legislation and the needs of the Victorian people. We should not be moving to sledge motions. I might add that yesterday the debate and the motions that were moved were completely untrue. As the member for Eildon said, the member for Bulleen – and I think everybody in this chamber took note – brought the tone down so well.

**Daniela De Martino:** On a point of order, Speaker, this is a very narrow procedural debate, and the member is straying beyond the procedure of the debate.

**Sam GROTH:** On the point of order, Speaker, it is entirely relevant to speak to why we should or should not be moving the motion at hand. If you cannot address the motion – (*Time expired*)

**Assembly divided on Mary-Anne Thomas's motion:**

*Ayes (49):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (26):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Gabrielle de Vietri, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keefe, John Pesutto, Tim Read, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner

**Motion agreed to and debate adjourned until later this day.**

**James Newbury:** On a point of order, Speaker, I refer to your previous ruling about attire in the chamber. The member for Richmond has a keffiyeh in the chamber. The Speaker has referred to that previously and advised the house that should not be worn or adorned in the chamber. I would ask that she counsel the member.

**The SPEAKER:** The member for Richmond is aware of the ruling. I ask her not to have the item around her body.

*Business of the house*

**Adjournment**

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (16:05): I move:

That the house, at its rising, adjourns until 4 February 2025.

**Motion agreed to.**

*Members*

**Member for Berwick**

**Debate resumed on motion of Sonya Kilkenny:**

That this house condemns the member for Berwick for bringing neo-Nazis into the Narre Warren community by organising and promoting a divisive protest.

**And James Newbury's amendment:**

That the following words be inserted after the word 'protest': 'and notes the member immediately reported the matter to Victoria Police; and that this house also condemns the behaviour of other Labor members of Parliament.'

**And Gary Maas's amendment to the amendment:**

That, in relation to the amendment moved by the member for Brighton, the word 'Labor' be omitted and replaced with the word 'Liberal'.

**James Newbury:** I move:

That the question be now put.

Further, in relation to standing order 155(2)(b), I note, as I have advised the house, the National Party and Greens have both advised me they do not wish to speak on the motion.

**The SPEAKER:** Member for Brighton, you cannot speak to a closure motion. You can move that the closure motion be put. I have not yet heard from all party members. I will give party members that have not spoken an opportunity to speak.

**James Newbury:** On a point of order, Speaker, both parties have advised me that they do not wish to speak.

**The SPEAKER:** I have not been advised by the parties, Manager of Opposition Business. If they wish to not speak, they need to advise the Speaker.

**Jade Benham:** On a point of order, Speaker, the Nationals do not wish to speak.

**The SPEAKER:** I still have not heard from all parties, and therefore I will continue with the motion until I have –

**James Newbury:** On a different point of order, Speaker, it is difficult with the Greens to always rely on them to attend, but they have advised me that they do not wish to speak.

**The SPEAKER:** I have not been advised by the Greens party that they do not wish to speak, and therefore I will give them an opportunity to come into the chamber and either speak on the motion or advise me that they do not wish to speak on the motion. If they do not turn up in the next 10 minutes, then I will assume that the next speaker will be done.

**Wayne FARNHAM (Narracan) (16:09):** Continuing on from yesterday, I think there are not going to be many that disagree with me here that this is one of the grubbiest motions that has ever been put forward. This is low gutter politics by a party that is struggling in the polls. It is as simple as that. They are struggling, so they are using this as a deflection because of their own incompetence. The amount of rubbish that has been stated in this chamber in the last couple of days has been absolutely disgraceful. But what makes it even worse is when the Parliamentary Secretary to the Premier outside these doors calls someone racist – no apology. The member for Bentleigh would have to be one of the grubbiest politicians that has ever graced this chamber, and to call someone a racist –

**Mary-Anne Thomas:** On a point of order, Deputy Speaker, the member for Narracan knows full well that he cannot stand on his feet and impugn members in the way that he is right now. I ask that you rule him out of order.

**Wayne FARNHAM:** On the point of order, Deputy Speaker, it actually happened outside this chamber to me from the member for Bentleigh. That is factual.

**The DEPUTY SPEAKER:** On the point of order, the original motion is a substantive motion, and that does mean that some remarks on a member can be said. The amendments are on a collection of members, and imputations on members are still disorderly outside the original substantive motion. I implore the member for Narracan to continue within the standing orders.

**Wayne FARNHAM:** I will go back to the motion. It is a disgraceful effort by this government what they are trying to do to the member for Berwick. It is disgraceful the way they have behaved. The member for Berwick is a hardworking member that had a community event about a lack of government consultation. That is what the event was about. Then we get the grubby politics from the other side of the chamber accusing the member for Berwick of being affiliated with neo-Nazis and white supremacy and all the other rubbish that they want to come up with because they are flailing in the polls. It is an absolute diversion to move the needle away from their incompetence and the fact that this state is in the toilet through their doing. That is the only reason why they are moving this motion. I will defend the member for Berwick to the next election. This has no place in this chamber.

**Jordan CRUGNALE (Bass) (16:12):** I rise to speak to the Minister for Planning and member for Carrum's motion and reiterate the words of her contribution. I join with her and the extraordinary contributions from this side of the house by the member for Cranbourne, the member for Narre Warren South and the member for Bentleigh in support of the Sikh community. This is about community; this is not about the media. I join with them in the condemnation of those opposite that have fuelled division, effectively rolling out 'the welcome mat of hate'. Victorians are entitled and right to be concerned, and in fact scared, about –

**James Newbury:** Under standing order 155, I move:

That the question be now put.

The Greens member has advised that he no longer wishes to speak.

**Vicki Ward:** On a point of order, Deputy Speaker, I am not aware that the member has now spoken to the Greens party –

**The DEPUTY SPEAKER:** Order! You have asked that the question be put. The Speaker, before leaving the chamber, did mention a period of time. I appreciate the Greens have now said they do not wish to speak, but the member for Bass has the call. I will hear a different point of order.

**James Newbury:** On a point of order, Deputy Speaker, what the Speaker said was that the Speaker would give 10 minutes time to allow the Greens to come into the chamber and advise the Speaker of their wishes. The Greens member came into the chamber. It was not 'and 10 minutes'; it was to advise the Speaker in the chair. The Greens came in immediately and provided that advice. The only reason the Speaker did not allow that question to be put immediately was because the Greens had not come into the chamber. If you refer to *Hansard*, it will be clear that was what the Speaker said, Deputy Speaker.

**The DEPUTY SPEAKER:** The Speaker did not take the question, because not all members had had a chance. The Greens have advised me, but the member was given the call.

**James Newbury:** And you have now multiple times given me the call, Deputy Speaker. I move:

That the question be now put.

I am moving that motion.

**The DEPUTY SPEAKER:** I am inclined to leave the member for Bass on her feet. The Manager of Opposition Business can obviously seek the call again once the member sits.

**Jordan CRUGNALE:** In fact scared about the regular occurrence of neo-Nazis turning up at events organised by, facilitated by and enabled by members of the Liberal Party – this has been enabled by the Liberal Party. It is an absolute disgrace.

**Sam Groth:** On a point of order, Deputy Speaker, the member on her feet seems to be reading her speech.

**The DEPUTY SPEAKER:** Is the member referring to notes? The member is referring to notes.

**Jordan CRUGNALE:** It is an absolute disgrace that this is allowed to happen, that people are able to be fear-stricken –

**Bridget Vallence:** I move:

That the question be now put.

**The DEPUTY SPEAKER:** I have ruled in regard to that a minute ago. I have instructed the Manager of Opposition Business that obviously he can seek the call. The member has the call and is on her feet. I am not inclined to sit her down given previous events.

**Jordan CRUGNALE:** Let me read out a caption of a photograph –

**A member:** You just said ‘read out’. You just admitted you’re reading it.

**Jordan CRUGNALE:** Well, yes, because it is a quote that was posted online. It is a photograph of people in black shirts whose values are absolutely despicable and have no place in this state; in fact they are the subject of legislation that we passed.

**Brad Rowswell:** On a point of order, Deputy Speaker, I have great respect for you and the way in which you preside over this chamber, I truly do. I understand the circumstance that you are in and that your inclination is not to sit the member down given that both the member for Brighton and the member for Evelyn have moved that the question be put. That said, the nature of this motion is to sledge a member of the opposition. That is the absolute intent of this motion.

**The DEPUTY SPEAKER:** The point of order is?

**Brad Rowswell:** I understand that you do not wish to set a precedent, but on this occasion, given the nature of the motion, I would humbly put it to you, respectfully put it to you, that for these circumstances it is the right thing to do. Therefore I also move:

That the question be now put.

**The DEPUTY SPEAKER:** Member for Sandringham, unfortunately that is not a point of order, and I have made a ruling on that.

**Vicki Ward:** On a point of order, Deputy Speaker, can I ask you that the clock be paused the next time there is a vexatious point of order.

**David Southwick:** On the point of order, Deputy Speaker, there have been many times, particularly yesterday, when there were points of order called by Labor’s side that were frivolous points of order and were taken, and at no time did we ask for the clock to be reset. I think that that is a frivolous point of order, and I ask you to rule the minister’s point of order out of order.

**The DEPUTY SPEAKER:** I already had, or was going to.

**Jordan CRUGNALE:** The caption of that photograph says:

Me and the boys at the Liberal Party Klan rally at Berwick Springs on Tuesday –  
he spelled clan with a K –

to take the lake back for the White Man!

This is where we again have been unequivocal in our rejection of any of the statements that are by these people and also any environment created to enable them to have a voice. People would be well within their rights to ask and to imagine how successful the member for Berwick would have been –

**James Newbury:** I move:

That the member be no longer be heard.

**The DEPUTY SPEAKER:** I am not inclined to start down that road. If we could, we could possibly stop the clock, we would have a division and then the clock would start again. I encourage the member for Bass to finish her contribution, and then I am sure you will stand.

**Jordan CRUGNALE:** People would be well within their rights to ask and to imagine how successful the member for Berwick would have been in organising a rally – let us call it a protest, actually – alongside Mrs Ann-Marie Hermans in the other place if this was not about a proposal to name a man-made lake that had no name before. People would have been entitled to question whether the rally would have even occurred if the proposed name had not been a multicultural celebration.

*Members interjecting.*

**Jordan CRUGNALE:** There was no name. Had this been a white, middle-class name, had this been a name that fit in with every other name of the prevailing views over generations and many decades, would this rally or protest event even occurred? Would it have occurred if the lake was proposed to be named Mary MacKillop Lake or Spring Valley Lake? The answer is probably no, and you have to ask why, meaning that if it is a multicultural name under the Liberals, and under a Liberal government multiculturalism is not welcome –

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (16:22): I move:

That the question be now put.

**Motion agreed to.**

**The DEPUTY SPEAKER:** The Minister for Planning has moved the motion listed as order of the day no 4 on the notice paper. The member for Brighton has moved an amendment to the motion. He has proposed inserting the words ‘notes the member immediately reported the matter to Victoria Police; and that this house also condemns the behaviour of other Labor members of Parliament’ after the word ‘protest’. The member for Narre Warren South then moved an amendment to the member for Brighton’s amendment, proposing to omit the word ‘Labor’ and insert the word ‘Liberal’ in its place. I will first put the question on the member for Narre Warren South’s amendment because the amendment seeks to omit a word. The question is:

That the word proposed to be omitted stand part of the amendment.

Those supporting the amendment moved by the member for Narre Warren South should vote no.

**Assembly divided on question:**

*Ayes (24):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Tim McCurdy, Cindy McLeish, James Newbury, Danny O’Brien, Michael O’Brien, Kim O’Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner

*Noes (49):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D’Ambrosio, Daniela De Martino, Steve Dimopoulos, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

**Question defeated.**

**The SPEAKER:** As the house has agreed to the first part of the member's amendment, I will now put the question on the proposal to insert the word 'Liberal' into the member for Brighton's amendment. The question is:

That the word 'Liberal' be accordingly inserted.

**Assembly divided on question:**

*Ayes (49):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (24):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner

**Question agreed to.**

**The SPEAKER:** I will now put the question on the member for Brighton's amendment as amended by the member for Narre Warren South's amendment. Because the amendment seeks to insert words, the question is:

That the words proposed to be inserted by the member for Brighton, as amended, be so inserted.

**Assembly divided on amended amendment:**

*Ayes (24):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner

*Noes (49):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

**Amended amendment defeated.**

**Assembly divided on motion:**

*Ayes (49):* Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Eden Foster, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Pauline Richards, Tim Richardson, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat

Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (24):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keefe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner

**Motion agreed to.**

### *Bills*

#### **Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024**

*Second reading*

**Debate resumed on motion of Natalie Suleyman:**

That this bill be now read a second time.

**James Newbury** interjected.

**The SPEAKER:** The member for Brighton can leave the chamber for half an hour.

**Member for Brighton withdrew from chamber.**

**Jackson TAYLOR** (Bayswater) (16:38): Can I first say I am a little bit hurt by the mass exodus prior to my speech.

**A member** interjected.

**Jackson TAYLOR:** I will take it personally. I am hurt. I am deeply impacted. Alas, the show must go on, and I am absolutely proud today to stand and provide a contribution on the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. Can I first say a huge thankyou to the Minister for Health and Leader of the House and of course all of her staff for their important work in bringing this piece of critical legislation to help acquit a really important election commitment that this government made in 2022. Now we are not just seeing that through but getting it done and doing what we said we would.

I just want to acknowledge a few contributions by some members in this place today. The Minister for Environment I think gave a fantastic contribution. He spoke about the record that Labor governments have when it comes to supporting health care and supporting our healthcare workers right across this state – metro, regional, in every single corner of this great state. He talked about the record investments of not just Labor governments but now the Allan Labor government and of course the Andrews Labor government in making sure we have got a world-class healthcare system here in Victoria and in my electorate of Bayswater. We also know we had that contribution from the Minister for Environment.

We have heard contributions from the other side talking down our healthcare system, talking down our hospitals, and the reality is that we do have a world-class healthcare system here in Victoria, one we should be proud of, one we should continue to work towards improving and making better each and every single day. Nobody is denying that. That is important. That is the work of any good and decent government, and that is what we are doing; that is the work that this government is doing.

The reality is that those on the opposite side talk about all these different things they have raised in this place, but the reality is that people in Victoria simply do not trust Liberal–National governments when it comes to health care. People love to prognosticate and talk about polls and all this, that and the other, but the reality is the only poll that counts is the one that is on election day, and the people of Victoria have voted for Labor governments in this state, and I am very grateful to be here because people voted for Labor governments, and we have not let them down. Whether it was through the

pandemic, whether it is business as usual, this government backs in health care each and every single day.

We heard also from the member for Melton, a former secretary of the Victorian Ambulance Union, about his experiences not just in the union but in this place and his passion for health care not just in Victoria but in his electorate as well. I know there was a member who spoke about the healthcare system in perhaps less glowing terms, but it is important to note that the latest data seen in Warrnambool in terms of ambulance response times is 83.8 per cent for code 1 cases within 15 minutes, which is a 3 per cent improvement on the last quarter. So well done to our hardworking paramedics, the people at Ambulance Victoria, who are doing the hard work each and every single day. That is also the best result in terms of LGAs in the state.

We also heard that some think that these are the only 30 practitioners who will go through this course, but the reality is this is just the first tranche. There are more to come. The commitment was to deliver 100 over four years, and that is exactly what this government will do. Of course we will keep our promises and we will continue to support our hardworking paramedics, because that is what we do. We respect our paramedics. We support them. We have heard this phrase in this place, and it is absolutely true and something we should remind the Victorian people of: that we support paramedics and we do not go to war with them. We support them. We thank them for their work, and we back them in with funding and the resources each and every single day through the instruments of this government.

Thank you to our paramedics across this state and also the hardworking paramedics who I have had the great pleasure of sitting down with on many occasions with multiple ministers we have had over the course of my journey in this place. Most recently at the branch in Ferntree Gully we sat down, listened to paramedics, their experiences, how we can continue to improve the system, how we can continue to make our healthcare system even better and the way in which paramedics interact with it – wonderful, wonderful people, the best of us, in my view. I think that of all healthcare workers. I have often said in this place it is a very hard job, and honestly I do not think I could do it. I really do not think I could do it. They are incredible people, and I am very grateful for work they do.

Of course this government is not just backing in our paramedics, we are also doing the important work of building the infrastructure this state needs, whether it is Frankston Hospital, Footscray Hospital, Melton Hospital or the upgrade that we will deliver with the Maroondah Hospital. The Angliss Hospital construction is underway as well. I was there the other day with the board chair and the CEO of Eastern Health – both great people doing great work in their communities and across the Eastern Health sites, of which there are many. The Angliss Hospital essentially is a new wing. There will be more beds. There will be more elective surgery suites and a new central sterilisation services department – I have got the ordering of that sentence correct; the first few iterations needed a bit of practice. And there will also be some more parking – not lots of extra parking but some more parking – which will make locals very, very happy and will keep the ticket inspectors at Knox council less busy, I sincerely hope. That is underway, and that construction will be complete in 2026. We saw the new Wantirna aged care also delivered – a wonderful public aged care facility. It is a remarkable feat – four storeys, 120 beds – and really lets people age in place and age with dignity. We know that we have also put in place nurse-to-patient ratios and provided the funding needed.

This bill is to support the introduction of a paramedic practitioner role in Victoria through amendments to the Drugs, Poisons and Controlled Substances Act 1981 to authorise paramedic practitioners to autonomously obtain, possess, use, supply, administer and prescribe scheduled medicines. It will insert a definition of ‘paramedic practitioner’ in the act. A paramedic practitioner will be defined as a registered paramedic who has completed a prescribed postgraduate qualification and who satisfies the prescribed experience requirements. It will permit paramedic practitioners to practise autonomously by providing authorisations under the act equivalent to a nurse practitioner, including the ability to obtain, possess, use, supply, administer or prescribe scheduled medicines. It will also allow paramedic practitioners to access, use and disclose information on the monitored poisons database SafeScript and

will require that paramedic practitioners check SafeScript before supplying or prescribing a monitored poison, similar to a registered medical practitioner or nurse practitioner.

I spoke a little bit about the last election, when we committed to establishing this position in Victoria. Twenty-five on the road will be in rural and regional Victoria by the end of 2026, and these of course will be specialised paramedics able to independently deliver urgent care in the field without needing to transport patients to an emergency department. This is really, really huge. It is forward thinking, the first of its kind in the country. It will take people out of EDs, along with that important reform we also made around priority primary care centres, which are doing a great job. It is a fantastic bill.

I would just like to say, with 1 minute and 18 seconds left and with the indulgence of the house, that it is the season to be jolly – fa la la la la la la la. I want to say merry Christmas to you, Acting Speaker, and to everyone in this place of all political ilk. I hope everyone has a great Christmas. I want to thank the team at Hansard, who do a great job. The bow ties today were on point; they were great. I enjoyed the photo; I saw it pop up on Parliament services. Great work, team. Have a great Christmas. Thank you. If the camera could just do a nod at this point, that would be great. A big thankyou to everyone else at the Department of Parliamentary Services, to all in the catering team and to everyone who makes my life so easy in this place. For all of us they do a wonderful job. To all of my staff at the Bayswater electorate office, thank you so much. They say you need smarter people around you, and I have no doubt that that is the case with me at the Bayswater EO. They are great people. I love having them around. They are not just staff, they are friends as well. I appreciate them each and every single day.

This is a great piece of legislation, a fantastic piece of legislation, that acquits an election commitment and gets on and delivers for the good people of Victoria. What a way to end 2024.

**Cindy McLEISH** (Eildon) (16:48): I am pleased to finally have the opportunity, which I thought had passed me by, to speak on the bill before us. Whilst the concept of a paramedic practitioner might be new to us, the concept of a nurse practitioner is well known. This concept is closely modelled on that of a nurse practitioner, whereby those who already have the paramedic qualification are able to undergo particular training as prescribed postgraduate courses at Monash University to obtain a master of paramedic practitioner. What that will allow them to do is expand on the roles that they already do. In theory that is going to have great outcomes and make a big difference to the health services and the ambulance service, but when you look at the number that are going to be going through the course, it is not going to make much of a dent in this already at crisis and underfunded system in Victoria.

The purpose of the bill is fairly simple. It is to establish the paramedic practitioners as a class of registered paramedics, and then there are authorisations around what they can do around obtaining, possessing, using and selling and supplying certain substances. We are all very familiar with the concept of what a paramedic does and where they go, whether it is visiting somebody's home or whether they have to go to an accident in various different types of places. We are familiar with that, but sometimes there are limitations on what a paramedic can do, and increasing the scope of services that they are able to undertake will make some of their treatments a little bit quicker and perhaps help them get back onto the road fairly quickly. This training will help them assess, diagnose and administer medication, which is a little bit different, treating patients onsite, and they can make medical and clinical decisions which will prevent the transfer of a patient to hospital. That may be for a short term, because depending on the nature of the illness and what happens, they may need to go to hospital a bit later on.

I have mentioned nurse practitioners, and I have been familiar with the nurse practitioner concept for quite some time. When I was the member for Seymour we had one at the Seymour hospital. It was different, and there was a little bit of pushback from people about this concept being different and nurses being able to do additional tasks. I think that that calmed down after a while and it has worked quite well, because within that nursing system they have the clinical leadership for some of that direct clinical care and they can intervene more in clinical practice. This has been successful, and expanding

this to paramedics is fine and should make life a little bit easier, but as I said, they are being rolled out only to a limited extent.

Paramedics in my electorate have a fairly challenging environment. Sometimes it is hard to meet the times that are set to get to a location because physically you cannot do it – you cannot get there in that amount of time. If you are in Mansfield and you have to go to Woods Point and drive an hour and a half, you are not going to get there in the prescribed time period, and often what happens is people in Woods Point have to drive towards Jamieson and meet an ambulance. We can have ambulance community officers, ACOs, as well who can help with this. It is difficult when ambulances come from out of area, because they do not know rural roads. They do not know that you actually cannot get through what sometimes on a map it looks like you can get through. We have had instances in the Mansfield shire when an ambulance has turned up on one side of a river thinking that they could get across and they could not, and they needed to have gone locally, and that certainly impacts on response times.

It is very different being a paramedic in country areas to the city. We see also that they get called out a lot, and when ours get called out they go to so many different areas. If you are in Mansfield, you are likely to end up in Wangaratta, where ramping still does happen. If you are in Alexandra, you would probably head over the Spur, hope to goodness there are no trees down over the Spur and you can get to Maroondah or maybe even Box Hill. If you are in Yea, that one is a little bit more difficult, because sometimes you might go to Maroondah and other times you might go to the Northern. This has challenges, because with the amalgamations by stealth that the government are undertaking at the moment the hospitals now have to choose which network they want to belong to. If they have got somebody from in or around Yea, depending on what side of Yea you go to, the ambulance will choose to go the Ringwood–Box Hill path or to go the Northern path; very infrequently they will go to Shepparton, even though the psychiatric link is supposedly at Goulburn Valley Health. That makes it really difficult because people do not go to visit because that is not the normal connector of where things happen.

We know too that there are a lot of crises in the health and ambulance sector at the moment and indeed even 000. It was not that long ago – I think it was in August – that the Parliament supported a motion to establish an inquiry into the performance, workplace culture and procurement practices of Ambulance Victoria by the Legal and Social Issues Committee, because we know that under Labor ambulance response times have missed their targets and there has been extensive ramping outside hospital emergency departments. We all see the photos: ambulance officers, paramedics – they send them to us. We know what happens; they post them. Morale is shot – I do not think anyone can disagree with that – and they are exhausted. They have been having to battle for so long, and the service continues to be under-resourced. For too long the government has refused to provide an explanation around the performance and take real action to address the issues.

I know that there are issues at that leadership level. We have had the new CEO resign after 18 months. The CFO I believe has gone as well. There have been issues at board level. With this sort of disruption and change at the top, it filters down, and it does impact on morale when people are not sure what is going on, who their leader is and how it is going to work out. I understand that they had a bit of an issue recently where Ambulance Victoria failed to publish the rosters with the required 28 days notice, and that roster period went right up until Christmas. There will be people who want to have time off, and to change your roster needs approval. There are these sorts of things that happen too often. I am not even sure that they did not have to borrow, Ambulance Victoria, to top up the books before the end of the financial year.

Today we had the tabling of the Triple Zero Victoria annual report, which was probably due I would say a month or so ago, but we saw it tabled today. That says that Triple Zero Victoria recorded an \$81.2 million deficit, down from a \$338,000 surplus in 2023, so that is a turnaround of almost \$82 million. Government funding for call taking and dispatch was cut by over \$38 million. Triple Zero are particularly relevant to Ambulance Victoria because they have their performance and their

benchmarks. The AV code 1 annual target is 90 per cent, and it was 80.4 per cent. It has varied; it has gone down by 10.7 per cent. There are problems at every level of the health service.

This initiative that is being put forward today of the paramedic practitioner will help in instances where they are called to somebody's house. If they can deal with it quickly and they do not need to go to hospital and experience ramping times, they may be able to turn that around fairly quickly, and I think that is certainly positive. The limited number that are going to be going through and deploying into regional Victoria by I think 2026 – I wish that that was at least doubled to make a real difference, but it is a start.

**Daniela DE MARTINO (Monbulk)** (16:57): I am pleased to rise to make a contribution, albeit a very, very brief one as we approach the guillotine, on the Drugs, Poisons and Controlled Substances Amendment (Paramedic Practitioners) Bill 2024. This is a wonderful first for our nation, and once again it is Victoria leading the charge. What a fabulous thing we are doing here. It is really pleasing that this will be going through unopposed. It is an exceptionally important piece of legislation which is going to make a real impact for everyone in Victoria. For anyone who needs an ambulance or believes they need to get to hospital, we are going to have dedicated paramedic practitioners out there who are going to be able to make sure that those who do not actually need to get to the emergency department can get the assistance that they require without a trip to our hospitals, without putting pressure on our system, especially as the population ages and we require a little bit more medical attention. It means people can be treated in their home. They can be given the care that they require, and that may be in a nursing home as well. It is absolutely groundbreaking for us here, this legislation.

Instead of going into great detail on it, I do want to take the opportunity, with 50 seconds on the clock, to thank our amazing paramedics across the state of Victoria. They will be working around the clock while we may be out there enjoying Christmas celebrations, new year's celebrations or whatever celebrations our faith or otherwise takes us to – barbecues. Whatever celebration anyone may be enjoying, our paramedics will be standing ready to assist us. While we all have a wonderful festive time, I would like us all to spare a thought for our fabulous healthcare workers, who will be there waiting for us in our time of need should it arise. They are absolutely superhuman people. Unfortunately, I have had far too many interactions with paramedics, between my family members. I commend the bill to the house.

**The ACTING SPEAKER (Nathan Lambert)**: The time set down for consideration of the remaining items on the government business program has arrived, and I am required to interrupt business.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**The ACTING SPEAKER (Nathan Lambert)**: The bill will now be sent to the Legislative Council and their agreement requested.

### **Justice Legislation Amendment (Committals) Bill 2024**

*Second reading*

**Debate resumed on motion of Anthony Carbines:**

That this bill be now read a second time.

**And Michael O'Brien's amendment:**

That all the words after 'That' be omitted and replaced with the words 'this house refuses to read this bill a second time until the government:

- (a) explains why it has rejected the Victorian Law Reform Commission recommendation to empower the Magistrates' and Children's courts to discharge the accused on a relevant indictable charge or charges if satisfied that there is no reasonable prospect of conviction; and
- (b) commits to reviewing the implementation of the bill to identify and remedy any demonstrable unfairness to defendants that may be occasioned.'

**The ACTING SPEAKER (Nathan Lambert):** The minister has moved that the bill be now read a second time. The member for Malvern has moved a reasoned amendment to this motion. He has proposed to omit all the words after 'That' and replace them with the words which appear on the notice paper. The question is:

That the words proposed to be omitted stand part of the question.

Those supporting the reasoned amendment by the member for Malvern should vote no.

**Assembly divided on question:**

*Ayes (52):* Juliana Addison, Jacinta Allan, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Gabrielle de Vietri, Steve Dimopoulos, Eden Foster, Will Fowles, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (24):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Sam Groth, David Hodgett, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner, Jess Wilson

**Question agreed to.**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**The SPEAKER:** The bill will now be sent to the Legislative Council and their agreement requested.

**Inquiries Amendment (Yoorrook Justice Commission Records and Other Matters) Bill 2024**

*Second reading*

**Debate resumed on motion of Natalie Hutchins:**

That this bill be now read a second time.

**The SPEAKER:** The question is:

That this bill be now read a second time and a third time.

## MOTIONS

Thursday 28 November 2024

Legislative Assembly

5003

### **Assembly divided on question:**

*Ayes (52):* Juliana Addison, Jacinta Allan, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Gabrielle de Vietri, Steve Dimopoulos, Eden Foster, Will Fowles, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (24):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Sam Groth, David Hodgett, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keefe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner, Jess Wilson

### **Question agreed to.**

### **Read second time.**

*Third reading*

### **Motion agreed to.**

### **Read third time.**

**The SPEAKER:** The bill will now be sent to the Legislative Council and their agreement requested.

## *Motions*

### **Budget papers 2024–25**

### **Debate resumed on motion of Steve Dimopoulos:**

That this house takes note of the 2024–25 budget papers.

### **Motion agreed to.**

## **Nuclear energy**

### **Debate resumed on motion of Lily D'Ambrosio:**

That this house:

- (1) condemns the federal opposition's plan to send energy bills sky-high with dangerous and expensive nuclear power;
- (2) calls on the leader and deputy leader of the Victorian opposition to rule out nuclear reactors on the Great Ocean Road or in any Victorian community.

### **And James Newbury's amendment:**

That all the words after 'That' be omitted and replaced with the words 'the Allan Labor government be condemned for failing to provide secure, reliable and affordable energy to Victorians.'

**The SPEAKER:** The Minister for Energy and Resources has moved that the motion be agreed to. The member for Brighton has moved a reasoned amendment to this motion. He has proposed to omit all of the words after 'That' with the view of inserting in their place the words which appear on the notice paper. The question is:

That the words proposed to be omitted stand part of the question.

Those supporting the reasoned amendment moved by the member for Brighton should vote no.

**Assembly divided on question:**

*Ayes (52):* Juliana Addison, Jacinta Allan, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Gabrielle de Vietri, Steve Dimopoulos, Eden Foster, Will Fowles, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

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**Question agreed to.****Assembly divided on motion:**

*Ayes (52):* Juliana Addison, Jacinta Allan, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Gabrielle de Vietri, Steve Dimopoulos, Eden Foster, Will Fowles, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

*Noes (24):* Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Sam Groth, David Hodgett, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner, Jess Wilson

**Motion agreed to.****Apology for past care leavers****Debate resumed on motion of Natalie Hutchins:**

That this house takes note of the parliamentary apology to Victorians who experienced historical abuse and neglect as children in institutional care.

**Motion agreed to.****Business interrupted under sessional orders.*****Adjournment***

**The SPEAKER:** The question is:

That the house now adjourns.

**Felicitations**

**The SPEAKER (17:16):** I ask members to stay in their places for one moment. I would like to thank you all for your contributions in the house this year, and I would like to sincerely thank your staff in the Parliament and electorate offices for their very hard work in supporting you as MPs and keeping the gears turning every day.

## ADJOURNMENT

Thursday 28 November 2024

Legislative Assembly

5005

To the clerks – Bridget, Vaughn and Joel – and your wonderful teams, thank you for keeping the house moving and for your patience with us all. The papers office, the procedures office, the admin staff – nothing happens in this chamber without you. Your work is rarely publicly visible, and the fact that the business of this place often seems so effortless is a testament to your professionalism. To Joel in particular, I know I speak for all MPs when I wish you a fast recovery. We are looking forward to welcoming you back to the chamber next year.

To the Department of Parliamentary Services, so ably run under the leadership of Trish Burrows, you keep every facet of our lives moving every day, and we could not do our jobs as members without your efforts. Trish, to you and your team – Matt, Paul, Lisa, Adam, Russell, Catherine and Tina – thank you for supporting all our work as members of Parliament.

To the Serjeant-at-Arms, Paul, and his team, thank you for all of your efforts, especially for juggling the hundreds of events that bring the community into the people's house every year. On a personal note, I would like to acknowledge Naomi Moore from the Serjeant's office, who has acted as my adviser this year. Thank you for the time you spent in my office assisting me.

To Carolyn Macvean and the library team, the research and technical support you provide to members and their staff is invaluable. To the security team, led by Adam Incher, thank you for your tireless efforts this year to keep us safe, especially in the face of growing challenges that you have adapted to so quickly and efficiently. I would also like to thank the PSOs for their presence in the Parliament and for the unique experience and perspective they provide to ensuring the security of our Parliament and the precinct.

To James Scott and the Hansard team, you are the link between this place and the public. The records you keep, the broadcasts and the commitment to making our Parliament accessible to everybody in our state and beyond are crucial to the public connection to democracy. I am so grateful for the early starts and late nights and passion and commitment you put in. And you all look great in your bow ties today; I love this tradition that you all embrace.

To the buildings and grounds team, led by John Fothergill, we are privileged every day to call this place our workplace. Your responsiveness and care in maintaining this historic building are a credit to you all. Thank you for making this such a wonderful space not only for MPs but for the public, who are fortunate to enjoy it almost every day.

To the catering team, led by Paul McConville, anyone that has had a meal at Parliament or enjoyed a catered event knows the extremely high quality of your work. We enjoy genuinely world-class cuisine here at Parliament, and my sincere thanks to you not just for keeping us fed but also for the experience that you afford every person that passes through our doors and for the thousands of coffees you have made.

To the IT team, you have provided my office in particular with an incredibly efficient and reliable service over the last year. I would like to particularly acknowledge Chris Prasad for the time he has spent ensuring that our offices run smoothly. Thank you for your efforts.

To the team in the Legislative Council – that place we never visit – including the Clerk Robert McDonald, his deputies and the Usher of the Black Rod, thank you for your collaboration, especially with our procedural and events team. Of course to my fellow Presiding Officer in the other place the Honourable Shaun Leane, I am extremely grateful for the partnership we share, and thank you for all your time and support this year.

To the acting chairs – the members for Clarinda, Yan Yean, Hastings, Glen Waverley, Bayswater, Frankston, Bellarine, Wendouree, Shepparton, Greenvale, Box Hill, Narracan, Monbulk and Preston – thank you. Big thanks to my Deputy Speaker, the member for Ashwood. I am extremely grateful for the professionalism, dedication and time you give to your role, which makes this house run as efficiently as possible. Thank you for the important role you play in this place.

I would like to give a particular, special shout-out to the tours and customer service unit staff, led by Audrey Lin. You not only support us here in the house but are the face of our Parliament to the public. You lead the tours, you welcome our guests and you so patiently and kindly support our teams. To Audrey, Mark, Ros, Jeremy, Baron, Bronwyn, Glen, Grace, Vicki, Justin, James, Karl and Julia, we cannot thank you enough.

On a personal note, I would like to thank my electorate office staff in Bendigo West. Thank you for the support you provide not only to me but to our wonderful, vibrant community. And to Tom Bennett, my adviser, who has only been in the role for six months but has already 100 per cent owned it, thank you so much for your dedication and commitment and support, and I forgive you for not loving Christmas as much as I do.

Members, I hope you have a happy Christmas and a safe new year. I look forward to seeing you in February, and I hope that 2025 is a good year for all of you.

### **Caulfield electorate volunteers**

**David SOUTHWICK** (Caulfield) (17:22): (961) My adjournment tonight is to the Premier, and the action that I seek is that the Premier provide appropriate funding to Caulfield's outstanding volunteer organisations, which do great work in our community, and particularly ensure that those community organisations receive the funding that they deserve. Only a couple of weeks ago I hosted the Caulfield Volunteer Awards, and I was honoured to recognise so many volunteers in our community. We had over 102 nominations, the biggest ever, and six category winners, which received \$1000 each from the Bendigo Bank, and there was \$3000 each for the two major awards. They get funding from the bank, but that is nowhere near what they need in order to be able to do their jobs, particularly when they are volunteers.

These are organisations like the 15th Brighton Scouts, with Joanne Rabinov – 16 years of community service as a volunteer, a fantastic job. She devotes more than 10 hours a week, and they really deserve some funding. Greg Sher from the Break – Greg created the Break as a not-for-profit organisation after seeing people relapsing into drug addiction, and Greg does a fantastic job running anger management groups for veterans and others that visit. He runs that organisation on the smell of an oily rag. In sport we have Jonny O'Connor, who has a family tradition of running FairGo Footy at the Ormond junior club, and he works with local kids with special needs and their families to provide footy opportunities and a great place for these kids. At Christmas time this is the kind of joy that we need to be talking about. Ormond football club desperately need the funding that they deserve to kick on with what they do.

George Georgievski runs a drug-free ambassador program, and what he does educating kids about drug addiction is so important. They could really do with some funding. Spiritual engagement – we have got Marianne Bland and Moira Shepherd, volunteers at Calvary care. Calvary care does an amazing job dealing with palliative care and running programs in that centre and desperately needs some help. Emmy Monash health – they are a real institution in our community. Hayley Krongold has been volunteering and doing some great work at Emmy Monash. Again, Emmy Monash desperately needs funding.

Finally, food relief – Foodbank Victoria. We have all spoken about Foodbank. Well, Peter Carey has been driving the truck for Foodbank for a long time now, and in his 80s he is still driving a Foodbank truck. These are the kinds of examples. Rosalie Silverstein I want to finish with at Posh Opp Shoppe – what a fantastic woman – and Eli Boroda and Michaela Raitman from Stars and the Moon. These are great organisations that desperately need some funding.

### **Footscray West Primary School**

**Katie HALL** (Footscray) (17:25): (962) This adjournment the action I seek is for the Minister for Education to provide me with an update on Footscray West Primary School's upgrade, including the

new gymnasium and the food tech and music rooms. In the 2023–24 state budget the Allan Labor government invested \$9.4 million into Footscray West Primary School's upgrade. It is an amazing school and in desperate need of a new gymnasium. The number of students enrolled in recent years has jumped from 542 to 680, and this new influx of students to the school means that they need to do full-school assemblies outside. When completed, the gym will provide a significant place for students to participate in sports, and it will greatly increase their wellness and happiness. Footscray West Primary School has been a pillar of our community since 1915. The improvement of this school is imperative to the health of the community, where we love basketball and netball, and it will provide a much-needed additional asset. I look forward to the minister's response.

### Gippsland East electorate roads

**Tim BULL** (Gippsland East) (17:26): (963) My adjournment tonight is for the Minister for Roads and Road Safety, and the action I seek is for the minister to respond to motions passed by two CFA groups in my electorate at a recent meeting. Today I received a letter from these CFA groups – not individual brigades, but CFA groups. This is what they had to say about our roads. They say:

This decline in quality is now impacting emergency services organisations to deliver a timely and safe response. It is also causing undue wear and tear on their appliances –

some of which are –

... aged well over 30 years old.

This is the brigades, the groups.

Roads such as the Mallacoota Genoa Rd, Bonang Rd, Princes Hwy and Monaro Hwy have become increasingly difficult to navigate due to dangerously severe potholes, uneven surfaces, and deteriorating signage.

They say that historically Victorian roads were the envy of motorists when they were crossing over the border and into New South Wales but that now 'there is a discernible difference' and 'the difference is not favourable' to Victorian roads. The degraded road surface along the Monaro Highway and the Princes Highway – on the highways – means the speed limit has been put down to 40 kilometres an hour because of the damage to the roads.

With the lack of repairs, maintenance and safety railings, safety of all road users has been compromised.

This is the CFA brigade groups. These are our emergency services workers raising these concerns.

Although the Government has by choice undertaken ... tunnelling –

and this is them talking still –

and other ... projects, this should not come at the cost of ... our existing road network ...

The motions that they passed that we want the minister to answer are as follows:

1. The previous federal government committed funding to repair the Mallacoota Genoa Road ... When will these funds be expended on this severely deteriorated, but vitally important road?
2. Will the Minister accept a degree of responsibility for any fatal or serious injury collisions that occur on the Mallacoota Genoa Road, Princes Highway, Bonang Highway and the Monaro Highways due to neglect on the Minister's watch?
3. What financial, physical and emotional cost should those who are forced to travel on unsafe country roads, consider acceptable, to enable a replication of public transport and road network under the Melbourne metropolitan area.

And, might I add, it is not that great there either. My adjournment is to ask the minister to respond to these motions via her response to me.

**Brimbank tech school**

**Sarah CONNOLLY** (Laverton) (17:29): (964) My adjournment is for the Deputy Premier as Minister for Education, and the action I seek is that the Deputy Premier update me on our government's efforts to build a brand new tech school at Victoria University in Sunshine. Whilst this sits just outside of my electorate, I know from my previous experiences with Wyndham Tech School just how important a role these facilities play in nurturing technology-based education for our local kids. They are places where school students who are passionate about technology – things like robotics, artificial intelligence and even more fun pursuits like game design – can come together to explore those passions through hands-on learning and high-tech experiences. Even better, it is these kinds of skills that are going to equip some of them for the jobs of the future.

Wyndham Tech School is one of 10 in the entire state, which is why it is an awesome commitment from our government to invest \$116 million into building another six tech schools across Victoria, including this one in Brimbank. It means that local high school students, including from schools in my electorate like Sunshine College and Braybrook College, will have the opportunity to book a session with a tech school. You could pop on down to Vic Uni and allow students who are passionate about STEM and STEAM to explore their imaginations. What that means of course is that more kids right across Victoria will be able to explore and pursue opportunities in STEM and STEAM, giving them the skills they need today to succeed tomorrow. This tech school is set to open in 2026, which is why I would greatly appreciate an update from the Deputy Premier on where we are at with delivering this very important learning space for local students.

**Land tax**

**Brad BATTIN** (Berwick) (17:31): (965) My adjournment matter tonight is for the Treasurer, and the action I am seeking is for him to respond via me to a constituent of mine, Mr Benjamin White in Beaconsfield, who has a property down there and who has been waiting to get a building permit for his property. Whilst there have been many delays on the building permit due to a lot of the regulation he has had to go through, he has been sluggish with a massive land tax bill from this government. Mr White has said he understands from the State Revenue Office that he needs to provide evidence of planning or a building permit in order for the land tax bill to be removed. Mr White has told me he does not understand why he has to pay an amount for the land tax when he is waiting for a building permit to be issued to him from local council. He has told me he has complied with all the requests that have come through from the council and the delay from the council in issuing the permit is not in his control. Mr White has told me he feels he has been caught up in the red tape of local government and the cost to him is thousands of dollars as a result.

I wrote to the Treasurer earlier this year but so far have not received a response. Mr White has asked why there has been a delay in this, if he can ensure that he gets the response out to him as soon as possible and also if he could assist with the process for the council to get the permit, otherwise that land tax bill will continue to be where it is. It is impacting on his health and the wellbeing of the family by placing undue financial stress on them amidst a cost-of-living crisis. Treasurer, can you please review the issue of this land tax bill given to Mr White, given his circumstances as noted with the delay in the council issuing the building permit, and ensure a discussion is had with him without delay?

**Upfield and Craigieburn train lines**

**Anthony CIANFLONE** (Pascoe Vale) (17:32): (966) My adjournment matter is to the Minister for Public and Active Transport, and the action I seek is for the minister to provide my community with an update on the investments and future plans to upgrade the Upfield and Craigieburn rail corridors. Works to enhance the Upfield and Craigieburn rail corridors, which have long connected locals to work, education, services and recreation, continue to be an ongoing priority for our growing northern suburbs.

Construction of the rail line to Coburg, now the Upfield line, began in 1882, with the single track opened on 8 September 1884. The line was duplicated and stations at Coburg and Moreland opened in 1888. Batman and Merlynston stations first opened in October 1889, and the extension to Somerton was opened by 1889. The Upfield line of course provides that crucial north–south link. The Craigieburn line, originally known as the Broadmeadows line, commenced construction in 1860, was completed in 1872 and then was extended to Craigieburn from September 2007. Today the line continues to provide another crucial link for my community, stopping at Glenbervie, Strathmore, Pascoe Vale and Oak Park stations.

I am proud to be part of a Victorian Labor government that has continued to invest record amounts since 2014 to improve these respective rail corridors. Firstly, the opening of the Metro rail tunnel from 2025 will relieve congestion and create new capacity within the city loop by rerouting Melbourne’s three busiest train lines – the Sunbury line, the Cranbourne line and Pakenham line – via the new Metro rail tunnel, enabling further service improvements for the Upfield and Craigieburn lines into the future.

When it comes to the Upfield line we have also added more than 50 new weekly services since 2015; removed four dangerous level crossings through Coburg at Moreland Road, Reynard Street, Munro Street and Bell Street; built the new world-class Coburg and Moreland stations; opened the new active transport and open space recreational corridor via Coburg; and committed to a further eight level crossing removals through Brunswick by 2030.

When it comes to the Craigieburn line, we have introduced 104 new weekly services since 2015. Across both the Upfield and Craigieburn lines over coming years we are rolling out the new X’tropolis 2.0 trains, proudly built in Ballarat, which will provide capacity for over 1200 passengers. That is 10 per cent more capacity than the current long-serving Comeng fleet, meaning more comfortable and smoother journeys, with dedicated spaces for wheelchairs, prams, mobility needs, bikes and more.

However, these investments, as indicated in my first speech, can continue to be built on by further improving the Craigieburn and Upfield corridors. In this respect I draw the minister’s attention to ongoing opportunities that locals continue to raise with me to improve the lines over coming years, including improved timetabling and more frequent services following the opening of the Metro Tunnel; better peak and off-peak services, especially for the Upfield line; ongoing removal of more level crossings at Devon Road, Gaffney Street in North Coburg and Pascoe Vale, O’Hea Street, Bakers Road and Boundary Road; and the duplication and extension of the Upfield line to the growing outer northern suburbs. I look forward to receiving the minister’s response so I can share it with my community, who are very interested, engaged and passionate on local public transport issues, in due course.

### **Electric vehicle charging infrastructure**

**Tim READ** (Brunswick) (17:35): (967) My adjournment matter is for the Minister for Energy and Resources. The action I seek is for the state to invest in a generous subsidy program so that organisations like councils, EV charging companies and power companies can afford to put more EV chargers in public spaces, especially those with reduced access to off-street parking. The government’s zero-emissions vehicle road map and its recently released energy plan for Victoria’s future both anticipate the inclusion of vehicle-to-grid and vehicle-to-home technology in Victoria’s energy system in the near future. Also known as bidirectional charging, this technology allows household EVs not only to take power from the grid or from an electrified home but also to put power back into the grid or home. This technology has enormous potential to transform Victoria’s energy landscape, especially because EVs can act as large power banks that charge during off-peak periods and supply energy back to the grid during peak periods when there is high energy demand.

The problem for many people in Victoria is that at present our infrastructure is not ready for this EV utopia. Many Victorians, particularly in my electorate of Brunswick, live in old houses that were built

without driveways or in apartment buildings that were built before EV charging was considered necessary. As a state we are failing to keep up with popular demand for charging infrastructure, and EV owners are filling the void with their own innovations. In the inner city we are already seeing creative attempts to snake extension cords under and over footpaths. I have even seen one coiled around a tree and dangling down to the car. I have seen them threaded through storm drains.

I understand New South Wales has recently launched a \$10 million grant program that supports the installation of EV chargers, including 39 pole-mounted chargers that have been installed for free public use along kerbsides in Sydney's inner west. I hope Victoria can follow this example, and I might add that New South Wales also has a separate grant program for destination charging. We should also consider incentives to encourage people to charge their cars during the day when the sun is shining and solar power is cheap and plentiful and to discourage people from charging their electric vehicles during evening periods of peak demand. I do not always say this, but in this instance let us become more like New South Wales.

### **Solar for Apartments program**

**Nina TAYLOR** (Albert Park) (17:38): (968) My adjournment is for the Minister for Energy and Resources. The action I seek is for the Minister for Energy and Resources to visit my electorate of Albert Park to see the apartments that have recently been approved for the solar rebate. The Allan Labor government is helping Victorians living in apartments, whether they are owner-occupiers or renters, to take control of their energy bills with cheap solar energy. We have expanded our popular Solar for Apartments program, with an additional 5000 rebates now available in round 2. I was pleased to see this additional round. I know how popular the program was in the first round, especially in my community.

Everyone deserves to access the benefits of cheap solar power, but I have had a lot of feedback from locals about difficulties in installing solar panels on apartment buildings. Thankfully the Solar for Apartments program is helping to fix this by reducing up-front costs and streamlining the installation process. Solar for Apartments is helping 10,000 households, including owners and renters, to save money on the up-front cost of installing solar, cut their energy bills, improve the value of their apartments and reduce emissions. The program offers funding to install solar panels of up to \$2800 per apartment or up to \$140,000 per building covering up to 50 apartments. Government funding is otherwise available through our regular Solar Victoria rebate. By installing solar an average apartment household could save \$500 a year on their electricity bills. This is also a great initiative for renters; about 12 per cent of Victoria's 2.5 million households live in apartments, with about 63 per cent of these occupied by renters.

Thinking about New South Wales versus Victoria, Victoria is the only state that helps renters install solar, and I am pleased to see that 2024 has seen thousands of renters across the state slashing their energy bills with solar. I would like to thank work experience students Nicole De Valter and Rishika Ahuja for their support with this adjournment.

### **Planning policy**

**Jess WILSON** (Kew) (17:40): (969) My adjournment tonight is for the Premier, and the action I am seeking is for her government to actually meet and consult with the local communities whose voices she intends to remove from the planning process. The Premier has announced her intention to remove the ability of residents to have a say on developments in their community under her dramatic overhaul of planning laws. She has also announced her intention to fast-track approval of 20-storey towers in Camberwell Junction and six-storey dwellings within an 800-metre-radius catchment area surrounding it, including parts of Canterbury. It is not just Camberwell – there are 50 more of these so-called activity centres rolling out across Melbourne, including at Auburn, Glenferrie and Hawthorn train stations, which will affect areas in the electorate of Kew.

Nobody questions the need to improve the supply and affordability of housing for Victorians now and into the future. There are ways that we can expand housing options while also taking into account the character and the preferences of local communities, but the Premier is, in the arrogant style we have become accustomed to from Labor politicians, stating that it is her way or the highway. She is accusing anyone who dares to raise concerns about her approach to increasing housing supply of being against housing affordability. This is dishonest and self-serving. The reality is that communities need to be involved in the process when the government is proposing to make significant changes that will affect them. Labor's approach to these planning changes is an utter abrogation of due process and consultative lawmaking. Labor's approach to housing also presumes that all aspiring home owners in Victoria want to live in high-rise apartments – an arrogant, one-size-fits-all approach that does not provide Victorians with any choice in the type of home that provides for the needs of them and their families. Under the proposed rules the government is seeking to switch off the rights of local residents to have any input into the planning process.

Nobody is suggesting the current system is beyond improvement, but completely removing the feedback mechanisms through which residents can make their voices heard on planning issues is completely unacceptable. I have heard from many residents in Kew and in Boroondara about their concerns with the government's approach and particularly how the new laws are likely to effectively overrule existing heritage overlays. Further, no analysis has been provided on the impact on local amenity like open space and tree canopy, or congestion of school and health services. It is clear our planning system does not sufficiently prioritise community consultation. Labor's housing target for Boroondara – 67,000 new dwellings, or a 90 per cent increase on existing dwellings – does not take into consideration local feedback or concerns and involves no consultation with council as to the impact on our community, local amenities and infrastructure. I say again: this is unacceptable. That is why the action I am seeing tonight is for the Premier to front up and listen to the local communities whose voices she intends to remove from the planning process.

### **Musicland Melbourne**

**Kathleen MATTHEWS-WARD** (Broadmeadows) (17:43): (970) My adjournment is for the Minister for Creative Industries, and the action I seek is for the minister to join me on a visit to Musicland Melbourne in Sydney Road, Fawkner. Fawkner has a long history of supporting great Aussie music acts; for many it is unforgettable to think of AC/DC performing at Fawkner High in 1975. This legendary line-up – Angus Young, Malcolm Young, Bon Scott, Mark Evans and Phil Rudd – played right here in Fawkner before they became global stars. Today Fawkner continues to be a key location for local talent and music lovers. Musicland Melbourne is a popular venue, hosting live music performances across a range of genres. It is well loved by the local community as a place where fans enjoy watching both new and established artists.

Recently Musicland received a \$10,000 grant from the Victorian Gig Fund delivered by the Allan Labor government, recognising its important role in Victoria's live music scene. At the Fawkner festival on the weekend I had the opportunity to see Fawkner Primary School students' incredible masterpieces, created thanks to another Labor government creative grant. I thank the Labor government and the minister for their ongoing support of the arts, live music and creative industries, especially today on Ausmusic T-Shirt Day, which many members have participated in with a fun photo shoot together this morning, and more than seven of us had AC/DC T-shirts on. The member for Pascoe Vale even brought his six- and 12-string guitar.

Live music venues are essential for the Australian music scene, and I thank Catherine and her dedicated team for their work supporting both local artists and the community. For over 20 years Musicland has been one of Melbourne's top venues with its excellent stage, sound, lighting and video production facilities, but Musicland is more than just a venue. It is a creative space fostering artistic growth, community connection, creativity and mental wellbeing, and during the COVID lockdowns Musicland stayed connected to its audience by live streaming performances, helping musicians maintain their connections to fans.

Unfortunately I am tone-deaf and bereft of any musical talent, but I have always wanted to join a choir – one of those choirs where you can sing your heart out and be drowned out by a room full of other voices, because humans singing together is a wonderful thing and a wonderful feeling. I am pleased to hear Musicland is now expanding its offerings. They plan to restart their community choir and host two open mic nights. I would be delighted for the minister to visit Musicland with me and congratulate Catherine and her team on their work and successful application for the Victorian Gig Fund.

I am just going to take a few extra seconds to say a very big thankyou to the Parliament staff and also a big thankyou to my electorate office staff for their wonderful work over the year.

### Responses

**Mary-Anne THOMAS** (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (17:45): The member for Caulfield, who I note is no longer in the chamber, raised a matter for the attention of the Premier. The member for Footscray raised a matter for the attention of the Minister for Education, and that is that she receive an update on the government's work at Footscray West Primary School. The member for Footscray had the courtesy of advising me that she had to attend an event. The member for Gippsland East raised a matter for the attention of the Minister for Roads and Road Safety, and the action that he sought is that she respond to motions that have been passed by CFA groups in his electorate.

The member for Laverton raised a matter for the attention of the Minister for Education, and the action that she seeks is an update on the Allan Labor government's commitment to building a tech school at Victoria University at Sunshine. The member noted that whilst it is not in her electorate it is obviously a facility that will deliver great benefits to her community. The member for Berwick raised a matter for the attention of the Treasurer, and the action he seeks is that the Treasurer respond to his constituent Mr White. The member for Pascoe Vale raised a matter for the attention of the Minister for Public and Active Transport, and the action that he seeks is that his community be provided with an update on investments and future plans to upgrade the Upfield and Craigieburn rail corridors. The member for Brunswick raised a matter for the attention of the Minister for Energy and Resources, and the action that he sought is that the minister invest in electric vehicle infrastructure to encourage more EVs in the community.

The member for Albert Park also raised a matter for the attention of the Minister for Energy and Resources, and she is seeking a visit for the minister to join her to see how the Allan Labor government's program to support solar panels on apartment buildings is delivering real results in her community. The member for Kew raised a matter for the attention of the Premier. The action she sought is that the Premier meet and consult with local communities in relation to matters concerning planning. The member for Broadmeadows raised a matter for the attention of the Minister for Creative Industries, and the action that she sought is that the minister join her at Musicland in Fawkner in order to see firsthand and hear about the way in which Musicland is contributing to our state's brilliant live music culture.

Speaker, can I take this opportunity as Leader of the House to also endorse all the sentiments that you expressed in wishing the staff of the Parliament the very best for Christmas, the new year and the festive season, and can I take this opportunity to thank you and wish you the very best for Christmas and the new year – a well-deserved break. I could go on, Speaker, but I note that you and I are both due at an event in 10 minutes, so perhaps I will call it a day and wish everyone in this place a merry Christmas.

**The SPEAKER:** Thank you, Minister. Thank you, members. The house now stands adjourned.

**House adjourned 5:50 pm.**