The Governor
The Honourable LINDA DESSAU, AC

The Lieutenant-Governor
The Honourable KEN LAY, AO, APM

The ministry

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

Speaker
The Hon. CW BROOKS

Deputy Speaker
Ms JM EDWARDS

Acting Speakers
Ms Blandthorn, Mr J Bull, Mr Carbines, Ms Connolly, Ms Couzens, Ms Crugnale, Mr Dimopoulos, Mr Edbrooke, Ms Halfpenny, Ms Kilkenny, Mr McGuire, Ms Richards, Mr Richardson, Ms Settle, Ms Suleyman, Mr Taylor and Ms Ward

Leader of the Parliamentary Labor Party and Premier
The Hon. DM ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier
The Hon. JA MERLINO

Leader of the Parliamentary Liberal Party and Leader of the Opposition
The Hon. MA O’BRIEN

Deputy Leader of the Parliamentary Liberal Party
The Hon. LG McLEISH

Leader of The Nationals and Deputy Leader of the Opposition
The Hon. PL WALSH

Deputy Leader of The Nationals
Ms SM RYAN

Leader of the House
Ms JM ALLAN

Manager of Opposition Business
Mr KA WELLS

Heads of parliamentary departments
Assembly: Clerk of the Legislative Assembly: Ms B Noonan
Council: Clerk of the Parliaments and Clerk of the Legislative Council: Mr A Young
Parliamentary Services: Secretary: Mr P Lochert
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### PARTY ABBREVIATIONS

Legislative Assembly committees

Economy and Infrastructure Standing Committee
Ms Addison, Mr Blackwood, Ms Connolly, Mr Eren, Mr Rowswell, Ms Ryan and Ms Theophanous.

Environment and Planning Standing Committee
Ms Connolly, Mr Fowles, Ms Green, Mr Hamer, Mr McCurdy, Mr Morris and Mr T Smith.

Legal and Social Issues Standing Committee
Ms Couzens, Ms Kealy, Mr Newbury, Ms Settle, Mr Southwick, Ms Suleyman and Mr Tak.

Privileges Committee
Ms Allan, Mr Guy, Ms Hennessy, Mr McGuire, Mr Morris, Ms Neville, Mr Pakula, Ms Ryan and Mr Wells.

Standing Orders Committee
The Speaker, Ms Allan, Mr Cheeseman, Ms Edwards, Mr Fregon, Ms McLeish, Ms Sheed, Ms Staley and Mr Walsh.

Joint committees

Dispute Resolution Committee
Assembly: Ms Allan, Ms Hennessy, Mr Merlino, Mr Pakula, Mr R Smith, Mr Walsh and Mr Wells.
Council: Mr Bourman, Ms Crozier, Mr Davis, Ms Mikakos, Ms Symes and Ms Wooldridge.

Electoral Matters Committee
Assembly: Ms Blandthorn, Mr Guy, Ms Hall and Dr Read.
Council: Mrs McArthur, Mr Meddick, Mr Melhem, Ms Lovell, Mr Quilty and Mr Tarlamis.

House Committee
Assembly: The Speaker (ex officio), Mr T Bull, Ms Crugnale, Ms Edwards, Mr Fregon, Ms Sandell and Ms Staley.
Council: The President (ex officio), Mr Bourman, Mr Davis, Mr Leane, Ms Lovell and Ms Stitt.

Integrity and Oversight Committee
Assembly: Mr Halse, Mr McGhie, Mr Rowswell, Mr Taylor and Mr Wells.
Council: Mr Grimley and Ms Shing.

Public Accounts and Estimates Committee
Assembly: Ms Blandthorn, Mr Hibbins, Mr Maas, Mr D O’Brien, Ms Richards, Mr Richardson, Mr Riordan and Ms Vallence.
Council: Mr Limbrick.

Scrutiny of Acts and Regulations Committee
Assembly: Mr Burgess, Ms Connolly and Ms Kilkenny.
Council: Mr Gepp, Mrs McArthur and Ms Patten.
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Thursday, 23 April 2020

The SPEAKER (Hon. Colin Brooks) took the chair at 9.32 am and read the prayer.

Announcements

ACKNOWLEDGEMENT OF COUNTRY

The SPEAKER (09:33): We acknowledge the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, their culture, their elders past, present and future, and elders from other communities who may be here today.

VICTORIA POLICE DEATHS

The SPEAKER (09:33): Members would be aware of the tragic incident on the Eastern Freeway yesterday afternoon which claimed the lives of four of our wonderful Victoria Police officers and the impact that this has had not just on the police force and the families of those police officers but on the whole state. It is appropriate if the Premier and the Leader of the Opposition want to each make a brief statement.

Mr ANDREWS (Mulgrave—Premier) (09:34): (By leave) I am grateful to the house. Last night we saw four members of Victoria Police killed in the line of duty. We send to their colleagues, to their families, our thoughts, our prayers, our deepest sympathies at a time of great tragedy. In discussing the impact with both the Minister for Police and Emergency Services and the Chief Commissioner of Police this morning, and other members of police command, it is particularly important that we hold close every member of Victoria Police today. Today is a very, very difficult day for them.

Every hour of every shift Victoria Police members put themselves in harm’s way in order to keep the rest of us safe. Theirs is a life lived in the service and protection of others. For that alone they should have our enduring gratitude, our respect and our fundamental support. To think, though, of those who lose their lives in the service and protection of others—that, Speaker, is the ultimate sacrifice.

There are many things that we might debate and disagree on in this place, but today above all days we send our gratitude. We are united in our gratitude and our grief for the families of those four officers, for their colleagues, for other emergency services members who attended that scene and will carry this very heavily forever.

To each and every person touched by this and to each and every member of Victoria Police we send our best wishes, we send our sympathy, our condolences, our gratitude, our respect and our support.

Mr M O’BRIEN (Malvern—Leader of the Opposition) (09:36): (By leave) I endorse the Premier’s words. This is a tragic day. This is a day for Victorians to mourn. This is a day for Victorians to put our arms around Victoria Police the way that Victoria Police always have their arms around us.

In many ways our police officers are the best of us. When we are in trouble they come to protect us. When we are at risk they look after us. They run towards the challenges where others run away. And to think that four men and women of Victoria Police last night lost their lives doing their jobs—doing their jobs to protect us, to keep us safe—is tragic beyond words.

To the families of those four men and women, we share your heartbreak. We do not know them as you know them, we do not love them the way you love them, but we know them and love them because we know that they were there for us.

This is a very raw day for members of Victoria Police. I can only imagine how they are feeling. It would bring home to them the grave risk that they face every shift of every day. When we have a day like this, it gives us pause to just remember and to give so much gratitude and respect to the men and women of Victoria Police for what they do put on the line every single day. Sometimes I think the
community can almost take for granted the wonderful service and the bravery of our police force, but they should never. And a day like today brings home exactly the risks that they face.

Victoria Police have always had our back as a community. I know they are grieving, I know they are hurting, so today above all days I want to send this very clear message to the members of Victoria Police, sworn and unsworn: the community has your back. We respect you and we are so grateful for all you do for us.

The SPEAKER: I ask members to rise in their places as a sign of respect.

Members stood in their places.

Condolences

CARL WILLIAM DUNN KIRKWOOD AND KEITH HENRY REMINGTON

The SPEAKER (09:39): Before proceeding any further I wish to advise the house of the death of Carl William Dunn Kirkwood, member of the Legislative Assembly for the district of Preston from 1970 to 1988, and the death of Keith Henry Remington, member of the Legislative Assembly for the district of Melbourne from 1977 to 1988. I again ask members to rise in their places as a mark of respect to the memory of the deceased.

Members stood in their places.

The SPEAKER: Thank you, members. I will convey a message of sympathy from the house to the relatives of both of those members.

Announcements

COVID-19

The SPEAKER (09:40): Members, it goes without saying we are meeting under extraordinary circumstances today. I want at the outset to thank all members: those members present but also those who have not attended the chamber today. I know lots of members wanted to be here and have put their hand up to stay away so that we are able to maintain the appropriate distancing based on the advice of health authorities.

I want to thank the Leader of the House and the Manager of Opposition Business as well as the Greens and Independents for the cooperative approach that has been taken to get the Parliament in a sitting frame given the difficult circumstances that we have faced. Members will have received an email from me outlining some of the changes to the operation of the precinct, and I just ask members for their cooperation in moving around the precinct today.

In addition, I want to advise the house that I will not require members today to speak from their allocated seats obviously; members will be spaced out around the chamber. I have given approval to the media to view proceedings from the upper public gallery today given the limitation on space in the usual media gallery behind me, and I have given approval for a parliamentary officer to take photographs, which will be used for community engagement and historical purposes.

One reminder for members: this is an obvious one, but if you are feeling unwell, if you are sick in any way, please, there is no shame in leaving the precinct today. There are plenty of people who can take your place. It is an important reminder for all of you who are here today.

Members

MINISTRY

Mr ANDREWS (Mulgrave—Premier) (09:42): I wish to advise the house of changes to the ministry. The member for Yuroke has joined the ministry as the Minister for Multicultural Affairs, Minister for Community Sport and Minister for Youth.
A number of other ministers have taken on additional portfolio responsibilities. The Deputy Premier is the Minister for the Coordination of Education and Training: COVID-19. The Treasurer is the Minister for the Coordination of Treasury and Finance: COVID-19. The Leader of the House now also has portfolio responsibilities as the Minister for Priority Precincts and Minister for the Coordination of Transport: COVID-19. The member for Altona is the Minister for the Coordination of Justice and Community Safety: COVID-19. The member for Bellarine is the Minister for the Coordination of Environment, Land, Water and Planning: COVID-19. The member for Dandenong has added Aboriginal Affairs to her portfolio responsibilities. The member for Keysborough is the Minister for the Coordination of Jobs, Precincts and Regions: COVID-19, and a member for Northern Metropolitan Region in the other place, the Honourable Jenny Mikakos, is the Minister for the Coordination of Health and Human Services: COVID-19. The Minister for Mental Health will represent her in this place.

**Business of the house**

**STANDING AND SESSIONAL ORDERS**

Ms Allan (Bendigo East—Leader of the House, Minister for Transport Infrastructure, Minister for Priority Precincts, Minister for the Coordination of Transport: COVID-19) (09:43): By leave, I move that, due to the current circumstances as we act to slow the spread of COVID-19:

1. So much of standing and sessional orders be suspended today to allow:
   1. *A revised order of business*
      1. The order of business is:
         - Formal business
         - Government business
         - Questions without notice and ministers’ statements
         - Government business *continued*.
      2. The Chair will interrupt for questions without notice and ministers’ statements at 12.30 pm or at the completion of the joint sitting, if one is set for 12.15 pm, whichever is later.
      3. There will be no automatic interruption for the adjournment under Standing Order 32 or Sessional Order 2 and no adjournment debate under Standing Order 33.
   2. *Other business to be published in Hansard*
      1. Members may submit:
         - members statements;
         - constituency questions; and
         - adjournment matters—
           for today by providing them to the Clerk in writing by the adjournment of the House.
      2. The Clerk will accept matters up to the number usually given in the House and as allocated between the parties and independents in accordance with the call lists approved by the Speaker.
      3. The House authorises and requires these matters to be published in Hansard at the end of today’s Hansard:
         - subject to the Hansard editorial policy; and
         - if any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.
   3. *The second reading of government bills to be moved immediately*
      After the first reading of each bill introduced today, a minister may move the second reading immediately.
4 Concurrent debate
The Speaker is required to permit the second reading and subsequent stages of the Appropriation (Interim) Bill 2020, the Appropriation (Parliament) (Interim) Bill 2020 and the State Taxation Acts Amendment (Relief Measures) Bill 2020 to be moved and debated concurrently.

5 Members to incorporate their speeches for bills
(1) If a member wishes to incorporate their speech for:
   (a) the concurrent debate of the second reading of the Appropriation (Interim) Bill 2020, the Appropriation (Parliament) (Interim) Bill 2020 and the State Taxation Acts Amendment (Relief Measures) Bill 2020;
   (b) the debate of the second reading of the COVID-19 Omnibus (Emergency Measures) Bill 2020—

   they must provide their speech to the Clerk by 12.00 noon tomorrow.

(2) Incorporated speeches will be published in Hansard after the relevant second reading speeches made in the House (if any) and before the minister’s reply (if any).

(3) If any matter contains unbecoming expressions, the Speaker may direct that the matter be removed or amended before it is published.

6 A government business program
The following bills are to be considered and completed by 12.00 noon today:
Appropriation (Interim) Bill 2020
Appropriation (Parliament) (Interim) Bill 2020
COVID-19 Omnibus (Emergency Measures) Bill 2020
State Taxation Acts Amendment (Relief Measures) Bill 2020—
and Chapter 11 of the Standing Orders to apply accordingly.

7 Reduced number of members in the Chamber
(1) To assist with social distancing, today’s sitting will be composed of no more than 26 members, being 16 from the government, 8 from the opposition, the member for Melbourne, and the member for Shepparton.

(2) If more members than those listed in paragraph (1) vote in a division, the Clerk will not count their vote.

(3) Members who are absent today under paragraph (1) to assist with social distancing will have their names recorded in the Votes and Proceedings and Hansard.

8 Discretion in ringing the bells to form a quorum
To assist with social distancing, the House gives the Chair further discretion in ringing the bells to form a quorum under Standing Order 29, provided the Chair is confident that a quorum is present with the parliamentary precinct.

(2) So much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until revoked by the house or until otherwise advised by the Speaker in accordance with item 1:

1 The House to meet in another manner or form
After the House has adjourned today, it may meet in a manner and form not otherwise provided for in the standing and sessional orders or this motion:
   (a) with the agreement of the Leader of the House, the Manager of Opposition Business and the Speaker, or their representatives; and
   (b) following consultation with representatives from other parties and the Independents.

2 Release of documents when the House is not sitting
(1) Where an act of Parliament requires a document to be tabled and the document is received by the Clerk in a week in which the House is not sitting, the Clerk must—
   (a) by 4.00 pm each Friday in a non-sitting week, notify each member of the House of the receipt of documents received by 10.00 am that day and advise that the documents are available in the tabled documents database;
(b) cause the document to be tabled in the House on the next sitting day.

(2) If received by the Clerk under paragraph (1), the House orders reports from the following agencies to be published if so requested by those agencies:

Auditor-General
Commission for Children and Young People
Commissioner for Privacy and Data Protection
Consumer Affairs Victoria
Equal Opportunity and Human Rights Commission
Family Violence Reform Implementation Monitor
Gambling and Lotteries Licence Review Panel
Independent Broad-based Anti-corruption Commission
Law Reform Commission
Ombudsman
Parliamentary committees
Victorian Inspectorate.

(3) If received by the Clerk under paragraph (1), the House orders the following reports to be published:

Annual Financial Report of the State of Victoria
Reports of Boards of Inquiry and Royal Commissions under the Inquiries Act 2014
Community Visitors’ annual reports
Compliance Officer’s statements of findings
Legal Services Commissioner’s annual reports
Parliamentary Budget Officer’s Report of Operations under s 27 of the Parliamentary Budget Officer Act 2017
Public Advocate’s annual reports
Registers of Members’ Interests
Small Business Commissioner’s annual reports.

3 Publishing questions on notice when the House is not sitting
Written questions under Standing Order 54 may also be published each Friday if the House did not sit that week.

4 Changes to committee membership

(1) Members on committees may be replaced by providing details to the Speaker. The Speaker must receive, in writing, authorisation from the member leaving the committee and from the member to be appointed. Members leaving a joint investigatory committee must also resign in writing to the President in accordance with s 21(3) of the Parliamentary Committees Act 2003.

(2) The Leader of the House and Manager of Opposition Business may jointly write to the Speaker requesting additional members be appointed to committees. Subject to the membership requirements in the Parliamentary Committees Act 2003 and Standing Order 205, if the Speaker approves the nomination, the additional members will immediately become members of the committee.

(3) The Speaker must immediately advise the Chair of the committee of any replacements or additional members and advise the House on the next sitting day. These changes will be published in the Votes and Proceedings.

5 Extensions to committee reporting dates

(1) A committee may agree to extend the reporting date for any inquiry referred to it by this House.

(2) The committee must inform the Speaker of any agreed extension.
(3) The Speaker must advise the House of any extensions on the next sitting day and these changes will be published in the Votes and Proceedings.

6 Appointment of financial and/or performance auditor

(1) Subject to the agreement of the Speaker, Leader of the House and Manager of Opposition Business, this House adopts any recommendation by the Public Accounts and Estimates Committee on the appointment or a person or persons to conduct the financial and/or performance audit of the Victorian Auditor-General’s Office.

(2) On the adoption of such a recommendation, a message will be sent to the Council.

(3) (a) The House, at its rising, adjourns until Tuesday 2 June 2020, or an earlier day and hour to be fixed by the Speaker.

(b) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.

(c) The Speaker will notify members of any changes to the next sitting date.

The SPEAKER: I advise members, given that we are not circulating documents in the normal fashion, that there are hard copies available, and I understand also that the parliamentary staff will be circulating that motion by email as we speak.

Ms ALLAN: I will just make a few brief comments, because I understand the desire of the chamber to proceed as quickly as we can to the legislative matters that we wish to deal with today. I just want to indicate that obviously, as you have outlined, Speaker, today’s sitting of the Victorian Parliament is like no other that any of us have ever experienced in this place, and that is of course because the entire world is grappling with a pandemic of a scale and ferocity that we have never seen before. Everyone in the Victorian community has had to change the way they live, they work, they shop, they exercise and they interact with family and friends. Because of this and because of the way Victorians have responded we are recording cases that are remarkably low by international levels, but we cannot be complacent. We need to continue to change and adapt. That is why we need to put the legislation to the house that the government is doing today. Otherwise we do risk going backwards and undermining the incredibly hard work the Victorian community has achieved together. Today’s sitting of the Victorian Parliament certainly demonstrates that as members of Parliament we can come together and work through the most difficult and challenging of circumstances to do the job that we all need to do but also, importantly, protect the health and wellbeing of the parliamentary staff and each other.

I am not going to go through all the changes that are outlined in the motion in the hands of honourable members. I do, however, want to touch on a couple of key points. A key feature of the debate and commentary around Parliament returning today has been around the ongoing scrutiny measures that we are keen to put in place, and that is why there will be a change to the practices of this place. For instance, questions on notice will be able to be tabled and answered when Parliament is sitting. A whole range of reports from agencies will be tabled out of session. The government has flagged publicly that there is the intention that the Public Accounts and Estimates Committee be given the opportunity to have a review into the government’s response to the COVID pandemic, and also, I understand, there is to be another non-government member added to that committee.

As part of the omnibus legislation that will be introduced later today there is the opportunity for parliamentary committees to continue their important work whilst Parliament is not sitting. Plus, as we have already indicated publicly, we will be looking at bringing the Parliament back on 2 June, or indeed earlier, if that is the view of the Presiding Officers—youself, Speaker—and also on the health advice, ensuring that it does not pose an excessive risk again to staff or members of Parliament. I indicate that this is a decision that will be undertaken in consultation with all parties and Independents in this chamber. I say this because we spent a lot of time back in March in our last sitting week debating why we were and were not coming back on 5 May. The government has moved to bring Parliament back earlier than that date to consider the introduction of legislation that needs to be dealt with, given we are faced with such uncertain times. We talked a lot about that uncertainty in March and the
uncertain times we were faced with due to the COVID pandemic. As I have said, an awful lot has changed over that period of time, but what has not changed is that this is a virus that is deadly. We do need to act, and we have a responsibility to act.

As such, in conclusion, I would like to acknowledge the great work of the parliamentary staff, who have gotten us to this day in terms of the operations in the chamber. My deep thanks to the clerks for their support and also to the parliamentary staff. I would also like to acknowledge the work that has been undertaken behind the scenes between the Manager of Opposition Business and me particularly. We have had quite a few conversations. We have gotten to know each other’s work and home life patterns rather well, but not all of those conversations have been easy either. We have had to work through a lot, and I appreciate the way we have been able to work together and also with the Greens and the other Independents in the chamber. Despite our differences we have been able to agree on a lot, and I thank everyone for their support to get to today. I commend the motion to the house.

Mr WELLS (Rowville) (09:48): I rise to join the debate on the motion put forward by the Leader of the House. It has not been easy to get to this point—to get to the point where we can actually reach agreement. There have been many, many phone calls. Not all have been in a cooperative manner, but we have actually gotten there in the end.

We are not opposing the motion before the house, and we gave that commitment. Can I also thank the clerks for their advice and guidance on the conversations we have had with you, Speaker, to be able to get to this point. We are extremely grateful. We are pleased that the government has added a return date because it was of great concern to us. We were concerned that there was not a formula put in place that we could look at as a trigger to know when Parliament was going to be returned. We are pleased that the return date is Tuesday, 2 June. There is a proviso there for you, Speaker, for the Leader of the House and for me to be able to discuss further if there are significant health issues and risks.

The other point I just want to finish on is in regard to the increase in membership of the committees. Our understanding is there is another non-government member to be added to the Public Accounts and Estimates Committee, but our concern remains the same. That is, that there will be five non-government members and five government members, plus the chair being a government member. That means that there will be in effect a government majority on there, because the chair will have the casting vote. That aside, we will not be opposing the arrangements for the sitting of the house today.

Ms SANDELL (Melbourne) (09:50): I just wanted to spend a minute putting the Greens’ position on the record and to also thank the Leader of the House and the Manager of Opposition Business for their constructive negotiations through the process. I know it has been a really bizarre time. This is not a time that anyone would wish on any government, but keeping us in the loop throughout the process has made the process a lot easier, and I hope that that cooperation continues in future.

Ultimately a lot of what this motion does is allow the government to rush through important legislation, and a lot of that legislation does put power in the hands of ministers for things that ordinarily might be decided by Parliament. The power is quite unprecedented, but of course it is necessary because we are in unprecedented times. But if Parliament was not going to sit, that would be a bit of a concern for us, because they then do not have the powers to, say, disallow regulations if that is needed. So we are very happy that the sitting date of 2 June has been put back into the motion. We very much appreciate that, and it is why we have been on the record saying that Parliament should sit through the crisis when it can be done safely, which we believe it can be. I know that even Labor MPs, Anthony Albanese and such, have called for federal Parliament to sit, so I think this is a view that is held across the political spectrum. So we will be supporting the motion.

Ms SHEED (Shepparton) (09:51): I would just like to say that I too support the motion. I cannot speak on behalf of the other Independents because they are truly independent, but I can say that I had a telephone hook-up with both of the others last night and they also expressed their confidence in what is happening here today and indeed the whole process that we have been going through. We do feel
particularly isolated out in our regional areas, and that is something I certainly feel. I know, speaking to
the member for Mildura as well, that that is the farthest part of the state that is represented in this place.

I have really appreciated the Leader of the House communicating with us in the way that she has, each
of us individually, recognising that we are each independent, and taking on board some of the concerns
that we had in relation to when Parliament should sit next again and a few other issues around
consultation—that that should continue as we go forward. So on that basis I support the motion.

Extraordinary times—who would have ever thought that we would find ourselves here in a situation
such as this? You might have expected a war, you might have expected any number of things to
happen, but certainly not this. For a year to start in such a devastating way with the bushfires—New
Year’s Day we were all hearing about that. Then we have had this virus to deal with and all the
consequences of that. Then just last night we heard the news, with the devastating impact of that on
all of us too. So we are truly in dark times, and it behoves us to all really stand up and be our best
selves and do the best job we can for all our constituents, for the state and for the country.

Motion agreed to.

Bills

COVID-19 OMNIBUS (EMERGENCY MEASURES) BILL 2020

Introduction and first reading

Mr ANDREWS (Mulgrave—Premier) (09:53): I move:

That I introduce a bill for an act to temporarily amend certain acts, and to temporarily empower the making
of regulations, to modify the application of the law of Victoria in certain respects for the purpose of responding
to the COVID-19 pandemic and for other purposes.

Motion agreed to.

Read first time; in accordance with resolution of house today, ordered to be read second time
immediately.

Statement of compatibility

Mr ANDREWS (Mulgrave—Premier) (09:55): In accordance with the Charter of Human Rights and
Responsibilities Act 2006, I table this Statement of Compatibility in relation to the COVID-19

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 COVID-19 Omnibus (Emergency Measures) Bill 2020 (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 represents an important part of the Government’s response to the novel coronavirus (COVID-19)
emergency, by introducing reforms that will remove significant legal issues associated with implementing the
State’s emergency response and allowing the State to deliver public services to the best extent possible in the
circumstances.

The Bill amends laws across a range of Ministerial portfolios, including:

• the Local Government Act 2020 to permit local councils, joint meetings of councils, delegated
committee meetings and regional library meetings to be held virtually or to stream their meetings
live online;

• the Planning and Environment Act 1987 to allow Panels to remotely hold hearings using
technology and allow documents to be made available online;

• the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015 to establish a
mechanism for the suspension of provisions related to enforcement of staff to patient ratios in
hospitals;
• several Acts to provide courts and justice system entities the flexibility to temporarily modify practices to manage or respond to COVID-19, for example, changes focusing on reducing person-to-person interactions, increased use of electronic filing and execution of affidavits and documents, changes to statutory timeframes for non-critical cases, and the use of technology for proceedings;
• the Children, Youth and Families Act 2005 to authorise the isolation of children and young people in a youth justice facility to mitigate the spread of COVID-19 in the facility;
• the Sentencing Act 1991 to allow the Magistrates’ Court to impose electronic monitoring conditions as part of a community correction order (CCO). This will provide an additional mechanism to ensure that offenders can be safely and effectively monitored in the community during the COVID-19 pandemic;
• the Corrections Act 1986 to place restrictions on persons who can visit a prisoner and to allow the issuing of quarantine directions in corrections and youth justice custodial facilities to enable the testing, treatment, care and quarantine of prisoners;
• the Fines Reform Act 2014 to extend the registration periods for infringement fines issued during COVID-19 from six months to 12 months so as to permit some fine recipients to have longer than usual to pay their fines;
• the Workplace Injury Rehabilitation and Compensation Act 2013 and the Accident Compensation Act 1985 to extend the notice of termination period for second entitlement determinations from 13 weeks to 39 weeks;
• commercial tenancy laws to provide temporary measures to protect commercial tenants experiencing financial hardship related to the economic impacts of COVID-19; and
• residential tenancy laws to only allow the termination of a tenancy in exceptional circumstances and introduce a streamlined dispute resolution process.

Human Rights Issues
The Bill engages the following human rights under the Charter:
• the right to life (section 9)
• the protection from torture and cruel, inhuman or degrading treatment (section 10)
• freedom of movement (section 12)
• privacy and reputation (section 13)
• freedom of thought, conscience, religion and belief (section 14)
• freedom of expression (section 15)
• peaceful assembly and freedom of association (section 16)
• protection of families and children (section 17)
• taking part in public life (section 18)
• cultural rights (section 19)
• property rights (section 20)
• right to liberty and security of person (section 21)
• humane treatment when deprived of liberty (section 22)
• children in the criminal process (section 23)
• fair hearing (section 24), and
• rights in criminal proceedings (section 25).

For the following reasons, I am satisfied that the Bill is compatible with the Charter and, if any rights are limited, those limitations are reasonable and demonstrably justified having regard to the factors in section 7(2) of the Charter.

The measures in the Bill are designed to better deliver critical services while effectively managing public health risks. Current public health advice is to practice social distancing and to minimise face-to-face interactions to reduce the risk of transmission of this potentially fatal virus, and to ensure that health services are not overwhelmed. The government is obliged to use all means necessary to protect the health and life of all persons in Victoria, including those in closed environments such as prisons and those who work in or use Victoria’s courts and tribunals. Doing so promotes the right to life in section 9 of the Charter.
The initiatives in the Bill seek to achieve that purpose. Some may have additional purposes, for example, some initiatives seek to ensure that courts can continue operating and administering justice in Victoria and that tenants are not evicted if they are unable to pay rent because of financial distress due to COVID-19. Ultimately, however, these reforms seek to protect the health and safety of those residing in Victoria. There is no more important purpose.

Moreover, most of the proposed reforms are short-term measures that will sunset after six months and are only intended to be used to support the response to the COVID-19 pandemic.

**Judge alone trials in criminal cases**

The Bill will allow trials for Victorian indictable offences to be heard by judge alone in certain circumstances. The Bill recognises that jury trials have been temporarily suspended due to the COVID-19 pandemic, and that this causes delays in the justice system, particularly for people on remand facing indictable charges, raising significant fair trial issues.

The Bill will allow the Supreme and County Courts to order that a trial be heard by judge alone if it is in the interests of justice to do so and if the accused consents. This will engage the right to a fair hearing in section 24 of the Charter and rights in criminal proceedings in section 25 of the Charter. I consider that any limitations on these rights are reasonable and justified in the circumstances and given other procedures and protections are included in the Bill.

First, allowing judge alone trials is a temporary measure to enable appropriate criminal trials to be heard while jury trials are suspended as a response to COVID-19. Current public health advice is to practice social distancing and to minimise face-to-face interactions. Allowing trials to proceed without a jury will reduce the number of people attending court buildings, consistent with this advice. This is consistent with the fundamental right of all people to life, as protected under section 9 of the Charter.

Second, the Bill does not remove jury trials from the criminal justice system. Rather, it will give the Courts another option to hear indictable matters.

Third, the Bill will permit the Courts to order a judge alone trial only if it is in the interests of justice to do so and if all the accused persons consent to their trial being heard by judge alone. This will ensure that accused persons retain their ability to have their case heard by jury, should they wish to do so. As with any other trial, the court will have broad discretion to conduct the trial in a manner that is fair to the parties. The Bill also includes key safeguards, such as rights of appeal against conviction, sentence, or a decision to order, or refuse to order, a judge alone trial, and requiring accused persons to obtain legal advice on whether to consent to a judge alone trial.

For these reasons, I consider that any limitations to the right to a fair hearing and rights in criminal proceedings occasioned by provisions allowing for judge alone trials are reasonable and justified.

**Procedural amendments to the Magistrates’ Court Act 1989**

The Bill engages the right to liberty in section 21 of the Charter by allowing the Magistrates’ Court to extend the intervals of time before which certain remandees must be brought back before the court.

Currently, the *Magistrates’ Court Act 1989* provides that a court must not remand an accused in custody for a period exceeding eight days unless both the accused and the informant consent to a longer period. This is referred to in the Act as the eight-day remand rule, and is intended to ensure that accused persons who have not made an application for bail are not at risk of being ‘lost in the system’ and remanded for significant periods of time with limited court oversight.

The Bill will allow a court to specify a remand period of greater than eight days without the consent of the accused and the informant. This temporary exception to the eight-day remand rule will provide the courts with greater flexibility in how they list criminal proceedings during the COVID-19 crisis, while also providing appropriate safeguards. The longer specified period of remand can only be imposed if: it is consistent with the interests of justice; it is not reasonably practicable to have the matter return to court within eight days; and, the accused is not a child, an Aboriginal person, or a ‘vulnerable adult’ as defined in the *Bail Act 1977*. This differential approach to children, Aboriginal people and vulnerable adults will ensure that their remand will be subject to frequent oversight by the court.

Given the temporary nature of the exception, and the safeguards for vulnerable people, I consider that any limitations on the right to liberty are reasonable and justified.

**Restrictions on prison visits**

The Bill amends the *Corrections Act 1986* to allow the Secretary or Governor of a prison to make an order prohibiting or restricting any person from visiting a prisoner for the safety, security and good order of a prison, or for the health and safety of any person. The order may restrict the manner in which the person enters the
prison, or the manner in which the visit is conducted. An order may also be made requiring a person to leave the prison.

The Bill also enables the Secretary or the Governor to permit communication between a visitor and prisoner by telephone, video conference, letters or parcels and any other means approved by the Governor or prescribed in the regulations. This allows visits to be conducted by remote audio and visual communication. Lawyers and their assistants as a class of visitor may only enter a prison to visit a prisoner if the Governor has permitted the visit to be conducted using physical barriers that prevent touching, or modifications to create appropriate distancing between the lawyer and the prisoner that are necessary to mitigate the risk of COVID-19.

Protection of families and children
Section 17 of the Charter recognises that families are the fundamental group of society and are entitled to be protected by society and the State.

The Bill may limit this right as an order restricting or prohibiting visitors will interfere with the ability of a prisoner to interact with their family and children.

However, this is mitigated to some extent by allowing other non-physical forms of communication. In my opinion, any limitation to the protection of families and children is justified and proportionate to the risk posed by COVID-19, and no less restrictive means are available to effectively address the risk of COVID-19.

Right to fair trial and rights in the criminal process
Section 25(2)(b) of the Charter recognises that a person charged with a criminal offence is entitled to communicate with a lawyer or advisor chosen by them.

The Bill engages the right in section 25 of the Charter as restrictions on visitors will limit in-person contact with lawyers and this may affect the nature of contact between the lawyer and person charged with an offence. However, the Bill requires alternate types of communication to be permitted and allows modified in-person contact with a lawyer where permitted by the Governor.

Any limitation on the right is justified and proportionate as it ensures COVID-19 does not enter the prison system, yet still enables prisoners to access legal services. Less restrictive means are not available to address the significant risks posed by COVID-19.

Other rights
The restrictions on visitors may also engage other rights protected by the Charter including freedom of movement (section 12), the right to privacy and reputation (section 13), freedom of expression (section 15), right to liberty (section 21) and humane treatment when deprived of liberty (section 22). There may be some limitation on these rights as a result of the temporary measure to restrict visitors. In all cases, the temporary measure is directly related to the purpose of preventing COVID-19 from entering the prison system. Further, any limitation on these rights is a proportionate, reasonable and necessary measure to address the significant risk posed by COVID-19 and the impact is mitigated by the requirement to provide alternate forms of communication.

In my opinion, the temporary measure of restricting visits may limit some rights protected by the Charter, as set out above, but the limitations are adequately mitigated and justifiable.

Protective quarantine and restrictions to placement and movement of prisoners
The Bill also amends the Corrections Act 1986 to allow the Secretary or Governor of a prison to require the mandatory quarantine of prisoners who enter the prison system for up to 14 days. Prisoners who enter the prison (other than by a transfer from another prison) will be required to enter into mandatory isolation quarantine in a protective quarantine unit or a cell separate from other units or cells in the prison.

The Bill also allows the Secretary or Governor of a prison, for the purposes of preventing, detecting and mitigating the risk of COVID-19, to order the separation, quarantine or isolation of a prisoner from some or all other prisoners, the establishment of separate cells/units/areas/parts of the prison for occupancy by prisoners and the prohibition or restriction of movement and placement of prisoners in one or more, or all prisons. The period of the order must not exceed the period necessary to prevent, detect or mitigate the risk of COVID-19 or related health risks in relation to a prison, prisoners, prison staff, visitors or any other person.

The Secretary or Governor of the prison must consider, as far as reasonably practicable, the medical or psychiatric conditions of the prisoner, their vulnerability, any risk to their welfare, disabilities and cultural background before ordering the separation, quarantine or isolation of a prisoner.
Right to humane treatment, including when deprived of liberty

Section 10(b) of the Charter recognises a person must not be treated or punished in a cruel, inhuman or degrading way. Section 22 of the Charter states that all persons deprived of liberty must be treated with humanity and with respect for the inherent dignity of the human person.

Quarantining a prisoner may appear to limit these rights to the extent that it places an additional restriction on a prisoner that he or she would not experience in ordinary circumstances. However, with regards to quarantining prisoners, I believe any limitation is mitigated by the supports provided to prisoners during the quarantine period.

Prisoners placed in quarantine units are supported with access to in-cell phone calls, video-based visits, books, educational material, printed exercise routines and TVs. Prison and health staff, including Aboriginal Liaison Officers and specialist mental health services, regularly check in and monitor the health and wellbeing of all prisoners, including vulnerable and high-risk people.

The Bill provides that during their quarantine period, when necessary the prisoner must be observed regularly by staff, to ensure that the safe custody and welfare of the prisoner is maintained.

The quarantine period is limited in time to 14 days for mandatory quarantine, and to the period necessary to prevent, detect or mitigate the risk of COVID-19, for additional or separate periods of quarantine ordered by the Secretary or Governor of a prison. Where appropriate, and on advice of a medical practitioner, the quarantine period may be ended earlier than 14 days, and out-of-cell time may be arranged, subject to the safety, security and good order of the prison and if reasonably practicable.

The quarantine requirement is a proportionate and necessary means to respond to the acute health risk and is consistent with current medical advice directly related to the aim of preventing or mitigating the risk of COVID-19 to the prison system.

In my opinion, the temporary measure is compatible with sections 10 and 22 of the Charter.

Freedom of movement and right to liberty

Section 12 of the Charter recognises that every person has the right to move freely and section 21 of the Charter recognises that every person has a right to liberty and security and must not be subject to arbitrary arrest or detention.

A prisoner’s freedom of movement and right to liberty is inherently and significantly limited in prison by the fact of their confinement under the order of imprisonment. However, quarantine requirement further limits this right.

The mandatory quarantine and potential for additional or separate periods of quarantine are reasonable, necessary and proportionate measures because this regime for prisoners:

• is protective, not punitive: for the protection of the prisoner and other persons at a prison from the acute health risks posed by COVID-19 and related health risks;
• is time-limited;
• may be ended in accordance with medical advice;
• may still enable out of cell time for prisoners if reasonably practicable or if medically advised;
• enables advice on, and activities to facilitate, physical and mental health and wellbeing of prisoners affected by these measures; and
• maintains access to support and mental health services.

In my opinion, any limitation to the freedom of movement is proportionate and justified. Its purpose is to protect the safety of prisoners, staff and visitors in a prison where COVID-19 can quickly spread, and any lesser restriction would not be effective as many carriers are asymptomatic.

Assessment and treatment of prisoners

The Bill allows the Secretary or Governor of a prison to direct that a prisoner be medically examined, assessed, tested or treated in relation to preventing, detecting or mitigating the risk of COVID-19 or other related health risks, with the voluntary and informed consent of the prisoner. Staff will also be permitted to give orders or directions to facilitate such arrangements.

In my opinion, these provisions of the Bill do not limit any Charter rights including the right to protection from degrading treatment in section 10, the right to humane treatment when deprived from liberty in section 22, or the right to privacy in section 13. Any medical procedures may only be provided with the voluntary and informed consent of the prisoner, as defined in the Mental Health Act 2014. Additionally, the purpose of the medical procedures is to protect the safety of the prisoner and other people inside the prison,
in line with section 47(1)(f) of the Corrections Act 1986 which provides that each prisoner has the right to have access to reasonable medical care and treatment. I therefore consider this part of the Bill to be lawful and not arbitrary, and accordingly compatible with rights under the Charter.

**Magistrates’ Court power to impose electronic monitoring**

The Bill engages the right to privacy in section 13 of the Charter and the right to liberty in section 21 of the Charter by enabling the Magistrates’ Court to impose electronic monitoring as a condition of a CCO. The Supreme Court and County Court already have the ability to impose electronic monitoring as a condition of a CCO. The purpose of this amendment is to protect community safety by ensuring offenders can be safely and effectively monitored in the community. In particular, during the COVID-19 pandemic, electronic monitoring will enable offenders to be monitored in a way that protects the health and wellbeing of community corrections staff.

While electronic monitoring of an offender engages, and arguably limits their rights to liberty and privacy, the ability of the Magistrates’ Court to impose electronic monitoring as a condition of a CCO is less restrictive than imprisonment.

It is therefore in my opinion that this amendment is consistent with sections 13 and 21 of the Charter.

**Greater flexibility to hear matters by audio visual link and audio link**

The Bill provides that an adult or child accused who is in custody will attend most court events by audio visual link (AVL) and allows a court to direct an accused to appear by audio link where AVL is not reasonably practicable in the circumstances. The Bill will also remove the requirement that an accused person consent to having their first appearance, after being taken into custody, heard by AVL. However, the Bill only changes the mode of appearance—an accused is still required to be brought before a court promptly in person.

These reforms may engage or limit the right to a fair hearing in section 24 of the Charter and rights in criminal proceedings in section 25 of the Charter.

The Bill balances these impacts by ensuring a court may order physical attendance if it is in the interests of justice to do so. In making this assessment, the court must consider the ability of an accused to comprehend proceedings, and to communicate with their legal representatives and give instructions or express wishes to their representative.

Similarly, the Bill only permits audio link to be used where it is not reasonably practicable to use AVL, and it is in the interests of justice to proceed by audio link. This will require the court to consider the accused’s ability to comprehend proceedings, whether they are self-represented and whether they have consented to the use of audio link.

Further, the legislation already contains minimum requirements for an AVL link to ensure that the transmission quality is fit for purpose, and the Bill will set out the technical requirements for audio link appearance. These minimum requirements mean that if a matter proceeds by AVL or audio link, an accused person can fully participate in the proceedings, be heard by the court and give necessary instructions to their legal representative.

These measures will reduce the number of people who are required to attend court buildings and the number of accused persons who are transported to court. They will assist courts to safely hear proceedings while practicing social distancing and minimise face-to-face interactions. This is consistent with the right to life.

In addition, these measures promote an accused person’s right to be tried without unreasonable delay. While courts are working to prioritise bail decisions and criminal cases where an accused is in custody, the impacts of COVID-19 place considerable strain on the court system. By facilitating more attendances by AVL or audio link, the Bill gives courts flexibility to proceed with more matters than would otherwise be possible.

Finally, these are temporary measures targeted at reducing a significant risk to public health. As such, though these reforms may limit certain rights under the Charter, they do so in order to promote the right to life and the right to be tried without unreasonable delay. During the pandemic, I do not consider there are less restrictive means reasonably available. I consider that any limitation on these rights is reasonable and demonstrably justified in the extraordinary circumstances posed by COVID-19.

**Determining issues on the basis of written submissions**

The Bill will amend the Criminal Procedure Act 2009, Supreme Court Act 1986 (SCA) and County Court Act 1958 (CCA) to enable courts to decide issues entirely on the basis of written submissions, without the appearance of the parties. While this engages the right to a fair hearing in section 24 of the Charter and the right to be tried in person in section 25(2)(d) of the Charter, in my view, it does not limit those rights.

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. What is required for a fair hearing will
depend on all of the circumstances of a case, and this reform will require courts to take those circumstances into account.

To further ensure these rights are not limited, the Bill will only allow courts to determine issues on written submissions if it is in the interests of justice to do so. The Bill specifically requires the court to have regard to an accused’s right to be present at their trial, and their right to a fair hearing, when considering whether to determine an issue in a criminal proceeding without a hearing. The court is also required to consider the nature of the issue, whether the accused has had the opportunity to receive legal advice, and whether the parties consent. The Bill also permits regulations to prescribe issues that may not be determined without a hearing.

In my view, there are sufficient safeguards to ensure that the rights in section 24 and 25(2) of the Charter are not limited by this reform. However, to the extent that they may be limited, those limitations are necessary and justified to protect the community during this pandemic.

Flexibility for courts to restrict access and amend procedures

The Bill temporarily amends the Open Courts Act 2013 to establish a flexible, discretionary framework allowing certain courts and the Victorian Civil and Administrative Tribunal (VCAT) to make a new type of order (a Modified Access and Procedures (MAP) order). MAP orders enable courts and VCAT to implement temporary alternative procedural and access arrangements within their jurisdiction where required to maintain public health during the COVID-19 pandemic.

The right to freedom of expression in section 15 of the Charter includes the freedom to seek, receive and impart information, including through the media, about public and political issues. The Bill engages this right to the extent that modifying access to courtrooms or amending court procedures may affect the ability of the news media and general public to seek and obtain information by attending court. However, because subsection 15(3) of the Charter recognises that this right may be subject to lawful restrictions reasonably necessary for the protection of public health, I do not consider that the Bill limits the right to freedom of expression. The amendments in the Bill are reasonably necessary to protect judicial officers, court staff and the community from undue exposure to the risk of COVID-19 transmission during the pandemic and will operate for only six months before sunsetting.

The Bill may also engage the right to freedom of movement (section 12), peaceful assembly and freedom of association (section 16), and rights in criminal proceedings (section 25). To the extent that any of those rights may be limited by the Bill, I consider that those limitations are necessary, justified and proportionate for the reasons outlined above.

Amendments to the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 (CMIA)

The Bill will make a number of amendments to the CMIA to allow proceedings to be conducted with greater flexibility throughout the COVID-19 pandemic. The Bill will require fitness to stand trial investigations under the CMIA to be heard by a judge rather than a jury and make amendments to allow a special hearing to be heard by a judge alone if it is in the interests of justice to do so.

These amendments are necessary to ensure that certain CMIA proceedings can continue throughout the COVID-19 pandemic. Avoiding unreasonable delay is particularly important in CMIA matters as proceedings often involve vulnerable accused persons. As with amendments to allow judge alone criminal trials, these amendments engage the right to a fair hearing in section 24 of the Charter and rights in criminal proceedings in section 25 of the Charter. I consider that any limitations on these rights are reasonable and justified in the circumstances.

The Bill will also amend the CMIA to extend the timeframe for a special hearing to be conducted from three months to as soon as practicable but not later than six months after a finding that an accused is unfit and not likely to become fit within 12 months. The impact of modifying statutory timeframes may limit the accused person’s rights in section 25 of the Charter, particularly the right to be tried without unreasonable delay. However, the requirement that the special hearing be heard as soon as practicable will ensure that any limitation on this right is minimised.

For these reasons, I consider that any limitations to the right to a fair hearing and rights in criminal proceedings are reasonable and justified.

Allowing for emergency regulations to override justice portfolio legislation

To reduce unnecessary pressure on justice and integrity agencies and ensure the effective administration of justice and law in Victoria during the COVID-19 pandemic, the Bill will allow the Governor in Council to make regulations that modify or disapply the application of certain justice related Acts. These emergency regulations may only be made in relation to specific procedural matters, such as statutory timeframes and the conduct of court or tribunal proceedings, and in limited, defined circumstances.
While a number of important limits and safeguards will apply, regulations made under these powers could nevertheless engage Charter rights including the right to a fair hearing and accused’s rights in criminal proceedings in sections 24 and 25 of the Charter. However, it is necessary to introduce flexibility in these matters during the COVID-19 pandemic to ensure that matters can continue to proceed without unreasonable delay.

Further, in line with normal Subordinate Legislation Act 1994 requirements, the Attorney-General will be required to consider the impact of the regulations on Charter rights when making recommendations to the Governor in Council.

The Attorney-General will only be able to recommend that the Governor in Council make these emergency regulations if the Attorney-General considers that the regulations are consistent with Chief Health Officer advice and reasonable, in managing or responding to the COVID-19 pandemic, to protect the health, safety or welfare of persons in relation to administration of justice or law, or to provide for the effective or efficient administration of justice or law, or conduct of integrity agencies. These safeguards ensure the emergency regulations are only made where there is an appropriate nexus to COVID-19 and will be directed at enabling the justice system to operate safely and effectively, in a way that promotes the rights to life and security of persons.

A less restrictive means of achieving these goals could be to make any necessary changes to the principal legislation itself. However, that approach is not reasonably available given the evolving nature of the COVID-19 emergency and the potential need to act quickly to respond to emerging risks to the health, safety or welfare of persons. In these circumstances, and noting the broader impacts of the pandemic, it may not be possible or practical to convene Parliament to consider legislation to respond to urgent and emerging issues.

**Amendments to the criminal process for children**

**Rights of children in criminal process**

Sections 23(2) and 25(3) of the Charter provide for the protection of children in the criminal process, including that children should be brought to trial as quickly as possible (section 23(2)) and that a child who has been charged with or convicted of an offence must be treated in an appropriate way (sections 22(3) and 25(3)). The Bill engages sections 22(3) and 25(3) of the Charter by providing for greater use of AVL as an alternative to physical attendance in the court room. This new process may be difficult for children and young people who may have greater difficulty comprehending and participating in proceedings that they do not physically attend. In light of the COVID-19 emergency, the purpose of this amendment is to reduce people-to-people contact through physical attendance of courts and to enable proceedings to be conducted with minimum delays during the pandemic.

While the Bill does not require accused children to attend proceedings by AVL by default (as for adult accused), it does broaden the court’s power to make own motion orders for the appearance by AVL. However, existing safeguards are in place by requiring the court to consider the child’s capacity to comprehend proceedings when assessing whether it should order AVL.

Accordingly, I do not consider that it limits the right contained in sections 23 or 25 of the Charter.

**Isolation of child or young person**

**Right to be free from cruel, inhuman or degrading treatment**

The Bill amends the Children, Youth and Families Act 2005 (Children, Youth and Families Act) to support Youth Justice to respond to the significant public health risks posed by the spread of COVID-19.

The amendments to the Children, Youth and Families Act allow the Secretary or officer in charge of a relevant facility to authorise the isolation of a child or young person for a specific time for the purpose of detecting COVID-19 or another infectious disease or preventing or mitigating their transmission within the facility. Any period of isolation may be informed by current health advice and the period authorised must not exceed 14 consecutive days. This is to reduce the risk of a COVID-19 outbreak in our prisons and youth justice facilities, and in the broader community, and is in line with current public health advice to practice social distancing. It also ensures the government meets its obligation to use all means reasonably necessary to protect the health and life of persons in closed environments, particularly where such persons are deprived of their liberty and cannot act to protect themselves or separate themselves from other individuals who pose a risk.

This amendment engages section 10(b) of the Charter which provides that a person must not be treated or punished in a cruel, inhuman or degrading way. This includes actions that affect a person’s physical or mental well-being, including reforms that allow for prolonged periods of segregation or other crisis intervention strategies. A limitation on the right in section 10(b) will generally involve deliberate mistreatment that reaches a minimum standard of severity.(1)

I do not consider the amendments will limit the rights protected by section 10(b) of the Charter, as it is not a deliberate mistreatment, being protective rather than punitive. The purpose of isolation under these provisions is very clear, which includes protecting the health of the child or young person, and people within those
facilities. The amendments include a range of safeguards to ensure the child or young person is engaged in meaningful contact throughout any period of isolation, and is allowed to leave their room each day for time outdoors and recreation (unless the Secretary determines otherwise). These safeguards will ensure that the inherent dignity of children and young people in the youth justice system is respected.

**Right to humane treatment when deprived of liberty**

The amendment to provide for the isolation of children and young people engages section 22 of the Charter, the right to humane treatment when deprived of liberty. This right complements the right to be free from torture and cruel, inhuman or degrading treatment in sections 10(a) and 10(b) of the Charter, however it is engaged by much less serious mistreatment or punishment. This right recognises that detained individuals must be provided with services that satisfy their essential needs.

Isolation of a child or young person in custody is more onerous than detention and can have a negative impact on the physical and mental health of children and young people. It has been recognised as inhumane treatment when used excessively or unnecessarily.

I consider that necessary safeguards are in place, by allowing a person in isolation to access the outdoors, where he or she can partake in recreation activities, once a day for a reasonable time-period (unless this entitlement is removed by the Secretary). The Bill also requires that children and young people in isolation are closely supervised and observed at intervals of no longer than 15 minutes and provides mechanisms for reporting and oversight of the use of this power.

A person in isolation also has the usual entitlements under section 482(2) of the Children, Youth and Families Act unless the Secretary determines that they should not be given effect. This provision for the limitation of entitlements under section 482(2), if relied upon, would allow the removal of the following existing entitlements:

- to have their developmental needs catered for;
- to receive visits from parents, relatives, legal practitioners and other persons;
- to have reasonable efforts made to have their medical, religious and cultural needs met;
- to receive information about the rules of the centre and their rights;
- to complain about the standard of care to the Secretary or Ombudsman;
- to be advised of their entitlements.

Importantly, however, the Secretary can only determine not to give effect to an entitlement if the Secretary considers that it would not be reasonably safe to do so or that the Secretary would not be reasonably able to provide the entitlement, having regard to specified public health matters, or the security of the centre. Further, the removal of entitlements only applies to isolation under this new provision.

Together, these protections ensure that a child or young person’s wellbeing and developmental needs will continue to be met during any period of isolation to detect, prevent or mitigate the transmission of COVID-19, and limitation placed on those entitlements is demonstrably justified based on health advice and for the purpose of supporting public health efforts in response to COVID-19.

I consider this amendment to also support the right under section 22(1) to be treated with humanity and with respect for the inherent dignity of the human person by reducing the risk that a child or young person contracts COVID-19, as well the health of frontline staff whose work is vital to support children’s and young people’s enjoyment of the right under section 22(1). Without the amendments, staff may become infected with COVID-19, which would make them unavailable to work in these important frontline roles.

I do not consider that alternative options, such as reducing the number of persons in youth justice facilities, are reasonably available or sufficient to effectively respond to a potential COVID-19 outbreak in a facility or to reduce any resultant transmission from a facility to the Victorian community. To the extent that there is a limit on the right to humane treatment, I consider that any potential limit is demonstrably justified under section 7(2) of the Charter.

**Protection of families and children**

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. This right recognises that children are entitled to special protection.

The amendments to authorise the isolation of children to prevent the spread of COVID-19 in youth justice facilities will engage this right to the extent that they may limit the opportunities for children to socialise with peers, have visits from family and important connections, and participate in exercise and other activities. These amendments may appear to not be in the best interests of all children to whom these provisions will apply.
However, I consider that appropriate safeguards are in place, by allowing the child or young person to access the outdoors and undertake outdoor recreation activities once a day for a reasonable period of time (unless this entitlement is removed by the Secretary) and receive medical and mental health support and treatment, and regular supervision and observation, during the period of isolation.

A person in isolation also has the entitlements in section 482(2) of the Children, Youth and Families Act unless the Secretary determines that they should not be given effect for specified reasons. However, as previously mentioned, these reasons are limited, and the removal of any entitlements only applies to the duration of the isolation.

The amendments protect both the child in isolation and other children in the facility, as well as staff and visitors of a facility, from the spread of COVID-19. Therefore, on balance, I consider that any limitation on the right in section 17 of the Charter is reasonable and demonstrably justified under the extraordinary circumstances posed by the global COVID-19 pandemic.

In my opinion, this amendment is consistent with section 17.

Freedom of movement and the right to liberty and security of person

Section 12 provides that every person lawfully within Victoria has the right to move freely within Victoria and to enter and leave it and has the freedom to choose where to live. Section 21 of the Charter recognises that every person has a right to liberty and security and must not be subject to arbitrary arrest or detention.

The amendment which provides for isolation will engage section 12 and 21 by preventing children and young people in a remand centre, youth residential centre or youth justice centre from moving about to the extent normally permitted. The right to liberty may legitimately be constrained only where it is lawful (specifically authorised by law) and not arbitrary (reasonable or proportionate in all the circumstances).

I do not consider the isolation to be unlawful or arbitrary. The isolation will be specifically authorised by law and the isolation will be proportionate to the purpose of protecting the health of the child or young person and people inside the facility. It does not restrict rights more than necessary to achieve that purpose. The period of isolation is defined in the Bill as the minimum period that is required to detect or prevent or mitigate the transmission of COVID-19 or other infectious disease. As mentioned previously, the duration of isolation will be determined by the Secretary based on current health advice and the period authorised must not exceed 14 days. Further, the right to freedom of movement and the right to liberty may be limited where it is necessary to protect public health under international conventions.

In my opinion, any limit on these rights are reasonable and justified as they are temporary, based on medical evidence, for the minimum period necessary and serve the purpose of protecting public health.

Freedom of thought, conscience, religion and belief

Section 14 of the Charter provides that every person has the right to freedom of thought, conscience, religion and belief. A person must not be restrained or coerced in a way that limits their freedom to have or adopt a religion, observance, practice or teaching.

While the right to hold a religious belief will not be limited by the amendments, the right to demonstrate a religion, observance, practice and teaching may be limited if the child or young person is placed in isolation, although these aspects of the right may be already limited to some extent by the fact of detention. However, the Bill does contain safeguards including that reasonable efforts must be made to meet their religious needs.

On balance, I consider that any limits on this right are demonstrably justifiable as the limits are temporary and based on medical evidence that limits of this kind for the relevant time period are necessary to detect, prevent or mitigate the transmission of COVID-19 or any other infectious disease.

Peaceful assembly and freedom of association

Section 16 provides that every person has the right to peaceful assembly and freedom of association with others. These rights may be further limited if a child or young person is placed in isolation, beyond the fact of detention itself. The Bill safeguards these rights to some extent by allowing the child or young person in isolation to remain in contact with their parents, carers, relatives, legal representatives and others where it is safe or permitted having regard to the factors set out in the Bill.

On balance, I consider that any limits on this right are demonstrably justifiable as the limits are temporary and based on medical evidence that limits of this kind for the relevant time period are necessary to detect, prevent or mitigate the transmission of COVID-19 or any other infectious disease.

Cultural rights

Section 19 provides that all persons with a particular cultural, religious, racial or linguistic background must not be denied the right, in community with other persons of that background, to enjoy their culture, to declare
and practise their religion and use their language. Section 19 also recognises the distinct cultural rights of Aboriginal people who must not be denied the right to maintain their kinship ties.

Detention already limits these rights to some extent, but these rights may be further limited if the child or young person is placed in isolation. However, the entitlement under section 48(2) to have their religious and cultural needs met, including in the case of Aboriginal children, their needs as members of the Aboriginal community met, will continue unless the Secretary determines otherwise. They must also, during the period of isolation, be allowed to remain in contact with significant people in their lives including parents, carers and relatives.

On balance, I consider that any limits on this right are demonstrably justifiable as the limits are temporary and based on medical evidence that limits of this kind for the relevant time period are necessary to detect, prevent or mitigate the transmission of COVID-19 or any other infectious disease.

Further limitations on Charter rights with regards to extension of requirements to infectious disease

The amendments to the Children, Youth and Families Act allow the Secretary or officer in charge of a relevant facility to authorise the isolation of a child or young person for the purpose of detecting and mitigating the transmission of an infectious disease other than COVID-19. The breadth of the definition of “infectious disease” may further limit the Charter rights, previously mentioned, including the right to humane treatment when deprived of liberty in section 22(1) of the Charter.

Isolation may be necessary in order to protect others from an infectious disease that has significant health impacts (including in this case where the desire is to prevent the spread of diseases that would threaten life at the same time as COVID-19). In this regard, it can readily be said that the additional hardship caused to the detained person is necessary.

However, the definition of “infectious diseases” does include many diseases that may not have significant health impacts (including when contracted at the same time as COVID-19). Being isolated as a result of having a more minor infectious disease, may not be necessary and if not, could be said to impose an unnecessary additional hardship on a detained person. This would limit the right in s 22(1) of the Charter and further limit other Charter rights such the right to freedom of movement in section 12 and the right to liberty in section 21.

To the extent that any Charter rights are limited by the extension of the isolation requirements to mitigating other infectious diseases, I consider that any potential limit is justified and proportionate for the following reasons.

First, other infectious diseases like influenza have very similar symptoms as COVID-19. It is important that young people with these similar symptoms can be kept separate from other young people in custody, in case they in fact have COVID-19.

Second, the health risk posed by COVID-19 is worsened if a child or young person simultaneously contracts both COVID-19 and another infectious disease, especially influenza. Isolating young people who have other infectious diseases protects them from more serious episodes of COVID-19.

Third, the most vulnerable young people in youth justice facilities often have co-morbidities that increase their risk to becoming seriously ill if they contract COVID-19 and/or another infectious disease. The use of isolation for the purposes of reducing their risk of contracting COVID-19 and/or another infectious disease is necessary to protect their health, and will potentially save lives.

Because Victoria is facing a public health emergency, these provisions must be inserted as a matter of urgency. In the time available during the current state of emergency, it is not possible to appropriately narrow the scope and specificity of this definition while being confident that the definition is broad enough to enable it to be used in all the circumstances in which it will be necessary during this public emergency.

Extended period for registration

The Bill will temporarily amend the Fines Reform Act 2014 (Fines Reform Act) to extend the periods for registering an infringement fine for enforcement with the Director, Fines Victoria. If a fine is not paid, enforcement agencies must either pursue the fine in the Magistrate’s Court or register the fine with the Director for enforcement under the Fines Reform Act. The Director can then impose a range of sanctions on the fine recipient to encourage payment. Ordinarily, a fine must be registered within 6 months of the date of the alleged offence. This timeframe is extended only in a limited range of circumstances, such as where the fine recipient applies for an internal review of the fine.

Due to the extraordinary measures adopted to deal with the COVID-19 pandemic, many in the community are experiencing financial and emotional stress. In recognition of this, many enforcement agencies are providing additional time to pay to fine recipients. Agencies’ capacity to do so however is limited by the 6-month deadline on registration. Agencies cannot currently grant an extension to pay beyond the 6-month deadline or the fine will become enforceable only through the commencement of court proceedings. The
changes to be made by the Bill will give enforcement agencies the flexibility they need to respond to fine recipients’ circumstances by extending the registration period from 6 months to 12 months.

The temporary extension of registration periods for infringement fines means, however, that fine recipients will be exposed to possible enforcement action for non-payment of a fine for a longer period than normal. This might be regarded as indirectly engaging the rights in criminal proceedings in section 25 of the Charter, more specifically, the right to be informed promptly and in detail of any criminal charge (section 25(2)(a)) and the right to be tried without unreasonable delay (section 25(2)(c)).

To the extent that these rights are engaged, I consider that any limitation is reasonable and demonstrably justifiable. If an enforcement agency chooses to delay enforcing a fine, this delay will also benefit fine recipients because they will not be obliged to deal with the fine until the emergency measures adopted to deal with the COVID-19 pandemic have been eased. It is precisely for this reason—to provide fine recipients with additional time to deal with their fines during the COVID-19 crisis—that this temporary change is being made. Fine recipients will retain the right, during this time, to deal with their fine if they wish to do so. The amendments simply give enforcement agencies a longer period to register their fines for enforcement, if registration is necessary. Further, the amendments are of a temporary nature and will be repealed 6 months after their commencement.

**Commercial tenancy reforms**

The Bill enables the making of regulations to implement the principles of a mandatory code of conduct announced by National Cabinet on 7 April 2020 (the Code) in relation to commercial tenants experiencing financial hardship due to the impact of COVID-19.

The provisions will apply in respect of all eligible leases, which includes retail leases and non-retail commercial leases and licences for premises located in Victoria, where the tenant is an employer who qualifies for and is a participant in the Commonwealth Jobkeeper scheme, and an SME Entity (that is, a small or medium-sized enterprise, including a not-for-profit enterprise or sole trader, with an annual turnover of up to $50 million). The definition of ‘eligible lease’ is subject to certain exclusions in relation to groups of entities and related entities with an aggregate turnover that exceeds the prescribed amount, and may be subject to additional limitations imposed by the relevant Minister under regulation.

The Bill authorises the Governor in Council to make regulations modifying rights and obligations in relation to eligible leases by:

- prohibiting the termination of an eligible lease;
- changing any period under an eligible lease or certain Acts or regulations in relation to an eligible lease in which someone (including a landlord or a tenant) must or may do something;
- changing or limiting the exercise of rights of landlords under eligible leases or certain other Acts or regulations;
- changing or limiting any other right a landlord under an eligible lease has under an agreement related to that eligible lease;
- exempting a tenant or landlord from having to comply with an eligible lease or certain other Acts, regulations or agreements;
- modifying the operation of an eligible lease or an agreement relating to an eligible lease;
- modifying the application of certain Acts, regulations and the common law in relation to an eligible lease;
- extending the period during which an of an eligible lease is effective;
- deeming a provision of the regulations as forming part of an eligible lease;
- imposing new obligations on landlords or tenants under an eligible lease, including in relation to negotiating amendments to an eligible lease;
- requiring tenants and landlords who are in dispute to participate in mediation arranged by the Small Business Commission (as well as regulations regarding the conduct of, and fees and expenses payable for, such mediation);
- requiring landlords and tenants to have a mediation certificate before commencing proceedings in VCAT or a court in relation to an eligible lease;
- requiring a landlord or tenant who are in dispute about the terms of an eligible lease to get leave of a court to commence a proceeding in relation to the dispute in the court; and
- conferring jurisdiction on VCAT to hear and determine disputes about the terms of an eligible lease that is a retail lease.
The Minister for Small Business may only recommend that regulations be made under these provisions if the Minister is of the opinion that the regulations are reasonably necessary for responding to the COVID-19 pandemic.

The Bill confers relevant functions on the Small Business Commission in relation to facilitating dispute resolution between landlords and tenants, and monitoring and enforcing the regulations. The Bill also authorises the Governor in Council to make regulations conferring further functions and powers on the Small Business Commission.

Under the Bill, the State is not liable to compensate any person for loss, damage or injury of any kind suffered by the person as a result of, or arising out of, the making of regulations under these provisions.

Regulations made under this Part of the Bill may have retrospective effect to a day not earlier than 29 March 2020.

Right to Property

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law.

‘Property’ under the Charter includes all real and personal property interests recognised under the general law, relevantly including contractual rights, leases and debts. A ‘deprivation’ of property may occur not just where there is a forced transfer or extinguishment of title, but where there is a substantial restriction on a person’s use or enjoyment of their property. However, the right to property will only be limited where a person is deprived of property ‘other than in accordance with the law’. For a deprivation of property to be ‘in accordance with the law’, the law must be publicly accessible, clear and certain, and must not operate arbitrarily. A broad, discretionary power capable of being exercised arbitrarily or selectively may fail to satisfy these requirements.

The provisions in the Bill which enable alterations to existing property and contractual rights under eligible leases and preventing their enforcement may in some cases amount to a deprivation of property. However, any deprivation of property will be in accordance with the law. While the power to make regulations under the Bill is a broad discretionary power, it is provided for a clear purpose, and its aim is to enable the implementation of the Code agreed by the National Cabinet. That Code provides a framework for altering commercial lease agreements in specific circumstances, where doing so is necessary to counteract the significant economic impacts of COVID-19. Further, there are procedural protections to ensure against arbitrary or inappropriate use of regulation making powers as the regulations must be reasonably required to manage or respond to COVID-19, and they are disallowable by Parliament.

As any deprivation of property will be in accordance with the law, I consider that the right to property is not limited by the provisions.

Right to privacy

The Bill authorises the making of regulations which in some circumstances may affect the right to privacy in section 13 of the Charter. In particular, the Bill may affect the private decisions that individuals are able to make in relation to how they deal with their property (for example, by preventing a person from terminating a lease, or by extending an existing lease, where the person may have wished to use that property for other purposes). However, to the extent that the right to privacy may be affected by the provisions, any interference will be neither arbitrary nor unlawful. The regulation-making power is established for the clear purpose of addressing serious financial hardship caused by the COVID-19 pandemic, will only apply to eligible leases as defined in the Bill, and will have effect for only a limited time. I therefore consider that the provisions are compatible with the right to privacy.

Right to a fair hearing

Section 24 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. The right generally encompasses the established common law right of each individual to unimpeded access to the courts of the State, and may be limited if a person faces a procedural barrier to bringing their case before a court. The right will not be engaged, however, by a provision that substantively changes the law so that a cause of action no longer exists.

The Bill provides that no compensation is payable by the State in relation to loss, damage or injury arising as a result of regulations made under these provisions. However, in my view, although this provision changes substantive rights and liabilities, it does not affect the procedure by which a Court is to determine such rights. The right to a fair hearing is therefore not engaged.

The Bill authorises the making of regulations that require landlords or tenants who are in dispute about the terms of an eligible lease to participate in mediation arranged by the Small Business Commission, before
commencing proceedings before VCAT or a court. However, any such regulations must not require landlords or tenants who have already commenced relevant court or VCAT proceedings to participate in mediati0n, or prevent parties from commencing court proceedings in relation to that dispute at any time. The right to a fair hearing is therefore not limited by these provisions.

Further, in so far as the Bill empowers the making of regulations having retrospective effect, and such regulations may also apply to existing court proceedings, they may also be said to engage the right to a fair hearing. However, any regulations will only relate to a change in the substantive law, rather than the procedures to be applied in the course of any determination or the nature of the tribunal itself. Accordingly, they will not limit the right to a fair hearing.

Finally, in line with normal Subordinate Legislation Act 1994 requirements, the responsible Minister will be required to consider the impact of the regulations on Charter rights when making recommendations to the Governor in Council.

For this reason, in my view the fair hearing right is not engaged by these provisions.

Residential tenancy reforms

The Bill provides for amendments to the Residential Tenancies Act 1997 (RT Act) and related legislation to give effect to the decision by the National Cabinet, announced on 29 March 2020, to declare a temporary moratorium intended to prevent eviction for non-payment of rent where residential tenancies are impacted by severe rental distress due to the COVID-19 pandemic.

The Bill will amend the RT Act to:

• introduce an alternative termination process to give effect to National Cabinet’s decision by ensuring that tenancy agreements are only terminated in specified circumstances during the operation of the declared moratorium;

• suspend rent increases, permit orders for the reduction of rent or payment plans for a specified period, and provide for tenants to end tenancy agreements early without incurring lease break fees and other compensation in certain circumstances;

• establish the office of the Chief Dispute Resolution Officer (CDRO) for resolving disputes arising out of the declared moratorium, and provide for the Director of Consumer Affairs Victoria to appoint an individual to that office; and

• insert an emergency regulation-making power into the RTA to enable the Governor in Council to make relevant regulations, including to prescribe a scheme for the purposes of resolving disputes during the declared moratorium (the Residential Tenancies Dispute Resolution Scheme) and to confer upon and clarify relevant powers of VCAT and the CDRO, including in relation to the mediation or conciliation of disputes under the RT Act and the ability to make binding orders on parties to eligible disputes.

Finally, in light of the COVID-19 crisis, the Bill will defer the general commencement of the Residential Tenancies Amendment Act 2018 (RT Amendment Act) to allow sufficient time for rental stakeholders to prepare for and deal with the implementation of those reforms, but will also bring forward a crucial amendment contained in that Act to protect victims of family violence.

Right not to be deprived of property other than in accordance with law

As a result of the declared moratorium, the Bill provides for an alternative termination process for tenancy agreements (as well as the other tenure types regulated under the RT Act including residency rights and site agreements). It is now intended that tenancies etc. may only be terminated by VCAT order in certain limited circumstances as specified in the Bill (including where matters of public safety, violence or danger are established, or if a tenant fails to comply with their obligations, such as by not paying rent, in circumstances where they could comply with the obligations without suffering severe hardship). A tenancy may also be terminated by mutual consent, or in certain circumstances following notice by a tenant. The existing provisions under the RT Act that provide for termination in circumstances of rental arrears will not apply and breaches of agreements or statutory duties, if caused by reasons connected with COVID-19, will not be taken to be breaches during the declared moratorium.

These short-term amendments will affect the proprietary rights and interests of parties to existing agreements. In particular, it is anticipated that the amendments may result in the reduction of rental income for landlords, rooming house owners, caravan and caravan-park owners, site owners and specialist disability accommodation providers. They will also be prevented from taking certain steps in VCAT to enforce otherwise valid contractual and statutory causes of action to recover possession of their property in the case of non-payment of rent.
To the extent that an accrued cause of action may constitute property for the purpose of the Charter, the right not to be deprived of property in section 20 is also arguably engaged by the Bill’s suspension of existing notices to vacate and suspension of the alternative procedure for VCAT to order possession for rent arrears (under existing section 335 of the RT Act) during the declared moratorium. Because the declared moratorium commenced on 29 March 2020, these provisions have a limited retrospective operation.

I consider any deprivation of property resulting from these amendments to be in accordance with law. These temporary changes to an already significantly regulated sector are provided for by statute, and are clearly and precisely set out in the Bill. Even though the provisions have a narrow field of retrospective operation, I consider that any deprivation they affect is nevertheless in accordance with law.

I note also that these amendments are being implemented in the context of an unprecedented public health emergency, in order to mitigate the effects of large-scale rental stress. The scope of the proprietary interests affected by the Bill (being highly specific statutory limitations on the operation of contractual rights and existing statutory mechanisms) is limited and of a temporary duration. The purpose of suspending existing notices to vacate from the commencement of the declared moratorium (and, potentially, extinguishing existing possession order applications that may be before VCAT) is to ensure the fair and effective operation of the alternative termination process during the declared moratorium.

I am also satisfied that the regulation-making power provided in the Bill will not limit the right in section 20 of the Charter, although I acknowledge in some circumstances regulations made in accordance with this part of the Bill may authorise the deprivation of property. The power to make regulations only arises for certain specified purposes directly relevant to the effective operation of the declared moratorium and the resolution of resulting disputes, and may only be exercised during that time. Further, in line with normal Subordinate Legislation Act 1994 requirements, the responsible Minister will be required to consider the impact of the regulations on Charter rights when making recommendations to the Governor in Council.

Right to a fair hearing

Section 24 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. The right generally encompasses the established common law right of each individual to unimpeded access to the courts of the State, and may be limited if a person faces a procedural barrier to bringing their case before a court. The right will not be engaged, however, by a provision that substantively changes the law so that content of a law that a court or tribunal must apply is varied or where a cause of action no longer exists.

Retrospective operation of the alternative termination process

As previously mentioned, certain amendments in the Bill will result in certain notices to vacate that have already been issued under the existing provisions of the RT Act being of no effect, or a party to a tenancy agreement etc being disentitled to being awarded lost rent or other compensation. Such provisions may, in some cases, effectively extinguish claims in proceedings that have already been commenced and are before VCAT. However, while the application of the provisions to existing claims may have the effect of requiring VCAT to determine a matter in a certain way after it is instituted, this does not mean that the fair hearing right is engaged.

The right to a fair hearing is considered to be a procedural right that affects the way a hearing is conducted, rather than affecting the substantive rights between the parties. In my view, the effect of the amendments contained in the Bill is to change the scope of the substantive rights and liabilities that a court or tribunal is to determine. It is not to affect the ability of a party to have their rights determined by an impartial court or tribunal according to a fair procedure.

I note that the Bill also authorises the making of regulations that may, among other things, require parties to participate in mediation or conciliation in relation to eligible disputes, and may confer on the CDRO the power to make orders that are binding on the parties to eligible disputes. To the extent that the regulations may require parties to participate in alternative dispute resolution processes and prevent them from commencing proceedings in VCAT unless they have complied with that obligation, the right to a fair hearing may be engaged. However, the Bill does not bar access to VCAT, it only provides for regulations to be made that may require participation in an additional process before a dispute can be litigated. Further, nothing in the Bill will limit the Supreme Court’s jurisdiction to consider residential tenancies matters, including in relation to matters arising from the operation of the Residential Tenancies Dispute Resolution Scheme. While the Bill and resulting regulations may affect how the right to a fair hearing is realised, they do not limit that right.

For these reasons, in my view the fair hearing right is not limited by the suspension of existing termination mechanisms under the RT Act nor the power to make regulations for the new Residential Tenancies Dispute Resolution Scheme.
**Protection against liability for Chief Dispute Resolution Officer**

The Bill will provide that the CDRO is not personally liable for acts or omissions done in good faith in the performance of a function or the exercise of a power under the RT Act as amended by the Bill (or in the reasonable belief that the act or omission was in the performance or exercise of such a function or power). Instead, any liability arising from such an act or omission attaches to the State. In other jurisdictions, it has been found that a broad statutory immunity from liability which imposes a bar to access to the courts for persons seeking redress against those who enjoy the immunity may breach the fair hearing right.

However, this provision does not remove available causes of action, but instead shifts liability to the State, which in my view does not result in the imposition of a bar to bringing a proceeding and consequently does not limit the right to fair hearing. I also note that an individual could still initiate legal proceedings against the CDRO for actions not taken in good faith.

In any event, the relevant immunity and protections are, in my view, appropriately granted in these circumstances, with regard to the CDRO’s role in supporting the implementation of the Residential Tenancies Dispute Resolution Scheme during the declared moratorium and the need for the finality of decisions and the maintenance of the CDRO’s independence. The decisions of the CDRO will affect the rights of tenants and landlords, and it essential that the CDRO is able to make decisions without fear of legal retribution. I note that other oversight mechanisms are in place to ensure that the CDRO exercises an appropriate level of care in the performance of their functions, such as obligations under the Public Administration Act 2004 and the Charter.

Accordingly, I am satisfied that this provision is compatible with the Charter.

**Termination and new tenancy agreements because of family violence or personal violence**

Reflecting the amendment brought forward from the RT Amendment Act, the Bill inserts a new scheme into the RT Act whereby a person who is a party to an existing residential rental agreement or is residing in rented premises as their principal place of residence has been or is being subjected to family violence by another party to an existing residential rental agreement, or who is a protected person under a personal safety intervention order made against a party to an existing agreement, may apply to VCAT for an order terminating the current residential rental agreement and requiring the relevant provider to enter a new agreement with the applicant (and any other persons specified in the application) on the same terms. This scheme also applies in respect of rooming house residents solely occupying a room who are on a fixed term tenancy agreement, agreements under section 144, and Part 4A site agreements.

In such a proceeding, the person who subjected the applicant to family violence or against whom the personal safety intervention order was made may not cross-examine the person subjected to violence unless VCAT gives leave. If leave is granted, the person may only cross-examine the person subjected to violence in relation to certain matters, such as the hardship they would suffer if compelled to leave the premises and their ability to comply with the duties of a renter. This reflects clause 73A of Schedule 1 to the Victorian Civil and Administrative Tribunal Act 1998 which provides that in a proceeding under the RT Act, a respondent to a family violence intervention order may not personally cross-examine the protected person unless VCAT gives leave to do so. The Bill also amends this provision to extend it to personal safety intervention orders.

These provisions may interfere with the right to a fair hearing by limiting the opportunity of the alleged perpetrator of violence to cross-examine another person. Consequences of such a proceeding may include the termination of the alleged perpetrator’s rental agreement and being found liable for outstanding charges in relation to the property. However, in my view, the right to a fair hearing is not limited by these provisions. The purpose of the prohibition on direct cross-examination is to protect victims of violence from being subjected to further trauma, and reflects current practice in intervention order matters. The person will still be able to conduct a cross-examination through a representative or if VCAT gives leave, can introduce contrary evidence and make relevant submissions, and will not be at risk of a finding of guilt or significant penalties. Accordingly, I consider that these provisions strike an appropriate balance between the right to a fair hearing and the protection of victims of violence, and are compatible with the right in section 24 of the Charter.

**Protection against interference with privacy and reputation**

A number of provisions in the Bill protect against interference with privacy and therefore promote the right to privacy in section 13 of the Charter. For example, section 13(a) of the Charter encompasses a right to protection from arbitrary or unlawful interference with a person’s home. The Bill promotes this aspect of the right by protecting tenants and residents from sudden eviction where they are unable to meet rental payments due to the economic impacts of COVID-19. In addition, the Bill will protect the rights to privacy and reputation by prohibiting the listing of individuals on residential tenancies databases in the case of non-payment of rent because of a COVID-19 reason.

However, the Bill may also authorise some interference with the right to privacy in certain circumstances. For example, the Bill may affect the private decisions that individuals are able to make in relation to how they
deal with their property (such as, by preventing a person from terminating a tenancy or other agreement, where the person may have wished to use that property for other purposes). Further, the Bill provides for regulations to be made to permit the CDRO to share information with the Director of Consumer Affairs Victoria, VCAT and other prescribed entities.

To the extent that the right to privacy may be engaged by these provisions, any interference will be neither arbitrary nor unlawful. The alternative termination process under the Bill is established for the clear purpose of addressing severe hardship caused by the COVID-19 pandemic, will only apply in certain specific circumstances, and will have effect for only a limited time. To the extent that the Bill authorises the making of regulations providing for the sharing of personal information in the context of the Residential Tenancies Dispute Resolution Scheme, that will also be for a specific purpose relevant to the effective operation of the scheme and will only occur between officers and entities that are subject to oversight mechanisms including the existing confidentiality offences contained in section 499 of the RT Act and statutory privacy obligations. I therefore consider that the provisions are compatible with the right to privacy.

**Increased statutory notice period for second entitlement terminations under the WorkCover scheme**

Under the *Workplace Injury Rehabilitation and Compensation Act 2013* (WIRC Act) and the *Accident Compensation Act 1985* (AC Act), injured workers who are incapacitated for work are eligible to receive WorkCover weekly payments at 80 per cent of their pre-injury average weekly earnings for a maximum of 130 weeks. An entitlement to ongoing weekly payments beyond this time only arises if a determination is made that an injured worker has no capacity for any work in the foreseeable future. If this higher threshold is not met, the worker is given 13 weeks’ notice that weekly payments will cease at the expiry of the second entitlement period (130 weeks).

The Bill amends the WIRC Act and the AC Act by extending the termination notice period from 13 weeks to 39 weeks. The amendments only apply to determinations made at the end of the second entitlement period from 1 December 2019 and up to six months after commencement of the amendments (prescribed period). These amendments might engage the right to equality in section 8 of the Charter, as they only apply to terminations made at the expiry of the second entitlement period and do not extend to other terminations made under the WIRC Act or AC Act.

Section 8(3) of the Charter provides that every person is equal before the law, is entitled to the equal protection of the law without discrimination and has the right to equal and effective protection against discrimination. This means that laws, policies and programs should not be discriminatory, and also that public authorities should not apply or enforce laws, policies and programs in a discriminatory or arbitrary manner. ‘Discrimination’ for the purposes of the Charter means discrimination within the meaning of the *Equal Opportunity Act 2010* and can involve either direct or indirect discrimination.

If these amendments are considered to amount to a limit of this right, it is my view that any limit will be minor, reasonable and demonstrably justifiable in accordance with section 7(2) of the Charter. These measures under the Bill have been specifically tailored to support the most vulnerable injured workers in the WorkCover scheme during the COVID-19 pandemic, being those workers who have not returned to work for 130 weeks and whose weekly payments have been terminated. These measures acknowledge that the COVID-19 pandemic has significantly impacted the economy, the labour market and the way in which work is currently undertaken, resulting in these injured workers facing even greater difficulties reintegrating back into the workforce and transitioning off WorkCover weekly payments.

The extended notice period of 39 weeks will provide financial support to these vulnerable workers over a longer period of time, to support their recovery and efforts to return to work.

Accordingly, I am satisfied that this amendment is compatible with the Charter.

**Safe patient care reforms**

The Bill engages the right to life in section 9 of the Charter by amending the *Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015* (SPC Act) to allow the Minister (after consulting with the relevant union and representative body) to make a declaration temporarily allowing the hospitals named in the declaration not to be penalised in the event of staff to patient ratios not being met at all times. This amendment may be viewed to limit the right, as the right creates a positive obligation on the State to protect persons in its care and reducing the staff to patient ratio may decrease the standard of medical attention that a patient receives.

However, in my opinion, in these exceptional circumstances this amendment does not limit the right but rather strengthens it, recognising that the COVID-19 emergency is placing considerable strain on health services and this amendment prevents the need to close beds or reduce services to maintain strict compliance with the ratio requirements. The Bill also provides the safeguard of requiring this amendment to be repealed after six months and that the operator of the relevant hospital to which the declaration applies, must, as far as
practicable, staff the hospital in a manner that takes into account the safety of patients and staff, having regard to staffing levels and the skill mix of the staff.

This amendment promotes the right to life by helping ensure that health services are able to maintain continuity of services by adapting workforce and care delivery models to the COVID-19 pandemic, thereby enhancing the availability of health care and protecting the right not to be arbitrarily deprived of life.

Accordingly, the amendment is compatible with section 9 of the Charter.

**Amendments to the Local Government Act 2020**

The Bill amends the *Local Government Act 2020* to provide that, where members of a Council or other persons are required to attend a meeting of the Council or joint meeting of Councils, a meeting of a delegated committee or joint delegated committee, a meeting of the governing body of a regional library or a meeting of a special committee under the *Local Government Act 2020* or any other Act, attendance is satisfied if the meeting is held by electronic means of communication.

Where an Act requires a meeting to be open to the public and that meeting is held by electronic means of communication, that requirement is satisfied, in the case of Council meetings and joint Council meetings, by being streamed live on the Council’s website, and, in the case of a meeting of a delegated committee or joint delegated committee or a special committee, being streamed live on the Council’s website or a recording of the meeting being made available on the website of the Council as soon as practicable.

These amendments engage a person’s right to freedom of expression, which includes the right to receive information in section 15 of the Charter, and the right to participate in the conduct of public affairs in section 18(1) of the Charter by limiting the public’s physical presence at the meetings.

However, in my opinion the Bill does not limit the right to freedom of expression, or to participate in the conduct of public affairs as it provides an alternative way to exercise these rights during the COVID-19 state of emergency. In particular, the Bill enables meetings to take place by electronic means and requires a Council to stream the meeting live or a recording of the meeting to be made available on the Council’s website if a meeting is held by electronic means.

Accordingly, the amendment is compatible with the Charter.

**Amendments to the Planning and Environment Act 1987**

**Right to privacy and reputation**

Currently, the *Planning and Environment Act 1987* (PE Act) requires certain entities (such as the Minister for Planning, Councils and other authorities) to make certain documents available to the public for inspection free of charge at their offices. These documents include planning scheme amendments, planning permit applications, planning permits granted, submissions and objections, and planning panel reports. These requirements are important in supporting the PE Act’s objectives to support public participation in decision making processes. Making this information publicly accessible is also consistent with the right to freedom of expression in section 15(2) of the Charter, which includes the freedom to seek and receive information.

However, with the measures currently in place under the *Public Health and Wellbeing Act 2008* to address COVID-19, it is not possible for members of the public to attend the relevant offices to access these documents in person. As such, the Bill will require entities to make these documents available on the internet free of charge instead. Making the documents available online means that any personal information in these documents is more accessible by a wider audience. This engages the right to privacy in section 13(a) of the Charter.

The Bill specifies that in making these documents available online, the entities must not disclose personal information of individual permit applicants, objectors or submitters without their consent. The Bill therefore significantly reduces any potential interference with individuals’ privacy.

There will necessarily be some interference with individuals’ privacy. The Bill provides that the address of land the subject of permit applications, permit amendment applications or planning scheme amendments may be made known, as this is necessary to understand the application or amendment being considered. Further, discretion is provided to the relevant entities to make personal information available to persons on request.

This discretion is given to facilitate access to personal information that would ordinarily be available on inspection of the physical copy of the document. It does not give a right to the public at large to gain access to such information. There will need to be a basis under the PE Act as it currently stands to justify the information being made available. An example would be to enable a person to ascertain the identity of relevant parties for the purposes of conducting and commencing proceedings in VCAT.

As such, in my opinion, the Bill is compatible with the right to privacy.
Freedom of expression and right to take part in public life

In light of the measures in place to address COVID-19, it is not possible for planning panels to sit and conduct hearings in public as they are required to do under the existing legislation. The Bill will allow for panels to conduct hearings by electronic means, and provides for panels to require those who have a right to be heard to contribute using electronic means. This engages the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds in section 15 of the Charter, as well as the right to participate in the conduct of public affairs in section 18 of the Charter.

The Bill requires panels to make their hearings available to be viewed by the public free of charge by electronic means, either while the hearing is being held or as soon as reasonably practicable afterwards. Panels will still be bound by the overall obligation to provide a reasonable right to be heard to relevant persons under the Act. As such, the amendments create alternative measures required to facilitate rights to freedom of expression and to take part in public life and do not, in my view, limit these rights.

For these reasons, in my opinion the proposed Bill is compatible with the right to freedom of expression and the right to take part in public life.

The Hon Daniel Andrews MP
Premier

(1) Certain Children v Minister for Families & Children & Ors (No 2) [2017] VSC 251, [250].
(2) See article 12(3) of the International Covenant on Civil and Political Rights and article 5(1)(e) of the European Convention on Human Rights.

Second reading

Mr ANDREWS (Mulgrave—Premier) (09:55): 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 last time this place met, we knew we were on the verge of an unprecedented challenge.

And yet, as much as we knew, we could never have imagined the drastic change—and the devastating tragedy—that has unfolded in so short a span of time.

The impact of the coronavirus (COVID-19) pandemic is without rival.

And like the rest of the world, we are grappling with a challenge the likes of which we have never seen before.

As a state, we must be prepared to do what we can to slow the spread of the virus—to keep our families and friends and communities safe—while also addressing its far-reaching social and economic impacts.

To that effect, this Bill includes urgent measures to enact a number of policies across a range of portfolios.

The majority of reforms will sunset six months after their commencement and cannot be extended. This reinforces the time limited nature of this Bill’s emergency response measures. There are however some exceptions. Commencement of provisions in the Environment Protection Amendment Act 2018 and the Residential Tenancies Amendment Act 2018 will be delayed, and registration periods for infringement fines and extensions of teacher and education training provider registrations, as well as the additional Youth Parole Board appointments, will be extended.

Reforms to support residential tenants and landlords

The Bill will implement a broad moratorium on residential tenancy evictions, subject to specified exceptions, such as where a tenant is wilfully causing serious damage to premises or is using them for an illegal purpose.

While the Government’s expectation is that tenants will continue to meet their rental obligations where possible, a tenant may not be evicted for non-payment of rent where they are experiencing financial distress during the moratorium. The moratorium on evictions will be for the six-month period from 29 March 2020 to 26 September 2020. The moratorium recognises the importance of sustaining tenancies and giving tenants and landlords the ability to manage the impacts of COVID-19.
The Bill will amend the Residential Tenancies Act 1997 to include a targeted regulation-making power that will allow the Governor in Council, on recommendation of the responsible Minister, to implement the principles on the residential tenancy moratorium agreed to by National Cabinet. Specifically, the regulation-making power will permit the Governor in Council (acting on the Minister’s recommendation) to modify provisions relating to the termination of a tenancy and to enable the establishment of any administrative process to support dispute resolution and appeals during the moratorium.

The regulation-making power will be subject to important limitations. For example the recommendation to the Governor in Council may only:

- override limited Acts and laws related to residential tenancy matters; and
- be made where reasonably required to respond to the COVID-19 pandemic.

The regulations cannot override the Bill, the Constitution Act 1975 or the Charter of Human Rights and Responsibilities Act 2006.

The regulations must sunset within 6 months of being made and are disallowable by either House of Parliament.

The Bill defers the implementation of the Residential Tenancies Amendment Act 2018 by six months (to 1 January 2021 or earlier proclamation) and replicates a reform from that Act to protect victims of family violence during the moratorium.

Rent increases will be suspended during the moratorium and, during this period, tenants cannot be listed on a residential tenancy database for a breach that is related to the impacts of COVID-19. Residential tenancies disputes, including eviction matters, will be referred to a ‘single front door’ administered by Consumer Affairs Victoria, where landlords and tenants will receive information and support to reach agreements, primarily to reduce rent. Landlords and tenants will be expected to negotiate in good faith. Where parties need additional support, they will be referred to a new specialist mediation service to be provided through the Dispute Settlement Centre of Victoria.

The mediation service will have the ability to make binding orders. If the order is breached, the matter will be referred to the Victorian Civil and Administrative Tribunal (VCAT) for hearing. VCAT will consider the order and the action of the parties since it was made and then determine the dispute accordingly.

Reforms to support commercial tenants and landlords

The impact of COVID-19 on many small business operators in Victoria has been profound. This Government supports Victoria’s small businesses. It’s $1.7 billion economic survival package is already providing valuable support to businesses. Additionally, a $500 million Business Support Fund has payments already flowing to thousands of small businesses, helping them pay their rent and employees.

The Bill will create a regulation-making power that will allow the Governor in Council, on the recommendation of the Minister for Small Business, to implement the principles on commercial tenancies agreed to by National Cabinet. Specifically, the regulation-making power will permit the Minister to prohibit termination of leases and recovery of possession of leased premises; to modify certain rights and liabilities arising under leases; to extend eligible lease periods and to require landlords and tenants to participate in mediation facilitated by the Small Business Commission.

The regulation-making power will be subject to important limitations. For example, the recommendation to the Governor in Council may only:

- override limited Acts and laws relating to relevant eligible leases; and
- be made where reasonably required to respond to the COVID-19 pandemic.

The regulations cannot override the Bill, the Constitution Act 1975 or the Charter of Human Rights and Responsibilities Act 2006.

The regulations must sunset within 6 months of being made and are disallowable by either House of Parliament.

The provisions will apply in respect of all eligible commercial leases where the tenant qualifies for (and is a participant in) the Commonwealth’s JobKeeper program and has an annual turnover of up to $50 million. It will apply to leases which are retail leases within the meaning of the Retail Leases Act 2003 and to other commercial and industrial leases. This includes but is not limited to eligible sole traders, not for profit businesses and franchisees. The regulations made under these provisions will exclude from the scheme tenants that are members of a group of companies with a combined annual turnover of $50 million or over.

It is important to note that this eligibility criteria allows for flexibility, because the Commonwealth’s JobKeeper program itself provides a high level of discretion to the Commissioner of Taxation to determine
final eligibility for businesses that do not neatly fit into that program’s criteria. This is particularly important for many businesses that might have started in the past year and do not yet have the same complement of documentation to compare turnover that more established businesses might have.

Under these principles, where a tenant is suffering economic hardship due to COVID-19, landlords must not terminate leases due to non-payment of rent during the COVID-19 pandemic period or a reasonable recovery period, and tenants must remain committed to the terms of their lease.

To assist the long-term viability of impacted businesses, landlords are encouraged to offer tenants proportionate reductions in rent payable in the form of waivers and deferrals of up to 100 per cent of the amount ordinarily payable, based on a reduction in the tenant’s trade.

There will be a freeze on rent increases for eligible leases, except for retail leases that are based on turnover rent, and tenants should be provided with an opportunity to extend their lease for an equivalent period of the rent waiver or deferral to enable them additional time to trade on their existing lease terms during the recovery period.

In Victoria, these provisions will apply from 29 March 2020 to 29 September 2020, to support Victorian small businesses that had rental payments due on 1 April 2020.

It is our expectation that most commercial tenants and landlords will work together to reach agreements based on the national principles that consider each party’s individual circumstances. Where the landlord or tenant cannot reach agreement, either party may refer the matter for mediation by the Victorian Small Business Commission.

Justice and community safety portfolio reforms

Impacts on the justice system

The Government’s reform package will support the justice system’s emergency response to COVID-19 and the continued delivery of these critical services.

Reforming evidence and procedure laws

The Bill will amend a range of legislation to allow the courts, VCAT and other justice agencies to manage procedural matters flexibly and efficiently, while managing public health risks.

For example, in certain circumstances the Bill will:

- enable courts to hear more matters by audio visual link (AVL) and audio link;
- enable courts to deal with matters without a hearing;
- enable Youth Justice to deliver pre-sentence reports verbally;
- allow courts to modify their procedures and make alternative arrangements in relation to physical access to court rooms and buildings if required on public health grounds; and
- provide more flexible procedures for bail matters.

Similarly, the Bill makes a range of amendments to the Children, Youth and Families Act 2005 to enable Children’s Court proceedings and out-of-court processes to be conducted with greater flexibility throughout the COVID-19 pandemic.

Judge alone trials in criminal cases

Currently, criminal trials in Victoria must be heard by a jury, reflecting the longstanding and fundamental role of juries in the criminal justice system. However, both the Supreme and County Courts have suspended new jury trials due to the COVID-19 pandemic. This raises significant issues for the justice system, particularly for accused persons facing indictable charges who are on remand, and victims of crime, who may experience further trauma due to delays.

As a temporary measure, the Bill will allow judge alone trials for any Victorian indictable offence, if the court considers it in the interest of justice to do so and the accused person has obtained legal advice and provided consent. While the prosecution’s consent will not be required, the court must consider any prosecution submissions before deciding whether to hear a matter by judge alone. This model is broadly based on the NSW provisions, and will give courts the discretion and flexibility to continue hearing indictable charges during the COVID-19 pandemic.

Flexibility in dealing with matters under the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997

The Bill will amend the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 (CMIA) to allow fitness to stand trial to be determined by a judge rather than a jury, and a special hearing to be heard by a judge alone. With respect to fitness to stand trial, this replicates an amendment included in the Crimes (Mental Impairment and Unfitness to be Tried) Bill 2020, which is currently before Parliament.
The Bill will also provide flexibility for the timeframe in which a special hearing must be conducted.

*Allowing the making of emergency regulations*

To allow emergency COVID-19 reforms to be implemented efficiently, the Bill will allow the making of emergency regulations by the Governor in Council on the recommendation of the Attorney-General to override certain justice related legislation, including in relation to the State’s integrity bodies. This power will permit reforms to be implemented in key critical areas quickly. It is not intended that the power will allow substantive orders, such as a prison sentences, to be altered. The regulation-making power will be focused on process changes and limited to particular subject matter areas. This includes:

- arrangements relating to court proceedings, such as pre-trial proceedings;
- the conduct of a proceeding in a court or tribunal;
- statutory time frames;
- process matters relating to bail and sentencing;
- the issuing, certification or transmission of court orders or warrants;
- the signing, witnessing, executing or service of documents; and
- the issuing of family violence intervention orders or safety notices.

Appropriate safeguards will limit the regulation-making power. For example, the Attorney-General may only recommend regulations to the Governor in Council if the provisions are consistent with advice of the Chief Health Officer and reasonable to provide for the effective or efficient administration of justice or law, or the conduct or carrying out of a proceeding, inquiry or investigation by an integrity entity or to protect the health, safety or welfare of persons in relation to the administration of justice or law. The regulations also cannot override the Bill, the *Constitution Act 1975* or the *Charter of Human Rights and Responsibilities Act 2006*.

The regulations must cease operation within six months of the Act commencing or if otherwise revoked earlier and are disallowable by either House of Parliament.

*Allowing appointment of an additional Youth Parole Board alternate chairperson*

The Bill will amend the *Children, Youth and Families Act 2005* to alleviate workload pressure on the Youth Parole Board by allowing for an appointment of an additional, alternate chairperson and expand eligibility for chair and alternate chair positions.

This will better support the Board to undertake its vital function in relation to managing the youth parole system and also ensure that the Board has additional scope to assist with managing capacity pressures in youth justice custodial facilities.

*Allowing the Magistrates’ Court to order electronic monitoring of community correction orders*

The Bill will amend the *Sentencing Act 1991* to enable the Magistrates’ Court to order electronic monitoring as a condition of a community correction order (CCO) for offenders. The Supreme Court and Country Court already have the power to order electronic monitoring as a condition on CCO’s. Existing requirements and considerations for the imposition of electronic monitoring will apply.

The amendments provide an additional tool for courts and Community Corrections to provide the safe and effective supervision of offenders on CCOs throughout the COVID-19 pandemic.

*Health risk management in the corrections system*

The Bill also amends the *Corrections Act 1986* to permit the imposition of temporary measures to prevent, detect and mitigate the risk of COVID-19 or related health risks in relation to and in respect of a prison, to provide for:

- prohibitions or restrictions on persons who can visit a prisoner (whilst also providing for alternative arrangements to permit visits without physical contact);
- mandatory quarantine of each prisoner (in a separate prison cell or unit) on entering the prison, via remand or sentence (not a transfer between prisons);
- powers to separate, quarantine or isolate a prisoner, or lockdown part or the whole of a prison, including through the establishment of separate units within a prison or single cell occupancy of any prisoner; and
- with the consent of the prisoner, medical assessment and treatment of prisoners to mitigate COVID-19 or related risks.

The temporary measures will override any contrary provision in any Act or regulation, other than the Bill, the *Constitution Act 1975* or the *Charter of Human Rights and Responsibilities Act 2006*. Arrangements will be put in place to ensure the safety, protection and welfare of prisoners subject to mandatory quarantine,
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separation, quarantine or isolation orders, including those who are vulnerable as a result of their age, health (including mental health, cognitive function, social development and maturity); cultural, ethnic, religious factors; or Aboriginal prisoners.

These measures significantly support the preservation of the health of prisoners and any other persons at a prison, including the valued frontline staff who continue to service Victoria’s corrections facilities during the COVID-19 pandemic.

Health risk management in the youth justice system

The Bill further amends the Children, Youth and Families Act 2005 to provide a specific power to isolate a young person in a youth justice facility in order to detect, prevent or mitigate the transmission of COVID-19 or other infectious diseases in such a facility. The Bill also permits isolation on a preventative basis. This amendment supports the public health response to COVID-19, by reducing the risk of infection penetrating and transmitting within a youth justice facility, and it mitigates the resultant serious impacts to the health of young people, frontline staff and the broader community. The power to isolate extends to other infectious diseases whose symptoms are similar to COVID-19 and have significant health impacts that would threaten life if contracted at the same time, such as influenza.

The Bill ensures that any isolation on this basis is accompanied by robust safeguards to protect the health, wellbeing and developmental needs of children and young people. These include strict limits on when isolation is permitted, a requirement for isolation to be for the minimum duration required (noting that any period of isolation may be informed by current health advice and the period authorised must not exceed 14 consecutive days), supervision and observation requirements, and reporting and oversight mechanisms. The Bill also ensures a child or young person is provided with the medical and mental health support that they require.

In addition to the existing entitlements under the Children, Youth and Families Act 2005, children and young people will have access to time outdoors and recreation during their period of isolation. Such entitlements can only be limited where it is not reasonably safe to meet that entitlement, or an entitlement cannot reasonably be met, having regard to current health advice and the security of youth justice facilities.

This is a reasonable, necessary and proportionate amendment that is time-limited and for the express purpose of ensuring youth justice facilities can respond to this significant health crisis. This amendment will ensure the safety and security of children and young people, frontline staff, and the broader community.

Fines Reform Act 2014

The Bill will amend the Fines Reform Act 2014 to extend the registration periods for infringement fines issued during COVID-19 from six months to 12 months to support enforcement agencies which may choose to pause some activities due to inabilities to carry out administrative functions to comply with public health guidance or directions. It will also permit fine recipients to have longer than usual to pay their fines in recognition of the financial and emotional difficulties many people are experiencing as a result of the COVID-19 pandemic.

Changes to the Fines Reform Act 2014 will also ensure that even if requests by prisoners (including prisoners subsequently released) to participate in a time served scheme (which enables prisoners to use time spent in prison to pay off unpaid fines) cannot be processed because of COVID-19, those prisoners can make that request at a later date.

Workplace Safety portfolio reforms

This Government acknowledges that COVID-19 is creating barriers for long-term injured workers to re-enter the workforce and transition off the WorkCover scheme. Approximately 600 injured workers will have had their weekly payments terminated at the end of the second entitlement period during the period 1 December 2019 to 30 April 2020, with a further 1,500 terminations expected over the six months thereafter.

The Bill will amend the Workplace Injury Rehabilitation and Compensation Act 2013 and the Accident Compensation Act 1985 to give these long-term injured workers who are unable to return to work or find employment an additional six months’ notice of termination to provide a longer transition period to return to work or find employment. These measures will have a positive economic impact for this group of long-term injured workers by reducing financial hardship due to COVID-19 and supporting a sustainable transition from the WorkCover scheme back into the workforce.

Energy, Environment and Climate Change, Local Government and Planning portfolios—reforms

Environment Protection Amendment Act 2018

The Bill will delay commencement of Victoria’s once in a generation reforms to the environment protection framework to enable duty holders to focus on immediate challenges posed by the COVID-19 pandemic. This will give businesses and other duty holders more time to prepare for and understand their new rights and responsibilities, with the support of the Environment Protection Authority. The proclamation previously made will be revoked. Reforms will now commence on 1 December 2021 or earlier by proclamation. The
Government’s intention is to proclaim an earlier commencement date of 1 July 2021. The existing framework under the *Environment Protection Act 1970* will continue to apply.

**Local Government Act 2020**

The Bill will amend the *Local Government Act 2020* to permit local councils and libraries to operate more flexibly by having virtual council meetings, ensuring continued service delivery and decision-making. Members of the public will be able to observe certain meetings online.

**Planning and Environment Act 1987**

It is critical that Victoria’s planning system continues to operate during the COVID-19 restrictions, to send a strong signal to the community, industry and investors that planning remains open for business. The Bill will amend the *Planning and Environment Act 1987* to enable requirements to make planning scheme amendments, planning permit applications and other documents physically available for inspection to be satisfied by displaying these documents on an Internet site. It will also enable planning panels to conduct hearings by video conference or in other ways.

**Education and Training and Skills portfolio reforms**

The Bill will amend the *Education and Training Reform Act 2006* to establish a temporary scheme to enable:

- the Victorian Registration and Qualifications Authority to extend the existing registrations of registered training organisations and providers of accredited senior secondary courses and qualifications for up to six months;
- the Victorian Institute of Teaching (VIT) to extend the existing registrations of persons who hold permissions to teach, provisional registrations and non-practising registrations for up to six months; and
- the VIT to send or serve notices relating to disciplinary proceedings of registered teachers by electronic communications.

These reforms will enable Victoria’s education system and its teachers to continue to deliver exceptional learning outcomes for students during the uncertainty of COVID-19.

**Health portfolio reforms**

The Bill will amend the *Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015* to establish a new limited power for the Minister of Health to temporarily suspend the operation of the enforcement provisions of the Act should it become impracticable for health services to meet the nurse to patient ratios.

This Government recognises that during the COVID-19 state of emergency there has been an increased demand on hospitals and health staff across the state, requiring modification of normal workforce models to meet patient demand and to protect us all from the effects of COVID-19. All Victorians are forever grateful for these dedicated frontline workers who continue to provide safe and high-quality patient care in these stressful and uncertain times.

**Premier portfolio reforms**

The Bill will amend the *Parliamentary Committees Act 2003* to enable members of committees established under that Act to attend meetings and vote remotely. This will align parliamentary procedure with efforts already underway in our community to practise social distancing and work from home where possible.

The Bill will commence on assent. Transitional arrangements will enable only certain necessary action taken under these extraordinary provisions to remain valid after their sunset.

Today—just as we are asking Victorians to play their role—we must do the same. As representatives on behalf of our communities, and as representatives on behalf of our state.

This is a Bill like no other.

It enacts a number of reforms critical to our state’s response to COVID-19. Even more importantly, it enables us to help slow the spread—and save lives.

Each of us should be aware of the critical juncture at which we find ourselves.

We should acknowledge keenly the impact of our decision-making on the lives of Victorians.

And we should each feel the weight of the immense responsibility that rests upon our shoulders.

We do not have time to waste.

I commend the Bill to the house.
Mr M O'BRIEN (Malvern—Leader of the Opposition) (09:55): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

STATE TAXATION ACTS AMENDMENT (RELIEF MEASURES) BILL 2020

Introduction and first reading

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations, Minister for the Coordination of Treasury and Finance: COVID-19) (09:56): I move:

That I introduce a bill for an act to amend the Duties Act 2000, the First Home Owner Grant Act 2000, the Payroll Tax Act 2007 and the Taxation Administration Act 1997 to implement emergency relief measures and for other purposes.

Motion agreed to.

Read first time; in accordance with resolution of house today, ordered to be read second time immediately.

Statement of compatibility


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 State Taxation Acts Amendment (Relief Measures) Bill 2020.

In my opinion, the State Taxation Acts Amendment (Relief Measures) Bill 2020 (the Bill), as introduced to the Legislative Assembly, is compatible with the human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview


Key features of the Bill include:

• amending the Duties Act to provide a 50% duty concession for eligible purchases of commercial or industrial property in certain local government areas;
• amending the First Home Owner Grant Act to extend the $20,000 grant payable for eligible transactions in regional Victoria for a further one year period, being transactions with a commencement date between 1 July 2020 and 30 June 2021;
• amending the Payroll Tax Act to reduce the payroll tax rate to 1.2125% for regional employers in certain local government areas, with effect from 1 July 2019; and
• amending the Taxation Administration Act to enable the Commissioner of State Revenue (Commissioner) to provide emergency tax relief introduced by the State of Victoria in response to an emergency.

Human rights issues

The bulk of the amendments made by the Bill do not engage the human rights listed in the Charter because they either do not affect natural persons, or they operate beneficially in relation to natural persons. However, the following human right contained in the Charter has been identified as being engaged:

• the right to a fair hearing, as protected under section 24 of the Charter

For the reasons outlined below, in my opinion, the Bill is compatible with the Charter.
Fair hearing (section 24(1))

Section 24 of the Charter provides for the right to a fair hearing. Clause 11 of the Bill introduces new Part 9A into the Taxation Administration Act. Part 9A gives the Commissioner the power required to implement emergency tax relief measures. The State of Victoria may announce tax relief in response to an emergency, such as a natural disaster, epidemic or pandemic, or an act of terrorism that threatens the health and safety of Victorians.

Proposed section 95D provides that no cause of action shall accrue in respect of any matter arising out of Part 9A. To the extent that proposed section 95D precludes a natural person from commencing litigation as a result of anything done or omitted to be done in respect of taxation relief under Part 9A, the right to a fair hearing is engaged and may be limited.

However, any limitation on the right to a fair hearing is reasonable and necessary to ensure the efficient administration of Part 9A, where powers will be exercised in extraordinary circumstances to give effect to emergency tax relief measures that operate beneficially for affected taxpayers.

No cause of action must arise in respect of the exercise of powers under Part 9A because the decisions made under this Part are made, or will be made, in response to significant emergencies, requiring the immediate action of the State, the Treasurer and the Commissioner to respond to urgent needs. The decisions made will operate for the benefit of recipients of emergency taxation relief. Providing a cause of action in relation to such decisions adds a level of formality and revision that is unsuited and inappropriate to the context in which such decisions are made. Decisions made under Part 9A are also likely to be iterative in nature and there may be sequence of decisions with a cumulative effect. The effects of the decisions made under Part 9A are intended to be beneficial in relation to recipients of emergency taxation relief.

Finally, providing no cause of action will ensure that taxpayers cannot attempt to exploit Part 9A as a way of circumventing the exclusive code for the resolution of taxation disputes in Parts 4 and 10 of the Taxation Administration Act.

Retrospectivity: Section 27

Section 27 of the Charter is concerned with the retrospective operation of criminal laws. It provides that a person has the right not to be prosecuted or punished for things that were not criminal offences at the time they were committed.

There are measures that operate retrospectively in the Bill, being the amendment to the Payroll Tax Act to reduce the payroll tax rate to 1.2125% for regional employers in certain local government areas, with effect from 1 July 2019, and proposed section 95B enabling the Commissioner to give effect to emergency tax relief measures whether the public announcement by the State has been made before the commencement of Part 9A. However, these amendments operate for the benefit of affected taxpayers, and therefore do not remove or limit rights under the Charter retrospectively.

Conclusion

For the reasons given in this statement, I consider that the Bill is compatible with the Charter of Human Rights and Responsibilities Act 2006.

TIM PALLAS
Treasurer

Second reading

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations, Minister for the Coordination of Treasury and Finance: COVID-19) (09:57): I move:

That the bill be now read a second time.

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

Incorporated speech as follows:

I am pleased to introduce this bill which amends Victoria’s taxation laws including the Duties Act 2000, Payroll Tax Act 2007, First Home Owner Grant Act 2000 and Taxation Administration Act 1997. This is an important bill for Victorians as it gives effect to the Government’s 2019–20 bushfire relief package announced in February 2020. It also gives the Commissioner of State Revenue the statutory authority to give effect to emergency tax relief measures announced by the Government both now and in the future. The Bill will also support first home buyers in regional Victoria, extending the regional First Home Owner Grant that is currently scheduled to cease on 30 June 2020 until 30 June 2021.
Bushfire initiatives

On 2 and 3 January 2020, the Premier declared a state of disaster due to the bushfire emergency we saw this past Summer. The State of Disaster was declared in relation to six local government areas and Alpine Resorts in Victoria. This includes the Alpine Shire, East Gippsland Shire, Mansfield Shire, Towong Shire, Wangaratta Rural Shire, Wellington Shire and four Alpine Resorts. These areas are referred to as the State of Disaster LGAs. The Bill will give effect to tax relief measures announced by the Andrews Government in response to the devastating fire season in the summer of 2019–20.

One of these measures is the reduced payroll tax rate for regional businesses introduced in the 2019–20 Budget for regional employers in the State of Disaster LGAs. The Bill provides that payroll tax will apply at the reduced rate of 1.2125 per cent for regional employers in the State of Disaster LGAs. For Victorian regional businesses in the affected areas, this halves the current payroll tax rate of 2.425 per cent and will be backdated to apply from 1 July 2019.

The reduced rate for the State of Disaster LGAs applies until 30 June 2022. After this date, the reduced rate of 1.2125 per cent will apply for regional employers across Regional Victoria. This initiative provides payroll tax relief to around 400 regional employers in State of Disaster LGAs areas by enabling them to benefit immediately from the full reduction in the regional employer rate announced in the 2019–20 Budget. This measure is expected to cost approximately $14.2 million over the budget and forward estimates period.

The Bill will also bring forward the stamp duty concession for regional commercial and industrial properties in regional Victoria announced as part of the 2019–20 Budget. The full 50 per cent discount for bushfire affected areas will be brought forward from 1 July 2023 to 27 January 2020 for properties in the State of Disaster LGAs. This will support people looking to open, move or expand a regional business in these areas, and support the economic recovery of these areas. This measure is expected to cost approximately $34 million over five years.

As with the measure announced as part of the 2019–20 Budget, the commercial or industrial status of a property will be determined by reference to the Australian Valuation Property Classification Codes. Property that is intended to be used solely or primarily for commercial, industrial, or extractive industry uses will qualify for the concession. The purchasers will be required to use the land solely or primarily for commercial or industrial purposes for a continuous period of at least 12 months, commencing within two years of the transfer.

First Home Owner Grant

We all know how difficult it is to purchase a home, particularly for young Victorians, who are faced with high house prices and the upfront costs associated with buying a home. That is why this government is amending the First Home Owner Grant Act 2000 to extend the First Home Owner Grant of $20,000 in regional Victoria until 30 June 2021. This is double the $10,000 grant for first home owners not in regional Victoria.

This extension for one year is consistent with the approach the Government has taken to the Supply Bill and the continuation of existing programs and concessions. The existing eligibility criteria will continue to apply. This measure is expected to cost approximately $33 million in 2020–21.

Commissioner Powers

The Bill also includes amendments to the Taxation Administration Act 1997 that will enable the Commissioner of State Revenue to deliver emergency tax relief introduced by the State of Victoria in response to an emergency, including the bushfire tax relief measures in relation to duty and payroll tax that are being legislated as part of this Bill. The changes give the Commissioner of State Revenue the statutory authority to take any action that is necessary to give effect to tax relief schemes announced by the Victorian Government in response to emergencies, such as health epidemics or natural disasters.

These powers can only be exercised at the direction of the Treasurer, and can only be favourable to the taxpayer. Emergency tax relief measures include the ability to defer, waive or refund all or part of a taxpayer’s tax liability under a taxation law, including penalties and interest, or employ a combination of measures. These changes are vital in the rapidly evolving environment that Victoria currently finds itself in.

I commend the bill to the house.

Ms STALEY (Ripon) (09:57): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.
Members

ACTING SPEAKERS

The SPEAKER (09:58): Order! I wish to advise the house that under standing order 20 I have tabled my warrant amending the panel of members to preside as acting speakers. I have discharged the member for Yuroke.

Committees

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Report on the Appointment of a Person to Conduct the Financial Audit of the Victorian Auditor-General’s Office

Ms BLANDTHORN (Pascoe Vale) (09:58): I have the honour to present to the house a report from the Public Accounts and Estimates Committee on the inquiry into the appointment of a person to conduct the financial audit of the Victorian Auditor-General’s Office.

Ordered to be published.

Documents

DOCUMENTS

Incorporated list as follows:

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

Australian Criminal Intelligence Commission (Australian Crime Commission)—Report 2017–18

Crown Land (Reserves) Act 1978—Order under s 17D granting a lease over Sandringham Beach Park

Land Tax Act 2005—Report 1 July to 31 December 2019 of Land Tax Absentee Owner Surcharge Exemptions under ss 3B and 3BA

Parliamentary Salaries, Allowances and Superannuation Act 1968—Compliance Officer—Statement of Findings under s 9H—Ordered to be published

Planning and Environment Act 1987—Notices of approval of amendments to the following Planning Schemes:

- Banyule—C124
- Baw Baw—C140
- Bayside—C161 Part 1
- Borroondara—C328
- Brimbank—C218
- Campaspe—C116
- Cardinia—C232, C256
- Casey—C270, GC143
- Colac Otway—C102
- Glen Eira—C181, C182
- Golden Plains—C85, C88
- Greater Dandenong—GC143
- Knox—C176
- Latrobe—C101
- Maroondah—C139, C140
- Maroondah Ranges—GC152
- Melton—C211, C220
- Mitchell—C144
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Moorabool—C88
Mornington Peninsula—C258
Stonnington—C278
Victoria Planning Provisions—VC177, VC178, VC181
Whitehorse—C225
Whittlesea—C240, C244
Wyndham—C244
Yarra—C277
Yarra Ranges—GC152

State of Emergency

Statutory Rules under the following Acts:

- Births, Deaths and Marriages Registration Act 1996—SR 25
- Building Act 1993—SR 21
- Fisheries Act 1995—SR 19
- Parliamentary Salaries, Allowances and Superannuation Act 1968—SR 18
- Private Security Act 2004—SR 23
- Public Health and Wellbeing Act 2008—SR 20
- Subordinate Legislation Act 1994—SR 26
- Victoria Police Act 2013—SR 24
- Subordinate Legislation Act 1994—Documents under s 15 in relation to Statutory Rules 17, 18, 19, 20,
  22, 23.

PROCLAMATION—Under Standing Order 177A, the Clerk tabled the following proclamation fixing
operative dates:

Local Government Act 2020—Part 1, Divisions 1, 2 and 6 of Part 2 (except ss 11, 40, 41, 42 and 43),
Divisions 1 and 4 of Part 3 (except ss 55 and 57), Divisions 6 and 9 of Part 7, Part 8, Part 11 (except
ss 360, 361 and 362) and ss 89, 101, 106, 325, 326, 327, 328 and 329 (other than subsections (7), (8)
and (9)), the heading to Schedule 1, and items 1.1, 3, 4, 5, 7, 8.1, 9, 10, 11, 12, 13.1, 13.2, 13.3, 14, 15,
16, 17, 19, 20.1, 21.1, 21.3, 21.4, 22, 23.3, 24, 26, 27, 28.1, 29, 30.1, 31, 32, 33, 34, 35, 36, 37, 38,
39.1(a), 39.2, 40.1, 40.2, 40.7(a), 41, 42, 43.1, 44.1, 44.4, 45, 45A, 46, 47.1, 47.4, 48, 49, 50, 51, 52, 53,
54.1, 55, 56.1(a), 56.2, 59, 60, 61, 62, 63, 63A, 64, 65, 67, 68, 69, 69.5, 70A, 71, 72, 74, 75.1, 75.5, 76,
77.2, 77.3, 77.4, 77.7, 77.8, 77.9, 78, 79, 80, 81.1, 82.1, 82.2, 83, 84, 85, 86, 87, 88, 89, 90.2, 91, 92, 93,
and 115 of Schedule 1—6 April 2020; Division 8 of Part 2, Division 2 of Part 3, Part 9 (except ss 325, 326
and 327), ss 11, 40, 41, 42, 43, 47.52, 55, 57 and 360, and items 8.7, 13.4, 18.1, 40.3, 40.5, 44.3, 47.3,
47.4, 70.1, 82.6 of Schedule 1—1 May 2020 (Gazette S150, 24 March 2020).

Bills

LOCAL GOVERNMENT (WHITTLESEA CITY COUNCIL) BILL 2020

Council’s agreement

The SPEAKER (10:00): I have received a message from the Legislative Council agreeing to the
Local Government (Whittlesea City Council) Bill 2020 without amendment.

Joint sitting of Parliament

LEGISLATIVE COUNCIL VACANCY

The SPEAKER (10:00): I have received a letter from the Governor advising that she had, on
23 March 2020, received the resignation of the Honourable Gavin Jennings as a member of the
Legislative Council. The question is:
That the message be taken into consideration immediately.

Motion agreed to.

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure, Minister for Priority Precincts, Minister for the Coordination of Transport: COVID-19) (10:00): I move:

That this house meets the Legislative Council for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of the Honourable Gavin Jennings and proposes that the time and place of such a meeting be the Legislative Assembly chamber today at 12.15 pm.

Motion agreed to.

The SPEAKER: The question is:

That a message be sent to the Legislative Council informing them of the resolution and requesting their agreement.

Motion agreed to.

The SPEAKER: Before moving on, I would again ask those managing the house to think about the size of the joint sitting and to try and keep numbers under the limit that we have asked for.

Bills

LOCAL GOVERNMENT (WHITTLESEA CITY COUNCIL) BILL 2020

Royal assent

The SPEAKER (10:01): I inform the house that on 20 March the Governor gave royal assent to the Local Government (Whittlesea City Council) Bill 2020.

HEALTH SERVICES AMENDMENT (MANDATORY VACCINATION OF HEALTHCARE WORKERS) BILL 2020

LOCAL GOVERNMENT BILL 2019

NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2020

Royal assent

The SPEAKER (10:01): I inform the house that the Governor has given royal assent to the Health Services Amendment (Mandatory Vaccination of Healthcare Workers) Bill 2020, the Local Government Bill 2019 and the National Electricity (Victoria) Amendment Bill 2020.

COVID-19 OMNIBUS (EMERGENCY MEASURES) BILL 2020

JUSTICE LEGISLATION AMENDMENT (DRUG COURT AND OTHER MATTERS) BILL 2020

STATE TAXATION ACTS AMENDMENT (RELIEF MEASURES) BILL 2020

WAGE THEFT BILL 2020

Appropriation

The SPEAKER (10:01): I have received a message from the Governor recommending appropriations for the purposes of the COVID-19 Omnibus (Emergency Measures) Bill 2020, the Justice Legislation Amendment (Drug Court and Other Matters) Bill 2020, the State Taxation Acts Amendment (Relief Measures) Bill 2020 and the Wage Theft Bill 2020.
APPROPRIATION (INTERIM) BILL 2020

Appropriation

The SPEAKER (10:02): I have received the following message from the Governor accompanied by the amounts and estimates:

In accordance with the requirements of section 63 of the Constitution Act 1975 the Governor recommends to the Legislative Assembly that an appropriation be made from the Consolidated Fund for the purposes of a bill for an act to make interim appropriation of certain sums out of the Consolidated Fund for services and supplies for a period commencing 1 January 2020 and ending 31 December 2020 and hereby transmits to the Legislative Assembly amounts and estimates of the expenditure requiring appropriation in the period commencing when the bill becomes an act on royal assent and ending on 31 December 2020.

The question is:

That the accompanying amounts and estimates be tabled.

Motion agreed to.

Introduction and first reading

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations, Minister for the Coordination of Treasury and Finance: COVID-19) (10:03): I move:

That I introduce a bill for an act to make interim appropriation of certain sums out of the Consolidated Fund for services and supplies for the period commencing 1 January 2020 and ending 31 December 2020.

Motion agreed to.

Read first time; under standing order 61(3)(a), ordered to be read second time immediately.

Statement of compatibility


In my opinion, the Appropriation (Interim) Bill 2020, 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 of the Bill

This Bill provides authority for appropriation out of the Consolidated Fund for government services and supplies during the first six months of the 2020–21 financial year.

It also provides authority for supplementary appropriation out of the Consolidated Fund, to enable the government to meet urgent claims from the date of Royal Assent until the end of December 2020, including for additional measures responding to the COVID-19 emergency.

It contains no other substantive provisions.

Human Rights Issues

1. Human rights protected by the Charter Act that are relevant to the Bill

Given the nature of the Bill, it does not contain any provisions which engage with rights or responsibilities under the Charter, and is therefore fully compatible with its requirements.

2. Consideration of reasonable limitations—section 7(2)

As the Appropriation (Interim) Bill 2020 does not raise any human rights issues, it does not limit any human rights and therefore it is not necessary to consider section 7(2) of the Charter Act.
Conclusion

I consider that the Appropriation (Interim) Bill 2020 is compatible with the Charter Act because it does not raise any human rights issues.

TIM PALLAS
TREASURER

Second reading

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations, Minister for the Coordination of Treasury and Finance: COVID-19) (10:04): 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:

Honourable members will be only too well aware that in Australia and throughout the rest of the world, citizens and governments are being required to adopt a range of extraordinary measures to respond to the threat posed by the COVID-19 virus. These measures involve the need to revise, postpone or do without many long-established and cherished activities.

The government of Victoria and this Parliament are certainly not immune from this. The logistical problems of undertaking normal procedures, and the uncertainties of the duration and depth of social and economic disruption make it impossible to develop and introduce a normal State budget at this time and for the immediate future at least.

However, the activities of the government must be continued as best they can be, and indeed in some matters, such as the health system, those activities need extensive support and enhancement. Assistance for those struggling with the consequences of the necessary restrictions that have been imposed is also vital.

In response to the COVID-19 emergency the Government has already committed over $3.5 billion to support our health system and Victorian businesses. This includes:

• an additional $437 million to the health system for additional beds and equipment, extra funding for emergency departments and intensive care units, additional resourcing for pandemic containment activities and support for workforce continuity;
• a $1.3 billion health package to fund procurement of the equipment and consumables needed to establish 4,000 new ICU-beds to meet projected demand at the peak of the pandemic; and
• a $1.7 billion economic survival and jobs package, which includes payroll tax refunds of $550 million, a Business Support Fund of $500 million and a Working for Victoria Fund of $500 million.

It is clear that in the remaining months of the 2019-20 financial year and continuing into the 2020–21 financial year, additional funding will be needed for further measures, such as facilities for health services, and further support for businesses and households.

The need for these and other measures requires further substantial appropriation authority in addition to that required for the normal ongoing operations of government. The financial resources to undertake those tasks must be provided. This Bill prudently provides substantial additional resource capacity, which can be applied as required to implement necessary emergency response measures but may not in practice be fully utilised.

This Bill provides appropriation authority for the first six months of the 2020–21 financial year for the ongoing operations of Government and for additional measures responding to the COVID-19 emergency. These appropriations are based on half the amounts provided in the 2019–20 budget, indexed for inflation, for the provision of outputs and payment made on behalf of the State. They include a whole year’s provision for additions to the net asset base, in recognition of the irregular payment profile for these investments.

A separate Bill, to be debated together with this one, provides appropriations for the Parliament on a similar basis.

That the Bill covers only the first six months of the 2020–21 financial year is consistent with the Government’s intention to introduce a State budget for 2020–21 before the end of 2020, with an annual appropriation Bill which will supplant and absorb the provisions of this Bill. This intention is based on our hope that the COVID-19 emergency will be largely over, although it is clear that its health, social and economic impacts will be felt for years to come.

The Bill also recognises that the resources provided in the 2019-20 budget will not be sufficient to meet the additional commitments in the current financial year which could not have been anticipated, have been made
and will be made in response to the emergency, particularly given the call on those resources also needed to fund responses to the bushfire emergency of only a few months ago.

While some additional resources can be provided in this financial year through other mechanisms, it is prudent to provide additional funding for the 2019-20 financial year in this Bill. The Bill therefore provides an extra $10 billion of Treasurer’s Advance over and above the approximately $2.8 billion provided in the 2019-20 budget, to be available from the date this Bill receives Royal Assent to 30 June 2020, to fund the measures the Government has announced and will announce to address the health, social and economic challenges the COVID-19 virus has brought.

I commend the Bill to the house.

Ms STALEY (Ripon) (10:05): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

APPROPRIATION (PARLIAMENT) (INTERIM) BILL 2020

Appropriation

The SPEAKER (10:05): I have received the following message from the Governor, accompanied by the amounts and estimates:

In accordance with the requirements of section 63 of the Constitution Act 1975, the Governor recommends to the Legislative Assembly that an appropriation be made from the Consolidated Fund for the purposes of a bill for an act to make interim appropriation of certain sums out of the Consolidated Fund for the Parliament for the period commencing on 1 July 2020 and ending on 31 December 2020, and hereby transmits to the Legislative Assembly estimates of the expenditure requiring appropriation in the period commencing on 1 July 2020 and ending on 31 December 2020.

The question is:

That the accompanying amounts and estimates be tabled.

Motion agreed to.

Introduction and first reading

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations, Minister for the Coordination of Treasury and Finance: COVID-19) (10:06): I move:

That I introduce a bill for an act to make interim appropriation of certain sums out of the Consolidated Fund for the Parliament for the period commencing on 1 July 2020 and ending on 31 December 2020.

Motion agreed to.

Read first time; under standing order 61(3)(a), ordered to be read second time immediately.

Statement of compatibility


Opening paragraphs


In my opinion, the Appropriation (Parliament) (Interim) Bill 2020, 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 of the Bill
The purpose of the Appropriation (Parliament) (Interim) Bill 2020 is to provide authority for interim appropriation from the Consolidated Fund to the Parliament in respect of the first six months of the 2020–21 financial year.

Human Rights Issues

1. Human rights protected by the Charter Act that are relevant to the Bill

Given the nature of the Bill, it does not contain any provisions which engage with rights or responsibilities under the Charter and is therefore fully compatible with its requirements.

2. Consideration of reasonable limitations—section 7(2)

As the Appropriation (Parliament) (Interim) Bill 2020 does not raise any human rights issues, it does not limit any human rights and therefore it is not necessary to consider section 7(2) of the Charter Act.

Conclusion

I consider that the Appropriation (Parliament) (Interim) Bill 2020 is compatible with the Charter Act because it does not raise any human rights issues.

TIM PALLAS
Treasurer

Second reading

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations, Minister for the Coordination of Treasury and Finance: COVID-19) (10:07): 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:

Honourable Members will be aware that the outbreak of the COVID-19 virus has created, in addition to extensive social and economic issues, logistical issues that prevent society from functioning in its usual manner. This has resulted in it being impossible for the State to develop and introduce a Budget at this time and for the immediate future.

This Bill provides appropriation authority for payments from the Consolidated Fund to the Parliament in respect of the first six months of the 2020–21 financial year, to ensure the activities of Parliament can continue and function until a State budget for the 2020–21 financial year can be introduced. It is the Government’s intention that once a State budget for the 2020–21 financial year is introduced, the annual appropriation Bill for Parliament will supplant and absorb the provisions of this Bill.

The appropriations in this Bill are based on half the amounts provided in the 2019-20 Budget, indexed for inflation, for the provision of outputs.

In line with the wishes of the Presiding Officers, appropriations in this Bill are made to the departments of the Parliament. This includes provision for three integrity agencies which were funded through the Department of Premier and Cabinet in 2019-20, but which from 1 July 2020 come within the financial responsibilities of the Parliament, namely: the Victorian Ombudsman; the Independent Broad-based Anti-corruption Commission; and the Victorian Inspectorate.

The total appropriation authority sought in this Bill is $116.1 million for Parliament in respect of the period from 1 July until 31 December 2020.

I commend the Bill to the house.

Ms STALEY (Ripon) (10:07): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.
Committees

ELECTORAL MATTERS COMMITTEE

Membership

The SPEAKER (10:07): I have received the resignation of the member for Yuroke from the Electoral Matters Committee effective from 21 April 2020.

Bills

COVID-19 OMNIBUS (EMERGENCY MEASURES) BILL 2020

Second reading

Debate resumed on motion of Mr ANDREWS:

That this bill be now read a second time.

Mr M O’BRIEN (Malvern—Leader of the Opposition) (10:08): These are extraordinary times and these are extraordinary measures. As a Liberal, one of my guiding values is always to protect the rights and the liberties of individuals—of Victorians—particularly from government overreach. So it is almost anathema to find a bill such as this before the house being one which I now announce we will not be opposing, but these are extraordinary times.

The effect of the COVID-19 pandemic, not just on our state or on our nation but on the world, has been extraordinary. The level of death, the level of disruption, that it has caused has led to so much pain and so much misery, and it is critical that we as a Parliament work together as best we can to get our state through this. We need to try and keep Victorians safe through this pandemic, but then we need to get Victorians back to work. We need to make sure that this state is open for business, and we need to limit the damage in the meantime.

Looking at this bill, it does give, as I said, extraordinary powers to the government. It allows the government to have, through regulatory powers, the ability to issue regulations which can actually override statute, even override the constitution in some circumstances, which is extraordinary. So it is so important that there be appropriate safeguards and checks on this, and I will come to some concerns about those issues shortly.

Perhaps just a little bit of a discussion first about the process of this bill coming before the Parliament. I must say I am disappointed that the first we saw of the text of this bill was at 5.45 pm on Monday night. To have a 296-page bill of extraordinary measures giving a government extraordinary power over the lives of Victorians and to have so little time to consider it, so little time to be briefed on it and so little opportunity to consult with the Victorians whose lives are going to be affected by this is wrong. For a government that talks about the need for us all to be in this together, for a government that talks about the need for Victorians to work together, for a government that calls for bipartisanship when it suits it, to get a 300-page bill that effectively turns a lot of existing law in this state upside down and to be expected to vote on it and pass it on Thursday is absolutely inappropriate. I understand this is a fast-moving situation, I understand that the government needs to move quickly, but others have got voices that need to be heard as well. How many Victorians have been consulted on the measures in this bill?

A member: Zero.

Mr M O’BRIEN: Zero, none. In normal times of course a bill is introduced and it is adjourned off for two weeks. Then there are full sessions of debate in this chamber, then it is sent to the other chamber, then it is adjourned off, then there is further debate and then it is passed. We just do not have that here. This is the most extraordinary level of power and control being granted to the government, to individual ministers, and yet we have had zero opportunity for public consultation on these measures, and that is not right. The government risks not only losing cooperation from other parties in this place; the government actually risks losing the support of the public if they feel that they are being
taken for granted and they do not get to have their voices heard. I have to set out this contribution by expressing my grave concern with the lack of appropriate consultation.

A member interjected.

Mr M O’BRIEN: This is not about us. This is not about us as politicians. This is about the people of Victoria. This bill goes to justice. It goes to commercial tenancies, retail tenancies. It goes to environment, it goes to local government and it goes to education. Just about every single aspect of Victorian life is going to be touched in one way or another by this bill, and the fact that Victorians have been denied the opportunity to have their say on this bill is absolutely wrong.

I will turn to the merits or otherwise of the bill shortly, but this is a very important point, because emergency measures do not mean that normal decency and consultation should be disregarded, but that is what has happened here. Whether it is the case that the government just did not know what it was doing, it took too long to get it finalised and tried to rush it through, or whether it was a deliberate attempt to deny Victorians the opportunity to be consulted I do not know, but either way the outcome is absolutely terrible from a process point of view. When Victorians’ rights are being affected, as they are through this bill, and when some Victorians’ rights are being diminished, as they are through this bill, those Victorians have the right to be consulted on it and to have their voices heard, and they have not.

What is in this bill is important but also what is not in this bill is perhaps equally important. This is, we understand, the government’s primary vehicle through which it intends to make changes to manage the response to COVID-19. There are many issues which the community are speaking to us about, where they are concerned about what is happening, and we do not see them in this bill.

There are many businesses that are struggling at the moment. I will give you one example: there are many commercial trucking businesses who need to pay thousands and thousands of dollars every quarter for registration and licensing fees, and if they do not pay those quarterly fees, then the registrations lapse and it costs them even more to get those trucks back on the road. We have got entities with trucks sitting there in garages not able to move because their work has dried up. What has the government done to provide support for those people, for those businesses, for those jobs? That is missing from this bill. There are some other measures in the bill, but clearly the government has adverted to the fact that it could provide some relief in some areas if it chooses to, but it has not chosen to do so in that area.

There are many other people who are seeing their lives made more difficult in this. I do not blame the government for COVID-19, for goodness sake, but where the government has the capacity to respond and chooses not to do so, then the government does have questions to answer. So this bill is important not just because of what is in it; this bill is also important because of what is missing from it.

We are going to see the Parliament resume on 2 June. We welcome the fact that we do have a return date. The Leader of the House seemed a bit put out at our last sitting because we were demanding that there should be a return date for this Parliament, and I am pleased that the Leader of the House has now come around to our way of thinking—that it is important for democracy that Parliament knows when it is going to be sitting. Again, this is not about us as members of Parliament being able to sort out our diaries, this is about ensuring that the people of Victoria know when their representatives are going to be in this chamber to be able to raise issues that they care about. This is all about the cares and concerns of Victorians. It is not about politicians, it is about the people we are elected to represent, and one of the ways in which we do our job is by being in this place and raising their issues, and we need to know when those opportunities are going to be able to occur.

I turn now to some of the measures contained within this extraordinary bill. From the briefings provided from the government, I think there was a two-page summary document that we received along with the 296-page bill—

Mr T Smith: It was brief, wasn’t it?
Mr M O’BRIEN: It was a very brief brief. I pay respects to whoever was able to summarise a 296-page bill into a two-pager, but they might have missed a couple of little details there, I suspect.

But we are talking here about changes contained in this bill which fundamentally alter things which have been part of the legal foundation of this country and indeed our forebears going back to the United Kingdom—ideas like trial by jury. Trial by jury is actually to some extent being abrogated in this bill. One of the reasons why we are not opposing the bill is because this is severely time limited. It is severely time limited and there are some other safeguard measures built into it, but to give anybody who might be watching or listening to these contributions an idea of what is happening here, trial by jury for an indictable offence, for a serious offence, has always been an absolutely fundamental principle of our legal system. You have always got the right to be tried by a jury of your peers, and in this bill we are moving to a situation where that may not be the case.

In the COVID-19 environment of course it makes sense to try and reduce the number of people gathering in any particular workplace, and that includes a courtroom, so there may well be sensible reasons why we will see justice proceed in a way which is safer for participants in a health sense by removing jury trials in certain circumstances. However, what I would say is that this is such a fundamental question that goes to the heart of the rights and liberties of any accused that it is not something that should be given up lightly and it is not something that should be done without great community consultation.

Of course the government has got a paper out there where it is looking at this issue in a broader sense. It is looking at the question of trial by jury and its appropriateness in all cases, and we have been supportive of the idea that that is a process that should continue.

So I do hope that the government, through this bill, which does abrogate to an extent trial by jury, does not see this as short-circuiting the important work of that overall review into whether judge-alone criminal trials in the County and Supreme courts are appropriate.

The Liberals and Nationals strongly support the involvement of the community in the justice system, and we recognise the very important role—the vital role—that juries perform in the trial process. However, there is another saying in the law that justice delayed is justice denied. And if we get to a situation where many trials that could only be held by jury will be postponed until we get through this entire pandemic, then that is a counterbalancing factor. There do seem to be sufficient safeguards in terms of consent et cetera of defendants built into aspects of this bill so that that particular issue is one which we can live with for a severely limited period of time.

I should say at the outset that the vast majority of the measures in this bill are strictly limited to six months. That is the life, effectively, of the bill and the changes that it makes, with maybe one exception. I think the commencement of the Environmental Protection Amendment Act 2018 has been delayed by longer than six months, but other than that my understanding is that the measures in this bill are severely time limited, and that is appropriate. We do not know when we will be through this pandemic. We obviously all hope and pray that it will be sooner rather than later, but given the national cabinet has made a number of announcements that have a six-month life, it would seem to be appropriate that this bill also has a six-month life.

In terms of other measures in the justice space, the bill provides for the ability for magistrates to order an offender to be GPS monitored in the community. Now, we think this is actually a good idea. This was a reform first introduced by the Napthine Liberal-Nationals government, and it has proven to be an effective supervision tool. The County and Supreme courts can already order an offender in the community to be GPS-monitored, and we do think that it is appropriate that during this pandemic, where offenders need to be remotely monitored, this power should be extended to magistrates.

So it is interesting the contrast between on the one hand the government saying we need to have greater power to monitor offenders in the community during this pandemic, but then when you look at what is happening with bail reporting we are actually seeing a loosening of the rules around bail reporting.
Now, obviously people on bail have, by definition, not been convicted of anything yet, and of course they are entitled to the presumption of innocence, but there is no doubt that there are some serious concerns amongst the community when you see bail reporting effectively brought to an end. The question is: was there an opportunity for that to be replaced by something else? Even if you do not want to have somebody going into a police station to report three times a week, is there some other way of reporting in that could have been utilised, or even some sort of GPS monitoring that perhaps people would be agreeable to? I do think that there were opportunities there for the government, if they had wanted to, to replace bail reporting with something else. I just do not think that the dropping of it altogether is something which is particularly going to keep Victorians as safe as we could be and of course as we all want to be.

In terms of other justice department amendments in this bill, we see that in the corrections and youth justice space Corrections Victoria prison officers are empowered to ‘do anything necessary to give effect to an order’ relating to the mandatory quarantine of prisoners entering Corrections Victoria custody. It is an interesting choice of words: ‘do anything necessary’. I am not sure if that relates to use of reasonable force or simply taking reasonable actions, but clearly it is important for the safety of everybody in the corrections system that mandatory quarantine orders can actually be enforced.

Under the bill a secretary or governor may ‘arrange for a prisoner to be medically examined, assessed, tested or treated’ in relation to COVID-19, but only if a prisoner has provided informed consent. Now, we have a question: could a COVID-19-positive prisoner refuse treatment and thereby place other inmates or staff at risk? I think that is a very important question in terms of the health and safety of everybody in the corrections system.

I am delighted the minister is here. That is put up as a genuine question: we are concerned for the health of people in the system, and if somebody who was an inmate decided they did not want or refused treatment, or refused to be tested, despite displaying all the symptoms and potentially despite being COVID-19-positive, what protections are in place? I would ask the government to consider that issue and whether an amendment is necessary or whether there is some other protocol or procedure that could be put in place in order to be able to provide a greater level of safety and assurance.

Restrictions on the movement of prisoners and the use of Corrections Victoria facilities—the bill enables the secretary or governor to restrict access to or shut down parts of a prison or entire prisons. Now, obviously I think that makes sense, but of course the question is: what facilities would inmates be transferred to? We would certainly not want to see a situation where because of a lack of facilities people who courts have decided are dangerous to the community and should be in custody are released into the community. We do think that if a court has made a decision that (a) a person who has committed a crime deserves to be punished and (b) the community must be protected from them by incarcerating them, we would not want to see the current pandemic lead to that decision, made by a court, being overturned. Perhaps to put it in the vernacular: COVID-19 should not be a get-out-of-jail-free card. We are very, very keen to make sure that that is the case.

There are a number of other issues in the corrections space. I will refer to one in particular, and that relates to emergency management days. The bill makes no mention of the application of emergency management days to periods of lockdown or restricted movement due to COVID-19. The opposition had a briefing on 27 March, and the corrections commissioner, Emma Cassar, confirmed that emergency management days would be received and considered during this period. So our question is: is Victoria likely to see a flood of prisoners applying for days off their sentence due to their management during COVID-19? We have raised these questions. As I say, this is not about pointscoring; this is just about has the government got it right, has it got it as well as it could be, and what is going to be the effect on the corrections system but also community safety as well?

In relation to workplace safety, the bill seeks to amend the Accident Compensation Act 1985 and the Workplace Injury Rehabilitation and Compensation Act 2013 by extending the termination notice for long-term WorkCover recipients from 13 weeks to 39 weeks. It has got a retrospective application
from 1 December 2019, and it is anticipated to provide financial assistance to around 680 injured workers. I think this is a welcome measure to provide that level of surety and support for those particular injured workers in that cohort.

One of the questions I have, though, is: what action is the government taking to support Victorian businesses who are struggling with WorkCover premiums during this period? We have had a lot of contact from businesses—and not necessarily even for-profits. We have had not-for-profits contact me and contact other members of the opposition, very concerned, for example, about the fact that the federal JobKeeper payments are apparently going to be considered for the purposes of calculating WorkCover premiums. Now, if the federal government is stepping in to try and keep people in work and is providing subsidies to businesses to keep people in work, that is not an opportunity for WorkCover to take more money out of those businesses’ pockets. At a time when businesses are struggling—many businesses are facing ruin; they have got their backs to the wall—the state government needs to be doing everything it can to help those businesses. We need them to stay open, we need them to be open for business, we need them to be keeping Victorians in work. You do not do that by taking a federal government payment and effectively taxing it to prop up WorkCover. That is absolutely the wrong thing to do.

And I can say there is a lot of confusion as well. We would appreciate some clarity from the government in relation to the federal JobKeeper payments and how they are treated for the purposes of payroll tax. We do not want to see the state government taking with one hand what the federal government is giving with the other.

**Mr T Smith:** Steven Marshall in South Australia isn’t doing that rort.

**Mr M O’BRIEN:** That is right, and I think it was a couple of weekends ago that the Shadow Treasurer and I put out a press release noting what South Australia had done, noting the fact that South Australia has made it very clear that federal JobKeeper payments will not be counted when it comes to assessing payroll tax. Why won’t the Victorian government do the same thing? It is absolutely criminal for the state government to be picking the pockets of businesses that are receiving financial support from the federal government during this pandemic. It is absolutely appalling, and the government needs to come out today and first of all clarify whether they are doing that, and if they are planning to do it, they have got to stop it. They should fix it, and they should fix it today.

There is legislation in the Parliament. Normally we would be opposed to quick amendments with little notice, but if the government wants to come in here today and move house amendments to say, ‘We won’t tax those JobKeeper payments for WorkCover purposes’ and ‘We won’t tax those JobKeeper payments for payroll tax purposes’, they will get the full support of every single member on this side. Otherwise I look forward to the Treasurer or the Premier standing up here and seeking to justify why they think the Victorian government should clip the ticket—should take money from the federal JobKeeper payments for themselves. That is not what they were put in for—

**A member:** It’s immoral behaviour.

**Mr M O’BRIEN:** It is absolutely appalling and immoral. There are many, many amendments here in relation to residential tenancy arrangements and commercial tenancy arrangements. These measures in the bill actually do not have a lot of detail to them. Effectively what it does is it provides for the government to make regulations to implement these measures, so we are being asked to provide support or authority for the government through Governor in Council to make regulations to do almost what they like. Now they can say, ‘Well, there is a group of principles that have been agreed by the national cabinet,’ and that is absolutely acknowledged, but the detail of how this is to work is critical—it is absolutely critical. This is going to affect so many people in this state, tenants and landlords alike.

I had an email this morning. I have not had a chance to speak to the person who sent it to me so I shall not mention their name, but this is a person who is desperate. He is a self-funded retiree. He has one sole source of income, which is a self-managed super fund in which he has about two properties. His
tenant is an enormous company that runs serviced apartments. He owns one apartment. His tenant is an enormous company which owns hundreds and thousands of apartments, and yet the way this appears to be structured is that the self-funded retiree is the person with all the power, all the wealth and all the influence and should be providing massive rent discounts to an enormous company that leases thousands and thousands of serviced apartments. That is the concern of a lot of individuals, husbands and wives, self-funded retirees—they are very, very concerned that what the government is going to do through these regulations is effectively make it very, very difficult for these people who rely on this income to live. They do not get the pension—they rely on this to live.

There were many, many people who came out to this country in the 1950s and 60s, often from southern Europe, and they worked hard. Before superannuation, many of them invested in taxi licences. That did not go too well under this government. Some of them also invested in property. Having been hit by massive land tax bills under this government, having been hit by increases in outgoings—things like the fire services property levy under this government—they are now being told, ‘Well, now you can’t expect to really get much rent’. It is fine for the government to say, ‘Work it out’, but we acknowledge there is often an imbalance in relationships. The government seems to assume that every single imbalance is where the landlord has a lot of power and the tenant has next to none. Well, that is certainly not always the case. And we say to the government: the onus is on you when you promulgate these regulations to get this right, because people’s lives and livelihoods will be in jeopardy if you get this wrong. If people lose their sole source of income, people who have got nowhere else to go, then the government will be held responsible for the consequences of that. They have been given enormous power, they are seeking enormous power. They must be held accountable for how that is used, because we are talking about real people’s lives—tenants and landlords. They all need and deserve to be treated with absolute respect, and we need to make sure that the regulations reflect that—that they are not one-sided—and that everybody is treated as fairly as possible.

We have had very, very little comment from industry sectors, but some are expressing concern about some of these measures. One of the concerns is that under the bill the only people who will be able to access some of the relief will be those who have applied for, are eligible for and are receiving the JobKeeper payments. There will be some organisations and there will be some tenants who will not want to access JobKeeper payments. There are some not-for-profits that may actually be large—they might be over $50 million—but they are charities; they are not eligible for JobKeeper payments. Does that mean therefore that they cannot get any benefit out of any of the measures? If that is the case, what does that do for their landlords? It is one thing to say that if landlords are receiving a benefit, that can be shared with a tenant. If you get a situation where that is just not happening, who is expected to pick up the bill?

You often see people who are in well-paid, permanent jobs in the government sector, and I think every member of Parliament is included in that. It is very easy for us to say to others, ‘You should go off and make all this work’ when they are facing challenges that we cannot even begin to imagine. We need to make sure that when this government promulgates these regulations in these areas that it is done appropriately and fairly. If the government gets it wrong—if there are too many cases of hardship or unfair outcomes—the government needs to have the guts to fix it and fix it quickly.

Mr T Smith interjected.

Mr M O’BRIEN: I hear the member for Kew’s dulcet tones. We do welcome measures in this bill, which were called for by the member for Kew a number of weeks ago, in relation to allowing local government to meet via videoconference. We do not want to see a suspension of democracy any more than we have already had, so it is important for local government to be able to meet; it is important for planning documents and others to be exhibited online so we can keep things going.

This is a bill that we will not oppose. Under standing orders I wish to advise the house of an amendment to this bill and request that it be circulated.
Opposition amendments circulated by Mr M O’BRIEN under standing orders.

Mr M O’BRIEN: The amendment is about making sure that when the government does refer to the Public Accounts and Estimates Committee a reference for this pandemic it should be dealt with by a subcommittee with a non-government chair and a non-government majority. We do not want the government having a Labor-dominated committee marking the Premier’s own homework; we want to have genuine accountability, genuine transparency. We are only going to get that through a non-Labor dominated Public Accounts and Estimates Committee. I commend the amendment to the house.

Ms SANDELL (Melbourne) (10:38): Goodness, I bet none of us ever expected that we would be here in Parliament with only a third of members in this place, all sitting metres apart, debating legislation on how we deal with a global pandemic that has almost entirely shut down society. It certainly was not on my list of goals for 2020.

This pandemic has changed everything, from the smallest things that make life meaningful to the big things that we rely on to survive. By way of example, today is my son’s first birthday. I never imagined that we would be spending this alone, that his grandparents would not be allowed to come over and give him a cuddle, that I would not get to have a drink with my friends and family to celebrate keeping him alive for a whole year, to celebrate a year of sleepless nights. I never imagined that I would not be FaceTiming my sister in London to sing happy birthday; instead I am FaceTiming her to ask if she has got enough protective equipment as she goes off to work in a COVID ward in one of the busiest hospitals in London. So this virus has changed everyone’s lives, and it has meant that governments everywhere, including here in Victoria, have had to make big decisions about how we keep people safe—decisions that are necessary to keep people alive but that have big, profound impacts upon people’s lives and will into the future.

I have to say it has been a privilege, actually, to be a local MP at this time, to be someone that people can come to or can call to talk about how their lives have been affected and to be able to play some small part in figuring out how to make things better and easier for people wherever I can. Some of the stories we have heard have really been quite heartbreaking. Missing a child’s first birthday is sad, but it is really the least of what people are going through. By way of another example, last week a friend of mine in his 30s passed away after a long battle with brain cancer. He beat it once, then he met his amazing wife and almost a year ago they had a miracle little baby daughter. But then it came back, and now, as we mourn his life being cruelly cut short, we cannot gather together to share stories about him. His wife cannot be comforted by our hugs—hugs of her family and friends. We cannot have the big funeral that he deserves to recognise the remarkable person that he was or give his baby daughter a cuddle to make us feel better for not having him in the world. That is just one example; there are so many families out there experiencing the same thing.

Another example: I have got a friend called Dora; she lives near me in Kensington and is one of my neighbours. She is a surgeon. She came here from Colombia. She came to Melbourne because it is one of the medical research centres of the world. She came here to complete her PhD in cancer research, and she has almost finished. She also teaches at a university on a casual contract. She is here with her wife, who was working in early childhood education for a number of local families. Her wife, understandably, lost all her work due to COVID and Dora’s hours at the university have been cut from 19 to six. So now she is trying to pay rent, to pay bills, to pay for food for both of them on just 6 hours work a week, and because she is on a temporary visa she is not eligible for any federal government assistance. She has asked her landlord for a rent reduction, but she has only been offered a deferral, not a reduction. She cannot go home, as the Prime Minister says that she should, because the flights are cancelled, Colombia is in lockdown, borders are closed and also she has still got a year left on her PhD—so going home would seriously endanger her career and her research. She is also not eligible for a lot of the state government assistance, such as the $2000 in rent help, because she has some savings. She was saving up, actually, to pay a debt that comes due in September. So she has done all the right things—she has saved, she has worked hard, she is here contributing to medical research—but she is in a really difficult position.
These are stories that are just the tip of the iceberg. I am sure all of us are hearing stories like this. We are seeing businesses close, jobs lost, people’s lives severely impacted, and this is just the beginning of what is probably going to happen. There are artists, freelancers and creatives who are out there seeing their work dry up in an instant as gigs are cancelled, as festivals are cancelled. Casual workers from hospitality to early childhood education, who have seen their hours cut to zero, are wondering how they are going to support themselves and their families. All of these people that come to me and tell me their stories also tell me that they understand why the restrictions are necessary. They do not question that—absolutely not. But they do deserve to have their stories and experiences acknowledged and know that governments will have their back and will not leave them behind or forget them.

I know this is actually just a very, very scary time. None of us will be immune. I am sure all of us have had family members and friends lose their jobs or have to close their businesses. Now it is our job as leaders—it is the government’s job—to figure out how we use the power that we have to try and cushion the blow for these people, so people do not go hungry, they do not have nowhere to go, and to ensure that we get back to some form of normal and that not so much damage has been done that people cannot recover. So I am really pleased that Parliament has been recalled today to pass some urgent measures in the bill to do just that. Some of the changes are absolutely urgent; they are absolutely necessary. But some of the changes do still leave some cracks, and people are falling through them and they are telling me this every week. These gaps must be plugged because in a caring society, in a crisis, we actually have the ability to not leave everyone behind, and we should not leave anyone behind.

This bill has a lot in it. It deals primarily, though, with three issues. The first is how to help people who are unable to pay their rent; secondly, how to deal with the courts and the justice system when it is not safe to meet face to face; and, thirdly, a smattering of other issues, including changing some environmental laws, making sure councils can hold their meetings online rather than in person—things like that.

Earlier in my speech I mentioned Dora trying to pay her rent in Melbourne on just 6 hours work between her and her wife and an agent that only offered a rent deferral, not a reduction. As I said, she is not eligible for the government’s $2000 rent relief. She only has $1500 in super. If she wanted to access that, that would only cover about a month’s rent anyway. There are a lot of renters in similar positions. Many of them have been coming to us. I have heard from Matt and Will—I have changed their names. They are in a three-bedroom share house. Their third housemate was from overseas and had to urgently leave and go home because they lost their job and, being on a temporary visa, could not access government support. Matt is a healthcare worker. Will is a casual in retail. He has had his work reduced. They technically both still have an income, but not enough to afford to pay for that extra third bedroom that has been vacated. So they approached their landlord; they tried to negotiate, just like the Prime Minister and the Premier have asked them to do. Their landlord rejected their request for a reduction. In fact they said that they were lucky their rent was not being increased.

There are so many stories like this. We have heard from Kat in Brunswick. She is in a share house. Her flatmate lost her job as a bartender but is not eligible for JobKeeper because she has been there less than 12 months as a casual. The agent again refused to reduce their rent. She actually said that Kat had to still pay her flatmate’s share or find another flatmate, which is almost impossible in this environment, and that any unpaid rent would accrue as a debt in six months. These are not unusual stories. We are receiving very similar ones to these every single week. Right from the start of the pandemic the Greens have been advocating for help for renters because we knew a lot of people would be in these difficult situations.

In this bill the Andrews Labor government has introduced a six-month ban on evictions in most but not all circumstances and no rent increases over that time. Renters cannot get added to the blacklist for not being able to pay their full rent if they have lost work due to the pandemic. These are all very important and good things. However, when it comes to reducing rents for people who have lost their jobs, the government is essentially just leaving it up to renters and landlords to negotiate between
themselves and offering a sweetener to landlords through land tax relief if they do reduce rents. But for a lot of renters, as I have illustrated in the stories I have told, we are actually seeing that it is just not working. It is complicated; it is a bureaucratic process. It relies on renters being able to negotiate with their landlords. I know a lot of landlords will do the right thing, but we are seeing agents playing hardball. We are seeing them sending threatening letters to renters, refusing to put tenants in touch with landlords, refusing to reduce rents, only offering to defer rents, knowing really that landlords do hold most of the cards and there is not a lot that renters can do with limited power and money. There is no actual legal requirement for landlords to reduce rents even when the tenants have a very good case. So many, many renters will be left with a huge debt after six months. They will be left with debts left over by their housemates who have had to move out, and that is such a huge anxiety to put on people who have lost their jobs and will be trying to get back on their feet in six months time.

Landlords have been offered land tax reductions in order to help them reduce rents, and that is something that I wrote to the Treasurer about some time ago and suggested that we would support, but the onus should not really be on tenants to initiate and manage the process. Also, organisations which help tenants, such as Tenants Victoria, are receiving a huge influx of calls, but they are not currently being given the extra funding to support the tenants who need their help.

Now, the government has pretty much put the whole responsibility on struggling tenants to negotiate their situation, so surely an increase to include the organisations that help tenants manage the process would be sensible, and I hope that that will be forthcoming. I know the government is hesitant to intervene too much and especially hesitant to do things that would endanger the income of landlords, but the process, I need to say, is simply too complex for struggling tenants. It is unfair to put the burden upon them.

Look, this pandemic will affect all of us, and the burden should not just rest on one part of society. We are all going to feel some pain, and so sharing that between tenants, landlords and everyone else seems to be the fair way to go if we are to get through this, all of us, together.

On to another matter: justice. The bill empowers the Attorney-General to, effectively, make new laws across the justice sector in relation to things like bail, the operation of the courts, police and corrections. Things that ordinarily probably would have come to Parliament are now decisions that will be made by the AG. While a lot of this is necessary, some of it is a bit worrying. It is really the closest thing we have come to government by decree—putting all the power in the minister rather than the Parliament. Hopefully the Parliament will come back in June, but if it does not, then there will be no power really to disallow the measures if they are draconian or unfair. But we are given some confidence in the fact that there are six-month sunset provisions in the bill.

But what we really should be looking at are the failures of the justice system that COVID lays bare and dealing with those systemic failures. We have incredibly overcrowded prisons at the moment, and we should be asking how we might actually get some non-violent and low-risk prisoners out of the system to keep everyone—the staff and their families and prisoners and their families—safe. Rather than using the big stick of more law and order—the tough-on-crime approach—let us actually look at this from a health perspective. This gives us the opportunity to look at this with fresh eyes.

Finally, I would like to talk briefly about the world that still exists out there despite the pandemic; 2020 will not just be remembered for the pandemic. Here in Victoria it will also be remembered as the year that devastating fires ripped through communities and our forests causing untold damage not just to people’s lives but also to our endangered plants and animals. Climate change, which fuelled these fires, is not going away, and people’s concern about protecting our precious places is not going away either. But while we have all been busy dealing with the impacts of COVID, governments around Australia have been using this cover as an opportunity to announce some pretty damaging environmental decisions and defer other important environmental decisions.
First, this Labor government announced a lifting of the onshore gas ban, which will restart in July next year. Then we had the Premier and Prime Minister Morrison signing a 10-year extension of the damaging logging laws, which allow logging in our native forests to continue exempt from environment protection laws. We have seen the government in New South Wales give the nod to coal mining under one of Sydney’s reservoirs, the first approval of its type in 20 years. And now we have this bill, which delays important laws that are supposed to protect Victoria’s environment. These new Environment Protection Authority Victoria rules were meant to start in July this year, and now we are waiting a further 12 months on top of the six years we have already been waiting. These laws are to ensure that big companies and corporations are not allowed to damage our environment or health with their operations. It used to be that they could just do that. They could damage our environment and our health, they could stockpile toxic waste and toxic chemicals, but really there was no way to prevent them doing that; we could just punish them after the fact and ask them to clean it up, but the damage had already been done. But for some reason now the government is saying that companies should not need to comply with these new rules for another year. These companies have known these laws have been coming for years. It does not seem to make much sense to give them a leave pass for another 12 months of pollution. I know the government is busy, but these companies have known these laws have been coming.

We are also seeing other really important decisions being delayed. The government was supposed to announce their emission reduction targets a maximum of 10 sitting days after March this year, but now we do not know when that will be. The government was supposed to respond to the Victorian Environmental Assessment Council recommendations to create new national parks in the central-west region of Victoria by March this year. Again, it has not happened. The government also has not responded to the Victorian State of the Environment 2018 Report—again, something that was supposed to happen in March this year. We have also been waiting literally years for a decision on reviewing coal power station licences to stop them pumping toxic mercury and other chemicals into the air and destroying the health of Latrobe Valley residents, but we do not know when that is coming either. And we have no clear idea of whether the government will fund more environmental restoration projects to help the damage that was done in the summer’s bushfires.

Now, I know the government is busy. I know that COVID-19 takes precedence. But with respect, most of these decisions should have been made before COVID-19 even hit. They are decisions we have been waiting on for years. If we let big corporations use this as an opportunity to go on as if it were business as usual—to increase fossil fuel use, to increase their damage to the environment and to prioritise that over our long-term health and the long-term health of our ecosystems—it is something we will absolutely regret because it will continue to affect our lives, our health and our livelihoods for decades to come.

With that I will conclude by saying the Greens will be supporting this bill, but we will be seeking to make some important amendments in the upper house to make sure that renters are protected, to make sure the environment is not sold off to corporate interests and to make sure that no-one is left behind.

Ms SHEED (Shepparton) (10:56): Thank you for the opportunity to make a small contribution in support of the COVID-19 Omnibus (Emergency Measures) Bill 2020. When I was at law school at Melbourne University in the 1970s, one of my lecturers was Gareth Evans, and there was not a class that went by where civil liberties were not talked about. In every subject indeed it was very much the topic of the day. Over the years we have had civil liberties organisations and we have all constantly been made aware of how important that aspect of our democracy is. We have seen very significant change in our community since I went to law school. Indeed since Benjamin Franklin said that those who are willing to sacrifice their liberty for safety deserve neither, we have also seen very significant change. We could not have foreseen the population growth that the world has seen, the urbanisation that the world has seen and the need for regulation of how people live. All these things have dramatically changed our world, as has the growth in technology and the adaptation to that.
In just the few short years I have been in this place I have seen significant legislation passed which curbs people’s liberties, which has the effect of organising our society in a way that in many cases we have been prepared to go along with because it leads to that orderly notion of how we live. We have seen legislation that massively allows for the sharing of information between government departments. We have seen mandatory sentencing introduced in certain cases. These are just examples of things that once we would not have even contemplated could happen. We are now seeing put before us the prospect of an app on our phones that will track where we are and those around us in certain circumstances.

This bill certainly has some extraordinary measures in it, and it is extraordinary in a number of ways, one being the regulation powers that it enables—amazing. We would never tolerate this in usual times. There is the power that the Attorney-General will have in a range of areas that we would never normally tolerate. For those of us here supporting this bill, it is the sunset clause that is the very major feature of it. We all understand that this needs to happen for a limited period of time as we deal with this crisis and this pandemic that we currently find ourselves in. But winding things back can sometimes be very, very difficult, and that is a concern that I have. It might seem that some of the things we are doing now are a really good idea and it would be good to keep them going forward, things like trial by judge alone—how that will speed up the system, ‘Wouldn’t that be a good idea? Let’s hang onto it’. So it is important that we remember some of the fundamental rights that we are sacrificing right now at this time to do what needs to be done, to allow government to do what it needs to do, but let us not forget what we are giving up during this time.

I would like to thank the government for the briefing that they gave the crossbenchers in relation to the detail of this bill and the willingness to answer so many questions that of course many of us had. I have also heard so much out in my electorate praising both the federal and the state governments for the way they have stepped in and stepped up in the handling of this. In an electorate where there is a great diversity of views about politics there has been a very cohesive voice about that. That is something that I think gives us all some hope that we can get through this, that government can lead us through it. But we do have to be vigilant as we go forward, and there are many issues that are emerging.

The member for Melbourne has spoken about some of those in relation to tenancies, but we in regional areas are seeing the closure of our newspapers. Media is becoming very scarce. Sources of obtaining news are something that is really difficult. We have seen the Sunraysia Daily close and the Yarram Standard News and other smaller newspapers in communities, which are absolutely the lifeblood of information and part of that backbone of democracy, just gone. So I was very pleased after writing to the Premier to see that this government is going to advertise regularly in a number of our local newspapers just to try and get us over this hump. They were faced with a lot of difficulties anyway because of digitalisation, but nevertheless their need to be in our communities at the moment is really important, and they do need that assistance to be able to stay afloat and give us what we need.

Foodshare in our community is a major part of the distribution of food to the needy, and it relies on Foodbank in Melbourne to get the food it needs to distribute, and indeed the funding. Foodshare every year has a grand dinner that we all go to. It raises $100 000 and that pays for the whole operation of the very small Foodshare operation we have that services Shepparton, Benalla and over to Wodonga. That dinner cannot take place; they will be bereft of that sort of income. These are just some of the things around pivotal not-for-profit organisations that we still really need in our communities and that need to continue to operate that we will have to address.

We need to address the issue of homelessness as an urgent issue in relation to certain people. We have got a number of people living in circumstances that are not acceptable, and let me tell you there is a lot of empty accommodation in this society, in Victoria and in Shepparton. In Nathalia we have an old nursing home in good condition, fully furnished and fully equipped, and it has been empty for four years. There is the opportunity—and I will be talking to the Minister for Prevention of Family Violence about this issue—to actually start making some spaces available that are out there.
We have seen that the government has the absolute ability to act quickly, diligently and in a very nimble way to solve problems, and we really will need to see that happen. Again, I am pleased to say that when these issues are raised by crossbenchers, we are being heard and we are getting a good hearing on what opportunities might be there in our communities to relieve some of the current stress.

There are families who need to exercise contact with children—separated families. These are issues: where they do it, how they do it. People are coming to our electorate office; I have to say that our electorate office has never been so busy. There are so many questions that people have. There is confusion because the COVID-19 hotline, I am sure, has never been so busy either and no doubt is being constantly up-staffed.

People are unfortunately at times getting different messages from different people and are looking to us to provide answers. It will be incumbent on the government to be able to provide some answers and guidance to people even in what might seem like simple things because people’s businesses, their future employment and all sorts of things rely on it. I am pleased to say that in Shepparton, our local government and our catchment management authorities have taken up the opportunity of Working for Victoria—the $500 million fund—to look to get people in our community into short-term employment while we go through this very unnerving time. So many young people, casuals, have lost their jobs, so to be able to pick them up in various sorts of work scenarios going forward for the community’s good is something that we will certainly need to see happen.

Let me say that grief is something we need to recognise is very out there in our community. Attending a funeral online recently for a distant relative brought that very much home to me. So often when we are faced with grief we reach out, we hold people, we hug people and we share our human contact with them, and one of the most difficult things about this virus, this circumstance, is that inability to be able to share, to touch, to comfort. We just have to find ways around that and to particularly be aware of those people who are alone at this time and to make sure that they are contacted, that we do everything we can to ease the burden of their loneliness.

There are so many things we could talk about, so many changes that have occurred in so many people’s lives and will continue to, and we just have to be alert to them. I trust this bill will assist.

**Following speeches incorporated in accordance with resolution of house today:**

**Ms McLEISH (Eildon)**

In the face of COVID-19 our local communities are experiencing social and economic changes that have altered life dramatically for us—daily life, business operations, schools and hygiene standards—and the situation changes daily. The focus remains on saving lives and saving livelihoods.

In order to tackle the virus it has been necessary to implement changes to deal with the challenge of COVID-19 now and in coming months. Whilst some changes can be made through regulations, some are legislative. Therefore we are not opposed to this bill, because safeguards are proposed that will assist our state. It is extremely disappointing that the opposition only received this voluminous bill at 5.45 pm on Monday, severely limiting the time for scrutiny and consultation.

Our community is experiencing challenging times in the face of the COVID-19 pandemic. Restrictions are in place to protect our community and to contain the spread of coronavirus. Although it is a challenging adjustment, we understand it is something we must do to flatten the curve. Due to the crisis our economy has also been affected. We have seen local businesses temporarily close their doors. People who have sadly lost their jobs face uncertain and stressful times. We have seen local restaurants, tourism locations, sporting activities and hobbies come to a halt. However, amongst the losses we can celebrate that some small businesses are making a change in their services to adjust to COVID-19 restrictions. I would like to acknowledge all the businesses in my electorate that have transformed themselves to continue operations. It helps our community push forward, provides an element of normality and steady employment.

This bill puts in place emergency measures in response to the COVID-19 pandemic and proposes to bring in temporary measures across a range of portfolios. Due to the large number of matters covered in this bill, I will concentrate on some of those. In the main, the changes proposed are time limited to six months, which is appropriate.
Beginning with changes to courts and tribunals, the bill enables and gives legislative clarity to many of the administrative changes already put in place across the justice system in response to COVID-19. It was not clear in the bill briefing why legislation was required to be brought forward if the changes were already implemented.

There will be a reduced access to courts and justice facilities, the expanded use of video link technology and the ability of the courts to resolve matters ‘on the papers’ where it is in the interests of justice to do so. While many of these changes are supported because they allow the justice system to continue to operate while protecting public health, the government has not properly explained why so many are required when the power to make many of them already exists.

Interestingly, the bill gives the Attorney-General a broad regulation-making power where she is satisfied the power is reasonable in response to the COVID-19 pandemic. She is also required to consult with other relevant justice ministers, the head of jurisdiction or the integrity body, as appropriate. While the need for a regulation-making power is understood, the breadth of this power is concerning, and its use will be closely monitored by the opposition.

There has been considerable commentary around judge-alone criminal trials in the County and Supreme courts. The coalition strongly support the involvement of the community in the justice system, including the important role that juries perform. However, we recognise that jury trials currently cannot be held and trial by judge alone will enable the resolution of many serious alleged criminal matters, where the accused agrees to it.

As Shadow Minister for Education it is important to note the changes proposed to the Education and Training Reform Act 2006, which focus on the extension of registration time frames and increased use of electronic communication.

The registration process for both the non-school senior secondary providers and registered training organisations (RTOs) has been extended for a period of not more than six months. The registration process can involve onsite visits and assessments, which are curtailed at present. There are 10 non-school providers and 46 RTOs likely to be impacted by the change. Non-school providers include Melbourne Polytechnic, Inner Melbourne VET Cluster, Holmesglen Institute, Federation University Australia and Box Hill and Sunraysia TAFEs. Many of the RTOs are well known and varied, from Victoria Police to Nillumbik Shire Council and the Western Autistic School.

The changes relating to the extension of time for the provisional registration process for school teachers and early childhood teachers are the same. Potentially 24,000 teachers fall into this category, and without the changes workforce challenges at schools could arise.

The amendments in the bill only affect those teachers who currently hold non-renewable registrations. The bill does not include amendments affecting fully registered teachers because the Victorian Institute of Teaching (VIT) already has the power to extend the term of a registration for up to 12 months in special circumstances. The coronavirus emergency is a special circumstance. No fee will be imposed for extensions due to widespread illness impacting VIT’s ability to process registration applications, or where a teacher has been sick and unable to submit their registration. However, applications made by teachers for a further period of registration—for example, annual renewal of registration—will attract a fee as each application is treated as a new application. Where teachers have not been able to meet their annual requirements for registration renewal due to coronavirus, they will still be required to submit an application for registration renewal and pay a fee.

The changes to increased use of electronic communication allow for notices relating to disciplinary proceedings to be sent electronically rather than in writing by post.

The Planning and Environment Act 1987 has also been amended to enable all associated documents relating to planning scheme amendments and planning permits to be displayed and sent electronically and planning panel hearings to be conducted online. I have no doubt that all members have been lobbied by their local councils regarding the need for virtual meetings. This was something the coalition called for several weeks ago, and I am pleased it is accommodated here.

The bill provides recommendations to be made to regulations that affect commercial and residential leases due to the temporary closure of retail stores and mass loss of employment across the state. I believe the state government must tread carefully here as there is often an imbalance in rental issues and fairness needs to be provided for both parties in residential and commercial tenancies. Suggestions made include a short-term, temporary six-month moratorium on evictions for tenants. Landlords and tenants are encouraged to agree on a rent relief amendment and mediate before commencing with legal proceedings. This bill is important not only for what is in it but for what is not. I am concerned that agricultural leases are not covered by these measures in the proposal. Agriculture is the backbone of my electorate. It is a livelihood; it provides export income and employment from farmers to the retail sector of the business. It is also a tourism market, to provide
fresh produce and homemade goods to visitors, which we are extremely well known for. Without agriculture our regional community would struggle. It is important for agriculture to be considered and included in these decisions of commercial leasing to continue production.

The COVID-19 crisis is affecting all elements of our lives. These are challenging times we are facing as a state, a country and globally. This bill proposes changes that will support our state and somewhat ease fears of uncertainty for the future. Action must be taken to ensure operations can continue and benefit those who need it, whilst helping save lives and livelihoods. Shifts in power proposed in this bill will be closely monitored by the opposition, and adjustments will be proposed as seen fit.

Ms D’AMBROSIO (Mill Park—Minister for Energy, Environment and Climate Change, Minister for Solar Homes)

I rise to provide a contribution to the COVID-19 Omnibus (Emergency Measures) Bill 2020. Victorians have come together united around a single purpose, to slow the spread of COVID-19. We all have a lot to be proud of for what we have been able to achieve so far.

But there is much more to be done and it is certainly not over yet. Through this bill we have implemented a range of measures to protect the community, business and the economy from the coronavirus pandemic.

Under extraordinary circumstances this bill enacts a number of cross-portfolio reforms critical to support our state’s response to COVID-19. The measures in this bill are designed to better deliver critical services while effectively managing public health risks.

Some of these measures include:

• the protection of tenants through the implementation of the national cabinet tenancy reforms;
• providing up to an extra six months of WorkCover payments to long-term injured workers who are due to move off payments but are unable to due to COVID-19;
• allowing local councils to hold online meetings;
• electronically displaying planning permits;
• a number of procedural and process changes to enable the courts, corrections and wider legal system to continue to deliver vital justice services while complying with coronavirus-related restrictions; and
• flexibility to alter nurse-to-patient rations due to ‘extraordinary demand’ on services.

I would like to say a few words about our new Environment Protection Amendment Act 2018 (EPA Act), and that is that we are being realistic in deferring the commencement of the new act by 12 months. The new time frame allows businesses and industry to focus and address the immediate COVID-19 emergency that confronts them.

But I want to assure every Victorian that the Environment Protection Authority Victoria (EPA) has never been in a stronger position to hold polluters to account and to protect the environment and the community.

The EPA’s transformation is well underway. Our government has invested over $190 million to ramp up the regulator’s intelligence and compliance operations to boost the EPA’s ability to detect, prevent and respond to illegal activities and waste crime.

Some of the measures already in place include:

• the establishment of a waste crime prevention inspectorate;
• the introduction of an electronic waste tracking system; and
• the establishment of a waste crime intelligence committee with co-regulators and emergency service agencies.

Our priority during this crisis also includes supporting the waste industry so that it continues to provide an essential service to the community.

To this effect we are deferring the adjustments to the landfill levy for a period of time.

I also want to touch on a range of other actions that go to supporting Victorians. These include:

• protecting families facing economic hardship because of the coronavirus from having their gas or electricity disconnected, thanks to reforms put in place by the Victorian government; and
• under the changes no family can be disconnected if they are struggling to pay their bills. All they need to do is contact their energy company.
Our planned burning program will continue when it is safe to do so. This is a critical part of reducing bushfire risk to communities and the environment. Forest Fire Management Victoria are ensuring all planned burning and fuel reduction activities comply with the Department of Health and Human Services requirements and prioritise the safety of the community, staff and contractors as they complete this critical work to keep our communities safe now and into the future. My department and portfolio agencies have also played an important role in ensuring that the chief health officer’s requirements for maintaining community safety are met. When it has been safe to do so, access to public land for the purpose of exercise has continued. Where it has been necessary in order to maintain social distancing and protect community health, facilities such as caravan parks, camp sites, national parks and beaches have been closed or activities restricted. I know I speak for all the committees of management and agencies that manage these important public assets in saying that we look forward to Victorians once again being able to fully enjoy our beautiful natural environment.

The economic survival and jobs package announced by the Premier last month also provides rental relief for all commercial tenants in government buildings. These measures were announced alongside a temporary ban on rental evictions and rent increases, and land tax relief for landlords. Our government is determined to help small businesses keep their doors open, keep employing and keep driving the state’s economy. These are absolutely unprecedented measures—but we are facing an unprecedented crisis. As a state we must be prepared to do what we can to slow the spread of the virus—to keep our families, friends and communities safe—while also addressing its far-reaching social and economic impacts. We have a strong plan to support the community, workers and businesses, as well as the state’s economic recovery after the pandemic.

The temporary changes to Victoria’s laws will allow the health system, courts, prisons, local government and the rental market to operate during the COVID-19 pandemic. At the heart of each of these measures, though, is a singular aim: to support our state’s response to, and recovery from, COVID-19. Victoria is at its best when we are all working together and, as we saw during the bushfires, in the worst of times we are confident that we will see the best of Victorians. I commend the bill to the house.

Ms RYAN (Euroa)

When Victorians step through the doors of this place, one of the first things they see is the quote from Proverbs inscribed into the floor of the foyer: ‘Where no counsel is, the people fall, but in the multitude of counsellors there is safety’.

In these extraordinary times, the Andrews government has granted itself unprecedented powers. This includes directions which confine Victorians to their homes, prevent them from associating with other people and from moving freely. Furthermore, it has granted the police broad discretion in how these directions are enforced.

The COVID-19 Omnibus (Emergency Measures) Bill 2020, which is being debated in less than an hour and with no consultation with the wider public, makes further changes, the like of which we have never seen in this state. The suspension of jury-based trials, for example, revokes someone’s right to be tried by a jury of their peers. This principle is part of the bedrock of our legal system and has existed for centuries.

The bill also grants the government the power to bypass and override decisions of the Parliament by giving sweeping power to enact legislative changes by regulation, and it allows for these measures to continue beyond the sunsetting of this bill.

The other legislation to be passed in this very short sitting of the Parliament grants the Andrews government the ability to borrow an extra $24.5 billion in the blink of an eye. Labor has again rejected any additional oversight measures of how and where that money will be spent.
That we are being asked to pass these measures with no opportunity to consult with the public should be a cause of alarm for every single Victorian.

We recognise that extraordinary steps are needed to protect people’s lives in these very difficult times, but the fact that they are so very extraordinary makes it all the more necessary for appropriate accountability and rigorous checks and balances to be put in place.

In a few short weeks we have seen the Premier and his government begin the process of progressively dismantling the very structures which scaffold our democracy. That must not be left unchallenged.

Labor says that the Public Accounts and Estimates Committee—a committee which it controls—is an appropriate mechanism to oversight these extraordinary and unprecedented powers.

This is in direct contrast to what is occurring in other states and other jurisdictions, including both the federal and New Zealand parliaments, where genuine oversight committees with a non-government chair and a non-government majority have been put in place.

This approach was adopted by the federal government after six judges, including former High Court Justice Mary Gaudron, suggested Canberra adopt New Zealand’s approach of setting up an all-party select committee of Parliament to scrutinise the government’s responses to the pandemic.

I am gravely concerned by the Premier’s flat refusal to establish such a committee and his dogged rejection of the checks and balances necessary to make the government and the executive accountable to the people.

In fact, the Premier has gone even further to concentrate power in the hands of a few by sidelining many of his cabinet ministers and instead creating a gang of eight who are now charged with making all of the decisions in relation to this pandemic.

In New Zealand the committee is chaired by the opposition leader and has the power to compel witnesses, including government ministers, and subpoena documents. In New Zealand the government acknowledges this is vitally important. The Leader of the House, Chis Hipkins, has stated:

… scrutiny during this unprecedented time, when the Government is placed in the position of exercising such extraordinary powers, has never been more important.

When Mary Gaudron called for such a body to be established for the federal Parliament she said that the national cabinet:

… is fulfilling a vital national role. But the circumstances are not such as to require that its decisions are free of oversight, particularly as new and wide discretionary powers have been conferred on ministers of the Commonwealth.

The same can equally be applied to Victoria’s handling of this pandemic.

Today the Premier was asked to strengthen accountability by putting an oversight committee in place. When he turned to the opposition leader and said, ‘I’m not interested in what you think’, he was not dismissing the opposition leader; he was dismissing the thousands of people that the opposition leader represents and speaks for in the Parliament.

Anyone who thinks this is about parties or individuals is wrong. It is about preserving the voice of the people and protecting the foundations and the legal principles upon which our Parliament and our very democracy are built.

There is great danger in the precedent that is being set by the Andrews government. Even if you have supreme confidence in the small number of people in whom this power is not concentrated, what happens in the future when a future government or a future Premier relies on the precedent established to override the Parliament and elected representatives?

The unchecked power the Andrews government is handing itself poses this very real question for all of us: what happens when it is someone you do not agree with?

The construction of a totalitarian state does not happen overnight; it is an evolution. The erosion of people’s rights and the concentration of power occurs by degrees, often brought about by circumstances with a seemingly legitimate basis.

There is another old proverb, perhaps in these circumstances just as apt as that which is inscribed into the floor of this place: ‘The road to hell is paved with good intentions’. As parliamentarians we have a duty to protect the freedom and the voice of those we are elected to serve.
Ms HENNESSY (Altona—Attorney-General, Minister for Workplace Safety, Minister for the Coordination of Justice and Community Safety: COVID-19)

I rise to speak today on the COVID-19 Omnibus (Emergency Measures) Bill 2020. This is an important debate on what is, in our lifetimes, an unprecedented bill, responding to an unprecedented challenge.

It has been observed by others that the coronavirus, or COVID-19, crisis has already had a profound effect on all of us—on almost every aspect of life and society—in almost every nation, city and community on earth.

We all have a responsibility to adapt and respond to the challenges of this pandemic because the lives of others, and perhaps our own, depend on it.

For government, that responsibility is wide:

• it extends to ensuring that critical government services—the services on which our most vulnerable Victorians rely—are able to keep functioning, to keep delivering, despite the restrictions we must all observe;
• it extends to ensuring those government agencies and services are able to rise to meet extraordinary demands; and
• it extends to supporting Victorians to get through what are, for many, incredibly tough times, without being evicted from their homes or business premises.

I will focus on the important measures in this bill to ensure vital justice services are able to continue. To the greatest extent possible, the bill enables the continuation of justice services by making permissive, enabling amendments to justice acts. Those changes are detailed in chapter 3 of the bill. Courts and other agencies associated with the justice system have already made considerable modifications to their operations, in response to the measures put in place by the Chief Health Officer to respond to coronavirus.

These modifications include things like issuing practice directions to conduct more business remotely—by audiovisual link, or AVL for short, or through written submissions—rather than requiring in-person appearances.

There are, for example, limits on the extent to which they can direct court users to appear by AVL. Various acts require in-person appearances. And the consent of an accused is often required before they appear by AVL. Critically, the courts have determined they cannot reasonably compel large numbers of ordinary Victorians to gather—and potentially be exposed to risks of spreading the virus—for the purposes of jury selection and empanelment.

That means no new jury trials can commence in the coming months.

Of course delay and deferral of matters may be unavoidable in some cases—that is a reality of the situation we are in.

But wherever we can, we need to enable the justice system to keep working, so victims can see justice done, without the stress and compounded trauma of delay; so that witnesses can move on with their lives; and so that alleged offenders do not languish unnecessarily on remand.

These are impediments we must work to overcome and that is what this bill does, including by:

• extending the range of situations where AVL can be used;
• broadening the range of matters that can be dealt with ‘on the papers’;
• giving courts more flexibility to reschedule and manage proceedings and to manage the flow of people through court buildings, where necessary for health reasons, while still delivering open justice;
• allowing safer alternatives to current in-person processes for making affidavits and serving documents;
• extending time frames for registration of fines for enforcement to allow more flexibility in arranging payment; and
• extending the duration of interim family violence and personal safety intervention order extensions from the current 28 days to three months—we cannot allow these orders and the protection they provide to lapse just because papers cannot be served or hearings scheduled; this change means they will not.

The bill also makes temporary provision for criminal trials in the County and Supreme courts to be heard by a judge alone rather than in front of a jury:
Where that is in the interests of justice;
where the accused has given consent after seeking legal advice; and
where the views of the prosecution have been taken into account.

There are broadly analogous provisions applying to special hearings for those who are unfit to be tried because of mental impairment.

This is a significant measure.

But it is necessary to give courts the power to decide to proceed in this way—if it is their judgment that doing so is in the interests of justice.

I turn now to the regulation-making power in respect of justice acts.

The justice system is heavily reliant on processes and proceedings carried out in person. Many of these processes are mandated by law and face insurmountable barriers without legislative change.

While the bill addresses many of these directly, the complexity of the situation we face is such that we cannot expect that all impediments have yet become fully apparent. And we should expect that further urgent responses may be required as conditions change.

The regulation-making power acknowledges this reality.

At the same time it is vital that such a power—even a temporary one—must be tightly limited to addressing those process barriers and not permit substantive policy reforms, which should be dealt with by normal parliamentary process.

The justice regulation-making power in this bill is so limited.

It allows regulations to address process and procedural matters governed by a justice act, but it does not allow regulations to override substantive policy matters, like eligibility tests or thresholds for bail or the length of sentences to be imposed.

Examples of regulations that may be necessary include addressing legal process requirements that business or community stakeholders find they cannot realistically comply with or work around.

This might include the signing, witnessing and execution of important documents in a wide variety of settings.

They might include statutory time frames which simply cannot be met.

Regulations may also be needed to adjust processes to enable things like bail applications to be made by AVL and for compliance with court orders to be verified remotely, so that police and corrections staff, offenders and the general public are not put at risk by inflexible laws which demand travel and face-to-face contact for purposes that can be met in safer ways.

This is a significant power, and for that reason it must be balanced with effective safeguards. These include that:

- regulations can only be made on procedural and process matters, of the sort I have described;
- regulations can only be made if they are consistent with relevant chief health officer advice;
- they must be reasonable to respond to the health risks or restrictions of managing the pandemic;
- the consent of heads of jurisdiction, or heads of integrity bodies like IBAC, will be required before making regulations that affect their processes and procedures—this ensures the independence of these bodies; and
- regulations cannot override the Charter of Human Rights and Responsibilities Act 2006 and will be subject to Parliament’s usual scrutiny, including powers of disallowance.

In closing, I want to return to the important support this bill provides to Victorians who find themselves trying to return to work, after long-term injury, in the midst of the COVID-crisis.

The reality is that will be incredibly difficult in the current climate. And many will be ineligible for the commonwealth’s JobKeeper payment because they are no longer employees.

We do not want to see these vulnerable workers cut off from WorkCover, which may be the only financial support they have in the current environment.

That is why this bill extends the payment termination notice period for these workers from the current 13 weeks to 39 weeks, backdated to 1 December 2019.

In effect these changes mean workers who would have seen their payments end from March, just as the worst impacts of coronavirus began to hit, will be supported for up to another six months to get through this crisis while they seek work.
These are important measures, and it is my sincere hope that this Parliament will be able to join together to pass them expeditiously into law.

They are not measures that reflect a partisan policy agenda. The Andrews Labor government has a strong policy agenda, of course, and it looks forward to pursuing that once Parliament is able to resume its normal operation.

But this is not such a bill. This is an emergency measure, which implements temporary measures, sunsetting after six months, to enable, so far as we can, life for Victorians to continue, despite these extraordinary and challenging times.

Mr BLACKWOOD (Narracan)

COVID-19 is fundamentally changing the way we operate as a community, and that has had a direct flow-on effect to the way we operate as parliamentarians in representing our community.

Importantly, we have not stopped representing our community; we have simply changed the way in which we do it.

Parliamentarians can operate in a safe way, working within the bounds of social distancing, reduced member attendances and teleconferenced meetings, to help fight COVID-19 while at the same time providing the representation our community expects of us.

That includes representing them here in the Parliament and in the course of debate on legislation that will impact their lives today and for years to come.

While the COVID-19 Omnibus (Emergency Measures) Bill 2020 will be a temporary act, it will have long-lasting implications for Victorians and is being delivered by the Andrews government with minimal time for scrutiny, for debate and for review.

I acknowledge this is a dynamic situation. COVID-19 is like nothing we have seen in our lifetimes, but that does not mean we should forgo proper scrutiny and explanation to our electorates of what this bill is and the powers it affords individual ministers over the course of its enactment.

This bill was only received by Liberal-National coalition members late on Monday, 20 April, less than 72 hours before it was to be debated—296 pages of complex, sweeping changes, with minimal time to review and no time to consult with our communities or relevant business bodies set to be impacted by these changes.

I am pleased that the Andrews government now has responded to calls from the Liberal-National coalition to set a return date for state Parliament, because it is vital we continue to represent their concerns on not just issues of COVID-19 and this omnibus bill but also ongoing government services, including funding for health, education, road and rail infrastructure and more.

While COVID-19 is the issue of the day today, our communities in many ways go on and expect the state government to continue to invest in these vital projects and regular service delivery so that when the crisis is over we can begin to return to an as-normal life as quickly as possible.

The Andrews government has said this week it wants shovel-ready projects ready to be delivered as we come out of this crisis, and Gippsland has them ready and waiting.

A new West Gippsland Hospital located between Drouin and Warragul on the greenfield site—feasibility study and business case completed. Supporting a new hospital on the greenfield site—with our population predicted to hit well over 100,000 by 2035—is an absolutely essential project. The Andrews government cannot continue to insult our community, ignore the enormous pressure our hospital staff and management are dealing with and potentially put lives at risk.

We need a dedicated line between Gippsland and Melbourne to improve V/Line reliability, punctuality and service delivery.

The duplication of track between Longwarry and Bunyip was funded by the federal government back in 2016 but still has not been delivered by the Andrews government.

These are all projects that are ready and just waiting for funding to get underway. They deliver jobs, improve connectivity to the region and deliver service improvements where we need them most, in health care and public transport.

It is a no-brainer.

One of the major changes in this bill the Andrews government has been unable or unwilling to explain is the changes to our courts and tribunals and why many existing pieces of legislation are not being used to facilitate these changes.
It is also important that many of the changes in this portion of the bill are temporary. While I recognise trials with a jury are simply not possible at this time, we cannot have a situation where judge-alone criminal trials become an ongoing fixture post COVID-19. Peer review justice is a vital part of our state, and we should protect its involvement in our justice system.

This absolutely must remain a short-term-only measure. This fundamental principle of our legal system must return—and as soon as it is safe to do so.

The bill lays out extraordinary powers for the Attorney-General, and I am concerned about the definitions of how and when these powers can be exercised, essentially at the discretion of the minister so long as the government can contest they are done so in the public interest.

Additionally, there are concerns relating to the corrections and youth justice aspects of the COVID-19 omnibus bill.

The bill delivers significant powers to the Secretary of the Department of Justice and Community Safety, to prison governors and to prison officers.

It has wide-reaching implications on the management of prison infrastructure, prisoner movement and medical treatment also.

The legislation lays out that Corrections Victoria prison officers are empowered to ‘do anything necessary’ to give effect to an order in relation to mandatory quarantine of prisoners entering Corrections Victoria custody.

This term is very different to what we would normally see in bills, such as ‘reasonable force’ or ‘reasonable action’. The definitions here are very broad, and it is very concerning to see the language defined to allow for such actions.

Additionally, the ability for medical assessment relies on the prisoner providing informed consent, potentially placing at risk the health of staff and other inmates where a prisoner showing symptoms of COVID-19 may refuse to be tested for it.

While on one hand the legislation appears to be too harsh when it comes to ‘do anything necessary’ to enforce mandatory quarantine, you have the opposite here, where an inmate can simply refuse testing due to not providing informed consent and spread the COVID-19 virus.

Community safety is vital during COVID-19, and that extends to our prison communities too.

For many Victorians a moratorium on residential tenancy evictions has been a welcome announcement, and while the Andrews government has lagged in delivering legislation for those protections it is pleasing to see it now late rather than never appearing at all.

The bill does give certainty now to those who have been waiting to see the detail. It provides protections through VCAT, suspends rental increases, stops blacklisting of tenants for non-payment and ensures a roof over a tenant’s head during these very difficult times.

These were all key concerns that were raised with my office in the days following the COVID-19 outbreak here in Victoria, when the subsequent lockdowns and the closed businesses essentially shut down income for tens of thousands.

What I am concerned about is the impact these changes will have on those who rely on rental properties for their income.

While landlords through the support of their lending services may be able to defer payments or access land tax relief through the state government, that may not be enough for some, depending on the properties they own and their other income streams.

The state government must do everything it can to support those landlords who will face challenging times not just during COVID-19 but as we begin to plot a path out of the pandemic.

That might mean greater clarity in these residential tenancy arrangements as we near the closing date of the legislation or in the meantime more support for those landlords who face their own income difficulties with tenants who through no fault of their own are unable to pay their usual rent.

One area that I know will be a welcome change for many is the reform to the Local Government Act 1989 by reforming meeting requirements to allow greater use of digital communications.

I have been speaking regularly with local councillors who have been frustrated at how slow the Andrews government has been to act here to support councillors, council staff and executives with changes to meeting arrangements.
While the Andrews government had seen fit to suspend its own sittings to ensure the health and wellbeing of members of the state Parliament, local governments and elected councillors were left to continue face-to-face meetings to meet the legislative requirements.

This change should have been made weeks ago when the Victorian government sittings were suspended. Ultimately COVID-19 provides the most unique challenge our state may ever face, except for war, yet the two seem very closely aligned when viewing this bill.

The COVID-19 Omnibus (Emergency Measures) Bill 2020 must remain temporary and must be given ongoing review and scrutiny not just by members of this Parliament but also by the wider Victorian community.

It will be vital as we move past the pandemic and communities begin to open up again that we ensure the rights and liberties of individuals are protected and we return functions altered by this bill back to their normal state as early as possible.

We must ensure that many of these measures, as the bill title states, are emergency and therefore temporary in operation.

There are positive measures here for renters, for local governments and for many areas of our community, and I will continue to engage with my community as the bill comes into operation to ensure it is achieving the aims set out for it and, where appropriate, ensure that the Andrews Labor government is not using the legislation to overreach its intended purpose.

Mr CARROLL (Niddrie—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support)

I rise to make this contribution in support of the COVID-19 Omnibus (Emergency Measures) Bill 2020. The COVID-19 pandemic is the most significant challenge our state has faced in generations. This virus has spread throughout the world at a frightening pace. It has overwhelmed health systems, taken tens of thousands of lives and had a profound impact on our way of life.

Recognising the unprecedented threat posed by COVID-19, the Victorian government has acted decisively to protect the lives of our citizens. We have enacted unprecedented measures to flatten the curve in order to protect our health system and to support the Victorian economy to survive the unprecedented disruption the virus is causing.

The COVID-19 bill proposes a broad range of urgent measures with the singular aim of protecting Victorians from the threat of this global pandemic and allowing essential services to continue. Included among these are measures focused on responding to COVID-19 in the justice system.

There is a legal maxim that says that justice delayed is justice denied. This bill ensures that our justice system continues to function throughout the COVID-19 pandemic. In doing so it supports victims of crime by ensuring that justice can continue to be served. More specifically there are a number of initiatives in the bill that directly benefit victims of crime. In parallel with the expansion of the use of the use of audiovisual technology in the courts, we have preserved the right for victims to give their views on audiovisual applications including through submissions via audiovisual links. Amendments will also allow audiovisual links and audio to conduct ground rules hearings. Ground rules hearings establish rules that support witnesses who are children or adults with cognitive impairments through a criminal proceeding. They require several people in attendance, which would not be possible physically under social distancing rules.

These changes will complement existing operational measures that have been put in place to support victims of crime during this period. The Victims of Crime Helpline is continuing to offer its full suite of services with staff now working from home, and our range of other victims programs delivered in partnership with community groups continue their important work, albeit through new ways of remote working to comply with social distancing rules.

Custodial environments are challenging places even at the best of times. The COVID-19 pandemic has presented particular risks to prisons and youth justice facilities and challenges for the professionals who operate them. The inherent close contact and limited movement and space in these environments means the risk of transmission of communicable illness and disease is markedly higher, particularly for vulnerable cohorts. Worldwide we have seen outbreaks of COVID-19 in a number of prison systems, with deaths among prisoners and staff. We have also seen prison systems experience significant unrest as a result of COVID-19 measures.

I am pleased to be able to report that at present there are no confirmed cases in either the prison or the youth justice system. This is a testament to the hard work and dedication of Corrections Victoria and youth justice staff right across Victoria. They are crucial frontline workers who are doing work that is incredibly
challenging, and I would like to put on the record in this house of Parliament my gratitude and recognition of their daily efforts in keeping our prison and youth justice systems—and the Victorian community—safe. I am very proud of them.

Over recent months the leadership and staff of our prison and youth justice systems have acted quickly to implement a range of measures to manage the risk of COVID-19 in the corrections system. We have taken a public health approach and our measures have been informed by medical and other expert advice. Personal visits and non-essential professional visits across corrections and youth justice have been suspended. This is not a decision we made lightly, given the impact on prisoners and their friends and families and the importance of pro-social connections. We are increasing the use of phones and other audiovisual technology to support the continued delivery of programs and visits. Staff have been provided with personal protective equipment, measures to comply with social distancing have been put in place and enhanced cleaning of custodial and youth justice facilities has been put in place. We are screening everyone who enters prisons and youth justice centres, including temperature testing. Quarantining of individuals with COVID-like symptoms is also taking place. In the adult corrections system all new prisoners have been completing a 14-day protective quarantine period. For individuals in quarantine a range of supports to continue to deliver health and other programs are in place. The corrections commissioner has also confirmed that the power to award emergency management days will be utilised in response to COVID-19. Emergency management days are a privilege, not a right, and we passed laws last year to ensure anyone who is involved in a disturbance that creates an emergency gives up the privilege to be considered for any future emergency management days. There is a long history of emergency management days being applied under governments on both sides of politics.

This bill codifies some of these existing measures as we continue to apply them as part of our system-wide response, and it also provides additional tools necessary to continue to prevent, detect and mitigate the risk of COVID-19 to the prison and youth justice systems. This bill strikes the right balance between ensuring all the necessary tools are available for management of this risk, while being a reasonable and proportionate response in line with community expectations. All of these changes will sunset in six months, reflecting the emergency nature of the bill.

Turning specifically to adult corrections, the bill provides the tools necessary to prevent, detect and mitigate the risk of COVID-19 to our prison system. It codifies the restrictions on prison visits and provides for alternative arrangements to be put in place to maintain family and community ties for the offender—for example, through telephone calls and video calls. Some professional visits, such as meeting with lawyers, have been permitted, however, measures have been put in place to ensure that there is no physical contact or that appropriate distancing is maintained.

This bill formalises in legislation the operation of protective quarantine units. Corrections Victoria has established protective quarantine units across the five prisons that receive new prisoners into custody—Melbourne Assessment Prison, Metropolitan Remand Centre, Port Phillip Prison, Ravenhall Correctional Centre and our flagship women’s prison, the Dame Phyllis Frost Centre. The bill includes requirements around the observations of prisoners in these units, and in addition to this they are being supported with access to phone calls, video visits, books, education materials, and health and support services. This includes Aboriginal liaison officers and specialist mental health services.

The bill will also provide additional quarantine and lockdown powers to address the COVID-19 risk. Should the risk of COVID-19 increase or in the event of a suspected case or a case of transmission, a prison, more than one prison, or all prisons, may be locked down. In exercising these powers, decision-makers must have regard to the safety, protection and welfare of prisoners and others, and they must also consider health advice.

The bill formalises arrangements to enable medical examination, assessment, testing and treatment for the purposes of preventing, detecting or mitigating the risks of COVID-19. It is expected that treatment will usually continue to be conducted on prison premises. Work has taken place to ensure we have the capability to manage any COVID-19 cases within prisons. However, the bill does allow prisoners to be transferred to hospital or other medical facilities. This is expected to occur in only serious cases of a COVID-19 risk, a suspected or detected case. Prisoners retain the right to consent to treatment under this provision, but should treatment be refused the other powers in the bill providing for isolation and quarantine could be used to manage any risks they might pose.

This bill will also make amendments to ensure the youth justice custodial facilities continue to function despite the COVID-19 pandemic. This bill will allow the issuing of quarantine directions in youth justice custodial facilities to enable the testing, treatment and care and quarantine of prisoners and clients during the pandemic. There is a 14-day limit to each order under this provision. There are a range of other safeguards in place should these directions be utilised, including that young people receive medical and mental health support and treatment and are observed at least every 15 minutes while in isolation. The bill also requires that young people have at least daily access to the outdoors, as well as other entitlements they would normally receive in custody.
In addition to prisons and youth justice facilities, our staff in community corrections and the Youth Justice Community Support Service have continued their important work supervising offenders on court orders. I want to again place on the record my admiration for the work that our staff in these services perform. Individuals subject to court, parole and other supervision orders must continue to comply with the conditions of these orders. However, consistent with physical distancing requirements and in order to protect the health and safety of staff, measures have been put in place to modify how supervision and appointments are being conducted. The bill will support this by enabling remote attendance and reporting for youth justice community orders, making amendments to allow pre-sentence reports to be provided in a verbal format, and changing the service requirements for documents. Importantly the bill supports the ability to supervise offenders on community correction orders by providing that the Magistrates Court can impose electronic monitoring as a condition on these orders. The Country Court and Supreme Court were given the power to impose electronic monitoring conditions on CCOs under changes made by the previous coalition government.

Before I conclude on this unusual sitting day and unique bill, as a justice minister I wish to put on record my sadness at the tragic loss of life of four police officers last night in the line of duty on the Eastern Freeway. My thoughts are with their families, friends, loved ones and colleagues. In this terrible time and during this pandemic last night’s tragedy is an important reminder of the work of our frontline emergency services and frontline staff, who risk their lives to keep every single member of our community safe day in, day out. I pause and thank each and every one of them.

Finally, I conclude my contribution with a note of hope. Despite the unprecedented challenges posed by COVID-19, we have seen individuals, communities, organisations and government come together to find solutions and ensure the most vulnerable are supported. I have this in my local community and electorate of Niddrie but also across the portfolios that I am responsible for. We have utilised technology to ensure that vital services for victims of crime continue to get the support they need, and across corrections and youth justice we are finding new ways to ensure that services that keep the community safe continue to run. We have seen our staff across the Department of Justice and Community Safety, our many service delivery partners and individuals across the community go above and beyond in the most difficult of circumstances.

Their actions, like this bill, will allow us to slow the spread—and save lives.

I commend the bill to the house.

Mr BURGESS (Hastings)

I rise to support the amendment proposed by the Leader of the Opposition, the member for Malvern, to the COVID-19 Omnibus (Emergency Measures) Bill 2020, which is in the following terms:

Clause 57, page 283, after line 15 insert—

“54A Sub-committee of the Public Accounts and Estimates Committee for matters concerning the COVID-19 pandemic

(1) If the Public Accounts and Estimates Committee is referred a matter relating to the COVID-19 pandemic, the Public Accounts and Estimates Committee must appoint a sub-committee for the purposes of inquiring into, considering and reporting to the Parliament on that matter.

(2) The majority of members appointed to a sub-committee referred to in subsection (1) must not be members of the political party forming the Government.

(3) The chairperson of a sub-committee referred to in subsection (1) must not be a member of the political party forming the Government.

(4) A report of a subcommittee referred to in subsection (1) is taken to be a report adopted by the Public Accounts and Estimates Committee for the purposes of sections 35 to 37A.

Note

A report taken to be adopted by the Public Accounts and Estimates Committee under subsection (4) must be laid before each House of the Parliament in accordance with section 35(1).

(5) In this section—

political party has the same meaning as in the Electoral Act 2002.

Note

Division 3 of Part 3 applies to a sub-committee appointed under this section.”.
The Andrews Labor government must urgently establish a subcommittee of the Public Accounts and Estimates Committee (PAEC) that is not dominated by government MPs to ensure independent scrutiny of its spending.

As it seeks to borrow an extra $24.5 billion, on top of the frightening level of debt it has already accumulated over the last three years, the Andrews government has been loath to provide any real detail of where it will be spent.

While there is no doubt that we are in extraordinary times, with significant uncertainty ahead, these are reasons for more scrutiny, not less.

In Victoria the Public Accounts and Estimates Committee was established many years ago to undertake the crucial role of an independent watchdog over government expenditure.

Today, however, PAEC has been neutered by the Andrews government’s stacking of it with its own MPs. This situation has been carefully constructed by the Premier and the Treasurer as yet another means of escaping the scrutiny of their spending by Victorians. There are currently five government members on PAEC, with just three coalition members and one member of the Greens.

On the Parliament of Victoria website under ‘Committees’ the intended function of PAEC is summarised in the following way:

On behalf of the Parliament, the Public Accounts and Estimates Committee examines public administration and finances to improve outcomes for the Victorian community.

Regrettably this is no longer the case in Victoria, as Labor-dominated PAEC regularly uses its numbers to avoid public scrutiny and accountability. The very fact that this situation has been so deliberately orchestrated by the Andrews government, in stark contrast to PAEC’s intended purpose, is reason for great suspicion regarding its motives.

Victoria’s economy was already suffering effects common with all Labor governments following project after project bungled, over budget and delayed, and state debt rapidly rising out of control.

This government does not feel any need to account to Victorians for how it is spending their money and has been happy to avoid any real scrutiny by any means available.

At this crucial time in Victoria’s history, at such a pivotal point in the economic fortunes of our state, there has never been a more important time for scrutiny of how and why Victorian taxpayers money is spent.

Importantly, other states have established independent review bodies to scrutinise public spending, and the Australian government has recently set up a bipartisan committee to do exactly that.

Without PAEC being able to operate as the independent watchdog, Victorians can be rightly very suspicious that the $24.5 billion will be used to backfill the huge losses that the state has already incurred on the Andrews government’s bungled, over-time and over-budget projects.

Having a Labor committee scrutinise a Labor government—you may as well ask the Premier to mark his own homework. That is not accountability and that is not oversight. Victorians deserve better than this. We have an arrogant Premier exercising unprecedented powers, and it is incumbent on him to return the mechanisms of scrutiny that have protected our state in the past.

Never has a state government had so much unfettered power over the lives of its residents. There must be independent scrutiny in place to ensure the Andrews government remains accountable to the public.

Mr DIMOPOULOS (Oakleigh)

I am very proud to contribute to the COVID-19 Omnibus (Emergency Measures) Bill 2020.

This bill is another strong showing of leadership by the Andrews government and its considered, appropriate and evolving response to the coronavirus pandemic.

Before I begin my contribution, I would like to take a moment to pay my respects on behalf of my community to the four police officers tragically killed on the Eastern Freeway on Wednesday evening. As the Premier said, they are heroes. In fact every police officer, every emergency worker, puts their life on the line every single time they put on the uniform. They do this for us. They do this for every one of us in our community.

That is what these officers were doing on Wednesday; protecting us, to make sure we get to go home safely at night—something which I am very sorry to say they were unable to do. I offer my deepest and heartfelt sympathy to their families and to every one of the large Victoria Police family and to all our first responders. They will not be forgotten. May they rest in peace.
The scope and breadth of the areas that the bill covers is quite incredible, and from the outset I want to acknowledge the significant amount of work that has gone into this bill that allows the government to be as adequately prepared as possible to continue to rapidly respond to the coronavirus crisis.

Congratulations to the Premier, his office and the Department of Premier and Cabinet in coordinating this crucial bill across the spectrum of government services, departments, legislation and regulations. It is no small feat.

The bill’s impacts extend from the operation of courts and procedural management of the justice system to planning, tenancies and local government.

Given my role as Parliamentary Secretary to the Treasurer I am going to focus my remarks on the important role the government has in guiding our economy through this crisis. Specifically I will direct my contribution towards the regulations around temporary modifications to laws relating to retail leases and non-retail commercial leases and licences.

As the Treasurer acknowledges, the Victorian economy is facing an unprecedented challenge and the impact of necessary social distancing measures will impact on the economy’s strength.

This is why measures like this bill will provide necessary guidance and support for communities and businesses across Victoria, to ensure our government and our public sector services are able to best support Victorians to get through to the other side of this crisis.

It goes without saying that 2020 has been a difficult and upsetting year—before the coronavirus crisis Victoria had one of its worst summers for bushfires.

Now the Victorian community is again dealing with an unprecedented health and economic crisis. The government is doing what it can to support businesses, many of which have reduced patronage and need to maintain cashflow to stay afloat.

This is the intention behind the $1.7 billion economic survival package, which has seen more than $440 million in payroll tax refunds being paid out to over 17 000 small- and medium-sized businesses. More than $110 million in businesses support grants has been paid, $2 billion in accelerated payments for government invoices has also been paid and, as of now, over 2000 people have been supported through the Working for Victoria Fund to get back to work.

We have also provided liquor licence refunds and waivers to more than 20 000 pubs, clubs, restaurants and cafes, which make up such an integral part of Victoria’s, and particularly Melbourne’s, vibrant social fabric. And we have provided around $100 million in rent relief for commercial tenants in government buildings.

I want to acknowledge that we have announced a $500 million package to support tenants and landlords—a critical relationship that is symbiotic and such a crucial element of long-term economic and social recovery. This support includes a temporary ban on evictions, pauses in rental increases for six months and $420 million in land tax relief for landlords that agree to rent relief for tenants experiencing financial hardship.

The bill allows for regulations relating to agreements under the Retail Leases Act 2003 and the Property Law Act 1958 to provide relief to commercial tenants experiencing financial hardship due to the coronavirus pandemic. I think this is one of the most crucial and important changes this bill delivers for businesses that are often the lifeline of towns and suburbs across the state and in my own community in Oakleigh.

I was a small business owner, and I know that the relationship between landlord and tenant in a commercial lease is often the most critical for any successful business. Rent is often your highest fixed cost along with staff wages, and when you have limited patronage due to no fault of your own, as is currently the case for many businesses across the country, the cashflow impost of rent could ruin an otherwise successful business. This is a huge challenge, particularly for businesses in hospitality and retail.

The bill creates provision for regulations that allow for the national cabinet’s mandatory code of conduct principles to be implemented in eligible commercial leases across Victoria. All states and territories have committed to implementing the code. It is a remarkable show of national unity to support small businesses and jobs in this way, and I am proud the Andrews government is enacting the changes necessary to see it come to fruition. In terms of tenancy arrangements, our initiatives are the most comprehensive and generous of all states and territories.

Businesses will have to have an annual turnover of less than $50 million and be an employer who qualifies for and participates in the JobKeeper program. An eligible lease is a retail lease or a non-retail commercial lease or licence of such a business. Some of the benefits of the changes for eligible leases include prohibition of lease termination, prohibition of recovery of possession of the premises by the landlord and imposing obligations on landlords and tenants to negotiate lease amendments. These are sweeping but necessary changes that demonstrate what can be achieved in a bipartisan and politically selfless way by governments that act in the collective interest of the nation.
With all that the Andrews government is doing to get the Victorian community through these difficult times, this bill is appropriate, proportionate and needed to address the unprecedented challenges we are facing. There is nothing controversial about the fact that the challenges for government the coronavirus creates are like nothing we have faced in our lifetimes.

The one thing that is controversial is the Victorian opposition’s continued focus on itself, its shameless attacks on public servants courageously doing their jobs and its obsession with golf rather than the long-term health and prosperity of Victorians. As the Premier said earlier this week:

Many world leaders, in jobs like I’ve got, wish they were having a debate about golf. They’re not. They’re having a debate about where the temporary morgues will go.

Our frontline healthcare staff and essential workers in our shops, schools and transport system are doing an amazing job keeping us safe. Victorians are stoically doing their bit to contribute to lessening the impact of this virus on our communities and the most vulnerable in our community. This collective responsibility by our community is truly remarkable, and it is not in spite of government action but because of it. The past few weeks we truly have seen some of the best in Victorians, along with some of the worst in the Victorian opposition.

Instead of offering constructive insights and demonstrating a willingness to work with the government to respond to the crisis, some in the opposition, though it should be said not all, have shown a systemic disregard and wilful blindness about the scale and breadth of the issues Victoria is facing.

If you are not willing to work with the government, you have to make yourself heard somehow. The member for Kew had a particularly unkind word for a group of Victorians who returned from Aspen—potentially some of the member for Malvern’s constituents. All I will say on that remark, is it takes one to know one.

But the member for Kew did not finish there, because when it comes to disgraceful profanity-laden attacks he left his best until last, attacking the chief health officer. The Age reported on 20 April that pollsters had told Liberal MPs that attacking public officials would be seen by voters as ‘ill-disciplined and opportunistic’. Here is a tip for the member for Kew: you do not need pollsters to tell you not to attack public servants doing their job, you need common sense and an iota of decency to know it is entirely inappropriate.

The Premier should be commended and congratulated on his deliberate, clear and thoughtful leadership during this crisis. I am sure I am not alone when I say I am glad he is at the helm during this difficult time. It is governments and communities working together collectively, cooperatively like the national cabinet, and the Prime Minister’s leadership, the Premier’s leadership and collective responsibly that is getting us through this crisis.

I commend the bill to the house.

Ms VALLENCE (Evelyn)

I wish to make a contribution to the COVID-19 Omnibus (Emergency Measures) Bill 2020, a bill which seeks to temporarily amend certain acts, and temporarily empower the making of certain regulations, to modify Victorian law for the purpose of responding to the coronavirus pandemic, a global pandemic which is having a profound impact on our community and our state, on our health services and on the economy. The impacts have been felt immediately and unfortunately will continue to be felt for quite some time to come. It is why in this Parliament, and as elected representatives of our communities, it is our duty to work extra hard and work together to do everything we can to ensure Victorians and Victoria get through this.

There are over 1300 Victorians who have contracted the virus. Tragically, there are 16 Victorians and 75 Australians who have died as a result of the virus. To their families, I wish to convey my deepest sympathies.

There are tens of thousands more Victorians who will suffer financial hardship as a result of the restrictions on movement and on trade that were imposed on our daily lives to stop the spread of the virus. People have lost jobs, and people’s businesses have been devastated. Current estimates are that 6.8 per cent of Victorian workers have lost their job because of this pandemic, and it has been forecast that at its peak up to 400 000 Victorians will be jobless.

I would like to take the opportunity to thank everyone in our community and across Victoria for the effort and sacrifices being made. I particularly want to pay tribute to our emergency services workers, nurses, doctors, paramedics and medical researchers. We are indebted to them for their courage and service.

The omnibus bill before us has been brought forward during this emergency sitting of the Victorian Parliament, but this has been done with haste.

As outlined, we are experiencing extraordinary times and a health and economic crisis of immense proportions. Yet the government have unfortunately failed to work together on developing emergency
measures that will be sufficiently robust to ensure Victoria is best placed to get through this crisis and that no Victorian misses out. The government has unfortunately failed on process by only providing the details of this bill, over 300 pages long, to non-government members and the community just a few days ago, and this means that there has been no time for adequate scrutiny to ensure the measures included are sufficient and that all aspects of our community and economy are covered. There has been no time for meaningful community consultation or stakeholder consultation. The bill arguably goes too far in providing the government with extraordinary and unchecked regulatory power. And the bill does not go far enough to help Victorians that are in great need and are experiencing extremely difficult times and financial distress as a result of this virus.

By driving the budget into deficit, by overseeing multibillion-dollar cost blowouts of over $25 billion on major projects, by being the highest taxing state in the country and taxing Victorian families and businesses beyond reasonable limits—all before the devastating impacts of the coronavirus crisis—the Andrews government has left Victoria exposed at a crucial time.

As Shadow Minister for Environment and Climate Change I will refer, in particular, to part 5.2 of the bill, which deals with environment protection—a curious inclusion in this omnibus bill.

This measure seeks to delay the commencement of the Environment Protection Amendment Act 2018, to change the commencement date of the majority of the provisions of the act from 1 July 2020 to 1 December 2021 or an earlier date by proclamation. The Environment Protection Act 1970 would therefore continue to apply.

You have no dispute from me and the Victorian Liberal-Nationals that a strong environment protection system is important for Victoria—indeed it was a Liberal government, the Bolte government, that introduced this first environment protection act in 1970. Nevertheless it was the Andrews Labor government two years ago that urgently, and just months before the 2018 election, sought to implement reforms as part of their response to the independent inquiry into the Environment Protection Authority Victoria (EPA) and legislate new environment protection laws with the Environment Protection Amendment Act 2018. The main provisions in the act were to include the introduction of a general environmental duty as a new legal obligation on persons conducting activities that may risk pollution or waste as part of the preventative regulatory model, and new third-party rights to seek civil remedies for breaches of the environment protection law.

Indeed there were many flaws and concerning aspects of this 2018 bill, particularly on the third-party rights. However, the government failed to address these concerns. Minister D’Ambrosio in a media release on 22 August 2018 stated the act was ‘world-leading environment protection for Victoria’. But was it really? With an initial implementation date of almost two years to 1 July 2020, the government in this omnibus bill is seeking to delay its operation by a further 18 months—that would make it three and a half years before implementation.

Again in the minister’s media release of 22 August 2018, she stated that the introduction of this act:

… means environment protection in Victoria will no longer be a waiting game …

But with this omnibus bill before us seeking a further 18-month delay, it will be just that: a waiting game.

It is not entirely clear how the coronavirus pandemic is the reason behind the inclusion of this measure in this emergency measures bill, but perhaps the government has not done the requisite work, or has run out of money, to expedite its regulatory framework and due to the poor position of the budget going into this coronavirus crisis the government is looking for areas to save or redirect money.

Certainly in looking at part 5.2 of this bill, it warrants a closer inspection as to why the Andrews government really needs three and a half years to implement it. Two years ago the minister was stating that the new Environment Protection Amendment Act 2018 will be a ‘boost for businesses’. But was it really? Two years after the bill was passed, and only three months before the regulation was meant to come into effect, the government has done a backflip from this being ‘business boosting’ to confirming the new framework will cause significant costs to business. Indeed, the government said in the bill briefing on this omnibus bill, a further 18-month delay recognises that ‘businesses are not well placed to take on new costs, and the delay will allow businesses and duty holders more time to be able to make the necessary significant changes to meet the new compliance obligations’.

Victorians care deeply about protecting our environment and are rightly asking: what, after two years, have the government and its agency the EPA done to assist industry and to assist businesses to enable them to meet the requirements of the new law that they said would better protect the environment.

Let me be unequivocally clear: I fully recognise the severe impacts of the coronavirus pandemic on the Victorian economy and on businesses and jobs and that an additional regulatory burden—that was flawed in the first place—will add costs to businesses right now that they can do without as they try and survive the coronavirus crisis. So we are not opposing this measure to delay. However, dealing with the coronavirus
Mr McGregor (Broadmeadows)

Catastrophic events change politics. An invisible virus has grown into a pandemic monster. COVID-19 is a scourge without cure, infecting people and laying waste to jobs by the millions, forcing the global economy onto life support. This brave new world has produced a unique event in Victoria’s history.

State Parliament’s emergency sitting today is to pass legislation to allow the Andrews government to potentially borrow up to $24.5 billion to save lives and livelihoods.

Historical context matters. Victoria’s 1850s gold rush underwrote the Marvellous Melbourne era and this imposing building at the top of Spring Street was home to the first Australian Parliament in 1901. An adolescent nation’s concerns about conscription and Australians fighting in the First World War, land booms and financial busts were robustly debated in these chambers of classical Roman design.

When the influenza pandemic of 1919 killed more people than the so-called war to end all wars, the Victorian Parliament was sitting nearby at the Royal Exhibition Building, ominously converted into a makeshift hospital to accommodate the growing number of patients.

To avoid the spread of coronavirus, which is proving more mysterious, elusive and fatal than the flu, the number of MPs sitting in each chamber today has been significantly curtailed. The symbolic corridor of power between chambers is bereft of the hubbub of a normal parliamentary day.

Former prime ministers and constitutional combatants Gough Whitlam and Malcolm Fraser once formed a unity ticket supporting Australia becoming a republic and their campaign speeches filled Queen’s Hall. Gough tugged his forelock, bowed and mischievously declared ‘Ma’am’ in deference to the cold, marble statue of Queen Victoria. Parliamentary guides tell of Her Majesty’s disapproval of her portrayal, reportedly banished to the Antipodes, a historic precursor to social distancing.

To comply with contemporary social distancing requirements, I have written this contribution on an iPhone and submitted it remotely via email. It feels bizarre to make contributions on such important and historic events in silence, instead of standing in Parliament and delivering them with full-throated conviction.

The heartbreaking news overnight of the worst loss of life in the history of Victoria Police has cast a shadow of grief over today’s sitting, a chilling reminder of the risks our first responders and essential workers take in protecting the community, not just in crisis, but even in seemingly mundane shifts.

The Treasurer was blunt. The economy will get worse before it gets better and there may be up to 270 000 jobs lost in Victoria, he told question time. His blueprint for recovery, once the coronavirus has been controlled and suppressed, also addresses the impact of Australia’s unprecedented bushfires, as we grapple with responses to back-to-back existential threats.

Victoria’s priorities declare that unprecedented times require unprecedented action. The Treasurer has outlined the health and welfare of the Victorian people first and to restore the economy afterwards. Previous
budget parameters must change to confront these new challenges. Debt needs to be increased, as is the case for governments around the world. We are comparatively well placed to deal with increased debt.

Victoria was in a strong position before the coronavirus, projecting a surplus for the 2019–20 budget year, and our AAA credit rating was affirmed by international agencies Moody’s and Standard & Poor’s. This means Victoria is in a strong position to take the action needed to get us through this once-in-a-century catastrophe.

Governments at the federal, state and territory levels have delayed their budgets this year due to the uncertainty. The situation is too volatile to develop reasonable estimates for a budget. It is unclear what will happen to the economy and expected revenue in the coming months. Demands on the budget for the health and economic emergencies continue to evolve.

For many people’s lives and livelihoods, the immediate future will be traumatic.

In summary, this legislation provides another six months of funding at 2019–20 levels, plus 2.5 per cent indexation and the annual capital appropriation. Its purpose is to provide the government with authority for crisis management and to keep the usual business of government operating. Extra flexible funding will be provided for a direct response to the coronavirus and the economic recovery.

The amounts reflect the severity of the compounding crises: $10 billion in 2019–20 and $14.5 billion in 2020–21. These are not estimates of the expenses Victoria will need to meet; we are not in a position to make that estimate, according to the Treasurer. Such amounts are safeguards to ensure the Victorian government can respond quickly and at scale. The world has witnessed how fast and unpredictably this pandemic has spread, so the government needs to ensure Victorians are supported as the danger unfolds.

Victoria’s approach matches the Australian government’s strategy. Their supply bill earlier this year included a $40 billion fund for such contingencies. I support the strategy to go hard and go early against a fatal, virulent virus without a vaccine.

Death clarifies. The fault lines in societies and the fragility of existence have been exposed across the world. Deaths are mounting. Recession is coming. Depression is feared. When time is critical, a staggering price is paid in lives and treasure for delays. Evidence trumps dogma. Scientific disbelief has finally been suspended amid unprecedented peacetime investments being legislated and lockdowns enforced.

Victoria has already made significant investments to support our health system, businesses and households to continue while activity necessarily slows to prevent the spread of the virus. Such initiatives feature:

- an additional $437 million to the health system for extra beds and equipment, extra funding for emergency departments and intensive care units, additional resourcing for pandemic containment and support for workforce continuity;
- a $1.7 billion economic survival and jobs package, which includes payroll tax refunds ($550 million), a Business Support Fund ($500 million) and a Working for Victoria Fund ($500 million);
- a $1.3 billion injection for expanded ICU capacity; and
- a $500 million package aimed at giving certainty to residential and commercial tenants and landlords.

This funding will also ensure important infrastructure programs continue in the safest way possible. This is vital for jobs now and for the economic comeback, because the Andrews government is driving the biggest construction agenda in Victoria’s history. The government has been working closely with industry and unions to protect workers’ safety and jobs, including the 115 000 across Victoria’s Big Build and other projects in this infrastructure program, not just important now for our economy but for the recovery and future productivity.

Disasters demand a new dawn. National security is critical and bipartisan. Countries and cities scrambling to procure life-saving equipment and essential supply chains define why Australia must make niche, advanced manufacturing an utmost priority. Revitalisation zones are needed to attract more investors to repurpose the manufacturing engine rooms which underwrote prosperity after World War II and Australia’s record run of uninterrupted economic growth.

Creating opportunity from adversity is a cause I have pursued for decades with unflinching purpose, and my challenge, issued five years ago in Victoria’s largest selling newspaper, is more urgent now—for economic resurgence and social cohesion. We have the chance to turn adversity into opportunity, to develop industries for the future, to create new jobs for the next generation, to address housing affordability and to replace anxiety and fear with hope.
Attracting investments from Australia’s more than $3 trillion savings in superannuation for affordable housing for first responders and essential workers is a proposal I will continue to campaign to deliver. It would also address intergenerational unfairness by providing new opportunities for first home buyers.

Reconstruction will require enlightened federalism, a new era of consensus based on evidence and cooperation. The good news is we have made significant progress on collaboration. Securing the Australian government’s commitment to city deals for Melbourne’s north-west and south-east provides mechanisms across all tiers of government and business to leverage opportunities such as the $500 million private investment into the Ford Motor Company’s sites.

Australia turns to Broadmeadows in times of profound challenge. Ford’s Broadmeadows site is emblematic of change after deindustrialisation. New proposals include harnessing technology for a major hub for cheap, clean energy. The ebb and flow of history points a way to recovery. Diggers, light horsemen and Victoria Cross winners were trained and dispatched from the Maygar Barracks to fight nation-defining battles at Gallipoli and the Western Front—sacrifices we honour this week on Anzac Day. The old army camp has evolved into a logistics hub for fighting bushfires.

Across the road, CSL, a leading company on the Australian Stock Exchange, manufactures life-saving blood products. It began life as the Commonwealth Serum Laboratories in 1916, when an island continent feared devastation from last century’s pandemic. CSL has evolved into a global biotech leader providing rapid access for Australians to medical advances, including insulin and penicillin, and vaccines against influenza, polio and other infectious diseases.

Preventing future dangers underscores the need to build greater resilience into the social determinants of life: health, lifelong learning and connecting the disconnected to opportunity. Parliament’s kitchen underscores this understanding. I have witnessed parliamentary staff dressed from head to toe in protective clothing loading vans at the rear of the house with crates of food for the Salvation Army to distribute. The kitchen has cooked more than 30 000 meals during the pandemic for homeless Victorians. This is a practical, real-world contribution to the community, and I commend everyone involved, from kitchen staff and management to the Presiding Officers, the President of the Legislative Council and the Speaker of the Legislative Assembly.

This is a humbling reminder of how that miser fate can turn, life’s fragility and why we must stay the course together.

Mr ROWSWELL (Sandringham)

At this significant juncture in the economic future of our state I do not have the opportunity to stand in Parliament and speak on behalf of the Sandringham district community. Such are the times, and such are the necessary precautions. Yet I make this contribution to the parliamentary record precisely because the measures the government proposes to take will significantly affect every member of the Sandringham district, be they alive today or yet to be born, for years to come.

This is not hyperbole. This is a stark fact: $24.5 billion in additional spending, the figure which the Treasurer proposes to borrow, will leave Victorians with the kind of intergenerational debt that our state’s children and students—the leaders of today and not just of tomorrow—will be burdened with well into their adult lives.

I owe it to the many hundreds of residents, small businesses, parents and pensioners who have made contact with my office, in desperate need of help, to support this bill.

But I equally owe it to these and all Victorians to place on the record my preparedness and commitment to ensuring that every cent of the $24.5 billion is used to support Victorians through the recovery stage of this pandemic.

It should not be used to prop up Labor’s massive cost overruns on major projects. Labor must transparently report where, when and how much money has been spent to support all Victorians.

The best position from which to tackle a disaster such as this is from a position of strength. Sadly Victoria has not been so fortunate.

The government is lying both to itself and to Victorians if it continues to project blame for the parlous situation of the budget on the bushfires which ripped the heart out of so many regional Victorian communities earlier this year. It is an insult to those who perished and to those who struggle to this very day to suggest that the alleviation of their loss and suffering is the reason that the Victorian budget was in a weak position at the outset of our state’s response to this pandemic.

In December 2019 Victoria’s deficit stood at $1.1 billion. A few short months ago our total debt amounted to $22.4 billion. By the middle of 2021 that debt will, as a result of actions taken today, be as great as $73.8 billion.
It is said that we start as we mean to go on, and in this respect the tone was set long ago. Borrowing $25 billion on the eve of the state election, this Labor government showed Victorians exactly how it intended to go on—borrowing big money to cover big blowouts on big projects, the net benefits of which may not be seen for some time, if ever.

I note that Victoria only announced its major economic response on 21 March—being beaten to the punch by New South Wales and Queensland, whose parliaments sat weeks ago.

If future generations of Victorians look back and wonder why the Victorian government did too little and did it too late, let them be in no doubt: Labor governments never plan for a crisis.

What the government ought to have been doing all along was creating the structural supply-side change that is needed in order to allow small businesses—which make up 60 per cent of all economic activity in this country—to thrive.

In my maiden speech I called out payroll tax for being exactly what it is: a tax on employment. That a government would punish businesses for employing and empowering more people to forge their own way in life is self-defeating and counterintuitive in the extreme.

If there was ever a time to remove this senseless tax on jobs, it is now. New South Wales has set a fine example in this regard. The state initially allocated $450 million to waive payroll tax for the next three months, or until the end of the financial year.

Not stopping there, New South Wales went further. The government has permitted the deferral of payroll tax for businesses with payrolls over $10 million for six months.

In short, that is an extra $4 billion released back into the economy for the purpose of allowing businesses to retain and employ more workers.

An additional three-month deferral for businesses with payrolls of $10 million or less has also been initiated by New South Wales. These businesses had already received a three-month waiver on payroll tax in the first package.

In stark contrast, the Andrews Labor government has extended payroll tax relief for payrolls only to the value of $3 million. It is permitting these businesses to defer their payroll tax liabilities for the first quarter of the 2020–21 financial year until January 2021.

Years of big spending have left the Andrews Labor government unable to give businesses the break that they now need to get back on track.

This is the fallacy of government—see taxpayer—debt. Borrowing money to stimulate economic activity creates debt that can only be serviced by taxing future economic activity at a significant rate. This vicious cycle frustrates growth and quickly destroys any incentive for Victorian businesses to grow and employ more people—especially in times of great uncertainty.

The lettering in the Parliamentary vestibule mosaic instructs members of and visitors to this place that ‘Where no counsel is the people fall, but in the multitude of counsellors there is safety’. In times of crisis, when governments restrict freedoms in the name of public health and wellbeing, scrutinising the proportionality and efficacy of its measures assumes an even greater importance.

In the other place the government emphatically thwarted an attempt to set up a cross-party committee that would transparently, objectively and routinely meet to constructively scrutinise the government’s ongoing actions, including the effect and administration of this supply bill.

The Andrews Labor government’s great concession was to add an additional member of the crossbench to the Public Accounts and Estimates Committee—a committee where a Labor chair will continue to have the casting vote in any decision taken by that body.

The government requests cross-party support for this bill in good faith, and it is given. The Premier and his gang of eight—the crisis cabinet that has the authority to exert more control over Victorians than any cabinet before it—then fail to show that same good faith by blocking an attempt to establish some kind of cross-party committee for accountability in the other place.

We have seen on the international stage the catastrophic consequences that come from governments being dishonest with and attempting to hide things from their own citizens and the world at large. The Andrews Labor government then would do well to heed the lessons that might be taken from the experiences of its international partners.

Victoria needs a jobs-led, business-led recovery out of this crisis. After all, it is not governments that create jobs—rather it is the private sector that will be at the forefront of our economic recovery.
The Leader of the Opposition has rightly noted that such extraordinary spending is generally something that the Liberal Party would see as an anathema. Let me be clear: I have no issue with the government borrowing money in this extraordinary time if that is what the circumstance demands, but this should only be done with appropriate accountability.

Mr EREN (Lara)

It is bittersweet to contribute today to the COVID-19 Omnibus (Emergency Measures) Bill 2020.

In an ideal world, we would not have to have a bill such as this.

However, I am proud to be part of a government that has really stood up and shown such clear, decisive and strong leadership in such tumultuous times.

This legislation is being brought to the house in line with decisions of the national cabinet.

This bill sets out to temporarily amend certain acts and to temporarily empower the making of regulations, to modify the application of the law of Victoria in certain respects for the purpose of responding to the COVID-19 pandemic and for other purposes.

It will support tenants and landlords through the coronavirus pandemic by reforming residential and commercial tenancy laws.

Importantly this bill will implement tenancy reforms that will enshrine the temporary ban on evictions for renters and rent increases into law. It will boost mediation support to assist landlords and tenants to negotiate new fair rental agreements. There will also be related land tax relief for landlords through a separate appropriation bill.

This bill allows us to continue to support people who are injured at work and are unable to return to work or find employment due to the impacts of their injury and coronavirus. The bill will provide up to six additional months of weekly WorkCover payments for long-term injured workers who are due to transition off WorkCover weekly payments.

Importantly this will be backdated to apply to anyone who has received notice from 1 December 2019 about the termination of their payments at 130 weeks.

We will also be passing urgent appropriation bills which will ensure our healthcare workers and other vital public sector staff continue to be paid.

We are recognising the unprecedented circumstances that our health system is currently facing. This bill will allow the Minister for Health, following consultation with the Australian Nursing & Midwifery Federation, to provide hospitals with greater flexibility around nurse-to-patient ratios where coronavirus has placed an additional strain on their services.

This bill also takes a commonsense approach to the challenges physical distancing measures present. This will include allowing planning permits to be displayed and sent electronically, enabling planning panels to be conducted via videoconference and in other remote ways.

This bill will also make important procedural and process changes for our court system. It will enable courts, corrections and the wider legal system to continue to deliver vital justice services while still complying with social distancing measures.

This will include a temporary power to make further procedural changes by regulation so that justice processes can be quickly adapted to changing public health requirements.

This bill will not relax any thresholds for bail or sentencing of offenders. It will only change how courts, corrections and other legal systems work so our justice system continues to operate smoothly through this process.

Judge-only trials will be permitted where the defendant has agreed and the prosecution have been consulted. The courts will have greater flexibility to change their processes to reduce person-to-person interaction.

This bill will also boost community safety by giving the Magistrates Court the power to impose electronic monitoring conditions on community correction orders.

This bill will also extend the time before which family violence intervention orders and personal safety intervention orders lapse, from 28 days to three months. This will ensure that the person who needs the order will remain protected.

Quarantine orders will be allowed in prisons and youth justice facilities. This will help to manage the risk the virus poses to staff and inmates. This is particularly relevant in my electorate, which three of our state’s prisons call home.
The legislation will also allow for local councils to meet virtually. It also amends the Parliamentary Committees Act 2003 to allow joint standing committees of the Parliament, including the Public Accounts and Estimates Committee, to carry out their work remotely.

This is very important. As chair of the Economy and Infrastructure Committee, I know firsthand that our committees are working very hard on some very important topics.

The Economy and Infrastructure Committee are currently working on an inquiry into sustainable employment for disadvantaged jobseekers.

The committee have been examining how to support jobseekers facing disadvantage into sustainable employment. The committee is also considering how well current employment programs meet the needs of disadvantaged jobseekers and employers looking for workers. Regional hearings have already been held in Ballarat, Bendigo, Warragul, Geelong and Shepparton, in addition to public hearings in Melbourne. We heard from representatives from local communities, regional employment programs and training providers.

This work is only going to be more important, as we all know the daunting future we are facing in terms of unemployment projections.

This government is working hard to address this issue.

Our government’s $1.7 billion economic survival package is supporting Victorian businesses and workers through the pandemic, in partnership with key initiatives from the commonwealth government, such as JobKeeper.

Part of the survival package is the Working for Victoria Fund, which is helping Victorians who have lost their jobs due to the impact of coronavirus to find new work opportunities.

Working for Victoria has supported more than 150 people into roles in my community of the Geelong region, through organisations such as Services Australia.

Working for Victoria is continuing to work with local government and other bodies to support them to take on additional staff.

Another element of the $1.7 billion economic survival package is the $500 million Business Support Fund, with eligible businesses able to receive a $10 000 grant to help pay salaries and meet other business costs.

These amendments will come into effect the day the bill receives royal assent and the majority of these provisions will cease after six months, with two exceptions—the Environment Protection Amendment Act 2018 and the Residential Tenancies Amendment Act 2018. Some of these amendments will also operate retrospectively.

This is a bill that is showing strong leadership for all Victorians, and I wish it a speedy passage through the house.

Mr SOUTHWICK (Caulfield)

I wish to open my contribution by making a special mention of the excellent work that is being done by Victoria’s frontline healthcare and emergency services workers during this very difficult period.

Now more than ever Victorians are relying on the skills and dedication of those who put themselves in harm’s way—whether in a hospital ward, in a GP’s clinic or out in the community—to keep everyday Victorians safe.

The current COVID-19 pandemic is creating many challenges across our community, but together Victorians should be overwhelmingly proud of the way frontline healthcare and emergency service workers have stepped up to the challenge and continued to deliver the essential services our community relies so heavily upon.

We must never underestimate the personal impact and risks associated with working in these roles, and tragically last night we saw a horrendous incident on the Eastern Freeway that resulted in the death of four members of Victoria Police.

These officers, like countless other frontline emergency and healthcare workers, woke up yesterday determined to do their bit to keep the community safe during this challenging time. Devastatingly these four officers have paid the ultimate price in the line of duty, and we must never forget the courage and commitment shown by these officers and all members of Victoria Police.

Today our thoughts, prayers and deepest sympathies are with the families, friends and colleagues of these four members. Their sacrifice, commitment and courage will not be forgotten.

I will now move on to the detail of this bill as it relates to amendments to the Corrections Act 1986.

This bill proposes a number of changes to the operation and management of Corrections Victoria facilities in response to the challenges presented by the ongoing COVID-19 pandemic.
In my shadow portfolio of corrections, the opposition believe these changes are consistent with an approach to ensuring our prisons continue operating during this health crisis so we avoid some of the more drastic measures, including the closure of facilities and conditional release of inmates, which are being proposed in other jurisdictions.

Whilst supportive of the overall intention of the bill, there remain a number of concerns in these proposed changes which we believe the government has not provided adequate consideration to.

Firstly, the bill empowers the secretary of the department or governor of an individual prison to make, amend and enforce a number of restrictions on social and legal prison visits. The intent of these changes is to enable greater control over prison access and to ensure that where visits are occurring they are being conducted in a manner that is safe for inmates, visitors and staff in light of the spread of COVID-19. This includes the ability to approve any form of communication by the secretary or governor, including videoconferencing via a tablet device, which may be provided to inmates in their cells and outside of usual open visitor areas.

We would expect such measures to be only introduced if supported by strong policies and procedures to ensure that the integrity of such electronic devices is maintained at all times.

The bill also enables the secretary or a governor to order, in writing, the mandatory 14-day isolation of any inmate entering a Corrections Victoria facility. This isolation period is consistent with current COVID-19 isolation practices and is aimed to reduce the spread of this virus throughout our prison system. Whilst an important measure, we note that the legislation empowers prisoner officers to do ‘anything necessary’ to give effect to a mandatory isolation order.

The opposition understands the importance of ensuring that quarantine practices are followed; however, we remain concerned around the specific language used in this section of the bill, when alternatives such as empowering officers to use ‘reasonable force’ to ensure compliance may be more appropriate.

Furthermore, this bill enables the secretary or governor to make arrangements for the necessary medical examination, assessment, testing or treatment of prisoners in relation to COVID-19. This section of the bill requires informed consent to be provided by the prisoner prior to any medical treatment being provided—highlighting a significant discrepancy between this section of the bill and the powers given to prison officers to do ‘anything necessary’ to give effect to an isolation order.

The concern here is that a prisoner who may have contracted COVID-19 can refuse treatment and potentially spread the virus to other prison officers and corrections staff. This again seems to contradict the legislation that empowers prison officers do to ‘anything necessary’ to give effect to a mandatory isolation order.

The final section of the bill as it relates to corrections backdates the application of this bill to validate actions taken to date. This first section will backdate new rules applying to prisoner visits and prison access to 20 March 2020—presumably the date when Corrections Victoria started making changes to how prison visits operated. The second section backdates the application of powers under regulation 32 or 138 of the Corrections Regulations 2019 to apply from 27 March 2020. These powers relate to emergency management rules and orders to separate prisoners from other prisoners.

In both instances the backdating of legislation highlights that the government and Corrections Victoria have been caught off guard by the current health crisis and have not had the tools available to manage Victoria’s prisons in a timely and effective manner. This is despite Corrections Victoria having longstanding procedures and protocols applying for similar viruses such as influenza.

Finally, we note that the bill makes no mention of the ability of prisoners to apply for emergency management days in relation to these COVID-19 measures.

Emergency management days are in effect ‘freebie’ days taken off a prisoner’s sentence in compensation for extraordinary circumstances typically resulting from the actions of Corrections Victoria or prison management. Under the Corrections Regulations, a prisoner who undergoes a 14-day isolation period may be eligible to apply for an up to four-week reduction off their sentence.

Given the likelihood of widespread isolation of new inmates, the opposition has sought clarification from the Minister for Corrections and commissioner on this issue, who have failed to rule out the granting of emergency management days during this period. COVID-19 is not a get-out-of-jail-free card, and the opposition will be closely monitoring the application of emergency management days during this period.

In conclusion, the opposition is broadly supportive of the intention of this section of the bill to maintain our prisons in a functioning and operational state. Community safety must remain a priority during the COVID-19 pandemic, and maintaining the proper operation of our prisons during this period is essential to achieving this outcome.
Mr J BULL (Sunbury)

I am pleased to have the opportunity to contribute to debate on the COVID-19 Omnibus (Emergency Measures) Bill 2020.

These are indeed extraordinary times calling for extraordinary measures.

These measures come at a time when our very way of life, our community and how we move through it have been turned upside down.

I want to thank each and every Victorian who has sacrificed so much for the safety of others—so much in the effort to save lives.

There has never been such a big ask of you, and in true Victorian fashion you have responded.

By working together, by following the rules and by practising the important health and safety measures put in place, we are flattening the curve, reducing the spread and saving lives.

But let us not forget that if we had taken a business-as-usual approach in Victoria we would have witnessed the same devastating scenes as we have seen overseas—in places like northern Italy and New York.

Modelling released this week showed that should such measures not have been in place, in Victoria alone we would have had up to 58,000 new coronavirus cases every day at the peak of the pandemic, overwhelming our health system.

Those who desperately needed a bed, a ventilator and critical care would not have got them, resulting in catastrophic consequences.

We would have needed 10,000 intensive care beds and a staggering 9,200 Victorians would have been presenting to hospital every single day.

And tragically as many as 36,000 Victorians would have died—averaging 70 lives lost every day. And it is for this reason that we have done what we have done.

Only because of the tough decisions made, the research and science-based approach used, the incredible work done by our healthcare professionals and because hundreds of thousands of Victorians have heeded the advice have we avoided these numbers. However, the job is not done.

Because of what we have done as a state, we have avoided this horror scenario.

Collectively, our actions have made a real difference and slowed the spread of coronavirus in Victoria.

But now is not the time for complacency.

That is why our message remains: we must act quickly and efficiently in response to this crisis so that our healthcare system is protected, lives are saved and we support the recovery of our economy.

The bill before us provides the temporary framework that will allow us to temporarily amend certain legislation for the purpose of responding to the COVID-19 pandemic and to deliver on measures agreed to by Victoria as part of the national cabinet.

The bill includes reforms across a wide scope of government activity.

Key amendments include:

- enabling courts, tribunals, prisons and youth justice facilities to apply reduced personal interaction measures, and greater use of technology for proceedings, sentencing and custodial arrangements;
- permitting judge-only trials in appropriate circumstances;
- protecting residential and commercial tenants from eviction and providing for rent relief measures;
- delaying the commencement dates of environmental and residential tenancy reforms, except for bringing forward some provisions relating to protecting victims of family violence;
- providing for flexibility in the registration schemes for education providers and teachers;
- permitting virtual local council and library corporation meetings;
- enabling all planning documents to be displayed online instead of in physical offices;
- allowing for the temporary suspension of nurse-to-patient ratio requirements due to coronavirus; and
- providing an additional six months of weekly payments to long-term injured workers.

The bill will make six-month temporary amendments across a broad range of Victorian laws, including:

- the Education and Training Act 2006 (ETR Act) to establish a temporary scheme to enable the Victorian Registration and Qualifications Authority (VRQA) and the Victorian Institute of
Teaching (VIT) to extend current registrations for up to six months for teachers and education providers, and to permit electronic service of documents related to disciplinary proceedings for registered teachers.

the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015 (SPC Act) to ensure health services are not penalised in the event prescribed staff-to-patient ratios are not always maintained while responding to the extraordinary demand from COVID-19. This will be done by permitting the SPC Act’s enforcement provisions for non-compliance to be temporarily suspended after consultation with peak industries bodies, such as a relevant union, and a representative of an operator of a hospital.

the Planning and Environment Act 1987 (PE Act) to permit:
- documents and things that ordinarily must be made available physically for inspection—for example, planning permit applications and planning scheme amendments are to be made available online; and independent planning panels to hold panel hearings by means of audiolink or audiovisual link (AVL).
- the Local Government Act 2020 (LG Act 2020) will be amended to permit local councils and library corporations to meet virtually and to stream their meetings online (except for permitted closed meetings);
- the Parliamentary Committees Act 2003 to expressly allow joint investigatory committees (JICs) to meet by AVL without a unanimous resolution of all members approving the use of AVL and that JIC members are counted if they attend by way of audiolink or AVL;
- the Workplace Injury Rehabilitation Act 2013 (WIRC Act 2013) to extend the termination notice period from 13 weeks to 39 weeks for weekly payments for long-term injured workers due to the increased barriers they face returning to work or obtaining employment due to COVID-19 impacts; and
- a range of commercial and residential tenancy laws to support tenants and landlords and to implement decisions of national cabinet and the Victorian Crisis Council of Cabinet.

There are also a range of temporary reforms to justice and integrity system-related laws including to:

a. procedural and evidence requirements in civil and criminal laws to:
   i. better enable courts to deal with priority matters in a way that reduces public health risks associated with COVID-19;
   ii. extend or enable changes to statutory time frames to facilitate more effective prioritisation of matters, avoid the need for unnecessary extension or adjournment hearings and better reflect the time required to consider matters in the current COVID-19-impacted environment;
- implement proposed changes to the eligibility criteria for the chair and alternate chair of the Youth Parole Board ahead of the expiry of the term of the current alternate chair on 30 June 2020, to enable the continuity of Youth Parole Board operations and facilitate timely youth parole decisions;
- make reforms to support the operational response to COVID-19 in corrections and youth justice facilities, including preventative isolation measures;
- enable emergency regulations to be made to disapply or modify existing laws, to facilitate the proper administration of justice or law, facilitate the work of integrity agencies or protect the health and safety of persons during the COVID-19 emergency. These will be subject to strict safeguards—see further below.
- The Residential Tenancies Amendment Act 2018 (RTA Act 2018) introduces a range of important reforms to Victoria’s tenancy laws. The Bill will make a permanent amendment to delay the commencement of most of the provisions of the RTA Act 2018 to 1 January 2021. The RTA Act 2018 was due to commence on 1 July 2020.
- The Environment Protection Amendment Act 2018 (EPA Act 2018) introduces a new legislative framework for environment protection in Victoria and repeals the Environment Protection Act 1970. The bill will make a permanent amendment to delay the commencement of most of the provisions of the EPA Act 2018, which is due to commence on 1 July 2020 following the making of a proclamation by the Governor on 3 March 2020. It will be delayed to 1 December 2021, unless proclaimed earlier. It is expected to be proclaimed on or about 1 July 2021.
- Certain reforms will be repealed after six months but may have operational effects for up to 12 months, including appointments to the Youth Parole Board, reforms which will permit
extensions of registrations under the Education and Training Reform Act 2006 and to enable extensions of the registration of fines under the Fines Reforms Act 2014.

– Other safeguards have also been included in the bill for particular reforms, particularly those related to the justice system.

These amendments are unprecedented, but the changes will assist the continuation of critical services across the state. They support our response to, and recovery from, the COVID-19 pandemic.

Most importantly they continue to protect Victorians, and there is nothing more important than that.

They build upon the range of announcements made to tackle this deadly virus head on. These have included:

• an additional $437 million to the health system for additional beds and equipment, extra funding for emergency departments and intensive care units, additional resourcing for pandemic containment activities and support for workforce continuity;

• a $1.3 billion injection for expanded ICU capacity;

• a $500 million package giving certainty to residential and commercial tenants and landlords;

• a $1.7 billion economic survival and jobs package, which includes payroll tax refunds ($550 million), a Business Support Fund ($500 million) and a Working for Victoria Fund ($500 million);

• more support for frontline workers including nurses and paramedics. Our frontline workers are doing an incredible job each and every day. They are critical in our fight against COVID-19. That is why we are fast-tracking 120 extra Ambulance Victoria paramedics. That is why we are providing accommodation to our healthcare workers if they cannot safely isolate at home. That is why healthcare workers will have the tools they need to care for sick COVID-19 patients ($107 million to buy life-saving equipment, including 550 ventilators, 4000 high-flow oxygen therapy units, 130 dialysis machines and 1200 patient monitors). That is why a further $97 million will also be set aside to backfill the healthcare workforce.

• a $59.4 million package to support Victoria’s mental health system and ensure Victorians get the care they need, as demand for services spikes during the coronavirus crisis;

• we are providing more support for Victorians experiencing homelessness: $8.8 million in funding to give over 200 Victorians a safe place to self-isolate or quarantine over the next six months, across four 24/7 staffed pop-up sites in Melbourne; and

• we are investing to ensure women and children escaping family violence have a safe place to go and the support they need during the coronavirus pandemic, including $20.2 million in short-term accommodation, $20.2 million for family violence services and an additional $3 million for 12 women’s health services across the state.

These measures are providing the resources, the certainty and the critical services that Victoria needs right now, but this is a long road and we know we will need to do more.

I wish to thank each and every Victorian for all they are doing, for their continued compassion, their sacrifice and their patience—let us keep winning this fight by doing our part, stopping the spread and saving lives.

I want to thank our nurses, doctors, paramedics, hospital staff, our police, SES, firefighters and first responders—each and every one of them doing incredible work in the service of each other and in the service of our state.

I want to acknowledge the amazing leadership shown by the Premier, Deputy Premier, Treasurer, Minister for Health and the Victorian chief health officer, supported by the incredible team at the Department of Health and Human Services and indeed the Crisis Council of Cabinet and all government members throughout this time.

I want to thank my local community for the resilience, patience and empathy they have shown to each other through the most challenging of times—to those stacking shelves, delivering goods, working in local GP clinics and pharmacies, to those educating our local kids, the principals and teachers doing incredible work.

On a personal level I want to thank my incredible wife Jasmine and our gorgeous daughter Cleo, my wonderful family and friends and my terrific staff who have worked incredibly hard for our community during this time.

This crisis has tested us—it will keep testing us—but by staying together, staying positive and working as one we will get through this. We will prevail.

Together we will get through this.

I commend the bill to the house.
Mr ANGUS (Forest Hill)

I am very sorry that we as a Parliament have to gather today to debate the COVID-19 Omnibus (Emergency Measures) Bill 2020. We all find ourselves in the midst of an extraordinary time here in Victoria, along with the rest of Australia and indeed the rest of the world.

The emergence this year of a previously unknown virus, COVID-19, has been an absolutely extraordinary situation. Thankfully for all of us here in Australia, including in Victoria, the community has worked well with the health and government authorities to limit the devastating health impacts of this virus. I again place on record my sympathy for all those Victorians who have been so significantly impacted by this virus through the death of loved ones and friends. I also note my sympathy for those who have been, and continue to be, suffering ongoing health as well as financial issues from the devastating consequences of this situation on the economy. From a local perspective, I also want to note not only the economic impact but the severe impact of the current situation on many members of our community who are suffering from mental health and loneliness issues as a result of the restrictions currently in place.

I want to place on record my appreciation to all the aptly named frontline workers who have worked and continue to work tirelessly on behalf of the rest of the community, whether they be doctors, nurses, cleaners, ambulance officers, police, supermarket workers, truck drivers, chemists, security guards, childcare workers, shop assistants or the countless other people who have worked, often in exceptional circumstances, in an effort to keep essential services going and look after the needs of the community.

In light of last evening’s dreadful events on the Eastern Freeway in Kew, I want to digress for a minute and pay tribute to the four Victoria Police members who were so tragically killed in the line of duty whilst out protecting the community. On behalf of myself and the residents of the Forest Hill district, I wish to express my sincere sympathy to the family, friends and work colleagues of these members. I note that two of the police officers killed were part of the Nunawading highway patrol unit, which is my local highway patrol unit in the Forest Hill district. I know that residents of the Forest Hill district would join with me in paying tribute to these four police members and expressing sincere sympathy to everyone affected at this terrible time. They would also join with me to acknowledge and thank the members of Victoria Police who, day in and day out, undertake important work to serve and protect our state. Their courage and service is not taken for granted, and we thank them sincerely for all they do in their outstanding work for all Victorians.

The purpose of the bill as noted in clause 1 is ‘to temporarily amend certain Acts, and to temporarily empower the making of regulations’. That is certainly one thing that we on this side of the house will be looking for—that is, to make sure that these matters are indeed temporary and not enjoyed so much by the government that they become the new normal after the proposed six-month period has elapsed.

As the Shadow Minister for Consumer Affairs, I particularly want to focus my contribution on chapter 4 of the bill. Chapter 4 deals with amendments to the Residential Tenancies Act 1997 and the Residential Tenancies Amendment Act 2018.

Part 4.1 of the bill is entitled ‘Temporary measures relating to residential tenancies’. Before getting into the detail of this part, I want to put on record my congratulations to the Prime Minister and the federal Treasurer and their teams for their hard work and leadership in the midst of this crisis, not the least of which has been in the area of tenancy. This stands in stark contrast to the slow response from the Victorian government, who have lagged behind other jurisdictions in relation to addressing these important areas. Like many other members, I am sure, I and my office have received countless inquiries from both landlords and tenants very concerned about the current situation and desperately crying out for solutions to their current problems. As I said, thankfully we in Victoria at last have some clarity in this area. I do note, however, that there are still a great many unanswered questions in relation to this very complex area of residential and commercial leasing.

As the Prime Minister said many weeks ago now, the national cabinet did not want to see people evicted from their homes and business premises as a result of the COVID-19 epidemic. Hence, a major part of chapter 4 of this bill deals with the legislating of this desire. It was always going to be an extremely complicated area to legislate, particularly given there are sometimes competing interests between landlords and tenants. Having said that, any sensible landlord would know that at any time, but especially at a time like this, looking after your tenant and communicating with them will be the key to a successful outcome for both parties.

As I said earlier, I have had numerous people contact me about leasing issues. In the midst of these inquiries, it has been extremely disappointing to hear of instances where tenants, who have in some cases not been directly impacted by COVID-19, just refuse to pay their rent. This is a totally unacceptable situation and one that I hope the government communicates clearly to the broader community.

Given the huge number of landlords and tenants that will be caught up in various aspects of this new regime, I just hope also that the government has allocated enough resources at Consumer Affairs Victoria with mediators and at the dispute resolution centre to ensure that matters of dispute are resolved in a timely manner.
It is one thing to put a process in place, but it is an entirely different thing to have an efficient and well-functioning system that is able to deal with complex matters on a timely basis. History shows us that as far as complex matters being resolved in a timely and cost-effective basis, this government has a poor track record and a lot to learn. Nevertheless, for the sake of all Victorians involved, I trust it works well.

New section 535 inserted by the bill notes that the effective date for many aspects of this bill is 29 March 2020. I was pleased to see that in part 4.3 of the bill the changes to the Residential Tenancies Amendment Act 2018 that were due to commence on 1 July 2020 have been deferred until 1 January 2021. I know this will be welcomed by many in the real estate industry, not the least of whom is the peak body, the Real Estate Institute of Victoria.

In conclusion, I also note the many other significant changes that are included in this bill, not the least of which relate to the justice area. I am sure other members both here and in the other place will outline in more detail some of the concerns of the opposition regarding these significant and in some cases extraordinary changes. I particularly note my very serious concerns in relation to where the state is heading financially and particularly the situation where in another bill before this house today the Parliament has acceded to the government’s request for a $24.5 billion blank cheque for the Treasurer. Like most Victorians, I just hope that the government spends this huge amount of money carefully and constructively and does not waste it, as history shows Labor governments are so wont to do.

Ms BLANDTHORN (Pascoe Vale)

I appreciate the opportunity to make a contribution to the COVID-19 Omnibus (Emergency Measures) Bill 2020 debate. This is crucially important legislation, before us at a time of significant challenge and uncertainty for all Victorians and for all Australians—indeed for the whole world. This bill is integral to the ongoing effective management and response to the COVID-19 pandemic in Victoria.

In making a contribution on this bill I would like to begin by paying my respects to the Australians who have lost their lives to coronavirus. I send my thoughts and prayers to the families and friends of these victims. I cannot begin to imagine the impact of not only losing a loved one to this virus but of grieving in this challenging environment.

I would also like to acknowledge and thank all of the workers across our health system—cleaners, doctors, nurses, support staff, catering staff, administrators, paramedics, pharmacists and many others—who are working hard day and night responding to immediate needs as well as preparing the system for potential demand.

It is also important to remember that these dedicated health workers are rising to the challenges of this pandemic alongside the regular daily pressures faced by the system.

I would also like to take the opportunity to acknowledge and recognise the Victorian chief health officer, Professor Brett Sutton, for the crucial expert medical advice and guidance he continues to provide our government in limiting the spread of this virus, keeping Victorians safe and saving lives.

We are indebted to the efforts of all workers in our healthcare system.

The coronavirus pandemic is unprecedented. We are battling a deadly virus that has spread quickly across the globe leaving catastrophe in its wake.

Public health systems around the world have struggled to cope with the pressure of drastically increasing patient numbers. Indeed some have failed.

In many countries the limited number of hospital beds and life-saving healthcare resources, such as ventilators, has meant that international health systems have simply collapsed.

We have all witnessed the devastating consequences. We continue to see distressing scenes in countries like the United States and Italy roll through our local media coverage.

Tragically it is estimated more than 100 000 lives worldwide have been lost.

As a government we have worked incredibly hard to avoid the horrible experiences of so many other international jurisdictions.

We did not want to be dealing with a situation where Victorians were lining up for ICU beds and waiting for a ventilator when they needed one.

We currently have stage 3 restrictions in place and whilst they are difficult it has to be acknowledged that they are working.

As was reported this week, Victoria on Monday saw its lowest number of active coronavirus cases since 19 March. As stated by Craig Butt in the Age, active cases peaked at 622 on 31 March, but every day this month the number of new cases has been outweighed by the number of people making a full recovery.
This data speaks to a situation that is in stark contrast to that which might otherwise have been. Victorian modelling undertaken by Monash University and the Doherty Institute, in collaboration with Department of Health and Human Services epidemiology experts, this week revealed that in a situation where no physical distancing restrictions were in place we would have seen 58,000 new cases of COVID-19 in our state every day at the peak of the pandemic.

Our health system would certainly have struggled to cope.

Thankfully we are not facing that tragic predicament today.

With current restrictions in place and an overwhelming majority of Victorians doing the right thing, together we as a community are suppressing and containing this virus, protecting our healthcare system and saving lives.

While Victorians patiently fulfil their civic responsibility, stay home and follow health advice, we as a government and as a Parliament have a duty to ensure our legislation enables appropriate and necessary responses to the challenges and impacts this pandemic has created for the lives of all Victorians.

This bill is integral to our government’s ongoing management of this pandemic.

We know many Victorians are doing it tough right now.

Thousands of Victorians have lost work as the economic impact of this virus spreads far and wide. When the personal incomes of so many Victorians have been reduced so significantly and when businesses are suffering such unprecedented losses, paying both personal and commercial rent is increasingly difficult. JobSeeker and JobKeeper payments have been welcome Commonwealth government relief for many who are struggling financially. However, there are further supports and measures that need to come into effect to ensure the livelihoods of all Victorians are secured.

Importantly the bill makes amendments to the Residential Tenancies Act 1987 to implement a moratorium on rental evictions in Victoria. This moratorium was agreed to by the national cabinet.

This reform will mean that for a period of six months, from 29 March 2020 to 26 September 2020, tenants will only be evicted in specified circumstances. In this period rental increases will not be allowed. In addition, tenants will not be listed on a residential tenancy database in a situation where a breach is related to the inability to pay rent due to financial hardship related to COVID-19.

In providing financial support to renters doing it tough in Victoria, the Andrews Labor government recently announced that an $80 million fund will be created to provide vital assistance for renters facing hardship due to the COVID-19 pandemic. This is another way our government is working to help Victorians doing it tough—helping them to keep a roof over their head and stay secure.

In providing essential relief to business, this bill makes reforms for commercial tenants who are experiencing financial hardship due to the coronavirus pandemic. This bill will allow for regulations related to agreements under the Retail Leases Act 2003 and the Property Law Act 1958. Through these reforms the aims of the national cabinet’s mandatory code of conduct for commercial leasing arrangements can be implemented. In so doing we ensure a consistent approach nationally.

As the Treasurer said in a media release regarding these reforms:

This is about supporting tenants, landlords and small business—and making sure that everyone can make it to the other side of this pandemic.

Alongside these protections for renters and small businesses, we are also continuing to support Victorians who have been injured at work and who may also be experiencing hardship due to the challenges of coronavirus.

We understand that at any time returning to or finding work after injury is a difficult task. This will become even more challenging with the impacts of this pandemic unfolding. This bill assists in ensuring these vulnerable Victorians are not left behind by amending the Workplace Injury Rehabilitation and Compensation Act 2013. The bill provides for up to six additional months of weekly WorkCover payments for long-term injured workers that are due to transition off their weekly WorkCover payments.

In addition to these critical rental and commercial tenancy reforms, this bill includes a range of other measures that respond to the coronavirus challenges we are facing in Victoria. These measures are aimed at keeping government functioning during this time where everyone in our community, across various industries and environments, is having to adjust to reduce the spread and impact of this virus in the interest of all Victorians. Social distancing restrictions remain in place, and we need to adapt to keep important government business moving.
We are enabling the normal business of governments to be facilitated through amending the Local Government Act 2020 to allow local councils to have virtual meetings and through amending the Parliamentary Committees Act 2003 to allow work in the joint standing committees of Parliament, including the Public Accounts and Estimates Committee, to be carried out remotely.

The critical work and procedures of our justice system during this pandemic are also addressed through this bill. Our courts, corrections and the legal system as a whole will be able to continue their integral role in delivering justice services while complying with COVID-19 restrictions. Included in this bill is a temporary power to make further procedural changes by regulation. In so doing, the processes of our justice system can adapt and change in response to the changing public health requirements.

This bill will provide much-needed support for all Victorians hit hard at this unprecedented time.

I commend this bill to the house.

Mr WAKELING (Ferntree Gully)

I seek to make a brief contribution on the COVID-19 Omnibus (Emergency Measures) Bill 2020. As has been stated by others, the opposition received a copy of this bill late on Monday night and a briefing from departmental officials on Tuesday. This is an extraordinary bill, and the time allowed for consultation and scrutiny of this bill is extraordinarily short.

We are informed that the bill amends the Accident Compensation Act 1985 and the Workplace Injury Rehabilitation and Compensation Act 2013 by extending the termination notice for long-term WorkCover recipients from 13 weeks to 39 weeks. This will extend weekly payments for up to six months to employees who are unable to return to work or find employment due to the impacts of COVID-19. The changes will apply retrospectively from 1 December 2019 and are anticipated to provide financial assistance to approximately 680 injured employees. Whilst this amendment will provide financial assistance to long-term injured employees, the opposition notes that the government has failed to take action to provide financial relief for Victorian businesses by reducing WorkCover premiums during the COVID-19 pandemic.

The bill also makes temporary emergency amendments to the Children, Youth and Families Act 2005 so as to allow for remote counselling, conferences and emergency hearings by the Children’s Court. These are troubling times for many children, parents and other people that interact with the child protection system. The opposition believes the government needs to do everything it can to ensure the child protection system continues to operate effectively and protect children from harm during these difficult times. The opposition also wants the government to ensure there is active oversight and monitoring of the Department of Health and Human Services and child and family services while Victoria remains in a state of emergency.

Ms THOMAS (Macedon)

On behalf of my community I am proud to make a contribution on the COVID-19 Omnibus (Emergency Measures) Bill 2020—an extraordinary bill for extraordinary times.

We have seen devastating images from New York, from the UK, from Italy, Spain, Indonesia, from around the world, as the COVID-19 virus has taken its deadly toll.

Here in Victoria our Premier and our Minister for Health, the Honourable Jenny Mikakos, MP, have acted quickly, decisively and clearly on the advice of the chief health officer, Professor Brett Sutton. Because of their leadership and the cooperation of the Victorian people we have so far avoided mass infections and casualties.

I have lost count of the number of people who have told me how thankful they are to be living in Victoria right now.

It is no accident that thus far we have been spared the horror we have seen elsewhere, and so before I speak directly to the bill I want to acknowledge these people who have made particular sacrifices to keep us safe and healthy.

To our healthcare workers across the state who have worked tirelessly to prepare for the worst while continuing to deliver the best in care for the people of Victoria—our nurses, paramedics, doctors, orderlies, catering staff and of course the cleaners—you are the ones facing the virus head on, and on behalf of my community I say thank you.

To the workers in Coles, Woolies, IGAs and other grocery stores, in the early days of the virus you experienced some terrible behaviour from people acting out of fear and misinformation, but you kept going. Our supermarkets and grocery store workers continue to do an outstanding job, including looking out for more vulnerable customers, particularly older people and those with disabilities.
To our primary producers who have kept working day and night to keep food on all of our tables, to the truckies who transport not only food but hospital and healthcare supplies as well as online purchases, to everyone in the food and other manufacturing sectors—your skills and hard work are needed now and into the future as we seek to rebuild.

Thank you to the teachers who have adapted so quickly to a new way of teaching and learning and to those parents who are assisting their children to learn at home. Our schools are doing an outstanding job, and while I know some parents have struggled, my message to you remains the same: do not be too hard on yourselves; we are in the middle of a health crisis and we are all trying to do our best.

And of course I want to acknowledge those who are doing it really tough right now—small business owners, hospitality workers, family day carers and of course Virgin Australia employees who have lost their jobs and their incomes. And while help is available from the federal government, who are responsible for income support, there are those who continue to fall through the cracks, including so many in the arts, in casual employment and in the gig economy.

This crisis provides a terrible reminder of the failures of neoliberalism to deliver steady and secure employment, the foundation stone for a life of opportunity, choice and dignity.

I want to acknowledge everyone in the tourism sector. During the course of last year I had the honour of travelling around the state and meeting so many of you as we looked at ways to grow this vital sector. First we had the fires and now coronavirus—this year has presented unprecedented shocks to the industry. I am proud to still be working to support the Minister for Tourism, Sport and Major Events. There will be a time when we welcome visitors once again to experience all we have to offer: extraordinary nature-based experiences, the finest in food and beverage, a great art and culture scene and experiences to better connect each of us to the world’s oldest living culture. All of this is on offer in regional Victoria, and we look forward to welcoming visitors back when it is safe to do so.

This bill before the house makes a range of urgent cross-portfolio reforms related to the novel coronavirus COVID-19 emergency via a single bill, including to:

- assist the state’s response to the serious risk to public health in Victoria caused by COVID-19 and reduce negative impacts to public health and the Victorian economy, and other matters;
- make reforms to enable critical state services and systems to continue to function, including significant reforms to keep our justice system working; and
- support reforms agreed to by Victoria as a part of the national cabinet, in particular those related to commercial and residential tenancies, and changes to the Local Government Act 2020.

My contribution will focus on the key issues that have been raised with me by my constituents: tenancies and local government.

Our tenancies reforms are designed to give effect to the principles agreed to at the national cabinet.

In a time of crisis and unprecedented hardship these reforms will provide some security to commercial and residential tenancies a six-month ban on evictions, a freeze on rental increases and stronger mediation powers. These initiatives apply from 29 March and will cease after six months.

To assist tenants the Andrews Labor government is creating an $80 million rental assistance fund for renters facing hardship due to coronavirus and is encouraging landlords to do the right thing by their tenants by providing $420 million in land tax relief.

If a landlord provides tenants impacted by coronavirus with rent relief, they will be eligible for a 25 per cent discount on their land tax, while any remaining land tax can be deferred until March 2021.

 Businesses are also eligible for these measures if they have an annual turnover under $50 million per year and have experienced more than a 30 per cent reduction in turnover due to coronavirus.

Another area of concern in my community has been the inability of councils to meet other than in person. This has seen the cancellation of some council meetings and meetings being held outside. This can be especially challenging in the Daylesford and Macedon regions where temperatures are already dipping under 10 degrees.

The role of local government responding on the ground to the impact of the pandemic is vital, and I take this opportunity to thank councillors and council officers in the Macedon Ranges, Hepburn, Moorabool and Mount Alexander shires and Melton City Council for their work to date.

This bill will amend the Local Government Act 2020 to provide that any requirement that councillors attend a meeting is satisfied if the meeting is held remotely using electronic communication.
• This will enable councillors and committee members to participate in meetings online instead of attending in person.
• The bill also provides that the requirement that council meetings be open to members of the public is satisfied if the meeting is live streamed.
• These provisions will come into operation on 1 May 2020 and will be automatically repealed on 2 November 2020.

Like everyone right now I am looking forward to a time when I can get out and about, to set up my street stall out the front of supermarkets on a Saturday morning, to attend openings and sod turns, fetes and community lunches, sporting events and CFA dinners, but that time is not now, and it will not be for quite some time.

It is worth pausing to remember why we are making these sacrifices.

Victorian modelling shows that without stage 3 restrictions and the introduction of effective physical distancing we were on track for 58,000 cases a day at the peak of the outbreak, requiring 10,000 ICU beds and 7000 ventilators. We were facing 9200 hospital presentations and an average of 70 deaths every single day.

The modelling also shows that if we were to lift restrictions too quickly or too broadly, coronavirus would spread rapidly through our community once again. That is why it is so important that Victorians continue to stay home, protect our health system, save lives.

Thank you. I commend the bill to the house.

Dr READ (Brunswick)

I submit to the Parliament these comments on the COVID-19 Omnibus (Emergency Measures) Bill 2020, introduced in response to this extraordinary public health crisis.

I will focus on the radical, temporary changes to our justice and corrections systems.

The bill also amends laws regarding education and training, commercial and residential tenancies, environmental protection, planning, local government, hospital patient care and the operation of parliamentary committees. I comment briefly on health and tenancy aspects of the bill, but refer you to speeches by my Greens colleagues for comment on other parts of the bill.

For the next six months, the bill proposes that the Attorney-General can bypass Parliament to effectively make and amend new laws across the justice sector through regulation, in relation to bail, the courts, police and corrections.

The only checks on the Attorney’s powers in this time come from our constitution and charter of human rights, and from both houses of the Parliament, when they are allowed to sit.

Our justice system must continue to operate, even during a global pandemic, and so these powers are justified. Many amendments in this bill, such as the expanded use of technology in the courts, are an insight into the way these essential services may function in the future.

But we should not assume these urgent changes will work smoothly, and in a rapidly evolving crisis further amendments may be needed.

Therefore it is important the government is given sufficient powers to resolve problems and adapt to an evolving situation. Hence we support the Attorney-General’s temporary powers in the bill.

But we also expect that when Parliament grants extraordinary powers to government that erode our democracy, even if they are necessary and granted with benevolent intent, they require proper scrutiny.

We have been told in relation to this bill that Parliament’s ability to disallow any of the Attorney-General’s regulations provides an important safeguard. Therefore Parliament must sit regularly for the duration of these temporary measures.

We also need a parliamentary committee with sufficient authority to properly scrutinise the government during this period. This is not the Public Accounts and Estimates Committee.

Anyone who compares this committee’s level of scrutiny to the federal Senate estimates has never actually seen estimates in action or is being deliberately deceptive.

Historically PAEC often gives a member as little as 2 minutes to both ask a question and receive a response from a minister. Asking what is for dinner sometimes takes longer.

We are giving the government almost unfettered executive power to create new laws and borrow tens of billions of dollars. The Parliament and all Victorians are trusting that this money and power will be used to save lives and livelihoods. To do this we need a properly independent oversight committee. The government should be helping us create it.
The bill also makes some changes to the operation of our prisons and youth justice centres. The Greens agree that we need to take urgent action in Victorian prisons in response to COVID-19. Viruses are likely to spread rapidly in these closed establishments where people are in close contact. Prisons, hospitals, aged-care facilities and, evidently, cruise ships are at the greatest risk. Only last year Victorian prisons were subject to an outbreak of influenza. Unlike in hospitals and aged-care facilities, prisons face many additional challenges in managing a pandemic, including managing a population with high levels of complex needs and prohibitions on the use of hand sanitiser.

Moreover, Victoria’s prisons are overcrowded and overflowing with unsentenced prisoners. Many are vulnerable: Aboriginal and Torres Strait Islander people, abused and traumatised women, the homeless, children, persons with disabilities or mental illness. And the majority are minor offenders who will be released within six months—in fact 41 per cent are essentially in prison for no reason and will be released after serving no time under sentence. When in prison, and particularly on remand, conditions are onerous—we know that currently double-bunking, overcrowding and assaults are frequently occurring. Pre COVID-19 Victorian prisons were failing to meet 20 per cent of their minimum service delivery targets.

Given these were pre-existing conditions in Victorian prisons, it is very likely that the additional challenges posed by this crisis will further reduce operational performance over the coming months. Judges and magistrates are already releasing prisoners because of the conditions in prisons. The government should be controlling this process by legislating for the limited release of low-risk unsentenced prisoners on bail or sentenced prisoners on parole based on criteria similar to those just introduced by NSW.

This is the advice of health professionals and criminologists.

This bill does not allow for these measures but it does expand the powers to separate, isolate and quarantine prisoners, including children.

I accept that isolation for the purposes of quarantine may be necessary in prisons, as it is in the community. But we cannot ignore the recent call from the Victorian Ombudsman for solitary confinement to be banned because of the serious damage that it causes vulnerable young persons including, disproportionately, Aboriginal and Torres Strait Islander people.

Indeed the medical evidence is compelling that solitary confinement, of children and young people particularly, poses a serious risk of lifelong harm. We rightly follow the advice of doctors and academics on public health and COVID-19.

We should not be ignoring these same experts in regard to criminal justice policy and public safety.

In terms of the many vulnerable, non-violent and often unsentenced prisoners held for very minor offences, early parole, bail and release is a better option for everyone than potential prolonged periods of isolation, and this should have been recognised in this bill.

Many people in my electorate rent, often in shared houses or apartments, and some have now lost jobs or income and are in housing stress. I now raise this bill’s response to renters who have lost their jobs and are in housing stress. I support the ban on evictions and rent increases in this bill, but it must also guarantee that no person in Victoria loses their home because of this crisis.

The bill must ensure that tenants and landlords have equal rights and resources when negotiating rent. The bill should give more resources to Tenants Victoria. And it must do a great deal more to ensure that renters do not simply accrue debt which will force them to leave or face eviction in months to come.

The bill also protects hospitals from penalty if they fail to maintain adequate staff-to-patient ratios when overwhelmed by COVID-19 admissions. This provision, which first requires consultation with a union, is what the community would expect if the incidence of COVID-19 was high. However, the bill could have taken steps to protect hospital staff. It would mean a lot to clinical staff if the bill contained measures to prevent healthcare workers from dying of COVID-19.

These could include mandating the supply of personal protective equipment of adequate standard to staff at increased risk of exposure. Given recent problems with supply of PPE, the bill could require full transparency regarding the amount of PPE available and the rate at which it is being used.

The bill could require hospitals to identify staff with a significant risk of serious symptomatic COVID-19 and move them to roles without patient contact. Hospital staff who do acquire COVID-19 may require long
periods of time off work before they are fit enough to return. The bill could guarantee sufficient sick leave
without requiring that staff prove they were infected at work to take this leave.
This bill does none of those things, but I encourage the government to do them anyway and reassure health
workers that we will do all we can to protect them while they protect us.

Mr HAMER (Box Hill)
The COVID-19 Omnibus (Emergency Measures) Bill 2020 is unlike any other we have considered in modern
times.
As we were adjourning the Legislative Assembly in mid-March, there was some understanding of the
challenges we were about to face. The truncated sitting and measures like only allowing essential staff on site
were perhaps a sign of what was to come.
During that sitting the Premier foreshadowed what was to come in response to a question from the Leader of
the Opposition:
… I do not see this as a Labor or Liberal issue. I see this as an issue of national unity … this is a matter
of everyone being in this together …
It was not long after that Prime Minister Scott Morrison announced the formation of the national cabinet, to
consist of himself and the state and territory leaders. This was the right thing to do, and I believe history will
render a kind judgement upon the Prime Minister and state and territory leaders who left their politics at the
door.
Before I turn to the bill and why it is so important I would like to briefly speak to any Chinese Victorian who
may be reading this: I stand with you. I am proud to stand with you. The entire Box Hill community stands
with you, and those who seek to divide us will not win.

The impact of COVID-19 is still not fully told—and it will not be until we have a working vaccine. The
scientists who are working day and night to make that happen have nothing but my love, respect and support.
That is why this bill provides flexibility to adjust our approach to service delivery over the next six months.
Because we do not know the full extent of the challenge—but accept that it is very real—flexibility is needed.
At the core of that flexibility and each measure it is simple: limit the spread, flatten the curve and save lives.

Residential tenancies
We are implementing a number of measures with respect to residential tenancies for two reasons: the
economic distress that many people are experiencing and the need for all Victorians to stay home if they can.
That is why there will be a broad moratorium on rental evictions for six months. That means, with few
exceptions, tenants will have a place to sleep for at least six months as we get through this. There are
commonsense exemptions, like tenants who wilfully damage property, but the vast majority of tenants will
have the certainty they need.
That does not mean any Victorian tenant should or can stop paying the rent. I want to be clear about that.
And there is no heavy-handed approach from the government on rent reductions or other forms of relief.
Instead we are asking tenants and landlords to work together to reach a mutually agreeable outcome. Each
situation will be different, and each solution must be tailored.
Where an agreement cannot be reached, a fast-tracked mediation process will be provided. This service will
have the necessary ability to make binding orders.
It is my hope that it will not reach that level for most tenants and landlords. I know there are many landlords
who rely on rental payment as their sole or primary source of income and are also doing it tough right now,
and I do not support any tenant who unilaterally chooses to stop paying the rent. Instead I call on parties who
are in distress to work with each other, recognising each other’s distress and the need to get through this
together.
Landlords who do the right thing and support their tenants will be entitled to land tax relief and deferrals to
help them through this.
The provisions will apply to commercial leases for businesses that are participating in the federal
government’s JobKeeper program and have an annual turnover of less than $50 million. Just as JobKeeper is
about keeping the employer-employee relationship, this scheme is about keeping tenants and landlords
connected, so that when we are through this they can start serving our community again as quickly as possible.
Justice/Community safety

It is important that our justice system continues to operate and that high levels of community safety are maintained.

That is why we need to give courts, VCAT and other relevant agencies the flexibility that they need to deal with procedural matters.

This bill will allow courts to hear more matters without the need for parties to be physically present, by expanding the criteria for matters than can be heard by audio or visual link. It will also enable courts to alter processes in relation to physical access to courtrooms and buildings on public health grounds.

We must also act to ensure that criminal trials for the most serious offences can continue to the greatest extent possible. These trials often involve accused persons held on bail and victims of crime. We must ensure timely disposition of these matters without eroding the rights of criminal defendants and while giving victims of crime the greatest possible respect in difficult times.

That is why courts will have the discretion to proceed with judge-only trials for indictable offences where it is concluded that it is in the interest of justice to do so. Importantly, the accused must consent. The views of the prosecution must also be taken into account by the court but are not binding.

These types of trials already exist in other jurisdictions, and this bill will temporarily allow them to occur here. This will allow trials for the most serious offences to continue, where possible. Judges will also have the temporary power to assess fitness to stand trial rather than the current practice of a jury making this determination.

The bill will give the Governor in Council, on the recommendation of the Attorney-General, power to make emergency provisions. This is not intended to substitute substantive orders like custodial sentences but to allow for process changes like the operation of pre-trial proceedings.

The Attorney-General may not make any such recommendation unless it is consistent with advice from the chief health officer and reasonable in all the circumstances. The regulation cannot override the Constitution Act 1975 or the Charter of Human Rights and Responsibilities Act 2006 and must cease within six months of the act commencing.

The proposed regulation-making power is extraordinary, but it is required—and I am confident that the safeguards, including the automatic expiry provisions, provide the necessary level of safeguards.

Youth Parole Board

Turning briefly to the Youth Parole Board, it is important that this important board be able to continue its vital operations. The board in its deliberations considers case histories, detailed medical reports, progress reports and custodial history, among other documentation. In 2018–19, the board considered 2780 matters during 24 scheduled meetings and 73 ‘ad hoc’ meetings. This, in the best circumstances, is a significant workload.

Noting the significance and importance of the board, this bill would allow for the appointment of an additional, alternate chairperson and also expand the eligibility criteria for chair and alternate chair positions. This will assist the board in making timely, proper and consistent decisions during this crisis.

I welcome these changes and commend His Honour Judge Michael Bourke—chairperson, Youth Parole Board—for his work in this area.

Workplace safety

This I believe is one of the most important aspects of the bill. People who are unable to work on a long-term basis and are on WorkCover benefits should not be left behind at this difficult time.

Although their benefits may be set to expire, we cannot set them loose from the system and hope that they will be okay in the midst of a pandemic. That would be unfair and unjust—and it would be cruel.

The 600 injured workers who will have had their payments terminated between 1 December 2019 and 30 April will be looked after and so will the 1500 workers who would have had their payments suspended in the following six months.

It is the right thing to do and I am proud to support it.

Local government

Local government is at the heart of service delivery in many communities, in many instances aided by assistance from the state government.

That should and must continue.
They have asked for flexibility to continue that service delivery—and we will help with amendments to the Local Government Act 2020. This might include things like virtual meetings, but it will mean that councils can keep making decisions to keep vital services running.

Conclusion

These reforms are significant. Some have called for more direct intervention and assistance, while others have questioned the very need for lockdowns.

I believe we have struck the appropriate balance with this bill.

The people of Box Hill sent me here to make difficult decisions. They put their faith in me to consider all of the facts, the evidence and what is best for the community I have called home for most of my life.

The decision I make on this bill is perhaps the most important one I will make as a member of Parliament. As I said, it has weighed heavily on my mind and my heart.

And for the reasons I have outlined, I am proud to support it.

I commend the bill to the house.

Mr NORTHE (Morwell)

This omnibus bill is a broad mix of legislative updates to implement the measures within the state government COVID-19 crisis announcements. It will come into effect the day of royal assent and provide immediate relief across the Victorian community in doing so.

First, I would like to extend my sympathies to the families and loved ones of the Victorians and indeed any persons who have lost their lives fighting COVID-19. I think in this heightened and anxious state that the world is currently in your grief has maybe been overshadowed. I am so sorry for your loss and for the loss of the regular, expected bereavement process with your family; sincerely, my thoughts are with you, everyone.

I would also like to acknowledge those who are in intensive care fighting for their lives, as well as their families. As I understand it, COVID-19 medically limits the ways in which you can be with and support your loved ones, which must be truly devastating. I extend my best wishes to you also.

Second, I do commend the state government and the chief health officer for their response during the current COVID-19 crisis. I appreciate the difficulty of decision-making in these times, and whilst there has been some confusion and mixed messaging on specific restrictions and activities—and indeed I have my own personal views on same—I know those decisions are based on managing the best health and wellbeing outcomes of Victorians. To this, I recognise the efforts of the Premier and those working within the Premier’s office, and government ministers, including the Minister for Health and her team. There are many staff who have worked incredibly hard behind the scenes and within ministerial and departmental offices, and I say thank you and well done for your contributions. In particular, the crossbench received several briefings this week, and to those who participated in those I thank you for your time. I also thank my own electorate office team, who have never been busier in their support of the community. They are fielding a wide range of constituent feedback and are doing a sensational job doing it too.

Third, I would like to thank our amazing health sector and other workers who are providing necessary services at this time. Their dedication, diligence and preparedness to support others make us realise how fortunate we are to live in a state where people on the whole look out for each other. To those working in our hospitals, health and mental care sectors, pharmacies, aged-care, childcare and other care facilities, schools, supermarkets, transport sectors, charitable organisations, emergency services and many other facets of our community who are doing what they can to support community members in their time of need, I say well done.

I would now like to thank my community for their efforts and sacrifices made in order to protect our healthcare system and their fellow Victorians. Many in the Morwell electorate found the early stages of this crisis extraordinarily overwhelming, with daily escalations of closures and changes, job and income impacts, and restrictions on everyday activities and access to essential items. Many still find it overwhelming, but the overriding sense of community spirit, patience and understanding has been inspiring.

More than ever I am proud of the individuals and families of the Latrobe Valley, who are supporting each other, supporting local businesses and making the time we are spending isolated from our support systems more bearable. I thank the electorate of Morwell for once again proving their resilience and support of one another.

Now let us look at specific elements of the bill—and what a bill too. It has some extraordinary changes in it that would never fly in ordinary times. But we are certainly not living in ordinary times.

In line with national cabinet, there will be a moratorium on residential rental evictions and rental increases from 29 March to 26 September 2020, including at caravan parks and boarding houses. The bill will also provide mediation to support and help landlords and tenants negotiate fair arrangements through Consumer
Affairs Victoria. I do note there are specified circumstances whereby an eviction can occur, and this is important to note.

Similarly, the bill provides relief to eligible commercial tenants experiencing financial hardship due to the COVID-19 pandemic by:

- allowing the Victorian Small Business Commission office to assist in resolving disputes between owners and tenants before VCAT needs to be involved;
- enacting a six-month moratorium on commercial tenancy evictions from 29 March 2020;
- providing for a freeze on rent increases during the moratorium for commercial tenants;
- providing for a rental payment waiver or deferral proportionate to a commercial tenants’ income reduction due to coronavirus, to be negotiated between tenant and landlord.

These elements are critical to support our Victorians who are doing it tough and are financially stretched. They send a clear message to both the residential and the commercial rental markets that consideration must be given where necessary during this crisis to businesses—it could mean the survival of businesses who have seen cash flow completely disappear—and of course to tenants whose income and cash flows have diminished.

Another change that is important to businesses is the implementation of electronic means within the planning permit and amendment process. This includes enabling planning panels to conduct hearings by videoconference or in other remote ways. Anything that prevents delays within the planning and permit approval process is well worth the change.

Another important aspect of this bill is to give our hospitals greater flexibility with their nurse-to-patient ratios where COVID-19 places extraordinary demand within their facilities. In softening these laws—whilst understandable in periods of sector distress—I hope that we do not see instances of opportunistic non-committal in providing our healthcare sector everything they need in terms of resources. There will be provisions within this legislation to delay changes that may worsen or impede the current situation, such as Environment Protection Authority Victoria reform and VCAT updates.

There are some justice reforms in regard to the courts, and as I understand it some of those provisions uphold current practices occurring due to COVID-19. There has been community concern expressed about fair trials and that some prisoners may be released early from their sentence due to the incidence of the pandemic. From the feedback I have received this would not be a palatable option for many of those same community members.

The bill also makes some sensible changes for WorkCover recipients, local government, the training sector and parliamentary committee operations. Having said that, a valid point raised in the context of local government and WorkCover relates to the costs of municipal rates and insurance premiums. I have been approached by a number of ratepayers and businesses who have expressed concern on how they might mitigate the fees associated with these two areas of cost. I do believe that relief measures pertaining to council rates and WorkCover premiums will need to be considered seriously by the government in the coming weeks and months because the reality is many businesses and indeed home owners will be unable to pay these fees in totality.

Many of the support measures in this bill—in fact nearly all—will sunset after six months, which creates a sense of relief that some of these extraordinary implementations will only need to be temporary.

In closing, this omnibus bill addresses a variety of challenges faced by the Victorian community in the wake of COVID-19, and I sincerely hope the measures within it provide relief to the sectors of our community most in need.

Ms RICHARDS (Cranbourne)

Like all other Victorians, I have watched in horror at the unfolding crisis gripping the world and I have been heartbroken watching the evening news and seeing the devastation of the COVID-19 virus.

We are indeed in extraordinary times, and I pay tribute to the international community and the care and consideration that has led us to reach out to family and friends across the globe, first in China, then in Europe and the Americas. I acknowledge the pain and suffering experienced also by the Cranbourne constituents who have been terrified of the impact this has had on their families in their motherland.

I would like to thank the Premier for his leadership during this crisis and for bringing this bill before Parliament. His leadership and that of the executive have been outstanding and a great comfort to the Victorian community. I pay credit to and thank those ministers who have participated in the Crisis Council of Cabinet. In particular, I would like to thank the Minister for Health in the other place for her outstanding work over this time. We are fortunate to have some outstanding leadership.

Although this pandemic prevents us from speaking in the usual way today in support of the COVID-19 Omnibus (Emergency Measures) Bill 2020, I am grateful for the opportunity to add my contribution in
support of this necessary legislation as we continue our response to this COVID-19 crisis. Likewise, I do so with an understanding of the urgency and decisiveness with which this government needs to, and continues to, act in response to this crisis.

As we look around the world and the news comes in about the tragedies of the pandemic and the economic devastation it has already begun leaving behind, we must recognise that we cannot let this be the case for Victoria. We must do what we can to keep our communities safe, which is why the Andrews Labor government brings this bill before the house. It includes a number of measures which for the most part sunset after six months and all of which will aid our response to and recovery from COVID-19.

While at first we took action to prevent the spread of the virus with physical distancing measures, shutting down non-essential services and preparing our health system for those who need it most, now is the time we must act to ensure that while these measures take effect critical services are able to continue as best they can. They must remain accessible to those who need them without jeopardising the great progress we have made.

Alleviating risk, saving lives and livelihoods: I would like to draw attention to the amendments to the Workplace Injury Rehabilitation and Compensation Act 2013 and the Accident Compensation Act 1985, which will allow injured workers whose WorkCover would have terminated during this period to continue receiving payments for another six months if they are unable to find work at this time. It is just not reasonable to expect in this unprecedented economic situation that someone who has had significant time off work would find employment as they normally could. This legislation will prevent 600 workers from facing the potential economic hardship that COVID-19 threatens to bring and in doing so enable a realistic transition back into the workforce.

I take this opportunity to thank our sisters and brothers in the union movement for bringing the plight of our vulnerable workers to the attention of the community. I particularly acknowledge Luke Hilakari for his advocacy and the Electrical Trades Union for always providing their insights.

I thank the business community and other sectors of the economy for being particularly constructive in their approach at this time.

This bill will prevent renters from falling into hardship by amending the Residential Tenancies Act 1997 to establish a moratorium on residential tenancy evictions and rent increases. Landlords will be prevented from listing tenants on a residential tenancy database. If you are unable to pay your rent as a result of COVID-19, you will not be evicted. Of course, if you are able to pay rent it is expected that you do so. As expected, those wilfully damaging property or using property for illegal purposes are not going to be assisted by this moratorium. That is not how this legislative change works. This is specifically for people who are experiencing financial distress and cannot pay rent. Disputes will be mediated by Consumer Affairs Victoria. Again, these measures will have a sunset clause after six months.

I am proud that the Victorian government places the rights of women and children front and centre of our response to this crisis. The amendment to the Family Violence Protection Act 2008 allowing family violence victims to make an interim extension on family violence intervention orders by up to three months, an increase from the current 28 days, will make a huge difference to the Cranbourne community. This provision allows the courts to be flexible. This crisis has resulted in a particularly dangerous time for family violence victims.

It is absolutely essential that the government does all it can to protect family violence victims across Victoria. I would like to thank those in my community who have continued to advocate for women and children, and I take this opportunity to acknowledge Adele Murdolo and Kit McMahon for their work. At a local level, I pay my deepest thanks to Sadia Ali for her work in highlighting the needs of those who form the Afghan diaspora in the south-east of Melbourne, particularly the Hazara women and children of Cranbourne.

Another significant amendment in this legislation is to the Children, Youth and Families Act 2005, protecting children and staff in youth justice facilities from exposure to COVID-19. By creating the ability to isolate children for 14 days to prevent the transmission of the disease throughout facilities and avoid the risk of worsening this health crisis, we are protecting our most vulnerable and the hardworking men and women who work in our criminal justice system.

This legislation allows for children to be isolated if they are carrying another infectious disease, such as influenza, that may put someone with COVID-19 at risk of becoming much more unwell. This provision focuses on the health and wellbeing of everyone in our community, including children and staff in youth justice facilities.

I take the opportunity to thank the Cranbourne and Victorian community. I have spent these last weeks calling our senior Victorians, and I appreciate the terrific spirit of generosity I have encountered and know to be so precious.

I pay credit to community leaders: Leanne Petrides, our faith leaders, our school principals, pharmacists, and of course at this time I thank our police.
There is a special place in heaven reserved for our emergency workers, and I thank the paramedics who work tirelessly and heroically to keep us safe. To Danny Hill and the paramedics who serve our community, I say thank you.

I pay tribute to our nurses and ask that Lisa Fitzpatrick and the Australian Nursing & Midwifery Federation are acknowledged for their terrific gifts and clinical skill at this time. I thank Tracey Maxwell for giving me the gift of her insights.

I thank those community leaders who made videos for distribution and particularly acknowledge Nancy Loomba, Bassir Qadiri, Andrew Gai, Meha Nanthie and Sumair Masood for their linguistic skills and commitment to disseminating information in languages other than English.

I pay credit to our medical team, the tracers at the Department of Health and Human Services and of course Victoria’s chief health officer. We respect the science in Victoria, and the community has benefited in ways we may never know from Professor Brett Sutton’s leadership and that of his team, including Dr Romanes, Dr Slota-Kan and Dr van Diemen.

I know there are many people who have toiled to bring this astounding work of public policy to us here today, and I am grateful to advisers and public servants in equal measure.

I also thank our hardworking retail workers, those on the front line we have learned to appreciate with far more awareness. I thank Charlotte Edwards for her generosity in telling her story with great passion.

Finally, I thank again Sikh Volunteers Australia, who have once again demonstrated their intrinsic decency and capacity for generosity and hard work. You are the pride of our community.

We are all in this together.

What started as a health crisis is now a fully-fledged economic crisis too, which is why this government is taking such serious and decisive action—because there is no time to wait.

The provisions set out in this legislation will help ensure the community has support at this difficult time. I wish it a speedy passage.

Mr NEWBURY (Brighton)

The effect of the coronavirus health pandemic hit our local communities and suburbs dramatically. By the third week of March people were unable to buy essentials. Shop shelves were empty, and the elderly were forced to wait in queues before dawn in the hope of finding needed goods. As images of the devastation in China beamed around the world and the infection rate in Italy exploded, governments worldwide, including our own, began taking unprecedented action.

The first wave of interventions in our country included the closure of places and businesses where people socially gather. The effects were profound. They were felt in every street and in every suburb. Those closures led to job lay-offs in a way that most have not seen before—lay-offs that had started on the Friday before the closures.

On the morning of the day when the first wave of restrictions came into place—Monday, 23 March—a young woman, Carolina, contacted me. Her husband had been told that morning that his casual job was in limbo. She was already on maternity leave. It was the first time she had contacted a member of Parliament, and she asked, ‘What options do we have if we are no longer able to afford our rent?’, and further, ‘We are a young family scared of what the worst-case scenario could be’. Her feelings were being felt by Australians all over this country.

Carolina’s story was similar to that of hundreds of thousands of our fellow Australians. Many of them stood in queues that snaked around city blocks as they registered for social welfare benefits at Centrelink. It was so incredibly heartbreaking. Understandably many of those now unemployed were worried about their most basic needs: how to feed their family and how to keep a roof over their family’s heads.

Similar concerns were being raised by small businesses, especially those forced into closure by the mandated restrictions. Small business is the human face of the economy and the economy’s backbone. Small business owners are our neighbours, they are mums and dads who have taken a risk to realise a dream. Many of these small business owners have invested their entire savings or mortgaged their house to first open the front door of their small business. And now their dreams and their financial security were at risk.

Art Lytas, the owner of Little Ox cafe, put the case for government intervention over residential and commercial tenancies early, saying:

The other part of the equation is ordering us to shut down and not doing something by law.

You’re now actually pitting the individuals and businesses to go fighting with the landlords.
This conflict forced some to engage legal representation to protect themselves. The lawyer of one longstanding Brighton small business wrote to me to outline what they were faced with:

The Lessor is proposing to force our clients out of the business premises by terminating the lease in 14 days’ time. This offer is being put as a ‘goodwill gesture’ and in our view is so unconscionable that (the company) should be put to shame publicly for this action. The Lessor is clearly acting opportunistically.

Though governments had not caused the health pandemic, it had led to their intervention in our society, the forced closure of business and the mass lay-offs. The calls on government to urgently intervene again and protect those businesses forced to close and help those Australians now without a job were understandable and urgent; the clock was ticking.

The need for government protection was recognised early by the nation’s first ministers at national cabinet. As the Prime Minister acknowledged, the states were:

… working to identify how relief can be provided for tenants in both commercial tenancies and residential tenancies to ensure that in hardship conditions there will be relief that will be available and ensuring the tenancy legislation is protecting those tenants over the next six months …

Not long after, a property management company contacted me to request that intervention be balanced. They said, 'Shifting the burden to landlords is not the answer' and that, 'If rental payments are paused in any way, our industry will collapse'. Landlords were similarly concerned. As retired landlord Annamaria said to me:

Tenants cannot be evicted during this time, but we landlords are still required to pay … failure of which leads to the risk of us landlords having banks foreclosing and taking possession of our properties.

Other retired landlords began to raise similar concerns. Landlord Theo contacted me to say:

We need rents to pay bills, interest on mortgages, and to fund living costs.

Richard wrote to say:

The proposed legislation to prevent eviction of tenants for non-payment of rent is just ridiculous and introduces total anarchy to the system … If landlords do not receive their rent payments and then fail to pay their mortgage the bank will take over the property.

And Phillip wrote to say:

I have given my tenant a 50 per cent reduction in rent without question to try and help, and the response from my tenant was that she would not pay me a cent.

The concerns raised by landlords often came from those in tight financial positions, not those who are too often characterised as rich landlords with deep pockets. In truth these landlords were the retired who were living off the rental of a single investment property or the aspirational families who had saved and bought into the investment market. Young mother Diana put her position bluntly:

I am sure the government would not assume that landlords have to just absorb that expense. We would be hugely financially impacted by this and would be losing our property as a result.

And retired Isabella said:

A lot of landlords are self-funded retirees who rely on their rental income to live.

In recognition of the complex balance, on 25 March the Victorian Liberal Party called on the state government to deliver land tax credits to property owners who provided rent relief to tenants affected by the coronavirus restrictions. Local property owners had made it clear that relief on tenant rent must by matched by relief on their obligations. As Patrick said:

I am more than prepared to share the load in these grim times, but in this situation property owners are being asked to go it alone. I was hoping for some offsets in land tax.

His calls were repeated by many others.

The Liberal policy announcement was an important early signal. In effect it captured the essence of the general observation the Prime Minister had made when he said, ‘There will be a burden for everyone to share’.

This ethos led national cabinet to agree upon a set of principles that would underpin government intervention on residential and commercial tenancies. Those principles formed the basis of the measures announced by each state. The Victorian measures, set out in the bill, include:

- a six-month ban on residential evictions, given effect from 29 March 2020;
- a six-month ban for the non-payment of rent for commercial tenancies involving small and medium-sized businesses;
Ms CONNOLLY

Thursday, 23 April 2020

Introduction

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decisions that are not necessarily popular but are necessary. The Andrews government has time and
again shown its strength and aptitude in this space. It has shown that it is prepared to take decisive action
before it is too late—this time doing everything it could to slow the spread of the virus with big asks of the

Families—enshrines our temporary tenant and landlord relief package into law
keeping
keeping
owing rental increases for residential and commercial properties for six months;
providing a 25 per cent discount on land tax to landlords who provide tenants impacted by
coronavirus with rent relief, with any remaining land tax to be deferred until March 2021; and
rent relief for tenants experiencing financial hardship—to be eligible a tenant must have registered
a revised agreement with Consumer Affairs Victoria or gone through mediation, have less than
$5000 in savings and still be paying at least 30 per cent of their income in rent.

The measures ensure that tenants keep a roof over their head, but they overly shift the financial burden onto
the landlord. There is no doubt that we will see the effect of these measures on tenancies and the investment
property market later this year, when the moratoriums end.

The government’s intervention in the residential and commercial tenancy market is unprecedented. The
intervention overrides the agreements struck lawfully, that were entered into with the best of intentions. But
just as the global health pandemic required intervention to protect our health, it also obligated government to intervene on tenancies in a way that balanced both the property owners’ and the tenants’ interests. That
balance has not been struck.

Ms CONNOLLY (Tarneit)

Introduction

I welcome the opportunity to contribute to the COVID-19 Omnibus (Emergency Measures) Bill 2020.
And I say from the outset, the coronavirus pandemic that has sunk its teeth into our cities and communities
across the world will most certainly be remembered in history as the health and economic crisis of our
generation—one reminiscent of the Spanish flu and the Great Depression faced by our grandparents. These
are unprecedented, worrying times, the impacts of which are unlikely to ever be forgotten.

For months now, both here at home and across the world, we have seen the horror of the coronavirus pandemic rapidly unfold. As said many times already, it is an enemy we can neither see nor hear, an enemy our
generation has never known and one that must be defeated. And yet despite these dark and troubling times,
there have emerged so many heroes within our community. And these heroes do not need capes or special
powers. If you asked, most would consider themselves just the average Australian, people who get on with
the job because they know it needs doing and who just want to help out because someone is in need. They
contribute every day to keeping Australia moving. But this is not news; they have been right there doing it for
a long time.

They are our nurses, doctors, and paramedics, always there at our side when we need them most. They are
our teachers and early childhood educators, who support, teach and encourage each of us from the earliest
age. They watch us grow and then do the same for our own children. They are our truckies, zigzagging across
the nation keeping us supplied and fed, and our retail workers stocking the shelves of our shops, doing
everything they can to make sure we can get what we need when we need it.

These are our vital services and our essential workers. These are our Aussie heroes. And I make a point of
noting that these are hardworking Aussies in industries that largely make up the membership of unions right
across this country. These essential workers have always been there—as important to us now as ever before.
That is something we should never forget when we come out the other side.

I know I am not alone in observing that the world as we know it, our economic and human interactions with
each other, will likely change forever. And that change, here in Victoria, will be shaped by the bills being
debated today.

Families’ and businesses’ ability, or lack thereof, to pay rent due to the economic impact of COVID-19 is all
too real. The impact on their income, their weekly wage, and their ability to put food on the table is a burden
we should all share. This bill enshrines our temporary tenant and landlord relief package into law—keeping
a roof over heads and support for business to be left standing on the other side of this pandemic.

My office currently spends its days on the phone and responding to emails, working through tenancy issues
with local families and small businesses. I cannot begin to express how relieved people—both renters and
landlords—are when I talk them through the assistance this bill makes available.

I have always believed in the importance of government, that it really does matter. You might not like politicians and politics, but we need the government. It affects everything around us. And it is the basic right of
every individual in our community to expect good governance. What has become absolutely clear is this:
in times of crisis good governance is critical and can make all the difference. That means making the hard
calls— decisions that are not necessarily popular but are necessary. The Andrews government has time and
again shown its strength and aptitude in this space. It has shown that it is prepared to take decisive action
before it is too late—this time doing everything it could to slow the spread of the virus with big asks of the
Victorian people. I know it is a tough time for Victorians. Isolation is not an easy situation to cope with, but it has been done to keep the most vulnerable in our community safe, while also addressing the far-reaching social and economic impacts the COVID-19 emergency has had on our economy—necessary calls.

This bill puts in place measures streamlining a range of urgent cross-portfolio reforms sorely needed—reforms necessary to assist the state’s emergency response, reforms taking seriously the risk to public health in Victoria, with a goal to minimise negative impacts on our public health system and the families that comprise the Victorian economy.

These reforms enable critical state services and systems to respond efficiently and effectively, permitting the adoption of measures to reduce person-to-person contact and the subsequent transmission of COVID-19.

And as important as these measures are in the protection of our health system, so are the measures being put in place to protect our economy, because the Victorian people are our economy. And of vital importance to the people of Tarneit, who sent me to this place, and I dare say to families and businesses right across Victoria, are the measures related to commercial and residential tenancies.

**Reforms to support residential tenants and landlords**

I am specifically making reference to the included reforms on the topic of tenancy measures because many people in my electorate rent and this bill will unlock the unprecedented support they need to get through these challenging times through a broad moratorium on residential tenancy evictions. They will be banned. Nobody can be evicted from their home; nobody can have the roof removed from over their head.

Our government’s expectation is clear: tenants will continue to meet their rental obligations where possible. This bill seeks to implement measures where a tenant may not be evicted for non-payment of rent where they are experiencing financial distress during the moratorium period of six months.

Additionally, rent increases will be suspended during the moratorium. Because times are tough, there is no point increasing rent during this period where so many are struggling. With so much uncertainty and in the face of financial hardship we need to bear the brunt of this thing together.

Residential tenancy disputes, including eviction matters, will be administered by Consumer Affairs Victoria. Where parties need additional support, they will be referred to a new specialist mediation service to be provided through the Dispute Settlement Centre of Victoria.

**Reforms to support commercial tenants and landlords**

The impact of COVID-19 on many small business operators in my community and across Victoria has been profound. It is staggering to think how quickly life can change.

We are a government that is committed to supporting Victoria’s small businesses and ensuring as many small businesses as possible reach the end of this journey with us. This bill will provide a significant amount of support to small business owners who in ordinary times lay the foundation of our communities, grow our economy and keep locals employed.

This bill seeks to implement the principles on commercial tenancies agreed to by the national cabinet to prohibit termination of leases and recovery of possession of leased premises, modify certain rights and liabilities arising under leases, extend eligible lease periods and require landlords and tenants to participate in mediation facilitated by the Small Business Commission.

Where a tenant is suffering economic hardship due to COVID-19, landlords must not terminate leases due to non-payment of rent during the COVID-19 pandemic period or a reasonable recovery period, and tenants must remain committed to the terms of their lease.

Landlords are being encouraged to offer tenants proportionate reductions in rent payable in the form of waivers and deferrals of up to 100 per cent of the amount ordinarily payable, based on a reduction in the tenant’s trade.

**Conclusion**

Victorians have well and truly risen to the challenge of fighting COVID-19. Through sacrifice and the majority of us doing the right thing with respect to social distancing and heeding the call of the Premier to stay at home, we have seen the flattening of the curve—and the avoidance of thousands of deaths.

To my fellow Victorians, thank you for your sacrifice. We will not let you down on the other side of this. I commend the bill to the house.
Mr TILLEY (Benambra)


Let me start by saying that Australia’s success in managing a pandemic that has created an unprecedented emergency around the world is a testament to what collaborative, strong leadership and governance can achieve. The federal chief medical officer, Professor Brendan Murphy, and his team have been a shining light in limiting the spread of this virus not only in this country but as seen through the eyes of people across the globe who are facing the full force of the pandemic. I must say, I love this country, but I cannot remember a time where I have been more appreciative of living on a big rock a long way from the rest of the world.

Yet despite this united spirit of collaboration and success, here we have a 296-page document, dumped in the coalition offices at 5.45 pm on Monday, less than three days before it was to be debated and with no consultation. The briefing paper for this tome was, incredibly, just two pages, although to call it a tome might be generous.

One of the great advantages of being part of a team is that, despite the paucity of time, we have had a chance to get a few eyes across the detail. To date that has raised more questions than this government cares to answer, and that is a travesty for the parliamentary process as much as it is a travesty for the people of Victoria, who with this and other legislative changes this week will be saddled with generational debt and little transparency.

Many of the reforms will thankfully allow some normalcy and indeed some certainty for the courts, teachers, corrections, tenants and landlords and a host of other services to permit their work to continue in a realm of social distancing and self-isolation.

But at the same time it hands over unprecedented powers to the government to police and manage state affairs—some would say too much power, even if it carries a sunset clause of just six months. It allows the government to have, through regulatory powers, the ability to issue regulations which can actually override statute—even override the constitution in some circumstances.

As the Leader of the Opposition rightly pointed out, just about every single aspect of Victorian life is going to be touched in one way or another by this bill, and the fact that people of Benambra have been denied the opportunity to have their say is simply wrong.

To date those constituents have been by and large model citizens—they gave up their Easter holiday; they deferred weddings, parties and everything else; they have gone to funerals in numbers of less than 10; they have stayed at home, worked from home, educated from home. They have given up some of the reasons they moved to the north-east and border—they do not fish, despite the fact that 20 metres across the river you can; they do not fish, but look at the other side of the riverbank at their NSW friends doing just that.

As a local member in regional Victoria I can tell you that this conformity has not been without anguish. My office has taken hundreds of phone calls, thousands of emails from businesses like hairdressers—remember the 30-minute limit; people in mourning; cafes and restaurants that are now closed; students; parents; teachers; sporting groups; people in incorporated associations having to organise AGMs; families of people in aged-care; those with L-plate drivers in the family; mums and dads moving kids between shared parenting arrangements; those wanting to play golf, go fishing and go hunting. We have businesses frustrated with delays in the small business support fund and the many other programs and mechanisms that been put together to match the speed of the spread of this terrible coronavirus.

These concerns have been driven by fear, anxiety, uncertainty and mixed messages.

But we have just one COVID-19 case in the City of Wodonga, none in the Alpine shire, none in Towong and none in Indigo. I get that this can change rapidly and so I will caution that the path out of this pandemic must be trod carefully—it must be considered and cautious.

But I ask on behalf of my constituents, who have already given up so much—and through this bill and others tabled this week you are asking them to give up so much more—that there be a carrot that goes with the stick, that in my not opposing this bill you appreciate that this is not a one-cap-that-fits-all management approach and that the government immediately looks at lifting the ban on low-risk activities such as fishing, hunting and golf as a reward for the diligence and patience of the people of Benambra, in fact of all rural and regional Victorians.

Furthermore, I ask that the government look at creative ways that could reward the people of Benambra. Perhaps open up caravan parks to self-contained vans with their own showers and toilets. I am not advocating a convoy out of Melbourne, but here is an opportunity to allow families from Wodonga who undertake an annual pilgrimage to Colac Colac, Mount Beauty or Mitta Mitta each Easter the chance to take the family and get out of the house at the weekend and in doing so generate some income for towns who have coped the double dose of bushfires and now COVID-19 restrictions in this annus horribilis.
To continue with the Latin, I am calling it a quid pro quo—that with the passage of this bill the Victorian Labor government expedite some normalcy to our lives, not in a rash and ruthless fashion but sensibly and progressively. There needs to be a light at the end of the tunnel.

The major supermarkets have seen it—there are no more seniors hours, click and collect is back. The Victorian government also needs to move with the times.

You now have the power, and now is the time to wield it wisely.

Ms KILKENNY (Carrum)

Today I am so very proud to contribute to the debate on the COVID-19 Omnibus (Emergency Measures) Bill 2020. Today we are seeking to make temporary amendments to certain acts and to modify the application of the law of Victoria so that we may respond to the COVID-19 pandemic and save lives.

The measures in this bill are extraordinary, but we are in extraordinary times and in this context the measures in this bill are wholly responsible and justified and are directly proportionate to the health, social and economic crises that now confront all Victorians.

I wish to thank all Victorians for playing a part in saving lives during these unprecedented times. We know that so many people have made significant sacrifices and sadly so many Victorians have lost their jobs, with thousands more likely to lose their jobs in the weeks and months ahead. We know that many families have been unable to spend time together, particularly over the holiday period, and that many people have been forced to self-isolate. Students are learning from home and businesses have closed. Social restrictions have significantly curbed our way of life, forcing us to change our behaviour in ways unimaginable just a few short months ago. Indeed, never before—and probably never again—have we commemorated Anzac Day without the annual Anzac Day parades. Yet this Saturday, 25 April, I will not be joining my local community at the Seaford RSL with all of my local sporting and community clubs and local schools. But I, together with thousands of others across Victoria, will still be paying my respects. I will be standing at the end of my driveway to #LightUpTheDawn—to thank and acknowledge all of the service men and women of Australia who have made so many sacrifices so that we may enjoy our freedom.

But yes, so much has been asked of Victorians. And overwhelmingly Victorians have stepped up. Victorians are making these sacrifices, complying with the restrictions. And we are doing it to protect our health system and to save the lives of our fellow Victorians. This is larger than any single one of us. This is about recognising that we are all in this together; that we must act together and stick together if we are to get through this.

We know that this is not the time to act selfishly, to demand special treatment—to think that some of us are more important than others. Because at the end of the day, nothing is more important than saving a life. This is what makes us a community. This is true compassion.

And because of Victorians’ compassion and care for each other we have saved lives—in fact, thousands and thousands of lives. And for all of us, for all Victorians, this should be something to celebrate, something which gives us all an immense sense of pride.

By staying at home and complying with other physical distancing requirements we have successfully managed to slow the spread of the coronavirus.

But it could have gone the other way. Modelling undertaken by the public health experts, including Monash University and the Doherty Institute, finds that if no physical distancing requirements were adopted in Victoria, we would have seen up to 58 000 new coronavirus cases every day at the peak of the pandemic. This number is staggering and it is terrifying. Our health system would have been overwhelmed.

The data also shows us that without adopting the measures we did 10 000 intensive care beds would have been required with as many as 9200 Victorians presenting to hospital each and every day. And tragically what that data shows us is what we have been seeing in other countries—the immense human cost of this pandemic. For us in Victoria what could have been is the loss of as many as 36 000 Victorian lives.

No night out, no restaurant meal, no game of football or round of golf or spin class is ever worth that kind of loss. And we have shown that we are prepared to change our behaviour, give up some of those things, in the knowledge that it is only temporarily, because the alternative is unthinkable.

And this is exactly why our focus, first and foremost, has been to comprehensively address the public health crisis. And Professor Brett Sutton, and his entire team, have been doing an outstanding job.

Without losing precious time, and based on the medical advice, we set about putting in place social restrictions to reduce the spread of the virus. At the same time we took immediate steps to boost the capacity of our health system, bringing online thousands of additional ICU beds, fast-tracking the local production of ventilators so hospitals and healthcare workers can continue their extraordinary efforts in caring for those of us who may
need it most and investing significantly in medical equipment like oxygen units, dialysis machines, patient monitors and protective equipment like gloves, masks and gowns.

And it has been working.

But we also recognise that the measures, the very necessary measures, we have taken to limit the spread of the coronavirus have come at a cost, a very significant cost, to economic activity and, of course, jobs. This cost is being felt by thousands and thousands of Victorians, and there are many more who will be impacted before this crisis is over.

And these Victorians need our support. It is absolutely critical that we deliver this support and that we deliver it now. And that is what this bill will help us to do.

This bill is an important part of our government’s response to the COVID-19 pandemic. It will make a range of urgent cross-portfolio reforms to enable us to best respond to the serious risk to public health in Victoria and to put in place support and essential and critical public services for many thousands and thousands of Victorians who need it most.

Most of the reforms in this bill are short-term measures which will sunset at the end of September and are only intended to be used to support the response to the COVID-19 pandemic.

Any limitations of rights that may flow from these temporary measures are reasonable and justified, having regard to the compelling and overwhelming health and economic crisis in which we find ourselves. We have never experienced this kind of situation, this kind of public emergency, before. It is simply unprecedented.

But most of all, we do not want to give up on the gains we have already made, nor do we want any of the sacrifices, some of them ultimate, to have been given in vain.

We must now stay the course and at the same time deliver essential public services and support for so many Victorians who need it.

This bill will do this. It will amend a range of laws, including:

- the Local Government Act 2020 to permit local council meetings to be held virtually or to stream their meetings live online;
- the Planning and Environment Act 1987 to allow panels to remotely hold hearings and to allow documents to be made available online;
- the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015 to suspend penalties if ratios cannot be met 100 per cent of the time;
- several acts to provide courts and justice system entities the flexibility to temporarily modify practices to manage or respond to COVID-19, for example, reducing person-to-person interactions, using electronic filing and service of affidavits and documents, changing statutory time frames for non-critical cases, and using technology for proceedings;
- the Children, Youth and Families Act 2005 to authorise the isolation of children and young people in a youth justice facility to mitigate the spread of COVID-19;
- the Sentencing Act 1991 to allow the Magistrates Court to impose electronic monitoring conditions as part of a community correction order (CCO);
- the Corrections Act 1986 to place restrictions on who can visit a prisoner and to permit quarantine directions in corrections and youth justice custodial facilities for testing, treatment, care and quarantine of prisoners;
- the Fines Reform Act 2014 to extend the registration periods for infringement fines issued during COVID-19 from six months to 12 months to give fine recipients longer than the usual time to pay their fines; and
- the Workplace Injury Rehabilitation and Compensation Act 2013 and the Accident Compensation Act 1985 to extend the notice-of-termination period for second entitlement determinations from 13 weeks to 39 weeks.

And this bill will deliver on measures and reforms agreed to by Victoria as a part of national cabinet in response to the COVID-19 emergency—in particular, those related to commercial and residential tenancies.

There is a responsibility on all of us right now—a responsibility to do the right thing and to play our part for the long-term good of all Victorians. It is with immense pride that I see my community doing the right thing: respecting social distancing, complying with the directions of the chief health officer and going about their essential business with respect and compassion.
I wish to thank my local community for their consideration, their empathy, their kindness and their selflessness at this time.

I acknowledge that the laws we are seeking to pass today, the changes in this bill, will have impacts on our daily lives, even if they are just temporary. But I also know that these changes are necessary and they are critical.

And whilst we will get through this crisis, this unprecedented and hopefully once-in-a-lifetime public health emergency, the changes in this bill will make sure we get through it as best we can. I commend the bill to the house.

Mr HODGETT (Croydon)


I wish to make a few brief comments specifically in relation to the tenancy amendments.

I have had several enquiries from landlords and tenants about the rights and responsibilities of landlords and tenants during the coronavirus pandemic. Prior to this legislation, I had been advising my constituents of the following.

It is becoming clearer each day, as the state government outlines its commercial and residential tenancy Reforms.

On 29 March, the Australian government announced landlords will be banned from evicting tenants under financial stress caused by the COVID-19 economic downturn for the next six months. This came amid concerns the jobless would not be able to afford rent.

At the time, the state and territory governments were asked to settle on the finer details of the eviction freeze and move to put official moratoriums in place, which they are doing with legislation being passed in several jurisdictions. In some cases, the legislation has been amended to also address matters other than evictions such as rent increases.

In addition to these changes in legislation, state and territory governments have also developed programs such as relief packages to support landlords and tenants through this unprecedented time.

In Victoria, we await the legislation passing through the Victorian Parliament today to deliver commercial and residential tenancy reforms in the COVID-19 Omnibus (Emergency Measures) Bill 2020. While we await this legislation being passed, below is some important information to help you navigate this time:

Victoria (VIC)

Tenancy matters—evictions, break lease, rent increases

Legislation to reform residential and commercial tenancy laws will be introduced to the Victorian Parliament on 23 April.

The reforms include introducing a temporary six-month ban on evictions (except in some circumstances, such as if tenants damage the property, use it for criminal activity or serious violence occurs) and pausing rental increases for six months (effective from 29 March 2020).

Under the new laws, tenants will not be able to stop paying the rent, but they will be entitled to apply to leave the tenancy if they want to due to financial hardship and not have to pay fees for breaking the lease; or stay and negotiate a rent reduction with the landlord/property manager.

Landlords will not be able to increase rent until 26 September 2020.

The Victorian government is also setting up a fast-tracked dispute resolution process for tenants and landlords, to be mediated by Consumer Affairs Victoria or the Victorian Small Business Commission.

In addition, the legislation will enable the relief package to come into effect to provide landlords with land tax relief and tenants experiencing financial hardship with rent relief. Access to the relief will be subject to the landlords and tenants working together.

Relief packages

On 15 April, the Victorian government announced a $500 million package to assist commercial and residential landlords and tenants during the COVID-19 crisis.

Landlords will be able to access land tax relief (25 per cent discount) if they give their tenants rent discounts and defer any remaining land tax until March 2021. It is expected that 10 000 landlords will access the $420 million land tax relief package.

An $80 million rent relief program will be introduced for eligible tenants suffering financial hardship/rental stress. Payments up to $2000 may be available to tenants who have registered their
revised agreement with Consumer Affairs Victoria or gone through mediation, have less than $5000 in savings and still be paying at least 30 per cent of their income in rent.

A new Coronavirus Relief Deputy Commissioner will be established at the State Revenue Office to manage claims.

I had been directing people to Consumer Affairs Victoria which had resources for landlords and tenants. It is important that both landlords and tenants have direction and support in these uncertain and unprecedented times. I support both the temporary freezing of rent increases and the temporary banning of rental evictions. This is a very stressful time for both landlords and tenants, who rely on financial certainty and security. I have found people to be reasonable and willing to negotiate rents during these times when the tenant has lost employment and the landlord is relying on the rental income. Having said that, it is reassuring to see a dispute resolution process set up and I will watch to see that this process operates efficiently and effectively.

Mr CHEESEMAN (South Barwon)

It is with some pleasure that I make this contribution to a truly unique and extraordinary bill for very extraordinary times.

Before I speak about the bill itself, I would like to provide context for the crisis we currently find ourselves in: an extraordinary pandemic, but not unique in human history. Humanity has been threatened with many pandemics throughout our history. About 100 years ago we faced the Spanish flu, which of course did not originate in Spain but in fact came from America, and that outbreak killed tens of millions of people.

At the time we had less of an understanding of disease and influenza and how it was transmitted, but we knew enough to avoid each other and to undertake social distancing measures. Some of the worst outbreaks and biggest death tolls came when governments relaxed these measures under pressure and people did not social distance as they should have. Thankfully we have a government in Victoria that will not bow to the pressure of some from the opposition who wish to relax these measures prematurely. We will abide by the recommendations of the chief health officer, and he has our full support.

More recently we have dealt with pandemics such as swine flu, bird flu and SARS, which ripped through parts of the world. In dealing with those epidemics we have a better understanding of coronaviruses and how to contain and suppress them. That leads us to COVID-19, which exhibits the worst traits of a dangerous and highly contagious virus. Fortunately in Victoria and in Australia we have managed to flatten the curve, thanks to the strong social distancing measures that we have introduced.

I think that this government has made the right decision by treating this crisis as primarily a health crisis. If you ignore the health crisis aspect of this pandemic, you just create a bigger economic crisis. This is not about economy versus lives; it is about more deaths or less deaths.

As a state we must be prepared to do what we can to slow the spread of the virus—to keep our families and friends and communities safe—while also addressing its far-reaching social and economic impacts.

Already we have taken significant action to respond to, prepare for and recover from the impact of coronavirus. We have provided significant packages to strengthen the health sector, support businesses and workers, keep Victorians in their homes and support the mental health sector.

The addition of $24.5 billion in emergency funding to fight coronavirus will support jobs and set Victoria up to recover from the pandemic over the next two years.

These funds will be sought—alongside the ordinary funding to keep paying wages for our vital healthcare workers and other public sector staff—in the supply bills to be introduced later today.

The Victorian government’s $1.9 billion health funding boost has allowed the state’s hospitals to build more bed capacity and recommission buildings no longer used for health care.

New hospital beds are opening across Victoria as the state’s health system gears up to manage increased presentations as a result of the coronavirus pandemic and to ensure all patients get the care they need. This includes reopening Baxter House in Geelong to once again be used to treat people in need.

Our $500 million package is aimed at giving certainty to residential and commercial tenants and landlords while they struggle with the unprecedented economic disruption caused by the coronavirus pandemic.

The legislation to enact these changes are in the omnibus bill before the Parliament now.

We are helping businesses and workers survive the devastating impacts of coronavirus, with payroll tax refunds and deferral, rent relief for all tenants in government buildings and moving to paying supplier invoices within five days. We have also established a $500 million Business Support Fund to help our hardest hit sectors—hospitality, tourism, the arts, accommodation and entertainment—as well as a $500 million
Working for Victoria Fund to help workers who have lost their jobs to retrain and find new employment opportunities.

We are investing to ensure women and children escaping family violence have a safe place to go and the support they need during the coronavirus pandemic. The government has invested $20 million in short-term accommodation for family violence victim survivors who do not feel safe isolating or recovering from coronavirus at home.

The accommodation will provide a safe haven for women and children escaping family violence throughout the pandemic and will include support to help them get back on their feet once it has passed.

An extra $20.2 million will help Victorian family violence services meet the expected increase in demand during the coronavirus pandemic and provide critical help for victim survivors. An additional $3 million has been provided for 12 women’s health services across the state to continue their work in preventing family violence. Of the 12, nine are regionally based and three operate state wide.

We have provided $260.8 million to give certainty to our TAFEs by funding them at prepandemic levels and support the move to provide more training online. The package will provide TAFEs, dual-sector TAFEs, Learn Local providers and AMES Australia centres across Victoria funding certainty until at least the middle of the year. Together these providers teach around 330,000 vocational and community education students.

We have provided a $59.4 million funding boost to support Victoria’s mental health system and ensure Victorians get the care they need, as demand for services spikes during the coronavirus crisis.

While staying at home and limiting physical interaction is vital to slowing the spread of the virus, it can be difficult for people’s mental health and wellbeing—particularly for those already experiencing mental health conditions.

Our investment will provide vital surge capacity for key services, which have seen a significant increase in people seeking help. Almost a quarter of people calling Lifeline in the last few weeks have been seeking support due to coronavirus, and Beyond Blue predicts demand for their services will increase by nearly 30 per cent by June.

Today, just as we are asking Victorians to play their role, we must do the same—as representatives on behalf of our communities and as representatives on behalf of our state.

This is an important and historic bill.

It enacts a number of reforms that are vital to our state’s response to COVID-19. Even more importantly, it enables us to help slow the spread and save lives.

This is a critical moment in our state’s history, and the decisions we make now will affect millions of people.

We have the weighty and momentous privilege and the responsibility to make these decisions, and we must acknowledge the effect it will have on the lives of Victorians.

An immense responsibility lies on our shoulders.

I am proud to commend the bill to the house.

Mr HALSE (Ringwood)

I submit my voice in favour of the COVID-19 Omnibus (Emergency Measures) Bill 2020 before this legislature.

The collective experience across the state of Victoria at present is one of anxiety, uncertainty and hardship. We are all of us witnessing and living amid a most significant historical and societal event, one that is challenging and testing the very fabric of our community.

This COVID-19 crisis, the pandemic of our age, is rapidly influencing and changing every aspect of the way we live our lives. Our movements have been restricted, our social behaviours modified, our interactions moved to an impersonal online environment.

For many this crisis has brought immense tragedy. To date 16 Victorians have been lost to COVID-19. Sixteen families will never be the same again, and my thoughts, condolences and prayers extend to those mourning.

We are as Victorians facing up to a set of the most fundamental questions. Our response directly forces us to reflect on the kind of society we seek to facilitate and construct and, ultimately, how it is that we will arrive at this destination.

Indeed in canvassing the global response to COVID-19 one thing is especially evident: different decisions informed by different ideals lead to vastly different outcomes.
In the great metropolises of the world—London, New York, Madrid, and northern Italy—we read reports of hundreds, and even thousands, of citizens succumbing daily to this virus.

Yet here in Victoria we have been spared such calamitous outcomes. Fixed in our view is the common good. To be certain in all things an element of luck is involved—but it is the deliberative response of the state and the overwhelming cooperation and solidarity of our community that has put us in good stead.

We are using the tools available to us to confront this crisis head-on. As a nation and as a State we are relying upon our strong public institutions to provide the support we need to prevail. We are benefiting from clear and concise communication, and unswerving Victorian political leadership, to see off the very worst potential outcomes.

We are also choosing to act rapidly on the advice of expert public servants.

The measures included in this bill are indicative of our pursuit of the common good and our ultimate endeavour to ease the burden on those who are susceptible and most vulnerable to the current health and economic crisis.

I would like to conclude my contribution by extending my appreciation and thanks to our health professionals. Of course there are many professions to thank at a time like this, but I am at pains to highlight the professionalism, commitment, dedication and stoicism of our nurses, doctors, and all who work within our health system. You are the heroes of this crisis. We should never undervalue the great strength of universal public health care.

I extend my solidarity to all in my electorate of Ringswood—together we will get through this and emerge stronger at the end.

Thank you.

Ms HALFPENNY (Thomastown)


The impact of COVID-19 has been unparalleled.

We have seen, and continue to see, the incomparable effects of the coronavirus, some of which have caused the most terrible tragedy in our communities.

Yet at this unprecedented time I am proud to be part of a government who has risen in the face of the greatest public health challenge of our time, a government who continues to confront this emergency each day with effective and rapid responses that have undoubtedly saved the lives of many Victorians. Yes, there have been glitches and stumbles, but I have received so many calls and comments from residents and businesses that tell me: ‘I am so glad I live in Australia and even gladder that I live in Victoria at this time’.

While we have seen improvements in the rate of transmission, now is not the time to ease our response. We must, however, continue to do all that we can to reduce the devastating repercussions on our economy, and, most importantly on our people. We know that we need to act with the greatest urgency. It is not a matter of choice but a matter of necessity. Importantly we have a role as representatives of our communities in ensuring that our state is kept safe and supported throughout this health crisis. That is what we will continue to do.

The COVID-19 omnibus bill is a necessary means in further protecting the lives of all Victorians. At the core of every reform in this bill is the need to support those in our state—whether this may be individuals, families, employees or businesses, as well as our healthcare, education and legal sectors. The services we provide and the people we serve are at the heart of this bill—this is what underpins our response.

The COVID-19 emergency does present a significant risk to the Victorian community. We have seen the drastic changes that have unfolded in such a short amount of time, and these changes have resulted in significant impacts to the delivery of several public services.

This bill encompasses immediate and urgent measures to enact a number of crucial cross-portfolio reforms. It is clear that this is no longer business as usual. We are experiencing drastic changes each day and we must implement an immediate and unrivalled response by amending Victorian laws to ensure they are effective and efficient in countering the impacts of COVID-19. These amendments will ensure that our laws are fit for their purpose at this time. We cannot remain stagnant during this period. Just as we are asking our state’s response in reducing negative impacts to public health and the Victorian economy. More specifically, a single bill containing cross-portfolio reforms is necessary to permit the delivery of essential public services to the best extent possible during this time.
As part of the bill a range of commercial and residential tenancy laws will be implemented to support tenants and landlords with regard to financial assistance and support. The reforms will allow a temporary ban on evictions as well as pausing rental increases for six months and providing land tax relief for landlords and rent relief for tenants experiencing financial hardship. Although we do expect that tenants will still continue to meet all rental obligations, our government will provide the much-needed peace of mind and security that Victorians deserve at this time. The implementation of a moratorium on residential tenancies evictions for a period of six months will mean that Victorians have one less thing to worry about. Amongst these provisions rent increases will also be suspended during this time and a rental assistance fund will be provided for eligible renters who are facing hardship due to the coronavirus. The moratorium ultimately recognises the significance of sustaining partnerships between tenants and landlords and ensures that this relationship is enduring irrespective of the circumstances.

This reform also plays a significant role in my electorate of Thomastown, considering the rapid growth and drastic increase in development that has taken place within my community. As a result of the notable population growth—particularly in the north of Epping—there has been a significant increase in the number of tenants and landlords living in the electorate. Consequently my own community will also be able to find relief in these reforms. Every day our government is ensuring that no-one is left behind during this period of time. This can only continue happening if we are able to recognise the importance of this bill. It is like no other and it is more necessary than ever.

Victoria’s justice and integrity system will also be supported through the proposed reform package, which will better enable courts to deal with priority matters in a way that reduces public health risks associated with COVID-19 whilst facilitating the proper administration of justice. There will also be changes made to statutory time frames to facilitate more effective prioritisation of matters, avoid the need for unnecessary extension or adjournment hearings and better reflect the time required to consider matters in the current COVID-19-impacted environment. With few exceptions the amendments will automatically be repealed six months after the commencement date, and reforms will be subject to strict safeguards to ensure that all amendments are carefully carried out, particularly those related to legal systems and processes.

This bill will achieve effective outcomes for Victorians across the state. Amongst other reforms, the Education and Training Reform Act 2006 will be temporarily amended to establish a scheme that enables extensions to current registrations for up to six months for teachers and education providers. Our educators are helping to hold this state together at the moment, and we need to continue ensuring that they are supported. As well as this, our healthcare sector will experience amendments to the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015 to ensure health services avoid any penalties in the case that prescribed staff-to-patient ratios are not always practical to maintain while responding to the overwhelming demand from COVID-19. Victoria is indebted to every healthcare worker in our state and we must do right by them. Their selflessness, dedication and efforts do not go unnoticed, despite the increased demand on hospitals across the state, which has required them to quickly adapt and modify normal workforce frameworks to meet patient demand.

Our community comes together at the best and worst of times. We have seen this on several occasions within this year alone. Although we have a significant responsibility in making these decisions, we know that they will have far-reaching impacts for many individuals, businesses and sectors. At the heart of this bill is the people of Victoria. Above all else, we owe it to them to continue doing all that we can to slow the spread and, most importantly, to save lives and livelihoods. This bill will help to do just that.

Mr MAAS (Narre Warren South)

I am pleased to be able to make a contribution to the debate on the COVID-19 Omnibus (Emergency Measures) Bill 2020. As has been said many times over the past few months, these are extraordinary times that we are living in. They are challenging times, unprecedented times. None of us envisaged a world that would have to deal with a pandemic where the COVID-19 virus is so contagious that it has restricted our daily freedoms—freedoms that many of us have taken for granted: the ability to be close to loved ones and friends, the ability to work, the ability to be educated, the ability to be outside, the ability to celebrate and to mourn and the ability to cross national borders. All of these freedoms that we have taken for granted are now restricted. People are dying, in particular those most vulnerable: the elderly, the frail, those with existing medical conditions and sadly those from lower socio-economic backgrounds. I am saddened by the deaths in Victoria, in Australia and around the rest of the world. Health systems the world over are under strain. Health workers, particularly those at the front line of this pandemic, are also at a higher risk of contracting the virus. And yet we are seeing the very best from Victorians—from our outstanding health workers, our paramedics, our police and our teachers, our childcare workers and our other essential workers who continue to perform and in some cases adapt their duties, through to the everyday Victorians who are abiding by the stage 3 restrictions that are currently in place.
The collective effort that all Victorians are making to keep us ahead of the curve of this rapidly spreading virus has also enabled us to flatten the curve. We are doing well in our response, but we also know that we will need to rebuild after normality returns to our lives. I am very proud to have been a part of a government that has provided $24.5 billion in emergency funding to help save jobs and to set up recovery plans, a government that has spent an additional $1.9 billion in health funding and a government that has set up a $1.7 billion economic survival and jobs package to help small business and to assist our hardest hit sectors. This government is also spending $500 million to support residential and commercial tenants, while $260.8 million is being spent to skill up Victorians who may lose their jobs throughout this period, and $43.2 million is being spent by this government to support women and children who are escaping family violence. Finally, we have provided a $59.4 million funding boost to support Victoria’s mental health system so as to ensure Victorians get the care they need, as demand for services spike during this coronavirus crisis.

The bill is an important one as we attempt to transition to a recovery phase. The bill will provide flexibility to adjust processes and adopt different ways of delivering critical services. These reforms will minimise the risk of transmission of COVID-19 as they revise procedures and practices to ensure critical services can continue to operate safely. It is important to note that the majority of reforms will sunset six months after their commencement and cannot be extended. The reforms include a broad moratorium on residential tenancy evictions, and the bill creates the national cabinet reforms with respect to commercial tenancies, where there will be a freeze on rental increases, among other things. The bill will amend a range of legislation to allow the courts, VCAT and other tribunals and the like to manage procedural matters efficiently while managing public health risks. For example, in certain circumstances the bill will:

- enable courts to hear more matters by audiovisual link and audio link;
- enable courts to deal with matters without a hearing;
- enable youth justice to deliver pre-sentence reports verbally;
- allow courts to modify their procedures and make alternative arrangements in relation to physical access to courtrooms and buildings if required on public health grounds; and
- provide more flexible procedures for bail matters.

As a temporary measure, the bill will also allow judge-alone trials for any Victorian indictable offence if the court considers it in the interest of justice to do so and the accused person has obtained legal advice and provided consent. The bill will amend the Children, Youth and Families Act 2005 to alleviate workload pressure on the Youth Parole Board by allowing for the appointment of an additional alternate chairperson and expanding eligibility for chair and alternate chair positions. The bill will also amend the Sentencing Act 1991 to enable the Magistrates Court to order electronic monitoring as a condition of a community correction order for offenders. The bill also amends the Corrections Act 1986 to permit the imposition of temporary measures to prevent, detect and mitigate the risk of COVID-19 or related health risks in relation to and in respect of a prison by providing for:

- prohibitions or restrictions on persons who can visit a prisoner (whilst also providing for alternative arrangements to permit visits without physical contact);
- mandatory quarantine of each prisoner (in a separate prison cell or unit) on entering the prison, via remand or sentence (not a transfer between prisons);
- powers to separate, quarantine or isolate a prisoner, or lock down part or the whole of a prison, including through the establishment of separate units within a prison or single-cell occupancy of any prisoner; and
- with the consent of the prisoner, medical assessment and treatment of prisoners to mitigate COVID-19 or related risks.

The bill further amends the Children, Youth and Families Act 2005 to provide a specific power to isolate a young person in a youth justice facility in order to detect, prevent or mitigate the transmission of COVID-19 or other infectious diseases in such a facility. The bill also permits isolation on a preventative basis. The bill will also amend the Fines Reform Act 2014 to extend the registration periods for infringement fines issued during COVID-19 from six months to 12 months to support enforcement agencies which may choose to pause some activities due to inabilities to carry out administrative functions to comply with public health guidance or directions.

The bill will also amend the Workplace Injury Rehabilitation and Compensation Act 2013 and the Accident Compensation Act 1985 to give long-term injured workers who are unable to return to work or find employment an additional six months notice of termination to provide a longer transition period to return to work or find employment.
The bill will delay the Environment Protection Amendment Act 2018 reforms to the environment protection framework to enable duty holders to focus on the immediate challenges posed by the COVID-19 pandemic. This will give businesses and other duty holders more time to prepare for and understand their new rights and responsibilities, with the support of Environment Protection Authority Victoria.

Further, the bill will amend the Local Government Act 2020 to permit local councils and libraries to operate more flexibly by having virtual council meetings, ensuring continued service delivery and decision-making.

The bill will amend the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015 to establish a new limited power for the Minister for Health to temporarily suspend the operation of the enforcement provisions of the act should it become impracticable for health services to meet the nurse-to-patient ratios.

The bill will amend the Parliamentary Committees Act 2003 to enable members of committees established under that act to attend meetings and vote remotely. This will align parliamentary procedure with efforts already underway in our community to practise social distancing and work from home where possible.

This type of omnibus bill is unprecedented in its nature, but these are unprecedented times that the Victorian public is confronting. There are safeguards that protect against what some will term overreach, and the sunset provisions and non-extension provisions of this bill are reflective of these safeguards. This bill must pass both houses as it will save lives. I commend the bill to the house.

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure, Minister for Priority Precincts, Minister for the Coordination of Transport: COVID-19) (11:06): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

Joint sitting of Parliament

LEGISLATIVE COUNCIL VACANCY

The ACTING SPEAKER (Mr Dimopoulos) (11:06): I have received a message from the Legislative Council agreeing to the joint sitting to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of the Honourable Gavin Jennings.

Bills

STATE TAXATION ACTS AMENDMENT (RELIEF MEASURES) BILL 2020

APPROPRIATION (INTERIM) BILL 2020

APPROPRIATION (PARLIAMENT) (INTERIM) BILL 2020

Second reading

Debate resumed on motions of Mr PALLAS:

That this bill be now read a second time.

Ms STALEY (Ripon) (11:07): There is no person in this house, in this Parliament or in this state who started this year imagining that in April we would be here today to debate and pass emergency supply bills, yet here we are. COVID-19 has turned our lives, our economies and our societies upside down. In Victoria COVID-19 has already taken 15 lives and around 200 000 livelihoods. The current best estimates are that 6.8 per cent of Victorian workers have lost their jobs because of this virus, with expectations that at its peak up to 400 000 Victorians will be jobless. And then there is the mental health dimension. The brutal reality is that mental health impacts will continue long after we defeat the COVID-19 virus. We all have friends and family that will lose loved ones, lose jobs, lose businesses and lose homes. Many will never mentally recover. The uncertainty created by this virus—for our jobs, for our health and for our future—will define our generation. It will have almost unfathomable impacts on Victoria for many years to come. Since restrictions started on 23 March Victorians have lost so many of the freedoms we all previously took for granted.
The toll on Victorians is enormous. But in years to come, when the history of COVID-19 is told, it is our frontline health workers that will be the heroes of the story. We have been so well served by our nurses, doctors, ambos, hospital cleaners and caterers and all health system workers. I thank them all for what they have done and will continue to do. They are risking their lives to save our lives.

I also want to thank all the emergency services personnel—the police, the PSOs and many more—who have worked and continue to work to keep Victorians safe. Like the Premier and the Leader of the Liberal Party, I offer my condolences to the families and friends of the police officers who lost their lives last night doing their jobs. I extend my condolences to the broader police family who have lost four more of their own. I grieve with you.

The bills we are debating now ensure these and all other public sector workers will continue to be paid after 30 June. The Liberal-Nationals and Labor are on a unity ticket when it comes to protecting the workers that protect us. We trust all members of this Parliament will join with us in supporting the government when it comes to ensuring the salaries of everyone on the front line fighting COVID-19 continue uninterrupted.

The bills we are now debating fund the operations of government to 31 December 2020, and they fund the Victorian state response to COVID-19. Part of the State Taxation Acts Amendment (Relief Measures) Bill 2020 provides bushfire relief, and my colleague, the Leader of The Nationals and member for Murray Plains, will speak to those provisions. My contribution will focus on the spending and measures announced in response to COVID-19, provisions this Parliament is in large part funding through these bills.

To date, the government has announced over $3.5 billion in additional spending to combat COVID-19. As Victorians would expect, a large proportion of that money has been in additional health spending. Funds have also been announced to respond to the many associated challenges thrown up by the virus—challenges such as deteriorating mental health as isolation and increased anxiety take hold and challenges such as increased family violence and how to assist homeless Victorians in an epidemic.

The government has also announced a range of measures to assist businesses and employees as the economy nosedives under lockdowns and global turmoil. The legislation needed to enact some of these changes are contained in the COVID-19 Omnibus (Emergency Measures) Bill 2020 just debated. It is worth asking: have these measures funded by these supply bills been the right measures? Have they been constrained by the budget position Victoria was in before COVID-19? Were they announced in a timely way? The answer to all those questions is an emphatic no. This is not a question of scoring political points. Victorians are depending on Parliament to get this right. Their lives and their futures are depending on us to get it right. When it comes to the lives and livelihoods of 6.3 million Victorians, we cannot rely on near enough is good enough.

I want to turn first to the state of the budget before COVID-19. The Victorian budget has now been in deficit for the past two quarters. As at December 2019 the Treasurer oversaw a deficit of $1.1 billion. Moreover, debt had ballooned by $10 billion in just six months. The economic figures released in March show Victoria’s economy shrank in the December quarter. This is in the same economic quarter when New South Wales’s economy grew strongly. As I said to the media at the time: this means Victoria is now staring down the barrel of a recession while Victorians pay the highest taxes in Australia and the state’s debt is doubling.

Remember, that was the quarter to December 2019—before the bushfires and before COVID-19. The Treasurer and the Andrews Labor government had already mismanaged the budget. They will seek to claim future deficits are the result of COVID-19 and the bushfires—this is simply not true. The government would have us all believe that time started on 3 March, when it announced $6 million in additional funding to the Peter Doherty Institute for Infection and Immunity for research into the global effort to combat coronavirus, and that all the poor budgetary decisions prior to that by the Andrews Labor government can be airbrushed from the books. If only that were true.
By driving the budget into deficit, by overseeing multibillion-dollar cost blowouts on major projects and by taxing Victorian households and businesses beyond reasonable limits, this government has left Victoria exposed. Let me be unequivocally clear: I recognise the effect of coronavirus on the Victorian economy. I am not disputing the necessity of funding our world-leading research and our strong health system response.

The impact of this virus will be wide and deep and enduring. Nobody disputes that fact. But going into a downturn is easier when our economy starts from a position of strength. A strong economy provides safe harbour in a perfect storm. When we compare the response of the other big economy in Australia, New South Wales, with Victoria we see big differences in terms of timeliness, in terms of scale and in terms of breadth. Victoria’s poorer starting position is clear. Victoria’s major economic response was not announced until 21 March, days after New South Wales and even Queensland. The state legislative response to key aspects of the national cabinet position, particularly in relation to tenancies, has also lagged behind New South Wales and Queensland, whose parliaments sat weeks ago.

When we turn to the specific elements of the Andrews government’s response, support for employers—those who create the jobs Victorians want—also lags behind that of New South Wales. New South Wales started with a $450 million allocation to waive payroll tax for the next three months, until the end of the financial year, available for all businesses with payrolls of up to $10 million. They then offered payroll tax deferral for businesses with payroll tax over $10 million for six months. That is up to $4 billion of payroll tax deferred.

The New South Wales government also announced an additional three-month deferral for businesses with payrolls of $10 million or less, who received the first waiver of payroll tax. Those are not just numbers on a spreadsheet; those are real people’s jobs saved. Victoria by contrast only offered payroll tax relief for payrolls up to $3 million. These businesses can defer until January 2021 paying their payroll tax for the first quarter of the 2020–21 financial year.

New South Wales has waived or deferred 12 licences. These waivers and deferrals include liquor licences, asbestos removal licences, motor vehicle repairer licences, tattoo parlours and packaged liquor operators. New South Wales has also waived, discounted or deferred licences across the entire building industry, including licences for building contractors, trade contractors, home building supervision certificates and high-risk work assessor accreditation licences. Victoria has only offered relief on liquor licences. When the budget is in trouble and in deficit, with debt spiralling, government is constrained in its capacity to respond to an external disaster and to help those in need. The comparison with New South Wales is caused by that constraint in Victoria.

I now turn to clauses 5 and 6 of the Appropriation (Interim) Bill 2020, which increases the Treasurer’s advance from $2.8 billion to 30 June 2020 up to $12.8 billion, and then sets the Treasurer’s advance for the financial year 2021 to $14.5 billion. In a few short words, the government is proposing to increase Victoria’s debt by $24.5 billion. In two short years the government is tripling Victoria’s debt—tripling. Only a few months ago debt was $22.4 billion. By June 2021 Victoria’s debt will be $73.8 billion—almost $74 billion dollars, the highest debt Victoria has ever seen, and racked up in only two years. It makes the Cain-Kirner debacle look tame.

But what is the impact of debt? The Labor government might not want to acknowledge it, but for Victoria it means it will take longer for our economy to recover, and that means it will be longer before Victoria sees real job growth and a return to life as we knew it before this crisis. Jeff Kennett nailed it on 3AW Drive with Tom Elliott yesterday. His comments are worth repeating at some length. Former Premier Kennett said about the $24.5 billion in new debt:

This has nothing to do with the coronavirus. They lost control of the budget two years ago, and in three years they’re tripling our debt.

… we have as a state no capacity to repay that debt—none—and therefore we’re going to have to have it for generations.
Mr Kennett went on:

… they’ve lost control of the major projects and infrastructure projects that they’re putting in place … I’m not opposed to borrowing for infrastructure. I am opposed to contracting people to deliver those particular projects in such a way that the costs blow out, the delivery time blows out … The government today has lost control of their budget and they now want to blame the coronavirus to cover up their failings and to address some of the initiatives they want to put in place …

Mr Kennett concluded:

Labor just seem to think that it’s all right to blame the coronavirus. This is false news. Your listeners should understand. They don’t go out and triple their borrowings in three years. We haven’t got—

as individuals—

the capacity to repay as citizens. We don’t have the capacity to repay as a state.

Again, I want to be unequivocally clear: no-one disputes that in extraordinary times of crisis, when lives and livelihoods are on the line, a government needs to go into debt. Everyone agrees with that principle. But the Andrews government is using the convenient circumstance of that debt to cover up its economic mistakes. This debt cannot be a blank chequebook. Every single dollar of that debt needs to be targeted and strategically spent on saving lives, saving livelihoods and rebuilding Victoria’s economy. On this measure the Andrews government does not have a great track record.

I note that this week the Premier declined to follow the federal government’s lead of establishing a bipartisan committee to scrutinise government spending on the COVID-19 response. I would appeal to the Premier to rise above his natural inclination to play politics during this crisis—establish that committee, make its sole objective ensuring that every single dollar of the debt incurred is targeted and strategically spent on saving lives, saving livelihoods and rebuilding Victoria’s economy.

We need quarterly accounting of all moneys expended under the Treasurer’s advance so we can make sure every single cent of every single dollar is spent on actually helping Victorians. I therefore wish to advise the house of amendments to this bill and request that they be circulated.

Opposition amendments circulated by Ms STALEY under standing orders.

Ms STALEY: They will come around, but in summary, what I will move inserts in the Appropriation (Interim) Bill 2020 a reporting mechanism on both the $10 billion Treasurer’s advance for this financial year and then a further reporting mechanism for the $14.5 billion Treasurer’s advance for the next financial year. It requires quarterly reporting to every member of this house and for that reporting to be done within the next month after the end of the quarter.

Premier, when you are looking out for Victorians, we will support you every step of the way, but we will not sit by and give you the benefit of the doubt when it is Victorian’s lives and livelihoods, when it is the Victorian economy, on the line.

I will now speak briefly on the State Taxation Acts Amendment (Relief Measures) Bill 2020. The Leader of the Nationals will speak in much more detail about the bushfire relief measures.

Part 5 of this bill amends the Taxation Administration Act 1997 to give the commissioner of state revenue statutory authority to give effect to emergency tax relief measures at the direct ion of the Treasurer. Emergency tax relief measures include the ability to defer, waive or refund a tax liability under a taxation law in full or in part. These provisions are not designed to apply to individual taxpayers. These amendments do not apply to disputes with the State Revenue Office which occurred before this period even if they relate to the same taxes; for example, a land tax. The definition in the bill as to what constitutes an emergency refers back to the Emergency Management Act 2013. It is a very broad definition which allows the Treasurer to make taxation law without oversight in the following circumstances: an earthquake, flood, windstorm or other natural event, a fire, an explosion, a road accident or any other accident, a plague or an epidemic or contamination, a warlike act or act
of terrorism whether directed at Victoria or a part of Victoria or at any other state or territory of the
commonwealth, a hijack, siege or riot, or a disruption to an essential service.

I now turn to the Appropriation (Parliament) (Interim) Bill 2020. This bill extends supply to Parliament
for parliamentary staff, MPs and electorate officers. I am sure I speak for all my Liberal and National
colleagues in thanking our electorate officers for the huge workload they have shouldered through this
coronavirus epidemic. Speaking personally about my own staff, Hilary, Paris, Andrew and Tim, I want
to thank them for their ongoing support for my work and for supporting the constituents of Ripon as
they navigate their way through this emergency. Over 1000 emails, phone calls, Facebook messages
and other contacts have covered everything from what people can and cannot do through to health
worries or even just wanting to talk to someone. We have tried our utmost to be timely in our responses
as almost all of us, including me, work from home.

We have also taken on some new tasks as an electorate office as we work through this pandemic. We
have been ringing those in the Ripon community who are over 80, checking in on them and making
sure they are all right. I have joined with the police, the hospital, the local council and the Committee
for Maryborough in creating a fortnightly wrap of information that goes in the Maryborough and
District Advertiser newspaper every second Friday. We are trying to show the community of
Maryborough how we are working together and where they can go for help.

The Committee for Maryborough started a smiles sticker. These are big smiley face yellow stickers
that you put down in places for social distancing instead of gaffer tape crosses on the floor. They have
been a huge hit across Maryborough, and I have now expanded the idea to Ararat and to Stawell. I am
sure it will spread further.

I would also take this opportunity to talk briefly about the use of the electorate office communications
budget, which is often poorly understood. Over the past weeks the need for more direct communication
from me has exploded as five newspapers covering the Ripon region have closed. I have mailed every
home in Ripon COVID-19 information—information about how to access federal and state support
and information about what my office can do to help my constituents navigate these difficult and
challenging times.

These are dark times for country news. The Gannawarra Times stopped printing a few weeks ago.
Last week the Stawell Times-News, the Hepburn Advocate, the Wimmera Mail-Times and the Ararat
Advertiser stopped print editions and stood down all their journalists. I welcome the creation of a new
Ararat Advocate by the publisher of the Pyrenees Advocate, Craig Wilson, and I look forward to
supporting that paper as it fills the news void in Ararat.

The parliamentary appropriation is also the mechanism that funds parliamentary services. I am a
member of the House Committee. This committee provides oversight and advice to the running of the
Parliament and electorate offices. At our last meeting—I am sure the Speaker will indulge this detail
becoming more public—we talked about what will happen to the many Parliament staff when
Parliament is not sitting. Catering staff in particular were left without work when the Parliament
stopped sitting and outside catering was stopped. It was in light of those conversations that I was
delighted when the Speaker and the President launched the feeding the homeless initiative using the
Parliament’s kitchens and staff. The team has now prepared more than 30,000 meals. These meals are
distributed through St Peter’s Eastern Hill and the Salvation Army. I note that the food available in the
Parliament today is based on what is available for these charities. I understand the press gallery is
particularly pleased with the nature of the Salvos order.

We need a business-led, jobs-led recovery. When we flatten the health curve, unfortunately the
negative trajectory of the economic curve will only just be beginning. Our first priority is the jobs lost
across Victoria. These are private sector jobs in hospitality, education, services, non-food retail,
tourism, the arts and sport, amongst others. Some will restart as soon as their industries come out of
lockdown. For some, that might be a long time coming. Others will need focus from government to ease the path back.

The Premier has flagged more public sector infrastructure. That is undeniably important, but it cannot replace jobs in the private sector across all sectors of the Victorian economy. There has to be a better strategy than that—and what is it? Unemployment was 5.2 per cent prior to COVID-19, in March 2020. Victorians should have every expectation that it will be back there by March 2022. As Reserve Bank governor, Philip Lowe, has said:

If this is how things play out, the economy could be expected to grow very strongly next year, with GDP growth of perhaps 6–7 per cent, after a fall of around 6 per cent this year.

For Victorians to get that jobs growth we need the right policy settings and the right response from the government. That is why we need to hear what is next from the government—not more of the same tired ideas to blow out public sector spending.

The Premier is quoted in the Herald Sun today as repeating that for Labor the way forward is more of the same. He told Kieran Rooney that his government has got:

… the biggest construction agenda in our nation and certainly the biggest in our state’s history—and that—

That is going to need to get bigger.

Yet also today, in the Age, Neville Power, who is the head of the National COVID-19 Coordination Commission, has warned that any projects must stand on their own two feet. There can be no multibillion-dollar pet projects without a proper business case; no starting by a press release a $50 billion-plus project, as the Premier has done with the Suburban Rail Loop.

As a regional MP, I would also note that all the big infrastructure projects—Metro Tunnel, West Gate Tunnel, North East Link, Level Crossing Removal Project—which are all way over budget, by the way, are all metropolitan Melbourne projects. When the Premier talks about further boosts to infrastructure he is talking about further boosts to Melbourne, yet regional jobs are at least in as bad a shape as city ones, if not worse. The regional economy is heavily dependent on small business and tourism, both of which are struggling enormously under COVID, and on top of that they then have to face the bushfires impact, drought and, in parts of the state, water shortages. The payroll tax and land tax measures do not in the main help small regional employers. Mr Power went on to say:

We should be looking at things like incentivising businesses to invest here in Australia.

Of course, for me, I would say invest here in Victoria. We also need to look at creating a manufacturing industry in Victoria for essential products, and with that I note that the only factory in Australia still making medical masks at the beginning of this pandemic was Med-Con in Shepparton. They have of course massively scaled up their production to face the increased demand, and they have had the Australian Army in there helping them. But there are certainly places where we can, going forward, not have government-subsidised industry—we have tried that before, and it does not work. But as Mr Power said in the Age today, there are a number of other industries that, if we had cheap electricity, would be very attractive to Australia. For example, he puts forward fertiliser and petrochemicals. We have huge need for fertiliser in the agricultural industry. Not much of it is made here, not many chemicals for agriculture are made here. They are not hugely labour-intensive industries. If we had low power prices, we could make them here. They would get our economy going. We do need to look at creating manufacturing back here in Victoria and I would say particularly in regional Victoria.

One of the lessons of this crisis is that we also need to untangle some of our supply chains from China, particularly I would say for medical supplies and other essential products. We should not be dependent on one country. When we see the supply lines go down there are then temporary shortages. We should not give up that sovereign capacity to be able to build and create the things that we need in this country.
I am the first to admit I am parochial about regional Victoria, but the fact is in rebuilding our state economy in the post-COVID era our resources and agricultural export industries will be critical to our recovery. We do not want to see a media plan from this government; we want to see an economic recovery plan, a jobs plan to get Victoria back to work across Victoria in all industries and leading Australia in jobs creation.

Ms SANDELL (Melbourne) (11:37): As we know, this pandemic and its impact have been shocking. Shutting down our society to contain the spread of COVID-19 has been essential, and it is working. We are perhaps in sight of eliminating the virus from Australia, which is a remarkable achievement, and no doubt it has saved countless lives, but the impacts on people will be profound. We could be looking at unemployment of upwards of 10 per cent before the end of the year—double the current rate. It is a situation that is unlike anything we have faced before, and behind these numbers are very personal and heartbreaking stories.

People are closing their businesses and queuing up at Centrelink in images reminiscent of the breadlines of the Great Depression. Artists, musicians and designers are seeing their work dry up overnight. People cannot hold funerals or weddings or have support from their families for the birth of a child. Because of this huge shock we are seeing leaders throw out the neoliberal playbook and start to really put people first in the way that we govern and the way that we organise our society.

If you had said to me a few months ago that the federal government would make child care free, I would have choked on my breakfast. If you had said to me that the Victorian government would introduce a quasi jobs guarantee or the Morrison government would double Newstart and introduce a wage guarantee, I would have eaten my hat. But that is exactly what has happened. At a time of crisis paradigms shift and what once was considered impossible becomes reality almost overnight.

I would not wish this pandemic on any government, but equally not many governments get the opportunity to rebuild society in such a profound way. That is the opportunity we have right now: the opportunity to do things differently, the opportunity to do things better. The opportunity not just to go back to normal but to build a better normal, one where society actually looks after people and the environment, where everyone is valued, everyone has a sense of job security and everyone has a safe and secure home. And there is so much that we could do.

The Victorian government has already taken some really positive, important first steps, like the Working for Victoria program, which is putting people to work, paying award wages for important jobs, things like cleaning or delivering care; things that were once considered less than important. So let us take these values of caring for each other, of all of us being in it together, of putting people’s health and lives over corporate profit and build back society in this vein.

It will require a lot of investment. It will require a lot of government funding, and that is why we are supportive in this bill of the government’s desire to set aside money, even though it is a lot of money—upwards of $24 billion—for recovery efforts. In fact we may even need more, but with this money let us not give it to fossil fuel or gas companies to dig up more fossil fuels, to the big corporations to boost CEO or shareholder profits, let us actually use it to build the society we want.

Let us use it to create jobs in building big renewable energy and storage, jobs in places like the Latrobe Valley, where we can phase out our coal power stations that are putting toxic pollution into that community. Let us not give it to the logging industry to destroy the environment, but let us use it to create a massive workforce to deliver a Landcare 2.0, a green corps of people to do the weeding and the pest control and the planting and the regeneration of the damaged forests in fire-affected ecosystems and help the communities and the endangered plants and animals that were damaged in the summer’s fires.

Let us not give it to the property developers but use it to create jobs for builders and plumbers and electricians and admin staff and repair people to build the tens of thousands of public homes that we need, to fix up dilapidated stock to house our homeless and make sure everyone has a secure roof over
their head. Let us not use it to build more toll roads and line the pockets of the private toll road companies but to rebuild our cities so that they are livable, easy-to-navigate places that actually bring us closer together in our local neighbourhoods. Let us not give it to the private hospitals and the private schools to prop them up but use it to bolster our public health and education systems to create well-paying jobs for the nurses, the doctors, the cleaners, the orderlies, the educators, the people we now realise that we simply cannot live without.

None of this will come cheap, but, as we have realised through this pandemic, a good life is composed of things like being able to hug your family and friends, being able to sit in the sunshine with a coffee, being able to access health care when you need it, to go to a friend’s funeral or wedding. These are things that are important in life: having a roof over your head, having enough to eat, having a secure income. The old rule book is out the window, so let us use this opportunity to create a new one. The Greens will be supporting these bills.

Ms SHEED (Shepparton) (11:43): I rise to speak on the Appropriation (Interim) Bill 2020, the Appropriation (Parliament) (Interim) Bill 2020 and the State Taxation Acts Amendment (Relief Measures) Bill 2020 before us today. At the outset I would say that I am supporting these bills.

The coronavirus has engendered a health and economic crisis which will have such a detrimental effect on our state, even down to my electoral district of Shepparton. I fear not only for the health of so many in my community but also for our ability to survive as a region because of the economic downturn that we have been told we will certainly face and the impact of which is already becoming apparent in our community. We have always stood strong in difficult times. With Anzac Day approaching it reminds us of how people have suffered in the past and been honoured for the work that they have done as time has gone on, and we will be doing that again on Saturday in such a different way.

The government must fulfil its role in ensuring that our economy continues in a functional manner that we can rely on going forward, and while that is a statewide and nationwide issue, I do come back to the electorate of Shepparton district to just highlight some of the government funding projects that are required and can be continued with. In that sense I talk first of all about the Shepparton Education Plan, which is now well underway—a transition of four schools into one school, Greater Shepparton Secondary College. The Shepparton high school has just about been completely demolished with a view to building the new secondary college. That is a project that the community needs, has worked hard to achieve and will need to continue, and of course substantial funding from government sources will be required to achieve that.

Infrastructure in our community has been most welcome in recent years. We have seen the Shepparton Art Museum, stage 1 of Goulburn Valley Health and huge investment in rail works, which are about to commence between Shepparton and Seymour. All these projects need to be continued. But another nation-building project that is awaiting a business case and could very well be on the agenda for the sorts of government projects that will need to be rolled out as we go forward is the Shepparton bypass. That is part of the duplication of the Goulburn Valley Highway to effectively join the Newell Highway, joining the port of Melbourne to Brisbane, and is a very important part of the freight infrastructure of our whole country.

Goulburn Valley Health has enjoyed the building of the first stage of its hospital. The acceleration of that project to bring it to almost total completion by the end of next month has been amazing. A project that may have taken another six to 12 months to complete will be completed in a much shorter time, bearing in mind that the new emergency department is currently being set up as an intensive care unit. But the new wards in the new five-storey building will be ready for patients if they are needed for treatment of this COVID-19 virus. These are very important projects that serve our community, and there are further stages of them which the government needs to address and should address, especially in an environment where it will be these government spends, these government projects, that serve our communities and that will stand them in good stead for the future. They do need to be addressed.
I draw attention to the fact that there is a dispute out there in the world of agriculture as to whether we have food security in Australia. Whether we do or do not, there are a few fundamental facts. One of those facts is that we have the smallest rice crop ever in Australia this year; it is currently being harvested. That is because of drought and because of water shortages across the Murray-Darling Basin. The need to import certain wheat flours to make bread, to make pasta is out there. It is on the agenda. There is no doubt, as I see it, that there is food to feed people.

But there are some food products that are missing that can be so easily produced in the food bowl of this nation, and that is the Murray-Darling Basin, the southern basin. We do not actually eat cotton. Water in the northern basin has been used for product for a very long time. That largely constitutes cotton. It is time for that water to be made available to farmers in southern New South Wales and northern Victoria to grow the grain products that we need. The Minister for Water here in Victoria has called upon the Commonwealth Environmental Water Holder to make water available for that to happen. The Victorian Environmental Water Holder has made a small amount of water available, but the availability of water is pivotal to the production of food as we go forward, and it needs to be addressed. At a time when there are so many things happening, when so many issues can simply get lost, water availability is something that in Australia will always be an issue, and that relates to food production.

It is not only about food for Australia, though. It is not just about feeding ourselves here in Australia. The whole of the Pacific relies on food product from us, on raw materials, on grains and other products. We are hearing from the United Nations that there may well be a famine as COVID-19 rolls on, so it is our responsibility as a food-producing nation to produce the food that is needed to export to the world as well, and we have always done that. We have exported a very large quantity of most of the food that we have produced. I cannot stress strongly enough, coming from a highly agricultural and horticultural area, the need to ensure that those areas of industry are supported and go forward. I am aware that others do wish to speak, and I will finish on that note in support of the bills.
Both the Leader of the Opposition and I visited those areas a number of times. One of the things that we said was that, ‘As time goes on, we will make sure that the issues you have to deal with will not be forgotten. We want to make sure that your issues are brought to the fore all the time’. That is what we have been doing since that time and that is what we will continue to do into the future. One of those issues that we did bring to the fore in this house when we sat recently was that there was a subsidy to cart donated hay to those bushfire-affected areas. The Lions clubs did a lot of work in coordinating that, but there were a number of Lions clubs that were not going to be paid the money for that carting of hay. The Heyfield Lions Club, or the contractors, were out of pocket for $140 000. The Timboon Lions Club and their contractors were going to be out of pocket for $280 000, a huge amount of money for those clubs and those businesses that helped cart that donated hay to both north-east Victoria and East Gippsland.

If it had not been for the opportunity to ask a question of the Premier in this house about that—and I must say the Premier was not happy about being asked about that particular issue—if the Parliament had not been sitting and we had not had the chance to ask that question, those Lions clubs and those contractors would still not have received that money, because the government was not going to do anything about it. It was only because of the fact that they were embarrassed into that happening that it actually came about. That is why we need the Parliament to sit more often. Obviously there are reasons for today’s sitting, but there is a very important imperative that the Parliament start to sit more so the government of the day can be held to account on a whole range of issues.

The two bushfire measures that are in this bill are around payroll tax reduction—a halving of the regional payroll tax rate for businesses in the bushfire-disaster-declared areas. That is worth about $14 million to those businesses over the next four years. About 500 businesses will benefit from that. But I suppose the thing I would like to put on the record is that there are a lot more businesses in those communities who do not pay payroll tax who are still hurting very, very hard—the mum and dad businesses through those particular areas. The other concession is a 50 per cent concession on land transfer for commercial and industrial land in those areas for the next five years, and that is worth about $34 million to those particular areas. So there is some support for those businesses that qualify in those areas, but we need to make sure that all those that have not qualified, who are still hurting, get some support into the future.

The government did have a program of assistance with rebuilding fences. We know a lot of people are of the view that the fires were more intense and more widespread because of the lack of management of fuel load on public land and the issue around the boundary fencing between the public land interface and private land. The government, to their credit, did have a program where they were paying 50 per cent of the capital cost of rebuilding a fence—$5 a kilometre—although there is some debate as to whether that is a full 50 per cent now, because the cost of fencing is now higher and the cost of replacing particularly wild dog fences is substantially more than that again.

But what has really intrigued some of the people who have applied for that grant was: yes, they got the grant; yes, they got the cheque; and then they got a letter from the Department of Environment, Land, Water and Planning for a bill for the GST. It just defies logic. Historically grants, like the money that was going to help people with the replacement of fencing, were GST inclusive. All of a sudden some bright spark somewhere dreamed up that these grants were going to change to being GST exclusive and started sending farmers bills for the GST component of those grants. So instead of getting $5 a kilometre, by the time they had paid the GST they were effectively only getting $4.50. That has created a lot of confusion, a lot of anger, with those farmers who are in this category, and they could not get answers out of the department.

One of the things that any government department has to do if it is actually going to have a customer interface is it actually has to have some customer service. For those people, they were quite confused. They did not know where to go. They were told, ‘Just pay this bill and shut up’, which is just not good enough. So again the government has done some good things, but it falls down so often on the fact of how it actually relates to people, how it assists people through things and how it actually responds
when there are questions or when there is something that is actually done wrong. The best thing to do if there is a mistake made, if it is of the view that it should have stayed GST inclusive, is to just say, ‘We got it wrong’, withdraw that bill and let the person get on with their life and rebuild those fences rather than actually have those people fight with the department and still struggle to get any answers on those particular issues.

The last one I will briefly touch on is the issue of the clean-up. A lot of people are very frustrated that the clean-up is going far too slowly. There are farmers in the north-east—the member for Benambra has put some information through to me—where they have got literally truckloads and truckloads of old burnt wire and fences stacked up on their property. They put the new fences up because you have to control your livestock, but they have got truckloads and truckloads of old wire and old burnt fencing material that no-one is coming to pick up at this stage. So there is a lot of work to do on the clean-up. Yes, they have given these tax concessions, but I would encourage the government to make sure they actually get back and get focused on delivering the things that they actually promised they would deliver on, rather than just ignoring it and hoping it will all go away. But, as I said, both the Leader of the Opposition and I have promised those people they will not be forgotten, and we will continue to raise these issues into the future.

Following speeches incorporated in accordance with resolution of house today:

Ms McLEISH (Eildon)

Life as we know it has changed for us over the last couple of months with the onset of COVID-19. We are all focused on keeping safe because we know already that 15 lives have been lost. At the same time we are thinking of the families, friends and colleagues of the four police officers whose lives were lost in an horrific incident yesterday.

We have changed the way we go about our daily lives—for some this has meant barely leaving the house, for others it is working from home, and for some, they are still able to do their jobs as they did. Sadly, for many this has also meant a loss of job, loss or severe downturn of a business or loss of income for self-funded retirees. Whilst we may be resilient as a nation, there are those amongst us who are less so and will need greater levels of support.

The figures are quite stark. An enormous number of livelihoods have been lost. Current estimates have 6.8 per cent of Victorians having lost their job, with an indication that maybe 400 000 will be jobless. Our economy will take an enormous hammering. As with devastating bushfires, the long-term impact of COVID-19 will be felt for years to come.

As we move out of restrictions we need to get people back to work and limit the damage.

My contribution today is on three bills:

- the Appropriation (Interim) Bill 2020
- the Appropriation (Parliament) (Interim) 2020; and
- the State Taxation Acts Amendment (Relief Measures) Bill 2020.

In a nutshell the appropriation bills deliver supply from 1 July 2020 to 31 December 2020 and extend the Treasurer’s advance—I will certainly be expanding on that. The state taxation acts bill provides payroll tax and stamp duty relief to bushfire-affected areas and extends the first home owner scheme. The bills before us ensure that public sector workers will continue to be paid, including those in policing, law enforcement, education and health care. They fund the operation of government until 31 December 2020 as well as fund the state’s response to COVID-19, which so far has seen some $3.5 billion in spending in this area.

It is important to put some context around the Victorian budget. It has not been good news to date. For the last two quarters the Victorian budget has been running at a deficit. At the end of the December quarter, the Treasurer oversaw a deficit of $1.1 billion—this is before the state was ravaged by bushfire and the onset of COVID-19. On top of that, the debt blew out by $10 billion in six months. This rings enormous alarm bells for me. On top of that again, the Andrews government has introduced more that 20 new taxes—we are the highest-taxing state in the country. Labor continue to demonstrate their inability to manage money. Clearly there needs to be expenditure on bushfires and COVID-19, and this will certainly put enormous pressure on Victoria’s budget for years to come—decades. These are indeed extraordinary times of crisis, when lives and livelihoods are on shaky ground. It is at times like these that a government needs to go into debt. I think most people understand and accept that, but we are right to closely examine the finances.
Notwithstanding the importance of the appropriation bills, the most concerning element by far is the proposal to increase Victoria’s debt by $24.5 billion. The Treasurer’s advance alone is set to increase by an extraordinary amount—from $2.8 billion to 30 June, to $12.8 billion and again to $14.5 billion by the end of the next financial year. In two years, the government is tripling Victoria’s debt. Very recently the debt was $22.4 billion and by June next year it will hit a whopping $73.8 billion. This of course impacts on our ability and the length of our recovery.

I am always happy to quote former Premier Jeff Kennett, and he has got it right again this week when commenting on the $24.5 billion in new debt:

This has nothing to do with the coronavirus. They lost control of the budget two years ago and in three years they’re tripling our debt.

We have as a state no capacity to repay that debt. None. And therefore we’re going to have to have it for generations. They’ve lost control of the major projects and infrastructure projects that’s they’re putting in place. I’m not opposed to borrowing for infrastructure. I am opposed to contracting people to deliver those particular projects in such a way that the cost blows out and the delivery time blows out.

The government today has lost control of their budget, and they now want blame the coronavirus to cover up their failings and to address some of the initiatives they want to put in place.

The Shadow Treasurer is keen to see the Treasurer report quarterly on his spending, and it is a position I wholeheartedly support.

I want to provide a local snapshot. The Murrindindi Shire Council is a small rural council with limited ability to raise revenue, who no doubt will need support from the government. They have been hit, firstly, by a lack of tourism during and following the summer fires and now with COVID-19:

- 32 per cent businesses have lost all revenue;
- 62 per cent businesses have lost 50 per cent or more revenue;
- 38 per cent of our businesses have completely closed; and
- 62 per cent of businesses have closed or have significantly scaled back.

Those figures really highlight how local businesses, tourism and accommodation in my electorate suffered greatly due to the result of the fires. Income during the peak tourism trade floundered across my electorate—
in Mansfield, Bonnie Doon, Eildon, Yea, Alexandra and further from the fires in Warburton and Healesville. These towns are usually booming during the summer period. This has made it extremely difficult for businesses to bounce back or even find their feet before the COVID-19 pandemic hit. It is important to provide assistance to those affected by the crisis by providing emergency measures and temporary alterations.

Mansfield has unfortunately been left by the wayside when it comes to financial support for bushfire relief. Listed as one of the state of emergency locations announced by the Andrews government, Mansfield has since not received any support or recognition for the community’s financial struggles. I have been contacted by many Mansfield constituents who are struggling to stay afloat financially, first due to the bushfires, now in the face of COVID-19. It is taking a mentally straining toll on the community and is disheartening to them, knowing they are not supported by their government. It is unclear why the government has ignored Mansfield as a bushfire-affected community and is not providing them with bushfire recovery funds.

The Mansfield shire, along with Mount Buller and Mount Stirling alpine resorts, were included in the state-of-disaster areas. This means under the bushfire relief measures they qualify for payroll tax exemptions. Whilst this sounds good, I expect there are only a handful of businesses that will qualify due to the size of their payroll. I do note, however, that about 500 regional businesses will benefit from the reduced payroll tax rate in 2019–20. The smaller businesses who are really hurting will be looking for more, but at this stage it is unclear or perhaps unlikely they will get much.

Through these measures, the extension of the regional first home owners grant is an estimated tax expenditure of $33 million in 2020–21.

It is important to note that of the hundreds of Victorian homes destroyed, reportedly only 41 of 692 homes have been cleaned up. Bushfire relief has unfortunately been put on the backburner in the face of the COVID-19 pandemic. Many families affected by the bushfires are still struggling, financially and mentally. The Andrews government needs to step up financial support, supply aid for bushfire victims and learn to multitask to help all Victorians.

In all, it is important that supply bills are passed, but at the same time alarm bells are ringing in terms of debt and the Treasurer’s advance. The borrowing must not be used to backfill the blowouts on current projects.

Victoria needs a jobs-led recovery which extends beyond the boundaries of metropolitan Melbourne.
Mr DIMOPOULOS (Oakleigh)
I am very proud to contribute to the Appropriation (Interim) Bill 2020, one of the most necessary and important pieces of legislation in my lifetime. This is not overstating it. I am proud, but I also contribute to this debate with a heavy heart because none of us wanted to be in this situation. Life does not often give you the choice of circumstances, but we all have the choice about how to respond to circumstances and this is what we are doing here today.
This is not a time for complacency. It is unclear what will happen in the coming months. We must prioritise the health and welfare of Victorians first and make the investments to fight the pandemic and to help restore the economy afterwards.
As the Treasurer said yesterday, he is ‘not giving up on one job. No Victorian should feel that this government is doing anything other than focusing on their material circumstances and how we can help them’.
That is what this bill is about. It is about being able to deal with this unprecedented health and economic crisis appropriately and responsibly.
Before I direct my contribution to the bill, I want to also acknowledge how proud I am to be part of a government that is showing strong, clear and compassionate leadership during this uncertain time for Victoria—day after day, hour after hour.
It truly is a remarkable and ongoing team effort, an effort coordinated by the Premier under his astute leadership who, along with the Victorian cabinet, is skilfully and considerately guiding the Victorian people and community through this global pandemic.
I want to note a special mention of the Minister for Health, Jenny Mikakos, in the other place. The minister’s diligence and extraordinary work ethic have laid the groundwork to address this public health emergency. The minister’s office, her department and all frontline health and emergency staff are doing an incredible job for Victoria during this uncertain time.
The Premier and Minister Mikakos are also being up-front with Victorians about what needs to be done in homes across the state to meet the challenges we are all facing. They have both been issuing clear, consistent and sensible guidance on what we as individuals must do together as a community to limit the virus’s spread. The early successes we are seeing are no doubt the result of this leadership.
These are unprecedented times for Victorians, and the solidarity across the state to address the problems we are facing collectively is noticeable and truly heartwarming. Whether it is people making the effort to give each other enough space on the footpath during exercise or making sure we are not getting in each other’s way during an essential shop, people across the state are each doing their bit.
It is these small actions and gestures that will help us get through this. It can be hard. We are missing important family events in person. We are all washing our hands regularly and worrying about the surfaces we touch. We are constantly having to ask ourselves questions that were unthinkable only a few weeks ago: ‘Do I need to do this?’ And in some instances we may have to say no to doing things with friends and family. Due to these behavioural changes some people are now unable to work, and this will bring with it further uncertainty and increased pressure on households and families. These are uncertain and unprecedented times.
From a personal perspective, my family and I celebrated Easter this last weekend—a family tradition. This year we did not meet in person for the first time in a long time, but we did all get together by live streaming and were able to eat our lunch and dinner, and Mum still went to extraordinary lengths to prepare a feast. It is not the same when you are not sitting across the table from each other, but we were still together celebrating an important family event.
It is important to acknowledge that changing our collective behaviour is often not easy. In this instance it is hard and it is difficult. So from the bottom of my heart I want to say thank you to everyone across Victoria, and particularly my community in Oakleigh, for doing your part. We are seeing progress because people are rising to the challenge and doing the right things. We are all in this together and no-one is alone in this fight.
We have a government that cares and will do what it can through this bill and other measures to keep Victorians safe and make sure we come out together stronger on the other side.
As I noted at the outset, this is one of the most important bills in my lifetime.
The bill gives the government a line of credit to respond as needed. It gives the government authority and flexibility to meet challenges as they develop, as well as maintaining the usual business of government until the next state budget.
We are fortunate that we can do this responsibly due to the government’s record of balancing budgets and its ongoing maintenance of AAA credit ratings. It would have been difficult to contemplate delivering this bill without the Treasurer’s remarkable stewardship of the state budget and economy over the past six years.
Mr HODGETT (Croydon)

I submit my contribution to the Appropriation (Interim) Bill 2020, the Appropriation (Parliament) (Interim) Bill 2020 and the State Taxation Acts Amendment (Relief Measures) Bill 2020, which have been moved and are being debated concurrently.

First, I make a few comments about the coronavirus pandemic. As we began the new year in 2020, who would have thought or foreseen we would be in the circumstances we find ourselves in today with a state of emergency declared in Victoria, where authorised officers, at the direction of the chief health officer, can act to eliminate or reduce a serious risk to public health by detaining people, restricting movement, preventing entry to premises. All implemented to slow the spread of coronavirus, protect public health and to save lives,
these are measures designed to ‘flatten the curve’ of coronavirus and give our health and hospital system the best chance of managing the virus with social distancing, isolation and far-reaching changes to way we were accustomed to going about our lives.

Full credit to every Victorian that has adjusted his or her life and adhered to social distancing, to strict hygiene, and complied with the stage 3 coronavirus restrictions. We all know there is some way to go yet.

I move on to the Victorian economy, and I note this week the Department of Treasury and Finance completed new economic modelling on the level of impact the coronavirus pandemic could have on the state’s economy well into next year.

We are told the pandemic could lead to 270 000 lost jobs and an unemployment rate of 11 per cent by September this year.

The modelling also shows that gross state product is predicted to decline by an unprecedented 14 per cent in the June quarter.

Property prices may also fall by up to 9 per cent by the end of 2020.

There is no doubt that the economic consequences of the coronavirus will be severe and that it will be a long and difficult road to recovery. People, workers, families, businesses, manufacturers and industries will need support to rebuild.

As our federal Treasurer, Josh Frydenberg, has said on many occasions, our state—indeed our nation—is facing not only a health crisis but also an economic crisis.

This leads me to the purpose of these bills we are debating today and how we respond to the crisis.

Last week Victoria’s Treasurer announced that state Labor would borrow $24.5 billion to help support Victoria’s economy through the coronavirus. This is on top of the $25 billion Labor borrowed on the eve of the 2018 election.

Let me be very clear here: I understand and do not have any issue with the state government borrowing money in these extraordinary times. But this must only be done with the appropriate accountability. And it is here that I take exception with the way the Andrews Labor government is intending to proceed.

I do not support any government, of any political persuasion, borrowing extraordinary amounts of money, billions of dollars, without proper oversight and accountability.

It is not good enough for Labor to say, ‘Trust us, we will put this money to good use’. Taxpayers deserve to know exactly where their money is being spent, how it is being allocated, what use it is being put to and what outcomes it is delivering. No government, state or federal, Liberal or Labor, can ever be given billions and billions of dollars without having appropriate checks and balances, scrutiny and accountability. $24.5 billion must not be handed over to the state Labor government to do with it as they please without accountability. If the roles were reversed, Labor would be prosecuting these exact same arguments to us.

It is extraordinary, astonishing, inexplicable and unbelievable to contemplate this state Labor government getting their hands on an additional $24.5 billion of debt without any proper oversight of its expenditure.

Every cent of the $24.5 billion must be used to support Victorians through the recovery stage of this pandemic. It cannot be wasted by Labor on covering up their massive cost overruns on major projects.

History has shown over many, many decades—and will continue to show—Labor cannot manage money, Labor cannot deliver major projects on time or on budget and Labor is always associated with financial mismanagement and debt that you and I, our kids, our grandkids are saddled with to pay back in the years and years and years ahead.

Labor borrowing and debt was accentuated this week by a former Premier, the Honourable Jeff Kennett, in several of his social media tweets:

Excuse the roughness of this chart. It shows the Vic Govts tripling of debt to close to $80bn in only 3 years. Victoria does not have the capacity to repay that debt. Generations of Victorians will see services drop as interest rates on that debt grows. This graph shows, by Labor’s own budget they lost control of good financial management of this State well before COVID arrived. Blaming COVID 19 is False News. Now they are going to borrow $24.5bn to hide their financial mismanagement, and attempt to borrow our why.to better times. It cannot happen!

Here comes the greatest False News of all time. Victorian Government is blaming all of Victoria’s financial ills on Coronavirus. Absolute falsehood. They lost control of their budget well before COVID 19 hit us. They are tripling debt in 3 years to over $70bn
By borrowing another $24.5bn. Totally irresponsible. For decades after the coronavirus has passed, the laborvirus as a result of Labor’s financial mismanagement will haunt all Victorians. We will never again be debt free, and wait till interest rates rise again on the $79 bn debt!

It is reasonable to ask Labor to be accountable for taxpayers money and to transparently report where, when and how much has been spent to support all Victorians to rebuild from this coronavirus pandemic.

Now is not the time for spin, nor is it the time for politics, but this does not absolve the opposition team from asking legitimate questions about government expenditure. And we will continue to do just that.

I restate: I understand and do not have an issue with the state government borrowing money in these extraordinary times. And the opposition has every right to ask questions and seek information and clarification about decisions made by the government and how it will spend this taxpayers money during the coronavirus pandemic.

I respect the government’s position; however, I also think asking questions and seeking additional information is reasonable, and I will continue to do this in a respectful and professional way.

As the Liberal Leader of the Opposition has said, Victoria needs a jobs-led, business-led recovery out of this crisis. After all, it is not governments that create jobs; rather, it is the private sector that will be at the forefront of our economic recovery.

We all keep saying we are all in this together. We need to pause the politics and work cooperatively together towards a Victorian economic recovery plan. A good start would be for the Premier and his government to acknowledge the need for proper oversight, management and accountability of Victorian government borrowings and debt.

Ms EDWARDS (Bendigo West)

I am pleased to make a contribution to this important bill that is being put to this house in exceptional and unparalleled circumstances.

2020 has begun like no other year in the history of this state and indeed the world.

There is no doubt that the COVID-19 pandemic has wreaked havoc across all countries, across all societies and across all economies. It continues its march across the globe, its tentacles spreading to all corners of our world.

We can be grateful that here in Victoria, in Australia, we have been spared the worst of what this virus can do to people and economies. Thanks to the quick action of the Premier and leaders in other states and at the federal level there is a flattening of the curve with the virus and the rate of infection is slowing.

In regional communities, including in Bendigo West, we have been very fortunate to have had few cases of the virus, and people across the many communities I represent have taken onboard the social distancing measures and have kept those communities and the people who they love safe.

At its core is the health risk to everyone from this virus, and the protection of every single human life must be and has been paramount.

However, the impact on our economy has been just as catastrophic. There is much angst in our business community, among people who have found themselves unemployed, and the slowing of the economy more broadly across the world is impacting on global markets. There is no-one who has not been impacted or affected in some way by this pandemic.

To alleviate the impact and to ensure survival throughout the pandemic and beyond it is imperative that these new taxation measures pass this Parliament, because without them there is a real risk to the future of our economy.

Regional communities across the state impacted by the horrendous bushfires in January are still reeling.

This government has already announced more than $270 million in support and relief to help the bushfire-affected communities to enable recovery and to rebuild.

However, with the COVID-19 pandemic on top of this, there is a real need to expand this support.

In our first term we cut payroll tax for regional Victoria. In last year’s budget we announced further regional payroll tax cuts down to 25 per cent of the metropolitan rate, phased in over three years. This will cut payroll tax to the lowest rate ever for around 3500 businesses, support companies in regional Victoria to grow, encourage job creation and make sure that every region across the state shares in the benefits.

Because of COVID-19, these cuts will be brought forward, take immediate effect in the state-of-disaster areas and will be backdated to July 2019.

This bill will also bring into immediate effect the full 50 per cent duty concession on the transfer of commercial and industrial property in the bushfire-affected areas.
One of the reasons this bill is so important is to ensure that regional communities continue to receive support from the government. In particular the first home buyers grant, the Homes for Victorians package, is being extended to 30 June 2021.

The importance of this cannot be underestimated. The growth in Bendigo West has been partly because of the number of people taking up the first home owners grant, giving a real boost to employment and the economic benefit this brings.

In 2018 we doubled the first home owners grant to $20 000. This boost was imperative to giving certainty to the regional property and construction industries.

Over 29 000 people have taken up the first home owners grant, saving around $400 million for people getting into the housing market and owning their own home.

A few weeks ago the government acted to support businesses to survive the COVID-19 pandemic and protect jobs. This was the biggest support package for businesses in the history of this state, and it was desperately needed. The economic survival and jobs package includes a full refund and waiver of the 2019–20 payroll tax liabilities for businesses with payrolls up to $3 million.

Around 30 000 businesses are benefiting from this measure, which includes immediate refunds of tax already paid. That amounts to over $400 million of cash refunds back into the hands of businesses. We will continue this waiver of payroll tax until the end of this year.

The bill also includes an estimated $420 million in land tax relief for landlords that provide rental relief to their commercial and residential tenants. This measure is to ensure that tenants who have lost their jobs and their income do not find themselves homeless because they cannot afford rental payments. The impact of the pandemic on people’s livelihoods has been immense. Many are fretting about the future, particularly how they will be able to afford rental payments in the short, medium and long term.

My office has been contacted by many tenants, and indeed landlords, who have been struggling to meet their payments or to secure an income for the future. This bill has been necessary to give some security to those people, and to keep both tenants and landlords in a position of security both during and post the pandemic.

The bill also includes measures to allow the government to respond quickly and effectively to issues as they emerge as a consequence of the COVID-19 virus.

This is a time when all Victorians need support. I am so proud that our Premier and our Minister for Health, Jenny Mikakos in the other place, have really taken leadership on this terrible disaster, and that they have continually put people before politics and the health and lives of people above all else.

There is no doubt that this leadership is what has made Victoria a standout state when it comes to measures that protect the lives of everyone.

I want to thank the people in my electorate, who have been so diligent in following the social distancing measures, who have held the line and who will continue to do so until we are safe from this virus.

I want to acknowledge and thank all the workers from many different services who have been turning up to work every day and keeping our essential needs met, the health workers and emergency services workers, and those who in many cases in the past have been taken for granted but who are now proudly at the forefront of support, from our supermarket workers to cleaners and our teachers, just to name a few. There are so many to thank.

It is with a real sense of optimism that we are conquering this virus that I acknowledge the work of Brett Sutton, our chief health officer, whose measured and sensible approach is leading Victoria out of danger.

Clearly, we are not out of the woods yet, and vigilance must continue to prevent any outbreak of the virus that would see catastrophic numbers of deaths and infections similar to what we are seeing on our television screens every night in countries such as the USA, Italy and France.

The global spread of this virus has been swift and heartbreaking for many thousands and thousands of people. The Treasurer of this state has an unenviable job. Amid this health emergency he has been honest and upfront with the people of Victoria. He has been prepared to put forward budget measures and tax relief measures in this bill that will make Victoria a state that can continue to survive and thrive into the future, and measures that have at their core the protection of people’s livelihoods and their lives.

Thank you, Treasurer.

We will continue to face the future in safe hands.

I commend the bill to the house.
Mr D O’BRIEN (Gippsland South)

It is rather passé now to stand up and say that we are in extraordinary times. But indeed we are.

A few days ago, sitting at my home work station, an outdoor chair on the verandah, I was thinking back to the few days after Christmas, before bushfires ravaged the eastern half of the state and much of the nation, when most of us had never heard of coronavirus and the term ‘COVID-19’ had not even been coined.

How blissful, mundane and distant those days seem now.

With extraordinary times comes the need for extraordinary measures, and so we have this bill that casually racks up $24.5 billion of debt to the state of Victoria.

I appreciate and understand that there will be a need for some or much of this money over the coming year or two as the state responds to the biggest health and economic calamity since World War 2.

My concern is about the ability of this government to manage it soberly and prudently while protecting the lives and livelihoods of Victorians. As a National I am also concerned at whether this fiscal response, particularly when it comes to infrastructure and stimulus spending, will be spread equitably across the whole state, not just in the urban limits of Melbourne.

On the broad picture, though, I congratulate both the state and federal governments for their response to coronavirus. At this stage at least, any observer would have to conclude that Australia is in a great position, probably better than we could have hoped for a few weeks ago. Our curve is very flat, and Australians are generally abiding by the difficult restrictions, helping protect our health system and many lives.

There are genuine questions about the response and whether it has all been worth it, whether the cure is worse than the disease. Without these restrictions and social distancing rules we would have seen many deaths and many more people’s lives disrupted. As one local GP said to me:

This is not the flu. If you let this thing go, you’d see whole nursing homes wiped out.

I suspect those who think this is all a big overreaction would be howling with rage if governments allowed thousands of our elderly and many younger people to succumb to this virus.

Nonetheless it has been difficult at times as an opposition MP to clarify, justify and explain what our strategy is, why it has to be a certain way and what endgame we are heading for. The government could have done better in supporting MPs with information to respond to our constituents.

These and many others issues I look forward to probing as a member of the Public Accounts and Estimates Committee as we review the government’s response. While I am honoured and privileged to be a member of PAEC, and to hold the government to account, I do think a joint select committee that is not controlled by the government is a better option, given the extreme power that the government is wielding over the lives of Victorians under the state of emergency.

Returning to the bill, in the current context this is the closest thing to a state budget that we will get to in the next few months. As the member for Ripon has already outlined, the facts are that this government has lost control of its budget, and it did that long before bushfires or coronavirus hit us. The mid-year budget update in March showed that the state was already in deficit to the tune of $1.1 billion. Spending on employee expenses was well out of control. While that would be a concern at any normal time, the fact the government has gone into a crisis with a budget full of red leaves us in a much weaker position. The cost blowouts on major projects are also part of the problem—multibillions of dollars more than what the government told the community these projects, such as the Metro rail, would cost.

The true cost of this financial mismanagement is on the things we need done. In Gippsland there is a general sense that, for this Labor government, Victoria stops at Pakenham. In Gippsland South I have been campaigning for years now on a set of key projects that Labor has continued to ignore. These include the Princes Highway duplication between Traralgon and Sale, which the government has shamefully ignored now for five years, despite there being $132 million on the table from the commonwealth for the past three budgets. Until the Premier came to office, this had been a project with bipartisan support at both state and federal levels, yet the government has not put a cent towards it.

I know my federal colleague Darren Chester, the member for Gippsland, has proposed that if state Labor will not come to the party, then the federal money should at least be utilised to get one of the final two stages happening. There is no reason for Labor and the Minister for Transport Infrastructure to stop this from happening. To be clear, though, the state Labor government must ultimately come up with its 20 per cent share of this project as well.

There are many other priorities in Gippsland South. We are still waiting for the state to come up with its share for the final stage of the Macalister irrigation district modernisation program, known as MID 2030. Again,
the commonwealth has $31 million on the table, has done so for 18 months now, and yet there is no commitment from Labor.

The communities of Korumburra and Foster are waiting for their secondary and primary school rebuilds to be finished after Labor left the jobs half-done, and we need new fire stations to replace old, outdated and dangerous buildings at Mirboo North, Foster and Yarram.

And there is of course the Gippsland rail line. Thanks again to Darren Chester, there is over $500 million to be spent on our line, but it has been delayed time and again by this government. It is no surprise that the Regional Rail Revival package included both Ballarat and Gippsland upgrades, and while Ballarat’s is already complete, Gippsland’s is barely getting started.

The Gippsland line performance continues to be abysmal. Even with reduced patronage due to the coronavirus, the March punctuality figures still missed V/Line’s target. Nothing will improve dramatically on the Gippsland line unless the government is prepared to at least consider a dedicated line for Gippsland trains through the suburbs, just as Geelong, Ballarat and Bendigo have.

These and many other projects will need to be on the government’s agenda as we begin recovery.

I also believe there is a great opportunity for the state and regional Victoria in light of our changed circumstances. These last few months of people working remotely and from home will have changed perceptions of both businesses and employees. People are realising they do not have to be physically present to do a job.

With rail and telecommunications investment we can encourage more people to get out of the city and decentralise our state. Already in Gippsland we have many people who live locally, work from home and commute maybe one or two days a week to the city. These numbers can increase. We need bold thinking to reframe our population spread, and we can capitalise on this crisis to drive a change in approach.

Ms THOMAS (Macedon)

I am pleased to speak on the Appropriation (Interim) Bill 2020. We are living in strange and difficult times. Here in Victoria, and indeed across the world, lives have been turned upside down as we work together to minimise the spread of the deadly and highly contagious coronavirus.

The government’s message has been clear: stay home, protect the health system, save lives. I am so proud of the community I represent. Across Macedon, people have taken onboard the government’s advice, and as a consequence we have, to the best of my knowledge, less than 10 infections across the region that I represent.

In Macedon we want to keep it that way.

Having seen the graphic reports from around the world—of people dying in the streets, of doctors having to ration care and of a field hospital established in Central Park—the people of my community understand how quickly the virus can get away from us and of the devastation it can wreak. For those reasons, and for their belief in the common good, in looking out for one another and in building community, the people of Macedon have been prepared to make some enormous sacrifices.

As people well know, Macedon is one of Victoria’s premium regional tourism destinations. We are famous for the region’s striking natural beauty, our mineral springs and wellness experiences, the iconic Hanging Rock, a lively arts and culture scene and being the place to go for premium produce, food and beverages, including wine, craft beer, cideries, and gin distillers.

I am so impressed with the way so many local businesses have adapted their business models to the stage 3 restrictions and social distancing requirements.

So much ingenuity is on display—businesses creating home delivery and new takeaway services, small producers coming together to create grocery packs for delivery and/or contactless pick-up, not to mention Animus and Big Tree gin distillers, who are now making hand sanitiser in addition to their award-winning and much-admired gins.

But I am not going to sugar-coat it: without visitors our economy is struggling.

Many, many businesses in the electorate I represent are doing it tough, and that means people are losing their jobs and their livelihoods.

It is for these reasons and more that this bill is necessary and should enjoy the full support of the Parliament.

Along with the commonwealth and other states and territories, our 2020–21 budget has been deferred. This bill seeks to provide the government with adequate current and ongoing legal authority for appropriation from the Consolidated Fund to meet its financial obligations, both to maintain the operations and functions of government through the first six months of the 2020–21 financial year and for additional costs arising from the COVID-19 emergency.
The total appropriation authority being sought is for $50.4 billion, and this includes an additional $10 billion in 2019–20 and an additional $14.5 billion in 2020–21 to be made available to support Victorians through the pandemic.

The Treasurer has been blunt. Modelling from the Department of Treasury and Finance shows a 14 per cent decline in the size of the Victorian economy over the next six months. We know this will inevitably impact employment.

I have been so proud to be part of a government that puts jobs at the centre of policy making. Jobs growth has been a hallmark of the Andrews government, because the Labor party understands that a job is the key to a life of choice, opportunity and dignity for all Victorians.

But right now, as a consequence of a global pandemic outside of our control, we expect to see many thousands of Victorians lose their jobs.

The Labor Party will never walk away from supporting working people. Today’s bill ensures we have access to the funds that will be needed, not just to continue to respond quickly to the virus and its impacts but to ensure we can do what is necessary to support workers and to rebuild the economy.

I am very proud of the investments we have made to date.

These investments have come from financial resources already provided by Parliament for the 2019–20 financial year, and include $1.9 billion in preparing our health system.

Our state hospitals stand ready, and new hospital beds are opening across Victoria to manage increased presentations.

We have already delivered a $1.7 billion economic survival and jobs package.

This package is helping businesses and workers survive the devastating impacts of coronavirus, with payroll tax refunds and deferral, rent relief for all tenants in government buildings and moving to pay supplier invoices within five days.

The government has established a $500 million business support fund to help our hardest hit sectors—hospitality, tourism, the arts, accommodation and entertainment.

This fund is already supporting businesses in my electorate, while the $500 million Working for Victoria Fund is expected to place around 2500 jobseekers in work, both connected to managing the coronavirus and in industries requiring additional workers right now.

The government is implementing a $500 million package and a range of reforms to support residential and commercial tenants while they struggle with the unprecedented economic disruption caused by the coronavirus pandemic.

The Andrews Labor government is leading the nation in skills development. Our free TAFE initiative is already skilling up workers in industries experiencing skills shortages. But we are not stopping there. The government has invested $260.8 million to give certainty to our TAFEs by funding them at pre-coronavirus levels and supporting their move to provide more training online.

The package will provide TAFEs, dual-sector TAFEs, Learn Local providers and AMES Australia across Victoria with funding certainty until at least the middle of the year. Together, these providers teach around 330,000 vocational and community education students.

We have a long way to go, but I am confident this bill gives the Treasurer and the government the flexibility that is needed right now to keep Victorians safe during the pandemic, to guide us through this emergency and to rebuild our community and economy on the other side.

I commend the bill to the house.

Ms KEALY (Lowan)

We are living in extraordinary times. I am in lockdown, and we have restricted access to Parliament, so I am working from home today and watching Parliament via the live online feed. It is therefore a great relief that all members of Parliament can still provide input to parliamentary debate by remote submission.

Today, the Parliament is participating in a concurrent debate regarding the Appropriation (Interim) Bill 2020, the Appropriation (Parliament) (Interim) Bill 2020 and the State Taxation Acts Amendment (Relief Measures) Bill 2020.

Firstly, I would like to acknowledge the great work of so many people who are doing their best to stop the spread of the coronavirus. Whether it is our frontline health workers—our nurses, doctors, paramedics, pathology staff, pharmacists, allied health staff, medical researchers, administration staff, cleaners and everyone else who is helping to address the health needs of this crisis—I thank you and support you.
I also thank our educators, who have done a great job to transition rapidly to an online learning platform, and particularly all the parents, who have been under great stress and duress to balance teaching from home with other commitments. There is no doubt that some families are struggling to fit everything in, and as a working mother with a grade 2 student I completely understand the pressure you are facing. We do not want to fail our children, we do not want to fail our work commitments, we do not want to fail our educators, who have been extraordinarily supportive of the ongoing learning for our children. It is hard, and in my view we must look at the evidence that healthy children are at low risk of getting or spreading COVID-19, as is the evidence that has been applied in other states to return students to school as soon as possible and applied in Victoria to ensure kindergarten and childcare can continue. All children deserve a quality education, time with their mates to play and learn and a routine and structure. This is why I believe we should listen to experts like the chief medical officer and return to school-based education as soon as possible, with local contingencies in place for immediate effect in the event of a positive case.

I would also like to thank all those businesses who have kept their doors open to trade over this difficult economic period, and for all those that have kept working to keep our shelves stacked full, retain food deliveries and provide hardware supplies, fuel and other essential goods.

I would also like to acknowledge the serious impact that this virus has had on small businesses and associated jobs across my electorate, as it has across the world. The federal government have made a massive effort to continue money flowing in our economy and to ensure no-one falls through the gaps. These efforts have saved many lives, livelihoods, and jobs. This must continue to be the focus for all levels of government.

Today’s bills will give the Victorian government a $24.5 billion cheque—a breathtaking amount of debt that will take generations to repay. It is essential that there is scrutiny of how this vast sum of money will be spent. It must not go to fill black holes in projects that are already overspent and over budget. It must not be spent on sweetheart deals. It must not be spent on anything that will not save a life, save a livelihood or rebuild Victoria’s economy. Unlike the past five years of the Andrews Labor government, there must be no waste—we simply cannot afford it.

It is extremely disappointing that Labor have actively refused all attempts for additional scrutiny at this essential time. Despite other jurisdictions around Australia and the world ensuring a bipartisan approach to scrutinising expenditure, with non-government members chairing these oversight committees, the Andrews Labor government have actively opposed every opportunity to provide similar transparency and oversight. This is obscene.

It is simply unacceptable that the only committee providing any oversight is the Public Accounts and Estimates Committee, where the chair holds the casting vote—a Labor member of Parliament. This effectively means the government has a $24.5 billion blank cheque, with no accountability while Parliament is not sitting, and the only parliamentary committee with any ability to question expenditure gives the government the final say. It is nothing short of a dictatorship, with the Premier being totally unaccountable to Victorians. This is unacceptable.

I do plead with the government that when spending these funds they do so with the greatest of care. The focus must be on rebuilding our economy, saving lives and saving livelihoods.

The government must also ensure that country Victoria does not miss out. While there are many ‘big build’ projects the government actively talks up—all of them over time and over budget—there are few, if any, in regional Victoria, and none in my electorate of Lowan.

Now that the government has an exorbitant amount of money to fund the projects we need, we must see immediate action to rebuild our economy and invest in my electorate of Lowan.

Now that the government has $24.5 billion there are no excuses to not immediately go ahead with the full build of the Warracknabeal education precinct. It is simply unacceptable that anything less than the parts of the special development school and secondary college are not finished, and that the primary school is rebuilt. This is what the community needs and deserves, and it is now what the government can afford to do. Let us finally see the government finish what they started and complete the Warracknabeal education precinct.

We must see similar full investment in other key education projects in the region. Baimbridge College in Hamilton needs a full redevelopment and has been promised funding but to date has received nothing, among many other projects right across the region. Our students deserve the best start to life, which includes a quality facility to match the quality education our teachers deliver. Labor must provide immediate and extensive funding to bring our country schools up to metropolitan standards.

We must see full investment in our healthcare facilities. Willaura hospital is in desperate need of a redevelopment, a project which was one of my election commitments; however, it is another project where
Mr PEARSON (Essendon)

I am delighted to be afforded the opportunity to speak on the appropriation bills as well as the state taxation bill. These are incredibly challenging and difficult times that we find ourselves in. At the outset, I want to place on the record my sadness and sorrow at the loss of the four police officers killed on the Eastern Freeway: Leading Senior Constable Lynette Taylor, Senior Constable Kevin King, Constable Glen Humphris and Constable Josh Prestney. This is an absolute tragedy, and my thoughts go out to the officers’ families and their loved ones.

The Parliament has been recalled in order for us to provide the financial ammunition to tackle and combat the COVID-19 virus. Without these measures being passed, the Parliament and the government would simply have no capacity to pay its bills beyond 30 June. We would also not be in a position to give effect to some of the taxation relief measures that have been previously announced by the Premier and the Treasurer. Business needs certainty; the economy requires liquidity in order to stave off the very real threat of deflation and a rapidly contracting economy.

This is a seminal moment in our nation’s history, and the Parliament and the government must reflect the aspirations of the people who want this insidious disease defeated and for the economy to be revived. I suspect that as much as we would all like our lives to go back to the way they were, the life we knew so well so recently is gone. I think that when this ends we will be living in a different society, and indeed in a very different world.
But what we must do is ensure that this new world that awaits us on the other of this crisis is a just world and a fair world. I do not think that the community will want to see a laissez-faire approach to public administration, a society where profound inequalities are allowed to prosper and flourish and form the foundation of such a society. The wreckage, the damage and the wealth destruction of this crisis will linger long after we re-open our economy. It will require a strong and activist state, a coordinated approach when it comes to economic policy and a determination to create a fair society. This is what awaits us all, but we do now have the opportunity to start to think about what a fair, decent and progressive society looks like post-COVID-19.

The society that awaits us will be a very different one. I also wonder whether we will see the economy growing between 2 and 3 per cent each and every year for the next 29 years once this crisis ends. Maybe; maybe not. However, I think that what confronts us all is the need to have a stronger and more interventionist model of public sector administration and management. The challenge will be too great and so profound that the private sector alone will not be able to prevail.

When you have a world where hundreds of thousands of jobs can be lost, and where thousands of businesses are forced to close their doors in a matter of days, there is a need for a strong public sector to not only cushion these blows but to systematically guide the reconstruction of the state economy.

Like so many of you, I felt sickened when I saw the lengthy queues forming of the newly unemployed. It is a sight I thought belonged in the past—the dim dark past, way back in the 20th century. I did not think it would happen in the 2020s and I did not think it would happen so swiftly.

But it is here before us, and we have our backs to the wall. We have to stand our ground, unite as a community and fight our way out. As I said earlier, I also think that events like these provide us with the opportunity to reflect on what sort of society we want to live in when this is over.

I do not think we want to live in a world where widespread poverty and disadvantage becomes the new normal, where people experience sustained periods of unemployment in their working lives and are progressively left in the wake of those better off.

I joined this great movement and this great party because I have always believed in the power that can be realised through harnessing the statute books to create an equitable and a just society. I want to ensure that the society that emerges from this catastrophe is a fair and compassionate society.

I wanted to be in Parliament on this day, and I am grateful that the Leader of the House granted this request of mine. I revere this great institution. I love coming to work in this building, and I love taking my allocated seat in this majestic chamber. Every year the Parliament meets to provide an appropriation for this place to function and operate. Every year that I have been in this place I have spoken on this bill. Often I look at the population of Victoria and divide it by the appropriation provided to the Parliament of Victoria. I have frequently talked about the price of parliamentary democracy being less than $25 per year per person. But I think this year I want to talk about how the Parliament is responding to this challenge.

It would have been so easy for the Presiding Officers to have dismissed all the catering staff and shut down the precinct. It would have been the easy thing to have done, and it would have been done in the past by former Presiding Officers. But I was so proud when I saw that the kitchen had been repurposed to support the most vulnerable members of our community, and that this great gesture has taken off right around the country. The Speaker and the President have done not just the right thing and the fair thing, they have started something truly amazing.

I am also pleased that we have been able to meet together quickly and to pass these essential bills, all the while respecting the forms of this house.

There are those seminal moments in history, times when you know things are about to change, when you know that public policy is about to head in another direction. That time is now. It really was not all that long ago when concepts like modern monetary theory and ‘helicopter money’ were regarded as radical or extreme. Now that central banks are looking at printing money to purchase government bonds in order to fund the recovery it is like everything that is old is new again. Perhaps we are about to see the re-emergence of Keynesian economics—Keynes 2.0 for a digital age, perhaps?

I suspect this is a once-in-100-year event, and if that is the case, then it should be treated as such. The costs of this event are enormous, but when they are amortised over the longer term, they become less so. Now, you can argue, like Jeff Kennett, that we should not be taking on this debt; we should not be supporting the economy or the jobless or the businesses under profound stress. But if we made those choices, then we would be confronting a crisis that looked more like the Great Depression than the current Great Lockdown.
Mr NEWBURY (Brighton)

Borrowing money is not an economic plan. History shows that aimless borrowing always leads to aimless spending. The state deserves more than a clumsy Treasurer asking for a big blank cheque. This week he confirmed the ‘catastrophic’ reality of the Victorian economy. The revelations laid bare in numerical form what we have seen played out in our communities over recent weeks. But they also revealed that the government lacks a sophisticated economic strategy and that our state may suffer a deeper recession than others.

This week the government confirmed that unemployment will peak above 10 per cent: 270 000 of our fellow Victorians will soon be jobless as a result of the heath pandemic, and gross state product will be hit by a 14 per cent drop to our $455 billion economy, falling from the previously projected $226 billion to a revised $194 billion over the first six months of the year—and projections that the next quarter may be even worse.

The projections are so deep and so profound that every household and every suburb will be affected in an unprecedented way.

The federal picture is equally grim. In a sign that there has been a structural collapse in employment, 517 000 JobSeeker claims have been processed in Australia since 16 March and 870 000 companies have registered their interest in the JobKeeper program.

On Tuesday, the Australian Bureau of Statistics released grim figures which confirm the pressures our state’s workforce is under. The weekly Payroll Jobs and Wages in Australia reported that between 14 March and 4 April Australian jobs decreased by 6 per cent, with Victoria having the largest decrease of the major states, down by 6.8 per cent in those three weeks.

The results, though sobering, were to be expected, with the earlier Business Impacts of COVID-19 report finding that:

Nearly half (47%) of trading businesses made changes to their workforce in the last two weeks as a result of COVID-19.

That report not only highlighted the problem of unemployment, it also made clear the real challenge of underemployment. A key change reported was the decrease in employee work hours, with temporary reductions in work hours in 25 per cent of businesses with 19 or less employees; 41 per cent of businesses with 20 to 199 employees; and 34 per cent of businesses with 200 or more employees. These figures are a red flag—underemployment will be an ongoing challenge, an issue raised by many constituents directly.

But the recent announcements are more than grim figures: there is a human reality sitting behind them, a human toll that we must never forget. The starkest instance of the human impact was when 100 person-long queues of our fellow Australians waited outside Centrelink to register for social welfare benefits. The queues will be remembered and have had a profound impact on our psyche as a country. Those jobless Australians should also drive the parliamentarians of every Parliament to urgently develop a plan of economic hope for our collective future.

Our state has implemented restrictive health measures that lead the nation—we know that this government had intended to shut the state down further. Initially, on 22 March, the Premier confirmed his intention for ‘a shutdown of all non-essential activity’. The announcement went further, stating ‘school holidays will be brought forward in Victoria, starting on Tuesday 24 March’.

Later that same day, the nation’s first ministers met at national cabinet. When the Prime Minister addressed the nation that evening to announce the outcomes of that cabinet meeting, he revealed a different message to that announced by the Premier earlier, stating that certain targeted business closures would occur and that schools were safe to attend. The Prime Minister’s measures fell far short of the full state shutdown proposed earlier by the Premier.

A federal government source would later describe Victoria’s premature announcement as ‘panicked’ and that it risked fuelling public anxiety and confusion. With the benefit of hindsight, we know that is exactly what did happen. The early announcement led to statewide confusion. Media reports at the time asserted that the announcement caused several smaller and family-run retailers to shut their doors.

Later that week, the federal deputy chief medical officer, Professor Paul Kelly, confirmed that Victoria had proposed a more hardline approach. The professor revealed that whilst all of the Australian Health Protection Principal Committee supported ‘proportional, scalable and sustainable’ social distancing measures, the Victorian chief health officer had ‘a dissenting view’.

Massive challenges such as COVID-19 require a massive response, and that is why we are taking on this debt, because if we did not, the outcomes would be so much worse.

Voting for these bills is the right thing to do and it is the fair thing to do. I commend these bills to the house.
We now know, in the Premier’s own words, that the strategy of a proportional, scalable and sustainable approach to social distancing was the right one. It has worked. A full-scale state lockdown, proposed by the state government, would have irrevocably crippled our economy.

The proportional, scalable and sustainable approach was designed to acknowledge that clinical advice must be balanced against the practicality of how long you can lock up a community and the dire impact to businesses and the workforce of shutting the door on the economy.

Professor Gigi Foster of the University of New South Wales recently reminded Australians that:

The economy is about lives … It’s about protection of lives and human welfare and livelihood.

The notion that policy makers must choose between preventative health and economic policy is wrong. Policy makers must do both.

On Monday, the Premier confirmed previous reports that bars, cafes, pubs and restaurant closures would remain in place for some time. The confirmation followed the chief health officer’s disclosure on Saturday in a newspaper interview that it was the government’s intention that there would be no return of restaurants this year.

At 7.00 am, a teary restaurateur called me after reading the article to tell me that if the report were accurate, the decision would force his business to foreclose. He was hurting. That article was the wrong way for him and other small businesses to find out about their future. And make no mistake: a shutdown of the hospitality industry for the remainder of the year will have long-term consequences for the state.

We know that the economy is about lives. The economy is a combination of millions of moving parts, of people who have taken a risk to fulfil their dream of starting a business, the services and products they trade, and equally importantly, it is also made up of the people who work in those businesses, who have become part of that dream. This pandemic has forced governments to wilfully dismantle those dreams, a decision that has undoubtedly saved lives. But that economic intervention will also have a human cost. We must not forget that in 1930 there was a 20 per cent increase in the suicide rate on the previous year. Similarly, there was an increase in the suicide rate in 1991.

That is why it is essential for the state government to turn its focus towards the economic wellbeing of our state in a more sophisticated way than to simply hold out their hand and ask for a blank cheque. Priming the businesses across Victoria will not only return an economic dividend and enhance the jobs market, it will psychologically instil confidence in our community. Victorians need to know that we are moving again.

Though the government would have you believe that its budgetary position was strong, we know that there were structural cracks in the budget before the tragic summer bushfires and well before the current health pandemic. The Treasurer’s budgetary bravado has been shown to be, in truth, nothing more than bluster.

The Parliament now has before it a Labor government aimlessly requesting a $24.5 billion cheque, an unprecedented request, a request acknowledged to have no known purpose and no linked economic strategy, all under the cover of a pandemic, and the government is affording no real opportunity for scrutiny of how that money will be spent.

This week, the Premier and Treasurer acknowledged that our economy will not recover as immediately as the shutdown was sudden. Rather, a recovery will be incremental. I fear that the recession in this state may be deeper than in other states. Concerningly, what neither acknowledged was that the private sector will be central to our recovery. A clever government would know the role they can play. They have a role in reviving, encouraging and incentivising the private sector. That can only come when the government develops an economic plan for the future, a plan of hope.

Ms BLANDTHORN (Pascoe Vale)

I appreciate the opportunity to make a contribution to the concurrent debate on the second reading of the Appropriation (Interim) Bill 2020, the Appropriation (Parliament) (Interim) Bill 2020 and the State Taxation Acts Amendment (Relief Measures) Bill 2020.

The unprecedented coronavirus pandemic is creating significant challenges for all of us. The pandemic circumstances we face mean our budget parameters need to change.

We are working hard to control and suppress a virus that has taken over many countries around the world. The ability for the virus to rapidly spread through populations is placing insurmountable pressures and difficulties on many international health systems.

Our Victorian government has worked well with other Australian jurisdictions to ensure we get in control of this virus and suppress its ability to spread and overwhelm the population and our healthcare system.
We have listened to the expert advice of our chief health officer and implemented a series of measures in our community. We are testing widely and quarantining the virus strongly.

We have stage 3 restrictions in place, and they are working. Strict social distancing requirements are essential in limiting the spread of this virus and keeping our community safe. Importantly, modelling has shown we are saving potentially thousands of lives.

As proudly stated by Australia’s chief health officer, Brendan Murphy, recently:

> There is no place… I would rather be in the world than Australia at the moment.

I believe that every Australian in some way identified with these words. This statement is testament to the collective work of our state and federal governments in setting the clear frameworks to manage and control the widespread impacts of this crisis. It is responsive to the hard work of government departments and agencies, ensuring adequate support and information is provided and communicated. It pays great tribute to our many frontline healthcare workers, our doctors, our nurses, our paramedics, our orderlies, our cleaners and our cooks, and to the heroes working in our retail and food sector, our shop assistants, shelf stackers, chefs and delivery drivers. Our police are also playing a crucial role in ensuring our COVID-19 restrictions are upheld and our community is safe. Finally, this statement acknowledges the commitment of all Australians in the face of adversity. We have all been working diligently, fulfilling our civic duty to follow health advice, stay home and look out for one another in our community.

There is no doubt that the times we face today and into the near future will be incredibly challenging and will temporarily change the way we go about our government and Parliament operations as we see in the Parliament sitting today.

We must adapt and continue our responsibilities to govern and ensure democracy is upheld in Victoria. The bills on the agenda today will make sure that throughout this unprecedented time, our government and parliamentary operations can continue in the interests of all Victorians.

Cognisant of the challenges this virus is currently placing on the whole of our state, we as a government must ensure we can swiftly respond in the interests of all Victorians.

To enable our government’s appropriate economic preparedness to respond, we have the Appropriation (Interim) Bill 2020 before us. Through providing the necessary legal authority for appropriation from the Consolidated Fund, this bill will allow our government to continue operations and respond to the COVID-19 pandemic we have unfolding for the remainder of the 2019–20 financial year and for the first six months of the 2020–21 financial year.

With modelling undertaken by the Department of Treasury and Finance released this week, we see the unprecedented impact that the COVID-19 pandemic is projected to have on the Victorian economy, both for the rest of this year and right into 2021. We can also anticipate the effects well beyond that.

Devastating numbers of jobs could be lost, significantly challenging the everyday lives of working Victorians and their families. Indeed, the job losses that have occurred already, and the uncertainty surrounding employment rates into the future, will be generating high levels of feelings of stress in the Victorian community.

As a government we need to make sure we can support all Victorians who are impacted by the virus—whether the impact be social or economic, or both.

From our health system to jobs and the economy, we need to continue to deliver for Victorians now and into the future.

As the Premier stated in a media release outlining the modelling this week:

> It is impossible to overstate the devastating impact the coronavirus is having on lives and livelihoods—we owe it to Victorians to do everything we can to save lives and save jobs.

Our government certainly initiated a prompt and swift economic response to this pandemic.

In recent weeks, our government started rolling out a tailored and targeted response to the economic crisis arising as a result of the virus. The $1.7 billion economic survival and jobs package that the government announced several weeks ago is all about supporting workers and businesses through this difficult time.

As part of this package we have established the Working for Victoria Fund. At this stage I understand more than 2000 workers have already been placed in jobs through this program. This fund has been crucial to getting Victorians back to work.

It is important to note that we are very fortunate that we have had years of strong and effective economic management by the Andrews Labor government. Over previous years we have worked hard to ensure a triple-
A credit rating and consistent budget surpluses. While in office we have backed Victorian jobs and industries in the interest of strengthening and growing our economy. This has been bolstered with our commitment to the biggest construction agenda ever seen in Victoria. We have had thousands of Victorians working across our Big Build and other infrastructure projects on our massive agenda. It is off the back of this record that we are able to take the steps we are taking as a government in seeking authority to appropriate these funds.

The needs of Victorians now and into the near future are unprecedented. The impacts of the virus are crippling, and complex socially and economically. Our state will require additional resources, support and measures in our public health, economic and social responses.

We need to bolster our government’s capacity to deliver a swift and effective response that actively saves lives, supports the livelihoods of all Victorians and promotes a strong rebuild to our economy. This is exactly what this bill will support.

This bill will prepare our government to meet the needs of our community as they endure the challenges of this pandemic and as they build on their road to recovery in Victoria. We need to be able to be swift in our response to get the adequate supports required to those who need it. We need to support Victorian business, industry and our economy as the projected impacts echoed by global markets, the Reserve Bank and federal Treasury unfold.

I commend this bill to the house.

Ms BRITNELL (South-West Coast)

I make this contribution to these bills during what is certainly a challenging and uncertain time for all Victorians.

In my own electorate, people who had jobs weeks ago are now without work. Businesses that remain open are dealing with a significant downturn in trade as the community is doing the right thing and staying at home to help stop the spread of this virus.

These bills, put simply, allow the government to keep functioning and make sure our nurses, paramedics and police and every other emergency service personnel continue to get paid while they are on the front line keeping us safe. They also put in place various taxation supports for communities impacted by the summer’s horrific bushfires.

Making sure our frontline workers are paid and ensuring our bushfire-impacted communities are looked after is not something I would ever stand in the way of—and neither would my colleagues, so that is why we are supporting these bills. These are extraordinary times, and in times like this we need to take extraordinary actions.

But that does not mean there should not be scrutiny. This bill is proposing to borrow $24 billion, tripling state debt, and will mean that for generations to come—long after we all leave this place—Victorians will be burdened with the consequences of this decision.

I agree that there needs to be some reasonable spending to deal with this crisis and to help kickstart the economy on the other side, but this is $24 billion, and there is absolutely no detail on how this money is going to be spent—none whatsoever. I am not sure that that is entirely plausible given the current environment we are in.

Victorians expect us to be responsible; they expect us to manage this state wisely and with care. They rightly want an explanation of what this money is going to be spent on—not just an arbitrary claim that it will be drawn upon to spend on what the government see fit.

The cynic in me immediately sees that the amount is almost identical to the cost blowouts on infrastructure programs in the city.

The fact is the economy of this state will be deeply damaged because of this virus, and it will need to be kickstarted again in some way to get people back in work and out of Centrelink offices.

We are facing huge levels of unemployment, and for many, the work will not be there when this is all over and the restrictions are lifted. Businesses will be looking to tighten their belts for their recovery and ongoing viability.

The community deserves an explanation as to what programs the government is going to invest this money in. Will it create jobs that those who find themselves without work will be able to fill? Will it be spent on projects not only in the city but in the rural and regional areas too—beyond Ballarat, Geelong and Bendigo?

And it needs to be a genuine commitment. The $10 million promised for regional infrastructure projects following the lease of the port of Melbourne was spent on the regular maintenance of the rail fleet. My region is the biggest agricultural production area in the state and helped create the price achieved for the lease. We
deserve a bit more than stock standard maintenance of trains, which actually need to be replaced because they have been in operation since the 1980s. Maybe some of this money could be used to finally replace this rolling stock, which is continually breaking down.

South West Healthcare, where the staff have been doing an amazing job under the leadership of CEO Craig Fraser, is still waiting for funding for the Warrnambool Base Hospital to complete the much-needed stage 2 redevelopment, which will expand the emergency department and operating theatres.

It has now been three years since money was allocated to do further planning for that redevelopment. Those plans are done; it is ready to go. But the government has been silent since. Meanwhile, the doctors and nurses are in cramped and outdated facilities, dealing with huge increases in patient numbers and admissions.

Perhaps some of this massive amount of borrowing could be used to get on and build that project and create constructions jobs in my electorate while working to improve healthcare facilities, because we now know more than ever just how valuable those facilities are.

I am sure Portland District Health would appreciate some funding as well to upgrade that facility, perhaps even an upgrade of its urgent care centre so it has emergency department status, something CEO Christine Giles is passionate about, because at the moment people in that community are being disadvantaged because of this bureaucratic decision.

In many instances the fact that the hospital has an urgent care centre and not an emergency department has forced patients to make a choice about receiving the appropriate care for their condition. One recent example is a stroke patient who had to be flown to Melbourne and now faces a huge ambulance bill.

It is all well and good to say they should have appropriate memberships to cover those costs, which is true, but the fact is that a lot of people do not have that cover and do not know the intricate details of hospital funding arrangements. They have presented to the hospital in good faith and are faced with one of the most appalling decisions. That hospital services a huge area that could be considered remote. Its classification and funding model must be addressed for the benefit of the whole community.

Putting my hat on as Shadow Minister for Rural Roads, this money could be used to fund a massive program of reconstruction and rehabilitation of rural and regional roads—a concerted effort, with crews working right across the state to deal with one of the major issues for rural and regional communities.

I continually hear from every corner of the state that the roads are rubbish and that a significant investment is needed to not just patch them up but to rebuild them properly—to modern standards, so they can deal with the increasing levels of traffic. This is also a recommendation of Infrastructure Victoria’s 30-year strategy, with a particular focus on regional highways and roads of importance.

Perhaps the money could be used to match the federal government’s commitments to the Princes Highway at both ends of the state, east and west—in the east to finish the job of duplication and in the west to start it and to make significant improvements—not only creating jobs but helping business move freight efficiently and in a more cost-effective manner.

Investment of this nature would also improve road safety. The government can argue until it is blue in the face that the condition of road surfaces is having no impact on the road toll, but it is part of the problem, along with drugs, alcohol and fatigue.

People are sick and tired of seeing wire rope barriers installed ahead of widening roads, repairing surfaces and strengthening shoulders. They are part of the solution, but they are not the only solution, and they have to work in conjunction with other measures.

Maybe some of this can be used to finally complete the Murray Basin rail project which, as we know, is in complete mess and was the subject of a scathing Auditor-General’s report earlier this year.

That project must be completed and completed properly. Not only would it create construction jobs, it would open up Victoria’s agriculture sector and help drive an increase in productivity, which in turn would create jobs for that sector.

So while I support the passage of these bills, I do question borrowing $25 billion, without any clear indication of what that money is going to be spent on and no guarantee that it will benefit all Victorians, not just those who live in Melbourne.

We have seen this government short-change rural and regional Victoria continually. I do not want that to happen again, and my constituents see no benefits but will hold the huge burden this debt will create for generations to come.
Mr HAMER (Box Hill)

The Appropriation (Parliament) (Interim) Bill 2020 provides the authority for payment from the Consolidated Revenue Fund for the first six months of the 2020–21 financial year.

COVID-19 has changed the way we live, work, learn and interact with each other. There is no aspect of our lives that has not been touched by this pandemic.

That is clear enough from the stories that are no doubt coming into every electorate office of every member of the house—people who have lost a loved one but who cannot give them the funeral they deserve; grandparents who want to visit new members of their family; landlords and tenants who are not sure what life will look like once we are through this. The stories are endless and devastating.

That is why this bill is so important.

One of the most important things that we do as parliamentarians is fund the activities of the executive. The power of the purse, as it is sometimes called, is one of the most powerful tools at our disposal to hold the executive to account. In short, the executive cannot spend a cent without the consent of this Parliament.

But in these uncertain times, as parliamentarians we simply do not have the information we need to lay out and scrutinise a full budget as we usually would. This bill therefore provides half the amount provided for in the full-year 2019–20 budget, indexed for inflation. This will ensure the usual business of government can operate until then, so that our healthcare workers, our emergency services workers, our case workers, our teachers and many others can continue to be paid for the essential services that they are providing.

The government is not immune from the uncertainty that is faced by so many Victorians. Budgets by their very nature are always predictive and contain projections of expenditure and revenue. How can we do that with any seriousness when we are in the midst of a pandemic?

The answer is that we cannot. It is impossible.

It is still the government’s intention to introduce a state budget before the end of 2020, which will supplant and absorb the provisions of this bill.

That will allow decision-making to be made with more information, more clarity and more certainty.

Given the bushfires we experienced in the first half of the year, and now in the midst of a global pandemic, it is appropriate to provide additional resources.

Neither of these events could have been anticipated, particularly with respect to their severity. The bushfire season is always a period of great anxiety for our state, and we always live in hope that no major incidents will occur. Sadly, that was not the case this year, and I acknowledge that some communities are still recovering and will take many years to recover. My heart goes out to them.

Given those events, it is prudent to provide an extra $10 billion in a Treasurer’s advance over the approximately $2.8 billion provided for in the 2019–20 budget. This will help fund the various measures that are necessary to respond to the current crisis.

The government has already provided significant support for the Victorian community, including $437 million for the health system, $1.4 billion for additional intensive care unit capacity, and a $1.7 billion economic survival and jobs package.

To the Premier, Treasurer and the entire government, as well as the hard-working Victorian public service staff: thank you for the work you have done and will do as we get through this together.

I commend the bill to the house.

Mr MORRIS (Mornington)

To say that the house meets today under strange circumstances would be extreme understatement. The world has changed almost beyond recognition from a few short weeks ago. Those changes are reflected in the way in which the Parliament operates today: four bills, two substantive debates, two and a half hours before the guillotine comes down; social distancing in place, only 26 members allowed in the house; those who are not may still have their speeches recorded in Hansard and their votes counted; no press to observe the proceedings firsthand, only a video feed; the front doors locked; and the public excluded from directly observing our deliberations.

All these accommodations are necessary, and I do not criticise them. However, the house must return to normal as quickly as it is safe to do so. Now more than ever the executive must be accountable to this Assembly, to this Parliament.

But if we find circumstances strange inside the Parliament, they are equally strange outside.
As we meet, stage 3 restrictions are in place. With luck we will not get to stage 4. Citizens are required by government to stay at home, only leaving to obtain necessary goods or services, to provide care or for other compassionate reasons, to undertake work or education, or for exercise—straightforward one might think, but we know there has been confusion in interpretation of the rules and too many examples of overreach.

Have these controls worked? Clearly they have. Spread of this disease has slowed, and compared with other developed nations our death toll is thankfully light. However, I would argue that our success owes more to the good sense of the Victorian community than the directions of the government. With some exceptions, the overwhelming majority of the community have done the right thing. They understand that if they do not the consequences for all are potentially terrible.

Many Victorians remain at their post. Nurses, doctors, members of the ambulance service and everyone who keeps our hospitals functioning are at the front line. Our emergency services workers, and particularly the police, are doing a fantastic job. Sadly, we were reminded only last evening how dangerous the job of policing remains. I am sure the thoughts of all members are with the families and friends of the four officers who yesterday lost their lives in the line of duty.

But in these strange times there are many other heroes. Supermarket workers and others engaged in the retail trade are particularly exposed, but many shops remain open and food and other essential supplies remain available. That has made life bearable for the rest of us, and everyone who has worked through this pandemic deserves our thanks.

The rules in place are of course only temporary, but they will have a long-term and in many cases disastrous impact. Thousands and thousands of people have lost their jobs, despite the best efforts of the national cabinet. Thousands more have seen their income decimated, with no assurance that things will ever return to normal. Many small business people are today wondering whether they can keep their businesses afloat, whether they can make it through to the other side and, if they can, whether it is worth the cost.

The economic price we are paying will impact on this state for a generation or more. In our deliberations on this legislation we of course have to consider the immediate problem while at the same time being very aware that the decisions we are taking now will have ramifications for the future of Victoria for decades to come.

We have before us this morning three bills, three slim documents, that together authorise the expenditure of more than $60 billion. We have no budget papers, no supporting information beyond the explanatory memorandum and no additional accountability measures identified.

The Appropriation (Interim) Bill 2020 proposes the authorisation of expenditure of almost $36 billion to permit the government to continue normal operations until 31 December. Given that a budget will not be brought down until later in the year, that is not unreasonable. It is very far from ideal, but it is not unreasonable.

The Appropriation (Parliament) (Interim) Bill 2020 similarly provides funding for the operation of the Parliament and a range of other bodies for the first half of the financial year. A total of $116 million will be made available by this bill, and not all of that is for the Parliament. The Independent Broad-based Anti-corruption Commission will receive around $22.7 million, the Auditor General’s Office around $9 million, and a similar amount will go to the Victorian Ombudsman’s office. Again, we are being asked to agree to this expenditure without a budget, without any sense of priorities, but simply an indexed amount from the anticipated expenditure for the current financial year—also not ideal, but also not unreasonable.

The difficulty I have with the bills before us this morning is not the provision of funding to keep the wheels of government turning and the Parliament operating in the absence of a budget. My concern is with the unprecedented demand from the government that the Parliament authorise expenditure of $24.5 billion, equivalent to almost 40 per cent of normal annual spending, on the strength of two short clauses, a total of 219 words.

This bill establishes a $24.5 billion slush fund that can be spent entirely upon the whim of the Treasurer—$24.5 billion that can be spent without any real oversight from the Parliament and essentially without constraints. The only guidance provided in this bill is the usual words that relate to Treasurer’s advances.

Now, a Treasurer’s advance is an established mechanism and is of course submitted for retrospective Parliamentary authority. It is recognition that between the adoption of a budget and the end of that budget year unforeseen circumstances will arise and it is impractical to go back to the Parliament on each occasion for additional funds. In a normal year the sum is significant, but in this bill it is outrageous. The most recent appropriation act, the Appropriation (2019–2020) Act 2019, retrospectively authorised payments from the advance to the Treasurer of $1.861 billion.

This bill proposes 13 times that amount! Extraordinary times demand extraordinary measures, but they also demand extraordinary accountability. In this bill the accountability is so lacking as to be almost non-existent. No doubt the government will argue that the normal processes under the Financial Management Act 1994 will apply, and a retrospective authority will be sought.
My concern is that at best the process is extremely retrospective. In May last year the Parliament authorised Treasurer’s advances from the 2017–18 year. If the usual practices are followed, the moneys that are being expended now will not be identified for the Parliament until 2022 at the earliest. It is completely and utterly unacceptable.

The Shadow Treasurer, the member for Ripon, has proposed a number of amendments to this bill addressing exactly this concern. If successful, the effect of the amendments will be to require the government to prepare within 30 days of the end of each quarter, commencing on 30 June 2020, a report specifying any amounts issued under these provisions during the quarter and the purpose for which those amounts were applied. The report would have to be made available as soon as practicable to all members and laid before the Assembly the next sitting day.

I doubt if the government will accept this amendment. They are not keen on accountability and are even less keen on scrutiny. No doubt they will continue to promote the fiction that the usual accountability mechanisms, which they have systematically weakened over the last almost five and half years in office, will suffice. Nothing could be further from the truth.

As I noted earlier, these are extraordinary times and these are extraordinary measures. The sums being sought are immense and if expended wisely have the potential to minimise the economic damage that our state will suffer from this pandemic. If they are squandered, if they are used to meet pre-existing budget overruns or fund cost blowouts on major projects, the economic damage will be magnified. That is why it is critical that an appropriate oversight regime be put in place.

If the government is as good as its word, if this money is to be used exclusively to fight the pandemic, they should welcome oversight. If proper oversight is refused, we can only ask: what are they trying to hide?

Ms THEOPHANOUS (Northcote)

The year 2020 has not been an ordinary year. Collectively, our state, our nation and indeed our world are facing the most extraordinary and far-reaching challenge we ever have faced.

No Victorian has been left unimpacted by the coronavirus pandemic.

One day in the future we may look back on this year—reflect on it, analyse it, come to terms with it.

But right now, we are living it.

Right now, lives and livelihoods are on the line.

We must prioritise the health and safety of Victorians, and that means making the investments necessary to fight the pandemic and to restore our economy.

This bill provides some measure of certainty in a hugely uncertain time.

Over the coming months we will need to be agile and prepared to respond to the health and economic emergencies that are still evolving.

That means using the strength of our economic position and leveraging it to our best advantage.

Victoria was in a strong position before the coronavirus: a surplus for the 2019–20 budget year was projected, the 12th Labor surplus in a row, and our AAA credit rating was affirmed by both Moody’s and S & P.

This means we are in a strong position to take the unprecedented action needed to get us through this pandemic.

In good times, government’s role should be to generate opportunity and harness our potential. More critically, governments must be there when things go wrong.

What is clear in all of this is how important it is to have governments that place fundamental value in social safety nets, in a properly funded health system, in workers rights, in the opportunity afforded by education, in the right to safety and in economic security.

Those are the things that Labor has always fought for. They are more important now than ever.

And what has been laid bare by the coronavirus is the importance of leadership—trusted leadership.

Through moments of crisis we see trust tested—and here in Victoria, not just through the pandemic but through the horrors of the bushfire season, we have seen it well and truly pass the test.

In Victoria we have seen a government that has acted decisively, and in return we have seen a community that has answered the call.

Victorians have made tough, heartbreaking decisions to practice social distancing in order to protect their families, their friends, their neighbours, their loved ones—and people they do not know at all.
Businesses and livelihoods have suffered. Children, parents and grandparents have had to adjust to radically different arrangements. Birthdays, marriages and celebrations have been forgone. Grieving has had to happen without the comforting arms of our dearest. We have asked a lot of Victorians.

We will stand with Victorians, because that is the partnership of trust that will see us through. On that note I offer my sincere thank you, on behalf of my community and personally on behalf of my family, to our Premier and to the Minister for Health, to the entire cabinet and to our chief health officer.

The devastating scenes we have seen around the world have shocked us and filled many with apprehension about what could unfold here. What has been entirely notable here in Victoria is the unity of purpose which has meant that Victoria could act with a speed and certainty that has been instrumental.

Together, we—all of us—are making a difference. We are flattening the curve. We are saving lives. But the reality is that the compounding impact of this pandemic will be far-reaching, and that is why this bill is vital.

The bill provides the government authority to keep responding to this crisis, making available $10 billion in 2019–20 and $14.5 billion in 2020–21 for direct response to the coronavirus and the economic recovery. They are significant amounts, and we may not need to use the totality of them. But we need to be in a position to be able to respond rapidly and at scale to a situation that is highly volatile and evolving quickly.

So these amounts are a safeguard to ensure we can continue to support every Victorian who needs it and build a bridge to the other side of the pandemic, because lives in my community and across Victoria have been immensely impacted by the cost of social distancing efforts required to stop the virus spreading.

Jobs have disappeared. Businesses have closed their doors. For many the certainty of being able to put food on the table or a roof over their heads has been lost. I keep hearing the statement that this virus does not discriminate. But of course it does discriminate.

When the economic cost of the restrictions is not borne equally, it discriminates. When some enjoy the safety of working at home and others do not, it discriminates. When health or age vulnerabilities heighten someone’s risk, it discriminates.

That is why is it so important that measures are put in place to minimise the impact on all Victorians and to safeguard those who are most vulnerable. That is why it is vital to have governments that, as I said, place fundamental value on social safety nets—not just trickle-down economics.

Already we have boosted our healthcare system by $1.9 billion for vital beds, equipment and expanded ICU capacity.

Our $1.7 billion economic survival and jobs package is helping thousands of businesses and workers. Five hundred million dollars has been set aside to give much needed certainty to residential and commercial tenants and landlords. We have injected $260.8 million into our TAFE sector to keep skilling up Victorians, directed $59.4 million to vital mental health services and there is another $43.2 million to make sure women and children escaping family violence have a safe place to go.

But not all levers are available to state government.

And that brings me to the federal government’s JobKeeper wage subsidy. Thank goodness for the federal Labor Party, thank goodness for the union movement—without which we may not have seen the federal government act to put this wage subsidy in place.

The JobKeeper payment will mean that many will financially survive this health crisis. But it could be better.

Thousands of casual employees have found themselves on the wrong side of the eligibility requirement to have been with the same employer for at least 12 months.
In my community that hurts. It hurts because it fundamentally mischaracterises the very nature of casual employment. It disregards the conditions under which many unwillingly find themselves, and it sidesteps the insecurity that many already faced.

Ordinarily my community is home to thriving retail, cafe, dining, bar, arts and music venues. There are many, many casual workers. There are many migrant workers. There are many international students.

JobKeeper leaves so many in my community out in the cold.

On their behalf I wrote to the federal Minister for Industrial Relations, joining the calls of my friend the federal member for Cooper to have the federal government properly include casual workers as part of JobKeeper.

We will not give up that battle.

It will take years for our state to recover economically and perhaps many more so for us to recover psychologically.

We will ask a lot of Victorians—and, rightly, Victorians will ask a lot of us in return.

This bill delivers the funding necessary to protect lives and livelihoods. Because, make no mistake, we will fight for every single one of them—every single life, every single job. every single business.

It fills me with pride that in my community I am seeing acts of kindness and camaraderie in a joint effort to do what is needed to protect ourselves and each other.

Amidst the challenges so many are facing our community has pulled together and banded as one.

There are no words to express my gratitude to the workers keeping us safe, supplied and cared for. Whether you are a nurse or doctor, a teacher or childcare worker, a cleaner or carer, staffing the supermarket, keeping the coffee flowing or volunteering at a charity—thank you.

To those facing hardship right now—and I know there are many—please reach out for support. We see you, we hear you, we are with you.

I commend the bill to the house.

Mr ANGUS (Forest Hill)

I am pleased to be able to make a contribution in the cognate debate covering three bills: the State Taxation Acts Amendment (Relief Measures) Bill 2020, the Appropriation (Interim) Bill 2020 and the Appropriation (Parliament) (Interim) Bill 2020.

We are certainly in the midst of an extraordinary time here in Victoria, along with the rest of Australia and indeed the world. To have the health of the community, together with the economic future of the community, put into jeopardy by a hitherto unknown virus, COVID-19, has been an almost unbelievable situation. Thankfully here in Australia, including in Victoria, the community has worked well with the health and government authorities to limit the devastating health impact that this virus has had. I place on record my sympathy for all those Victorians who have been so dreadfully impacted by this virus through the death of loved ones and friends. I also note my sympathy for those who have been and continue to be suffering from the devastating financial consequences of this situation. I also want to note the severe impact of the current situation on many members of our community who are suffering terribly from mental health issues and overwhelming loneliness as a result of the restrictions currently in place.

I want to look first at the Appropriation (Interim) Bill 2020. The purpose of the bill, as noted in clause 1, is relatively straightforward—that is, to make interim appropriations of money for the period commencing 1 January 2020 and ending on 31 December 2020.

However, where the bill is not so straightforward is in clauses 5 and 6. It is in these two clauses we see the extraordinary situation of an advance in clause 5(1) of $10 000 000 000 and in clause 6 a $14 480 927 000 increase in the Treasurer’s advance. This is a staggering $24.5 billion increase in funds being made available to this government to spend. The hope of all Victorians would be that whatever part of these funds that has to be spent is spent wisely and in fact for the purposes intended—that is, to help address the health and economic impacts of the COVID-19 crisis and not to fill the many black holes in this government’s deteriorating budget.

With approximately 2.5 million households in Victoria, this increase in the Treasurer’s advance represents an increase in debt of around $10 000 for each household. This is despite the many billions of dollars in windfall gains that this government has benefitted from during the last five and a half years.

As the member for Ripon noted in her contribution and in her amendments as submitted earlier today, all members on this side are very keen to see that there is proper accountability for these funds. All Victorians...
Mr TAK

This is an important bill and one that responds to the unprecedented circumstances that we are facing. The purpose of this appropriation bill is to provide the government authority to keep responding to this unprecedented crisis as well as keep the usual business of government operating.

In summary, this bill provides another six months of funding at 2019–20 levels, plus 2.5 per cent indexation, and the annual capital appropriation.

I would like to take this opportunity to commend the Premier, the Minister for Health, the chief health officer and the Treasurer for their leadership during this extremely difficult time.

The response to this crisis has been nothing short of amazing. Among all the support measures, we have seen an additional $437 million provided to the health system for additional beds and equipment, extra funding for
emergency departments and intensive care units, additional resourcing for pandemic containment activities and support for workforce continuity, as well as a $1.3 billion injection for expanded ICU capacity.

I am so proud of the health response in my community at Monash Medical Centre in Clayton and from healthcare workers across the Clarinda electorate and across the state.

Monash Medical Centre has installed a two-storey demountable unit adjacent to the existing emergency department to provide an extra six resuscitation cubicles. These fully equipped cubicles, which will be ready to be used within weeks, will allow patients to be ventilated and, if needed, prepared for transfer to the ICU.

To everyone at Monash Medical Centre and to all our healthcare workers and essential workers—a sincere and heartfelt thank you to you all.

Your dedication, your determination and your courage are amazing, and I cannot thank you enough.

We have also seen the $1.7 billion economic survival and jobs package, which includes payroll tax refunds of some $550 million, the Business Support Fund of $500 million and the Working for Victoria Fund of $500 million.

In addition, there is a $500 million package aimed at giving certainty to residential and commercial tenants and landlords.

I am extremely proud of the Andrews Labor government, its response to the crisis and the many ways in which it has prioritised the health and welfare of the Victorian people. That has been the focus first and foremost. We will continue to make the investments to fight this pandemic and move towards restoring the economy.

So this supply bill also ensures the work on our vital infrastructure program we have already started can continue in the safest way possible. This is vital for jobs now and in the recovery.

We have driven the biggest construction agenda this state has ever seen, and that is important for our economy both now and into the recovery phase.

As stated, this bill provides another six months of funding at 2019–20 levels, plus 2.5 per cent indexation, and the annual capital appropriation. The general appropriation bill also includes some additional flexible funding amounts. This is for additional expenditure for direct response to the coronavirus and the economic recovery.

They are significant amounts—$10 billion in 2019–20 and $14.5 billion in 2020–21—but these are unprecedented times which require unprecedented action.

It is important to note that these amounts are not estimates of the expenses that the government will need to meet. Rather, these are amounts are a safeguard to make sure we can respond quickly and at scale.

We have seen already that the impact of this pandemic can be fast and unpredictable, and as such we need to be able to make sure Victorians can have confidence that we can continue to support them as this progresses.

We have seen a similar approach taken by the federal government, whose supply bill earlier this year included a $40 billion fund for the same purpose. In fact there was a decision by all governments—federal, state and territory—to delay their budgets this year due to the uncertain impact of the coronavirus. Things are of course too volatile right now to develop reasonable estimates on which to base a budget.

This pandemic has been very traumatic. It is going to be traumatic on people’s lives and their livelihoods for some time to come, but people can be assured that this government will be there making the investments we need to get through.

Lastly, I would like to commend all my constituents who have been doing the right thing and staying home. Together we have been able to slow the spread of the virus, and if we continue to stay the course and do not get complacent, we will get through this together. I would like to thank all my constituents and all Victorians for playing a part in saving lives. We have a long way to go, but we should all take pride in the positive impact of our collective efforts.

Stay home, stay safe and save lives.

I commend the bill to the house.

Mr NORTHE (Morwell)

I submit some comments in regard to the Appropriation (Interim) Bill 2020, the Appropriation (Parliament) (Interim) Bill 2020 and the State Taxation Acts Amendment (Relief Measures) Bill 2020.

The Appropriation Interim Bill provides interim budget authority for the ongoing operations of the government for the first six months of the 2020–21 financial year. It also provides appropriation authority for additional amounts to be advanced to the Treasurer to cover the costs of COVID-19 to the state of Victoria:
Before we even had our first confirmed case of COVID-19 in the Latrobe Valley, I was receiving multiple calls daily from panicked, devastated business owners regarding the demise of their cash flow. There is not one sector that I have heard from where the business owners have not had to make agonising, difficult, heartbreaking decisions about their dream, in some cases a dream that has taken years to build and only days to be destroyed. I know it has been awful for many business owners to advise their staff they no longer have a job. It is just heartbreaking for employees and their families as well. Thankfully in some areas the federal government’s JobKeeper and JobSeeker initiatives are helping to some degree.

I would like to talk to some of the specific measures that have been put in place and how these are paramount in my community to get right. The announcement of the state government’s $1.7 billion economic survival and jobs package, whilst seen as overdue in some quarters, was welcomed by those eligible for supports. I had raised in the previous sitting of Parliament the necessity for a business hotline to be established, and I am pleased to see that has now occurred. It is imperative businesses can seek expert advice given the uncertainties that currently exist.

But back to the economic package, and within it the $500 million Business Support Fund that provides one-off $10 000 grants. However, the eligibility of the businesses teamed with the specific ways the funds can be used is very restrictive and prescriptive. Our business community in the Latrobe Valley is vibrant and diverse, and many do not fit into the mould outlined in the eligibility criteria. This has meant that, sadly, many businesses have chosen not to apply.

Similarly, where eligible businesses will have their payroll tax waived for the 2019–20 financial year there are restrictions on the businesses who are able to take advantage of this. I have heard from many businesses who do not fit in under the thresholds, but in other states such as South Australia or New South Wales they would. This is disappointing. There are many medium-sized businesses who pay more than $3 million in wages and who have paid substantial payroll tax over many years, yet at this crucial time when they need support and relief they miss out. I have also received feedback that suggests that whilst a business might be eligible for a payroll tax refund, the refund itself might not occur until July or later. This creates an issue whereby a business needs that relief right now for cash flow purposes. It would be a crying shame if a business closed its doors in the interim, despite being eligible for payroll tax relief but not being able to receive a refund for a period of months.

One initiative that I am certainly very keen to get working hard in the Latrobe Valley is the $500 million Working for Victoria initiative, where Victorian jobseekers will be eligible to apply for different types of work and Victorian businesses looking for workers can support them. I would like to see any program that can address unemployment—which was an important issue in the Latrobe Valley pre-COVID-19—reach its true potential, and I would be happy to support the government in getting this going in my community. There are a number of organisations and authorities that await announcements on if they will be funded beyond 30 June 2020. The government needs to, as soon as practical provide certainty in this area. For example, what

- $10 billion for the remainder of the 2019–20 financial year; and
- $14.48 billion in the period commencing 1 July 2020 and ending 31 December 2020.

Similarly, the Appropriation (Parliament) (Interim) Bill gives the authority to fund the operations of the Parliament for the first six months of the new financial year. Within this time there will be a budget bill to cover the whole 2020–21 financial year, and I look forward to these debates later in the year.

But today this is certainly a very different budget than what the Parliament is used to and what we have been accustomed to over the years. Normally there would be announcements, debate and time to review these important bills. None of that applies at this very surreal time, which is replicated across various jurisdictions and indeed right across the world. Digressing, I do commend the Premier, government ministers and their staff for their leadership during these challenging times. I appreciate not all will agree with some decisions made within this extraordinary period, but I do believe everyone is doing their best for all Victorians.

These bills provide for an extraordinary amount of money to be afforded to the government, and it is therefore vitally important the government spends this funding in a manner that provides value and makes a positive difference to Victorians. Unfortunately, the detail on how and where these moneys will be spent is lacking at this point in time. That is not to say the additional funding sought is not necessary, as we do face entirely unprecedented circumstances.

Some elements of this budget are necessary to support our Victorian businesses through what can only be described as a completely catastrophic scenario. COVID-19 has impacted organisations far and wide, with reports citing that over 70 per cent of businesses have seen revenue decline, one in ten have ceased trading altogether and sectors such as hospitality have been entirely decimated, leaving a trail of joblessness, debt and heartbreak behind them. We know that many businesses won’t recover after the threat of coronavirus has finally left us.

I would like to talk to some of the specific measures that have been put in place and how these are paramount in my community to get right. The announcement of the state government’s $1.7 billion economic survival and jobs package, whilst seen as overdue in some quarters, was welcomed by those eligible for supports. I had raised in the previous sitting of Parliament the necessity for a business hotline to be established, and I am pleased to see that has now occurred. It is imperative businesses can seek expert advice given the uncertainties that currently exist.

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One initiative that I am certainly very keen to get working hard in the Latrobe Valley is the $500 million Working for Victoria initiative, where Victorian jobseekers will be eligible to apply for different types of work and Victorian businesses looking for workers can support them. I would like to see any program that can address unemployment—which was an important issue in the Latrobe Valley pre-COVID-19—reach its true potential, and I would be happy to support the government in getting this going in my community. There are a number of organisations and authorities that await announcements on if they will be funded beyond 30 June 2020. The government needs to, as soon as practical provide certainty in this area. For example, what
becomes of the Latrobe Valley Authority and its employees? Also the government has made a number of commitments and election promises within the Morwell electorate, so will these same commitments be honoured in the current economic climate?

Finally, I would like to provide my thoughts on what should happen to any surplus funds from these enormous and unprecedented advance payments to the Victorian government. The Andrews government are asking us to vote in favour of providing these additional funds without any normal plans, budgets or the regular scrutiny prior to this debate. I have no doubt that much of this funding will be necessary to support our health system in its preparedness as well as over time as we fight COVID-19. But if there are any surplus funds, I point to the research that tells us:

- between 30 March and 3 April, 47 per cent of businesses made changes to their workforce in the previous two weeks in response to COVID-19;
- Treasury forecasts that the unemployment rate will reach 10 per cent in the June quarter and as high as 11 per cent in the September quarter; and
- this crisis could lead to 270,000 Victorian jobs being lost.

We are fully aware that the economic downturn of this crisis will be nothing short of devastating. Because of this, I would like to see surplus funds be used to undertake projects and infrastructure builds that have been in the pipeline for years, because we know that after all of this we will need to get our economy moving again—and fast. By putting this money into works with an immediate start date we will benefit Victorians and provide much-needed jobs and supplies for the long recovery ahead.

However, we cannot afford to have project budgets being blown, as has constantly been the case in recent years. The waste that currently occurs on government-related projects is appalling, and this needs to change moving forward.

Ultimately current and future generations will have to pay back borrowings that occur now. How that will be done is unknown at this stage, and this is a scary thought for many. By passing this bill there is an extraordinary amount of expectation and faith that the government will spend taxpayer moneys in a manner that provides value for all Victorians, including those of us in regional Victoria.

The State Taxation Acts Amendment (Relief Measures) Bill provides the state government with its regular taxation, with a continuation of its ordinary revenue sources. It also enacts support for communities greatest hit by the devastating summer bushfires and extends the first home buyers grants as well as other provisions.

Just reflecting back to the devastating Victorian summer bushfires—as it is so important to acknowledge that these catastrophic fires swept across particularly the east of our state only four short months ago—it may not feel like such a small amount of time has passed, but we can all attest that a lot has happened in society since then! But I am sure that those who lost loved ones and livelihoods certainly still feel like the wounds are recent and raw. We must respect and remember that.

I trust that elements of this bill will provide some support and comfort to them as they continue to rebuild in debilitating circumstances. To those who are recovering right now, I extend my heartfelt sympathy for your losses and continued challenges. We all look forward to being able to travel to East Gippsland and support that community when COVID-19 passes.

I will always take the opportunity to thank our emergency services, volunteers and workers. These heroes put their lives on the line every time there is an emergency event in our state in their efforts to save others. What legends. I was in contact with many of our local CFA volunteers over the summer, and quite a few of our local brigades and firefighters were active in fire events not only in East Gippsland but in New South Wales as well. I sincerely and deeply thank all our wonderful local firefighters, SES workers, police officers, defence personnel, ambulance officers, charities, support organisations, council workers and all the volunteers that kept them all going. Their swift and selfless actions never cease to amaze me, and I thank them for their remarkable dedication and service.

As our hardest hit communities recover, the measures in this bill seek to provide assistance to the businesses in the six local government areas that were so heavily impacted.

Firstly, it will provide a 50 per cent concession on transfers of commercial and industrial land in certain areas affected by a state of disaster. The concession applies to transfers where the contract, arrangement or agreement for the transfer was entered into on or after 27 January 2020.

Secondly, it reduces the payroll tax rate for eligible regional employers in certain areas affected by a state of disaster to 1.2125 per cent effective from 1 July 2019.

This will support to some degree businesses in these communities as they recover from the terrible bushfire event and of course with the continued economic downturn—all through no fault of their own.
This bill also extends the $20,000 first home owner grant for purchases of new homes in regional Victoria until 1 July 2021. This is a great initiative to encourage development in our regional areas such as the electorate of Morwell. In the months to come I believe that stimulating development and spending will be a sensible measure. The bill provides meaningful support to those businesses that continue the long, hard road of recovery as well as other sensible measures.

Mr McGUIRE (Broadmeadows)

Catastrophic events change politics. An invisible virus has grown into a pandemic monster. COVID-19 is a scourge without cure, infecting people and laying waste to jobs by the millions, forcing the global economy onto life support. This brave new world produced a unique event in Victoria’s history.

State Parliament’s emergency sitting today is to pass legislation to allow the Andrews government to potentially borrow up to $24.5 billion to save lives and livelihoods.

Historical context matters. Victoria’s 1850s gold rush underwrote the Marvellous Melbourne era, and this imposing building at the top of Spring Street was home to the first Australian Parliament in 1901. An adolescent nation’s concerns about conscription, Australians fighting in the First World War, land booms and financial busts were robustly debated in these chambers of classical Roman design.

When the influenza pandemic of 1919 killed more people than the so-called war to end all wars, the Victorian Parliament was sitting nearby at the Royal Exhibition Building, ominously converted into a makeshift hospital to accommodate the growing number of patients. To avoid the spread of coronavirus, which is proving more mysterious, elusive and fatal than the flu, the number of MPs sitting in each chamber today has been significantly curtailed.

The symbolic corridor of power between chambers was bereft of the hubbub of a normal parliamentary day. Former prime ministers and constitutional combatants Gough Whitlam and Malcolm Fraser once formed a unity ticket supporting Australia becoming a republic, and their campaign speeches filled Queen’s Hall. Gough tugged his forelock, bowed and mischievously declared, ‘Ma’am’, in deference to the cold marble statue of Queen Victoria. Parliamentary guides tell of Her Majesty’s disapproval of her portrayal, which was banished to the Antipodes, a historic precursor to social distancing.

To comply with contemporary social distancing requirements I have written this contribution on an iPhone and submitted it remotely via email. It feels bizarre to make contributions on such important and historic events in silence instead of standing in Parliament delivering full-throated conviction.

Heartbreaking news overnight of the worst loss of life in the history of Victoria Police cast a shadow of grief over today’s sitting, a chilling reminder of the risks our first responders and essential workers take in protecting the community, not just in crisis but even on seemingly mundane shifts.

The Treasurer was blunt. The economy will get worse before it gets better and there may be up to 270,000 jobs lost in Victoria, he told question time. His blueprint for recovery, once the coronavirus has been controlled and suppressed, also addresses the impact of Australia’s unprecedented bushfires as we grapple with responses to back-to-back existential threats.

Victoria’s priorities are that unprecedented times require unprecedented action. The Treasurer has outlined the Victorian government’s priorities:

- We need to prioritise the health and welfare of the Victorian people first and make the investments to fight the pandemic and to restore the economy afterwards. The budget parameters we had previously need to change to meet these new circumstances. Debt will need to be increased. This is the case for governments around the world. We are comparatively well placed to deal with the increased debt.
- Victoria was in a strong position before the coronavirus: we were projecting a surplus for the 2019–20 budget year, and our AAA credit rating was affirmed by both Moody’s and S & P. This means we are in a strong position to take the unprecedented action needed to get us through this pandemic.

Governments at the federal, state and territory levels delayed their budgets this year due to the uncertainty concerning the impact of the coronavirus. The situation is too volatile to develop reasonable estimates on which to base a budget. It is unclear what will happen to the economy in the next few months and therefore the level of expected revenue. Demands on the budget to respond to the health and economic emergencies are also still evolving.

The immediate future is going to be traumatic on people’s lives and livelihoods. In summary, this bill provides another six months of funding at 2019–20 levels, plus 2.5 per cent indexation, and the annual capital appropriation. The purpose of this appropriation bill is to provide the government with authority to keep responding to this unprecedented crisis as well as keep the usual business of government operating until then. The general appropriation bill also includes some additional flexible funding. This is for extra expenditure for direct response to the coronavirus and the economic recovery.
The amounts reflect the severity of the crisis—$10 billion in 2019–20 and $14.5 billion in 2020–21. These amounts are not estimates of the expenses we will need to meet; we are not in a position to make that estimate, the Treasurer has declared. These amounts are defined as a safeguard. They are to make sure the Victorian government can respond quickly and at scale. We have witnessed how fast and unpredictable the impact of this pandemic can be. The government needs to ensure Victorians are supported as this crisis unfolds.

This is similar to the approach the Australian government has adopted. Their supply bill earlier this year included a $40 billion fund for the same purpose. I support the strategy to go hard and go early. Confronting death clarifies. Fault lines in societies and the fragility of existence have been exposed across the world. Deaths are mounting. Recession is coming. Depression is feared. When time is critical, a staggering price is paid in lives and treasure for delays. Evidence trumps dogma. Scientific disbelief has finally been suspended amid unprecedented peacetime investments being legislated and lockdowns enforced.

Victoria has already made significant investments to support our health system, businesses and households to continue while activity necessarily slows down to prevent the virus spreading. These initiatives feature:

- an additional $437 million to the health system for extra beds and equipment, extra funding for emergency departments and intensive care units, additional resourcing for pandemic containment activities and support for workforce continuity;
- a $1.7 billion economic survival and jobs package, which includes payroll tax refunds of $550 million, a Business Support Fund of $500 million and a Working for Victoria Fund of $500 million;
- a $1.3 billion injection for expanded ICU capacity; and
- a $500 million package aimed at giving certainty to residential and commercial tenants and landlords.

This supply bill also ensures important infrastructure programs can continue in the safest way possible. This is vital for jobs now and in the economic recovery. The Andrews government has driven the biggest construction agenda Victoria has seen. This is important for our economy, the recovery phase and future productivity. The government has been working closely with industry and unions to ensure we protect workers’ safety and jobs, including the 115 000 working across Victoria’s Big Build and other projects in this unprecedented infrastructure program.

Disasters demand a new dawn. National security is critical and bipartisan. Countries and cities scrambling to procure life-saving equipment and essential supply chains define why Australia must make niche, advanced manufacturing an utmost priority. Revitalisation zones are needed to attract more investors to repurpose manufacturing engine rooms which underwrote prosperity after World War II and Australia’s record run of uninterrupted economic growth.

Creating opportunity from adversity is a cause I have pursued for decades with unflinching purpose, and my challenge, issued five years ago in Victoria’s largest selling newspaper, is more urgent now for economic resurgence and social cohesion. We have the chance to turn adversity into opportunity, to develop industries for the future, to create new jobs for the next generation, to address housing affordability and to replace anxiety and fear with hope.

Attracting investments from Australia’s more than $3 trillion of savings in superannuation funds for affordable housing for first responders and essential workers is a proposal I will continue to campaign to deliver. It would also address intergenerational unfairness by providing new opportunities for first home buyers.

Reconstruction will require enlightened federalism—a new era of consensus based on evidence and cooperation. The good news is we have made significant progress on collaboration. Securing the Australian government’s commitment to city deals for Melbourne’s north-west and south-east provides mechanisms across all tiers of government and business to leverage opportunities such as the $500 million private investment into the Ford Motor Company’s sites.

Australia turns to Broadmeadows in times of profound challenge. Ford’s Broadmeadows site is emblematic of change after deindustrialisation. New proposals include harnessing technology for a major hub for cheap, clean energy. The ebb and flow of history points a way to recovery. Diggers, light horsemen and Victoria Cross winners were trained and dispatched from the Maygar Barracks to fight nation-defining battles at Gallipoli and on the Western Front, sacrifices we honour this week on Anzac Day. The old army camp has evolved into a logistics hub for fighting bushfires. Leading company on the Australian Securities Exchange, CSL manufactures life-saving blood products across the road. It began life as the Commonwealth Serum Laboratories when an island continent feared devastation from the pandemic a century ago.

Preventing future dangers underscores the need to build greater resilience into the social determinants of life: health, lifelong learning and connecting the disconnected to opportunity. Parliament’s kitchen underscores
this understanding. I have witnessed parliamentary staff dressed from head to toe in protective clothing loading vans at the rear of the house with crates of food for the Salvation Army to distribute. The kitchen has cooked more than 30,000 meals during the pandemic for homeless Victorians. This is a practical, real-world contribution to the community, and I commend everyone involved from kitchen staff and management to the Presiding Officers, the President of the Legislative Council and the Speaker of the Legislative Assembly. This is a humbling reminder of how that miser fate can turn, the fragility of life and why we must all be in this together.

Mr T BULL (Gippsland East)

In making a contribution on this legislation there are two elements on which I will focus, one of which is the bushfire initiatives, which of course directly relate to my electorate of Gippsland East. The first is on the taxation bill component. Included in these measures are payroll tax relief for some businesses who qualify and the bringing forward of stamp duty concessions. The payroll tax relief is, as the second reading states, to support East Gippsland businesses. It is on this support of businesses in fire-impacted East Gippsland that I would like to make some comments. The appointment of Grocon on 18 January came with the comment that this will allow clean-up work to commence immediately. But by 1 April only 10 properties had been completed. Home owners have not received even a time frame by today for when they can expect work. This is not good enough but, concerningly, is not the major problem. The clean-up was to support local businesses, but we have only 53 per cent local employment. We have local contractors who have registered for work but have not heard back after registering several weeks ago, and we have offers of exceptionally low pay rates to some of the locals who were engaged. One gave evidence that after costs were removed he was working for $15 per hour. This hardly helps the rebuilding of the business or the local economy generally. In fact, this contractor has refused to undertake any more work due to the exceptionally low rates on offer. I ask all relevant ministers in this government to get serious about supporting our local businesses in the clean-up and ensure that our local contractors are respected and engaged with appropriate pay levels going forward. The second point I wish to make relates to the Appropriation (Parliament) (Interim) Bill 2020. As is outlined in the second-reading speech and explanatory memorandum, it is to respond to the challenges of COVID-19 and allows the government to commit to unanticipated additional resources for public health and to other social and economic measures immediately and into the foreseeable future. While I will not comment on the figures included in this bill, as the Shadow Treasurer has provided a good summary, I will make some brief comments on one element of the health response—which this bill is for—that needs addressing. This relates to the disability and carers sector, for which I am the shadow minister. And despite this being an appropriation bill, this is a matter that will not require additional funds to address, simply some leadership. More support needs to be provided to carers and families of those with special needs during the COVID-19 pandemic. At what is already a difficult time as Victorians self-isolate to stop the spread of COVID-19, with day-care programs and other services closed, families are being pushed to breaking point as they have lost that critical break time that allowed them to recharge the batteries. With all providers having to end group sessions, some have moved to establish more one-on-one sessions for those most in need of support. But it appears some providers are offering little or no support at all to those most in need after cancelling day care and group therapy sessions. Respite is an essential service. It supports some of the most vulnerable people in our community. While every precaution must be taken, we need a consistent approach that allows carers and families to cope. These are challenging times for all of us, but with group day care and group therapy sessions cancelled for those with special needs, it puts an incredibly increased workload on our carers who need respite. They do a wonderful job looking after loved ones and the most vulnerable people in our community, but they will need support in this time of increasing demand. We cannot increase the pressure and time commitments on our carers without offering a consistent approach to respite for those who need it.
So the longer this situation progresses the more I urge the minister to provide some important leadership and direction to all our service providers, as our carers need their support more than ever.

Mr TILLEY (Benambra)

I submit this contribution to the Legislative Assembly in response to the Appropriation (Interim) Bill 2020, the Appropriation (Parliament) (Interim) Bill 2020 and the State Taxation Acts Amendment (Relief Measures) Bill 2020.

Back on 29 December when heat and a lack of rain met strong winds and fanned the fires that defined our new year, no-one could have expected that worse was to come. The devastation of the bushfires, the lives lost, the homes gutted and the pasture and property turned to ash now almost seems a distant memory.

What we now know is that at the same time a virus, mistakenly referred to as a flu, had been let loose in a Chinese province. Its spread has already seen more than 2.5 million people test positive to the coronavirus known as COVID-19. Experts believe the true number is somewhere between four and eight times that figure. That for the most part we have been able to suppress and manage Australia’s exposure is no miracle; it is the result of strong action, united action, across state and federal jurisdictions.

The federal chief medical officer, Professor Brendan Murphy, and his team have been a shining light in limiting the spread of this virus, not only in this country but as seen through the eyes of people across the globe who are facing the full force of the pandemic. I love this country, but I cannot remember a time when I have been more appreciative of living on a big rock, a long way from the rest of the world. Yes, there have been mistakes and oversights along the way, but fingers crossed we can maintain this almost negligible rate of infection well into the future.

It has been those national and international catastrophes that find us here, with a sequence of supply bills that free up money for the bushfire recovery and more for the preparations to battle COVID-19.

I am not blind to the challenges and threat of this coronavirus, nor am I ambivalent to the significance of the freeing up of money and tax relief for the hundreds of property owners and businesses from the fire-ravaged communities in my electorate.

But where I do take umbrage is with how these unprecedented challenges have been used as a smokescreen to cover the failures and misgivings of cost blowouts on mostly metropolitan projects. What you are wanting us to sign up to, unashamedly using COVID-19 as the gun to our head, is yet another $25 billion in borrowings. That is on top of $25 billion last year, all up blowing the state debt out to more than $74 billion in just over two years.

I understand this pandemic stretches every budget, but the debt balloon that has been created in front of this virus and those bushfires has left us exposed. All we had asked for in the past is that you managed your budgets and worked to the figures that were the goal posts at the start of the project rather than the telephone numbers that you continue to justify.

We are headed for a debt never before seen in Victoria.

Our best calculations are that the response to a worst-case scenario of COVID-19 in the state of Victoria is $10 billion. That is worst case, when we were predicting death rates only seen in the US, Italy, Spain, France and more lately the UK. We are not on that trajectory, and while I understand the reticence to declare the war is over, it appears even the experts now believe we can manage the crisis even if it were to worsen dramatically.

What we are really signing our children and our children’s children up for is a record debt, almost certain to cost jobs, services and infrastructure for years to come, and for them to pay for the budget failings of a spendthrift government hell-bent on creating monuments to themselves in the shape of tunnels and elevated train lines. We have banged on endlessly as project estimates become figures in the sand of a rising tide, erased from view almost as soon as they are written, washed away with each and every ebb.

That has to change. Just because we have not opposed these measures does not give you the right to max out the credit card. This is a $24.5 billion safety net, not a reason to spend every last cent. My greatest misgiving would be that this Labor government, like so many before it, will be inclined to maintain the spending and lean towards its natural tendency for big government, using the pandemic to justify more taxes. I do not want a Dumb and Dumber moment where this government spends its last dollar on cowboy hats, whirligigs and a porn magazine.

So, on behalf of my constituents in the humble seat of Benambra I ask that if you are going to laden us with generational debt you spend it equitably—give us our fair share.

Never has the importance of health infrastructure been so prominent in the collective psyche of the state, but you can only find $5.6 million for the Albury Wodonga Health emergency department (ED). Do not be
Mr SOUTHWICK (Caulfield)

COVID-19 has turned our lives, our economies and our societies upside down. In Victoria COVID-19 has already taken 15 lives and impacted around 200 000 livelihoods. Current best estimates are that 6.8 per cent of Victorian workers have lost their jobs because of this disease, with expectations that at its peak up to 400 000 Victorians will be jobless.

We cannot underestimate the mental health impact on our community from this virus. The brutal reality is that mental health impacts will continue long after we defeat COVID-19. We will all have friends and family that will lose loved ones, lose jobs, lose businesses and lose homes. From such significant loss many will never mentally recover.

It is clear the uncertainty created by this virus—for our jobs, for our health, for our future—will define our generation, and since restrictions started on 23 March Victorians have lost so many of the freedoms we all previously took for granted.

The toll on Victorians is enormous. However, in years to come, when the history of COVID-19 is told, it is our frontline health workers that will be the heroes of the story.

I would also like to take the opportunity to commend the way Victorians have worked together in these difficult times, following isolation rules and seeing their lives turned upside down.

This pandemic is something many of us have not seen in our lifetime and hopefully something we will never see again. The positives have been a reset and a focus on what is truly important to us: our family. We have had plenty of time to reflect and spend time with the people we love. The negatives have been massive with this; thankfully there are not as many as in other countries suffering from the health implications of COVID-19, but there are enough to understand the huge impact it has had.
The major issue has been the economic loss of jobs and many small businesses struggling to survive. I know this is something we will need to ensure the government focuses on going forward, and that is a jobs and business-led recovery.

In my electorate of Caulfield we have a number of people that are in need during these difficult times, including seniors, people losing their jobs and many businesses having to close or reduce down to a skeleton operation.

My electorate office embarked on a calling regime, using volunteers and staff to call vulnerable people in my electorate to make sure they were okay. We made around 1200 calls to seniors and worked with local community organisations to facilitate needs that our constituents were short of, including basic food and medical supplies.

In one instance I dropped down a vacuum cleaner to an elderly couple in their eighties who had their machine break down and were not in a position to leave their house.

I want to particularly thank our volunteers, starting with my son Tyler, who has been coordinating the calling group. His team has included a number of passionate young people, including:

- Brigette Ciampoli;
- Jack Stock;
- Jeremy Mann;
- Bevan East;
- Freya Edselius;
- Pia Martyn;
- Riley Doubar;
- Ethan Rozanic;
- Ethan Tsufi;
- Henry Houghton;
- Bo Sergeant;
- Brandon Lukies;
- Daryl Coates;
- Kate Zisos;
- Nicholas Elliott;
- Thomas Burgess;
- Alexander Mihailidis;
- Harry Shardey;
- Joshua Yuson; and
- Patrick Irwin.

Furthermore, I want make a special mention of my electorate staff—Jane Rapke, James Breckler, Valerian Zaitsev and Alexander Wolff—who have risen to the challenge presented by COVID-19 and ensured Caulfield residents continue to receive the support, information and representation they deserve.

More broadly across Caulfield there have been a number community groups that have taken it upon themselves to be there for their fellow residents and support others in the community.

A few of the individuals and organisations I have been fortunate to work with include:

- Makli Rose from the Pekelach Food Bank;
- Simonne Whine from Jewish Response: Coronavirus;
- Shlomo Nathanson from C Care;
- Sarah and Avi Bendetsky of Souper Kitchen;
- Anne Coughlin from Community Information & Support Glen Eira; and
- Justin Kagan from the Community Security Group.

Jewish Care, led by CEO Bill Appleby and Marilyn Kraner, have also done an amazing job during the crisis, including establishing a hotline to assist with counselling and financial assistance. I have been involved in a network that has been established through Jewish Care to bring community organisations together to
collaborate during these times. I would like to thank the following organisations and individuals that have been involved in these discussions and important work assisting the community. In addition to those I have mentioned, I would like to recognise the following for their involvement and great work: Adam Rosenblum and Sharon Lowe—C Care; Romy Bursztyn—Our Village Kitchen; Shimon Allen—Beit Rafael; Yoni Palach—Melbourne Jewish Charity Fund; Rabbi Shimshon—Chabad Malvern; Karen Franks—Mizrachi Charity Fund; Gideon Reisner—Stand Up; and Danny Elbaum and Leon Landau from Hatzolah.

Each one of these groups has been simply amazing, has helped so many people to date and will continue to do so into the future.

Recovering from COVID-19 will not be a quick or easy process, and having witnessed the excellent work of volunteers and community organisations throughout Caulfield it is clear a community-based response will be the way forward.

Today the Andrews Labor government has elected to borrow an enormous amount of money—$24.5 billion over two years to support the COVID-19 recovery—yet I continue to hear from a number of these small grassroots community groups that they are struggling financially and are not receiving any government support.

The government has a responsibility to ensure this is no longer the case and that these grassroots organisations, who day in, day out provide support to their communities at the coalface, receive the support they deserve so they can continue delivering the services our communities depend upon.

Over the coming months I will continue to advocate for my local grassroots community organisations to ensure they are able to provide important support that will be needed to rebuild our community and support the people of Caulfield and the surrounding areas.

Mr McCURDY (Ovens Valley)

I wish to make a contribution to the appropriation bills of 2020. COVID-19 has changed the way in which we do business, and I am pleased to have my say on behalf of the residents of the Ovens Valley.

I want to begin by expressing my concerns about the lack of detail that the Victorian government has offered for seeking a $24.5 billion loan. This is an extraordinary amount of money, which effectively mortgages our children’s future for many years. The lack of consultation with all members of Parliament is disappointing but not surprising.

The Victorian debt will now be headed towards $73.8 billion in the next two years. We are seeing groundhog day from the Cain-Kirner years all over again.

Former Premier Jeff Kennett summed the situation up very well when he said that Victorian Labor lost control of the debt two years ago and that now all Victorians will pay well into the future. They are blaming the coronavirus for this extraordinary debt loading without a solid, well-thought-out plan and taking on more debt to be used to cover up mismanagement. Labor have a poor track record with financial management, and all Victorians will pay for this.

Just as the coronavirus has caused the state to borrow more funds to survive, so have many businesses borrowed to survive. However, I am unaware of any business in the Ovens Valley that would increase their debt load three-fold as this Labor government has done. Yet Ovens Valley residents are taking it on and are required to assist in the repayment of this debt well into the future. This government’s track record of investing heavily in and around Melbourne with very little consideration of or expenditure in regional Victoria, where 25 per cent of Victorians reside, pains many people in the Ovens Valley district.

It is important that the Ovens Valley is considered and included in the upcoming budget. Although coronavirus is the major talking point of today, we in the Ovens Valley have been reaching out to government for many years to gain support for many important projects.

Today the Premier has talked about increasing infrastructure spend to assist Victoria to recover from the coronavirus. It is extremely important that regional Victoria is included in this building of infrastructure, but equally important is that local contractors are used to build this important infrastructure, which includes: Myrtleford scout hall; a strong CFA investment in Myrtleford and Yarrawonga; further investments in Yarravonga College P–12, stage 2, which requires a $15 million investment; and the Cobram District Health master plan, which will incorporate dialysis facilities for Cobram and surrounding regions.

A significant investment in the Mount Buffalo Chalet to take the next steps towards using the kitchen and creating a cafe within the building is a much-needed investment that will assist our tourist and building-led recovery.

Wangaratta is desperate for a basketball and gymnasium facility at the Wangaratta High School, further investment in traffic management options around Wangaratta to reduce the peak traffic that currently exists, and further marketing investment for our bushfire-affected communities like Bright and Porepunkah to ensure
a two-to-three-year recovery plan and investment in marketing so that these communities can get back on their feet. Tourism is the heart and soul of these two communities and others, and significant investment is needed for the long-term viability of these towns.

Trains in north-east Victoria remain the most unreliable public transport in the Southern Hemisphere. The Labor government continues to talk about them, but we are yet to see any substantial outcomes. New trains are years overdue.

The Wangaratta-Whitfield Road out to the magnificent King Valley remains a high priority for an upgrade to both its edges, and the Edi Cutting Reserve for safety purposes.

During the recent bushfires we saw the importance of a well-run and well-managed incident control centre. The north-east is in dire need of a purpose-built ICC for future use.

Floods and fires have become a part of normal life, and we need a control centre that services those needs better.

The Victorian government must look outside of Melbourne during the COVID-19 recovery. Twenty-five per cent of Victorians who live in the regions are dependent upon it.

**The ACTING SPEAKER (Ms Kilkenny):** The time set down for consideration of items on the government business program has arrived, and I am required to interrupt business.

Motions agreed to.

Read second time.

*Third reading*

Motions agreed to.

Read third time.

The ACTING SPEAKER (Ms Kilkenny): The bills will now be sent to the Legislative Council and their agreement requested.

**COVID-19 OMNIBUS (EMERGENCY MEASURES) BILL 2020**

*Second reading*

Debate resumed on motion of Mr ANDREWS:

That this bill be now read a second time.

Motion agreed to.

Read second time.

*Third reading*

Motion agreed to.

Read third time.

The ACTING SPEAKER (Ms Kilkenny): The bill will now be sent to the Legislative Council and their agreement requested.

I will now suspend the sitting until 12.30 pm for question time. I remind members that at 12.15 pm there will be a joint sitting to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of the Honourable Gavin Jennings. The bells will ring at 12.15 pm to call members to the joint sitting and again at 12.30 pm to call members to question time.

Sitting suspended 12.01 pm until 12.17 pm.
Members

MINISTER FOR PUBLIC TRANSPORT
ASSISTANT TREASURER
MINISTER FOR MULTICULTURAL AFFAIRS
MINISTER FOR PREVENTION OF FAMILY VIOLENCE
MINISTER FOR PLANNING

Absence

Mr ANDREWS (Mulgrave—Premier) (12:30): I advise the house that the following ministers will be absent from question time today and that I will answer in their place: the Minister for Public Transport, the Assistant Treasurer, the Minister for Multicultural Affairs, the Minister for Prevention of Family Violence and the Minister for Planning. I will also answer questions on behalf of all other ministers in the other place.

Questions without notice and ministers statements

COVID-19

Mr M O’BRIEN (Malvern—Leader of the Opposition) (12:31): My question is to the Premier. Premier, the federal Parliament, the New Zealand Parliament, the New South Wales and ACT parliaments, among others, have all established oversight committees, all led by a non-government chair, with a non-government majority to oversee their government’s response to the COVID-19 pandemic. With the Victorian government now assuming more power over individual Victorians than any government in the state’s history, why won’t the Premier also establish a non-government-controlled oversight committee to ensure that the government is held accountable for the exercise of the extraordinary power it is wielding over the lives of so many Victorians?

Mr ANDREWS (Mulgrave—Premier) (12:32): I thank the Leader of the Opposition for his question. He cites a number of international examples. I would simply say to the Leader of the Opposition that the Public Accounts and Estimates Committee (PAEC) is, in my judgement and the judgement of this Parliament for a long period of time, the pre-eminent committee of this Parliament. I make the judgement that a committee charged with no less significant a task than looking through, looking over, reviewing and commenting on the budget of our state each and every year, together with performing other audits as they see fit, together with taking evidence from every departmental secretary each and every year, is a committee that is well-placed, indeed uniquely placed—

Members interjecting.

Mr ANDREWS: Others may have a different view.

A member: We do.

Mr ANDREWS: And some will spend all their time—

The SPEAKER: Order! I just remind members that today it is very easy for me to identify who is shouting across the chamber, so I would advise members not to do that. Further to that, it is an important question that has been raised and an important answer being given by the Premier, so I ask members to listen to the answer.

Mr ANDREWS: The first point is that this is the pre-eminent committee of the Parliament, and I think it is uniquely placed and best placed to review the conduct of the government, its agencies and the public sector more broadly in terms of the global pandemic.

The second point that I would make is that powers given to the government for extraordinary circumstances, and indeed states of emergency no less, are the function of this Parliament. Some of
the colourful turns of phrase that the Leader of the Opposition has used—these powers, these measures necessary to protect life and to deal with the public health emergency that we face, are exactly what has been given to the government by this Parliament, whether it be under the Public Health and Wellbeing Act 2008 or indeed other statutes of our state. We have not sought to go beyond that.

There are some arrangements that have just left this chamber and hopefully will receive speedy passage in the other place, but I think that the Leader of the Opposition is perhaps—well, what he is doing is not really of great concern to me. I think he is describing things at a much higher level than they ought be. We are confident in the Public Accounts and Estimates Committee, and the degree to which the Leader of the Opposition and his colleagues engage with that committee is a matter for them.

Mr M O'BRIEN (Malvern—Leader of the Opposition) (12:34): The Premier has stated that he is providing a reference to the Public Accounts and Estimates Committee to provide oversight of the government’s actions in response to COVID-19. As the Premier well knows, public accounts has a Labor chair and a Labor majority. So to ensure genuine oversight of the extraordinary power being wielded by this government over the lives of so many Victorians will the Premier support my amendment that would require the COVID-19 reference to be considered by a subcommittee of public accounts with a non-government chair and a non-government majority?

Mr ANDREWS (Mulgrave—Premier) (12:35): No. As I have said, the government has, and indeed the Parliament has, through the establishment of the Public Accounts and Estimates Committee established and conferred upon that committee the fact that—

It is unquestionable. It is the pre-eminent committee in our Parliament, and it ought to be given the opportunity to review the performance of the government. I am confident that it will do that without fear or favour.

Members interjecting.

Mr ANDREWS: While some are attacking me I will just focus on attacking the virus and not playing silly political games. You have my answer. PAEC can do this work, and they will do it very well. I have confidence in every member of PAEC regardless of the party that elected them to this place. It seems that some do not.

MINISTERS STATEMENTS: COVID-19

Mr ANDREWS (Mulgrave—Premier) (12:36): I rise to update the house on the work that is being done right across our community in fundamental response to this global pandemic to flatten the curve and to deal with the very significant challenges that we as an economy, as communities and as individuals and families face. We are making great progress, and that should be a point of pride for every single Victorian, at least for those who are doing the right thing, which is the vast majority of our Victorian community. There are 1337 coronavirus cases, tragically 16 deaths. But compared to so many other jurisdictions around the world we are in a very strong position.

There is a stability to these numbers despite the increase in testing, but I would put it to all honourable members and all Victorians that the progress we have made remains fragile. If we look at other jurisdictions who have eased off settings, they have then had to impose even harder lockdowns on their communities because the virus, almost in a second wave, has got away from them. We cannot allow that to happen here. We instead have to double down, all follow the rules over these next few weeks and give ourselves options that may see us able, safely, to relax some of the restrictions we have put in place.

I want to thank every single Victorian, whether it be frontline workers or others across the board who are playing their part. Whether it be in the work you are doing or the fact that you are working hard to follow the rules, every Victorian is playing their part, and that is why we see stability and low additional numbers despite a big jump in testing. That will give us options for the future. I thank every Victorian. We acknowledge we are asking a lot of you. But Victorians are rising to that challenge,
saving lives and protecting our health system by staying at home and following the rules. It will give us options. In so many other parts of the world they wish they had those options. They simply do not; all they have is tragedy. We cannot allow that to happen here.

COVID-19

Mr M O’BRIEN (Malvern—Leader of the Opposition) (12:38): My question is again to the Premier. Christos Vrettos from Kew East is a tram driver. His wife works in a delicatessen and they have two primary school-aged children. Neither Christos nor his wife can work from home and supervise their children, but their school has refused to allow them to attend. This is despite Yarra Trams writing a letter of support for Mr Vrettos stating that he works rotational shifts. On Monday, 20 April, the Secretary of the Department of Education and Training confirmed that:

Onsite school attendance is available to students when parents and carers are not able to supervise children at home.

Will the Premier confirm that it is a parent such as Mr Vrettos and not the school who determines whether a child can attend?

Mr ANDREWS (Mulgrave—Premier) (12:39): I can confirm for the Leader of the Opposition that ultimately parents make a judgement about whether they can or cannot educate their kids at home. The whole notion of what is and is not an essential worker has very much changed. We used to perhaps think about that as people who were frontline medical staff, people who were nursing staff, those in the health sector or people that were in our emergency services. Now of course we know and understand that if you are a tram driver or if you are stacking shelves at a supermarket or if you are working the checkout or if you are cleaning public infrastructure or in any job in between, you are playing an essential part in the community’s fight against the coronavirus to save lives and ultimately get us closer to the other side of this global pandemic.

We have made a judgement. We and the Prime Minister and other members of national cabinet have been very clear on the fact that it is up to us to flatten the curve in our state. We have made I think very important decisions about school. If you can study from home, learn from home, you should learn from home. But there are students who for various reasons cannot do that; there are families who cannot do that. And they are able to attend schools that are open—public schools at least—across the board for that very reason. Across the board I think there are something like between 3 and 5 per cent of students who are actually attending—some schools it will be more, some schools it will be less.

I want to thank and congratulate the Deputy Premier and Minister for Education and all of his team for the massive work they have done—the huge amount of work they have done—to make the important transition to online learning. I am more than happy to look at the individual circumstances that the Leader of the Opposition raises, but schools are open and they are open for a good reason. Not every family—

Ms McLeish interjected.

Mr ANDREWS: Well, if the honourable member who interjects wants to provide that list to the Deputy Premier, I am sure he and his officials will follow that through. We are not interested in political games here; we are interested in making sure we get to the other side of this global pandemic.

I want to thank parents, I want to thank teachers, support staff, as well as students. We are asking a lot of Victorians, but they are rising to that challenge. Schools are open for those who cannot learn from home, as they should be. If there is an issue with the particular case that the Leader of the Opposition raises, I am more than happy to follow that up.

There is a relationship between parents and their schools, and I think that is a very important relationship. I would not like to think that anyone would be suggesting that education departments from the centre should be dictating and overriding the relationship that a parent and a student has as
part of their school community with the school where their kids go. That is a really important partnership, and one that some might argue—I would certainly—is at the centre of our public education system and, along with the record support our government has been providing, one of the reasons why our market share has grown these last five and a half years.

**Mr M O’BRIEN** (Malvern—Leader of the Opposition) (12:42): I am very pleased that the Premier has confirmed that in fact it is the parent who is able to determine whether or not their child is able to learn from home. National cabinet on 16 April agreed with the advice from all state and territory chief health officers that ‘on current evidence, schools can be fully open’. The Victorian chief health officer has said:

Schools are not ‘dangerous places’ and parents should feel comfortable sending their kids to school …

The West Australian Premier has confirmed that as of next Wednesday WA public schools will be open for all parents and carers who choose to send their children. Premier, given the medical advice that schools are safe, why aren’t Victorian parents able to send their children to school with safeguards as they have in other states?

**Mr ANDREWS** (Mulgrave—Premier) (12:43): I do not accept for a moment that there is any inconsistency between the position the government has adopted and the advice of the chief health officer here in Victoria, nor do I concede for a moment that there is any inconsistency between the position that we have taken and decisions of national cabinet that states ought to do what they believe is appropriate to flatten the curve, to deal with the circumstance that they face. That is what we are doing, and that is why we are so grateful to be in a partnership with parents, with students, with teachers and staff, with school communities.

This is working. It is very challenging. No-one for a moment is suggesting that this is easy. But I put it to the Leader of the Opposition that not only does the chief health officer tell me but common sense tells me that a million kids running around the state, a full complement of staff and parents doing drop-offs and pick-ups will do one thing and one thing only—spread the coronavirus.

**MINISTERS STATEMENTS: COVID-19**

**Mr FOLEY** (Albert Park—Minister for Mental Health, Minister for Equality, Minister for Creative Industries) (12:44): I rise to update the house on how our health system is coping in responding to the coronavirus pandemic. As we have consistently said, this progress is heading in the right direction but we have a long way to go and we must stay the course. The total number of coronavirus cases in Victoria is now 1337 and tragically to date 16 people have lost their lives to the coronavirus. Currently 27 people are in hospital, 10 of whom are in intensive care. We should never forget that behind each of those figures is a family, is a community and is a story of suffering. Thankfully 1251 people have recovered, and to date more than 93 000 tests have been completed. Because Victorians have done the right thing—have stayed at home—and are helping slow the spread of the virus, this has given our health system time to prepare. This means that Victoria’s public and private hospitals will begin doing more elective surgeries from next week when it is safe to do so. IVF procedures, post-cancer reconstructions, screening programs, eye procedures, joint replacements, amongst others, will all gradually recommence next week. We are investing in our health system’s surge capacity and boosting bed numbers and recommissioning buildings.

You learn a lot about your community and your health system when it faces a crisis, and our health system and our community have responded enormously well. I want to take this opportunity to thank those frontline professionals—the entire workforce in our health system—for standing up and leading Victoria’s response. We are all very, very grateful.
BUDGET

Ms STALEY (Ripon) (12:46): My question is to the Treasurer. Will the Treasurer separately account for every dollar of the $24.5 billion in additional borrowings his government is undertaking to ensure that not a single dollar will be spent on cost overruns on existing projects?

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations, Minister for the Coordination of Treasury and Finance: COVID-19) (12:46): I suppose the short answer to that is yes. The Financial Management Act 1994 actually obliges me to do exactly that. Whenever the Treasurer makes a Treasurer’s advance, we are required to specifically identify the sums that have been allocated as a consequence of the Treasurer’s advance. They inevitably find their way into the budget papers as a consequence of that.

This conspiracy theory is that in the effort that the government is putting into assisting and securing the welfare of the community this government is in some way trying to play a thimble-and-pea trick with the welfare of Victorians. This is disgraceful—it is nothing short of disgraceful. Here we are: as a state we are spending a billion dollars more a week. Normally about $1.3 billion a week is being spent; $2.3 billion a week is being spent, and it is being spent to keep Victorians safe, to ensure that businesses that can be supported are supported and to find a way through this economic crisis as well as the health crisis that we are confronting.

Yes, there will be processes of accountability. We have already put in place, as the Premier has spoken today about, appropriate processes of accountability to the Public Accounts and Estimates Committee, appropriate processes of the reconstitution of the Parliament when it is safe to do so. But fundamentally what we are doing here is making provision in the event that the community needs support and assistance, and we are doing it, as this government always does, with the welfare and the wellbeing of Victorians first and foremost in our considerations.

So yes, we will be accountable. We will commit to of course complying with the law, but more important than that, our first and foremost priority will be to ensure the protection and the welfare of each Victorian—that, might I say, is what these funds are for—and to ensure that we see them through into the future with appropriate economic provision for growth.

Ms STALEY (Ripon) (12:49): During debate on the supply bills earlier today I circulated an amendment to require quarterly reporting to MPs of all expenditure via Treasurer’s advance of the $24.5 billion in additional borrowing rather than that being reported months, if not years, later under current procedures. Is there any reason the government will not support that amendment in the Legislative Council?

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations, Minister for the Coordination of Treasury and Finance: COVID-19) (12:49): We will meet our obligations to report on appropriate expenditure. There is a reason why this Parliament has passed the Financial Management Act. There is a reason why previous treasurers and previous governments have seen those provisions well serve the community in terms of the level of accountability. Of course there is not only budget accountability; there is the ongoing accountability to the Public Accounts and Estimates Committee, which we have put in place in order to serve the community well in being able to assure them that levels of accountability are maintained in between sittings of this Parliament. And there are and will be maintained quarterly reporting obligations, and consistent with those obligations they will be made available.

MINISTERS STATEMENTS: COVID-19

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations, Minister for the Coordination of Treasury and Finance: COVID-19) (12:50): I rise to advise the Parliament of the unprecedented health challenge that we are facing but also to recognise that that unprecedented health challenge is an unprecedented economic challenge as well. It is the same
challenge governments right across the country and, might I say, right across the world must also face, and sadly we know it is going to get worse before it gets better and that the road to recovery will be longer than we first expected.

As the modelling undertaken by the Department of Treasury and Finance released yesterday shows, we may be looking at up to 270,000 Victorians losing their jobs over the coming months, with Victoria’s unemployment rate likely to peak as high as 11 per cent. We understand that these are not just numbers on an accountant’s spreadsheet; these are Victorian workers and their families. That is why as we face these difficult times the government is keeping our state safe and providing economic support to help keep Victorian businesses afloat and in a position to rebound on the other side.

Our $1.7 billion economic survival package, the largest of its kind in the state’s history and the largest of any state in the federation, is supporting the small and medium businesses that have been hardest hit by the virus. We are supporting small and medium-sized businesses through payroll tax refunds, through business support grants, through providing liquor licence fee refunds and waivers therein for more than 20,000 venues. We are supporting workers who have lost their jobs to find new opportunities through the $500 million Working for Victoria Fund. We are pausing rental increases for six months and providing $420 million in terms of land tax relief for landlords that do the right thing and provide rent relief for tenants experiencing financial hardship. These are difficult times, but as a government we are determined to do everything we can to save lives and save jobs.

COVID-19

Ms SANDELL (Melbourne) (12:52): My question is for the Premier. Premier, like most MPs, I have been contacted by many, many people who have lost work during the pandemic and are falling through the cracks, in particular people on temporary visas, including international students, and also people working in the arts and creative industries—two groups that have been especially hard hit and are not eligible for federal government help. They are two groups that Victoria relies on very heavily. International students contribute a lot to our economy and society, and of course people working in creative arts is what makes Melbourne the cultural capital of Australia. But these are two groups being left behind. Can the Premier outline any new measures the Victorian government will announce to help international students, temporary visa holders and artists and creative workers?

Mr ANDREWS (Mulgrave—Premier) (12:53): I would be more than happy to provide a comprehensive list because I do not think I will have sufficient time under standing orders to go through all the different things that we have done. But I would say to the member for Melbourne that she raises two very good examples among many. What I have said to my colleagues and what we have done in terms of all the decisions we have made to this point is we have let hardship, not a person’s immigration status and not a person’s employment status, which is arbitrary in many, many ways, be the guiding principle, and I think that is the most important thing to do. For instance, our tenancy changes—our support for those who are renting, which exceeds that provided by all other states and territories across our country—again are based on hardship. If you have got a lease and you go through a mediated process and at the end of that process your rent still represents more than 30 per cent of your income, then you are eligible with some further tests that you need to do around savings and income. But if you are essentially eligible for what would be best described as family tax benefits A and B, then you can get additional support to deal with your hardship; whether you are an Australian citizen, your visa class—that should not really matter.

In terms of trying to support those who have lost their jobs in different sectors, particularly the visitor economy more broadly, which includes creative industries and so many more, Working for Victoria is a fund that we have established, and there are a couple of thousand people that are doing work for all of us. That was set up before JobKeeper, and indeed right about the time that JobSeeker was announced—the old Newstart—as being doubled. There are a range of different things we have done to support businesses and therefore for them to be able to support their workers: everything from payroll tax refunds to paying $2 billion worth of invoices to small and medium-sized businesses within
five days, completely smashing our target of $750 million. I have spoken about Working for Victoria. There are also grants to sole traders, very small businesses, of up to $10 000 for those who do not get payroll tax refunds—those who have been really hard hit. I know that many in the creative industries have sought to get those $10 000 grants, and they have been paid in good time.

Of course there is more that we will have to do, and that is one of the reasons why deferring the budget until later on in the year is really important, because it will allow us to provide real focus and to be targeted in our effort to support those who have been hardest hit—to support those who carry the heaviest burden. I do think the member for Melbourne is right: there will be many, whether it be international students, international education as a sector or any other members of the entertainment—

(Time expired)

Ms SANDELL (Melbourne) (12:56): I thank the Premier for his answer. I acknowledge everything the government has done, but there are particular people who are falling through the cracks still. I will just give one example, a local resident of mine, Dora. She is a surgeon. She came here from Colombia to complete her PhD in cancer research. She has lost most of her teaching hours at university. Her wife has lost all her hours in early childhood education. They do not qualify for federal government support. They have asked their landlord for a rent reduction, and they have only given them a deferral. They do not qualify for the $2000 in extra rent payments because they do have just over $5000 in savings, which they are saving up to pay a debt that is due in September. So they are trying to pay for food, rent and bills on just 6 hours work between them. They cannot go home because the borders are closed, Colombia is in lockdown, flights are cancelled—a very similar situation that a lot of international students are in. Would the government announce a special fund to help these temporary visa holders given that they are not eligible for federal government support, and South Australia and Tasmania have done just that?

Mr ANDREWS (Mulgrave—Premier) (12:57): I thank the member for her supplementary question. I will resist the temptation to provide a commentary on what should be covered by federal support. I think unity is much more important than that. But I would say I am more than happy to look into the specifics of the case that the honourable member raises. On international students—and there are many different classifications of international students; the postgraduate example is but one. There is university, TAFE and a number of other private providers. We will have more to say in terms of providing support to international students, many of whom find themselves in extreme hardship. We are in active conversation with the university sector or the higher education sector, if you like, in a broader sense, together with TAFE from a technical and further education point of view. We are very confident that whilst there will be a significant impact on the international student sector, we can take care of the people who have always taken care of us. This is our biggest export industry and we value it, and we will look after those who need our help most.

MINISTERS STATEMENTS: COVID-19

Mr MERLINO (Monbulk—Minister for Education, Minister for the Coordination of Education and Training: COVID-19) (12:59): I rise to update the house about how Victorian schools and school communities are tackling and combating the spread of coronavirus. Flexible and remote learning is not easy. This is a massive challenge, and it has never been done before. As a father of three school-age children I know how challenging it can be to juggle work and supervising the kids. As the husband of a teacher I have seen firsthand the work that goes into delivering lessons remotely. So I want to join the Premier and other members here to thank school staff, students and parents for how quickly they have been able to adapt to remote learning. It has been nothing short of remarkable. Overwhelmingly parents are understanding and heeding the message of our health experts, with 97 per cent of students learning from home.

The Victorian government also understands that not every student has access to the devices that they need to learn remotely, and we made a commitment to support them. I can advise the house that to date more than 48 000 laptops and tablets have been loaned to Victorian students since the start of
2. That is why today I have also announced that an extra 21,000 internet dongles are being rolled out to assist with a significant demand for internet access, and that is on top of the 5000 that we announced a couple of weeks ago. I can also announce that the Andrews government is expanding the scope of the Camps, Sports and Excursions Fund to allow for the purchase of internet plans. This will apply to students in need right across our state in government schools, Catholic schools and independent schools.

We have done this because we are listening and acting on the advice of medical experts. We will continue to put the health of Victorians first while doing everything we can to ensure students can continue to learn, because lives are depending on it. And in the last 10 seconds, my thanks to the profession; they have just been extraordinary. To all the principals, teachers and support staff, well done.

**BUSHFIRE RECOVERY INITIATIVES**

**Mr WALSH** (Murray Plains) (13:01): My question is to the Premier. Premier, currently only 41 of the 692 homes decimated by the summer bushfires have been cleaned up by the government-appointed contractor, Grocon. Many families are now fearful their homes will not be cleaned up within the prescribed 12-month period, resulting in their insurance being void. Will the Premier provide these families with some much-needed peace of mind and guarantee that the work will be completed within the 12-month time frame?

**Mr ANDREWS** (Mulgrave—Premier) (13:01): I thank the Leader of The Nationals for his question. I am more than happy to seek some clarification from Bushfire Recovery Victoria. If I can be more definitive than this after question time, I absolutely will be, but it would be my intention, and it has always been the intention of the government through its contractor and through the dedicated Bushfire Recovery Victoria agency that we have established—that we would not want to put anyone’s insurance at risk at all. In fact we are hoping to make people’s insurance go further by covering the cost of that important clean-up. And of course it is not just about money—from our point of view, I mean—it is about safety. The last thing we want is people in a potentially very dangerous environment. I think other states as well have experienced some variability in how long it takes to get this important work done. I know there is a similar dynamic in New South Wales, for instance. I am happy to provide an even more definitive answer if I can. We certainly do not want anyone’s insurance to be at risk. We want that money to go further than it otherwise would by taking what formerly would have been a fixed cost—the clean-up—out of the insurance payout, and also we want this to be done as quickly as possible.

I am grateful for the question. I want to send a very clear message to every bushfire-affected community, whether it be families who lost everything or businesses who have lost every single customer and everybody in between that we are dealing with a global pandemic at the moment, but we have not forgotten you, nor will we—nor will we. We will stand with every fire-affected family, business and community for the duration. Already work has begun, I can inform honourable members. Already work is well advanced in terms of planning for the next fire season, because despite the challenges we face, of COVID-19, the next fire season will be on us very, very, very quickly. We will stand with every fire-affected community.

I am happy to get some specific advice on the important issue that the member raises. We do not want to jeopardise anybody’s insurance coverage; in fact we have pushed the insurance industry. Strange times—I do not often congratulate and thank insurance companies, but I think by and large they have risen to the occasion and their peak has done a very, very good job in getting assessments done quickly and policies paid out. Let us make sure that we stand with each and every one of these affected families. That is my intention. But beyond that we are taking actions to deliver on that. If I can get any more detailed advice or if there is a specific example or examples that the honourable member wants to provide to me, I am more than happy to have that followed up.

**Mr WALSH** (Murray Plains) (13:04): Thank you, Premier. Premier, allegations have been made that the terms offered by Grocon to local contractors are purposely uneconomical, allowing Grocon to
do the work themselves or to provide their metro tier 1 contractors with the work. Will the Premier commit to investigating these allegations, and can he provide a guarantee that local contractors will get a fair go at the bushfire clean-up?

Mr ANDREWS (Mulgrave—Premier) (13:04): It is a very serious question, yes it is, and I am happy—

A member: You are not helped by the people behind you.

Mr ANDREWS: Well, those behind you are not of great assistance to you, might I say. On the other hand, those sitting behind me are of great assistance—an outstanding Minister for Police and Emergency Services who knows and understands how important the work she does is and is very committed to it. So if she sought to provide me with some advice between when your prescient question ended and when I got the call, that is a very good thing.

Members interjecting.

Mr ANDREWS: You interjected playing silly games.

I will follow up on the specifics that the honourable member has raised. What I would say is that we want to see as much local economic activity as a result of bushfire clean-up and recovery as possible, and I have said that to contractors myself when I have visited bushfire-affected communities. There are, however, specific requirements, particularly in relation to the way asbestos is handled. But within the rules of safety, let us try and get as much money spent in local bushfire-affected communities as we possibly can. I am happy to come back with a more detailed answer if that is appropriate.

MINISTERS STATEMENTS: ANZAC DAY

Mr ANDREWS (Mulgrave—Premier) (13:06): I rise to update the house on this year’s Anzac Day services, the way in which we commemorate those who have given and made the ultimate sacrifice and indeed the way we commemorate, celebrate and honour those who this very day serve in the defence of our freedom and liberty. In light of the tragic events of last night, I think all of us have been reminded in a powerful and very emotional way that the ultimate sacrifice of keeping others safe can in fact be your own safety.

This will be an Anzac Day like no other, but I would not want anybody in the veteran community or in the service organisation community or anybody who is deployed now and part of our Australian Defence Force to think that there is any less support for them simply because we cannot come together as we normally would at dawn services with record crowds, at a march to the Shrine of Remembrance and at so many other appropriate commemorations in regional Victoria, in townships large and small and suburbs right across our state. It will be a very different Anzac Day except for one thing: that thread of absolute gratitude for all that we have been given through the sacrifice and the service of so many will run right throughout the Victorian community. It may look different—the commemorations may be of a different nature—but we will be, as always, united in our gratitude and united in our respect; united as we honour those who have given everything so that we might enjoy all of those things that we sometimes take for granted.

We will have further announcements to make about support for the RSL and other ex-service groups. They do a very, very important job. This will be a different Anzac Day, but it will be one dominated as always by a profound sense of gratitude; a sense of us humbly acknowledging and honouring the sacrifice of so many that have built us the community and institutions that we value so much today.

Joint sitting of Parliament

LEGISLATIVE COUNCIL VACANCY

The SPEAKER (13:08): I have to report to the house, for those that missed it, that the house met today with the Legislative Council for the purpose of choosing a person to hold the seat in the
Legislative Council rendered vacant by the resignation of the Honourable Gavin Jennings and that Mr Lee Tarlamis has been duly chosen to hold that vacant place.

I am now going to suspend the sitting of the house until the ringing of the bells. I ask members to take their belongings with them because there will be a quick clean of the chamber while members are not in this place.

**Sitting suspended 1.09 pm until 11.22 pm.**

**The SPEAKER:** Order! Before calling the Leader of the House I just want to place on the record my appreciation and, I am sure, that of all members in this place, for the fantastic staff of the Parliament who have, like many people, had to work under difficult circumstances over the past period to ensure that the sitting of the house occurred today as safely as possible. They have done a great job—everyone from the clerks to security, Hansard, IT—the whole crew here at Parliament have put in a great effort and I just want to thank them all on our behalf. I now call the Leader of the House.

**Ms ALLAN** (Bendigo East—Leader of the House, Minister for Transport Infrastructure, Minister for Priority Precincts, Minister for the Coordination of Transport: COVID-19) (23:23): *(By leave)* Thank you, Speaker, and I certainly echo your comments about the wonderful staff we have in our chamber and across the Parliament. Before I move that remaining business be postponed could I ask that a list of members who are absent from today’s sitting but who were very keen to participate nonetheless in the sitting today be incorporated into Hansard, noting their attendance in spirit, if not in person.

**Incorporated list as follows:**

**MEMBERS ABSENT 23 APRIL 2020**

**INDEPENDENTS**
- Ali Cupper — Mildura
- Russell Northe — Morwell

**GREENS**
- Sam Hibbins — Prahran
- Tim Read — Brunswick

**NATIONALS**
- Tim Bull — Gippsland East
- Emma Kealy — Lowan
- Tim McCurdy — Ovens Valley
- Danny O’Brien — Gippsland South

**LIBERALS**
- Brad Battin — Gembrook
- Gary Blackwood — Narracan
- Roma Britnell — South-West Coast
- Neale Burgess — Hastings
- Matthew Guy — Bulleen
- David Hodgett — Croydon
- David Morris — Mornington
- James Newbury — Brighton
- Richard Riordan — Polwarth
- Brad Rowswell — Sandringham
- Ryan Smith — Warrandyte
- Bill Tilley — Benambra
- Nick Wakeling — Ferntree Gully

**LABOR**
- Juliana Addison — Wendouree
- Chris Brayne — Nepean
- Josh Bull — Sunbury
BILLS
Thursday, 23 April 2020

Anthony Carbines  Ivanhoe
Darren Cheeseman  South Barwon
Sarah Connolly  Tarneit
Christine Couzens  Geelong
Jordan Crugnale  Bass
Paul Edbrooke  Frankston
Maree Edwards  Bendigo West
John Eren  Lara
Will Fowles  Burwood
Matt Fregon  Mount Waverley
Danielle Green  Yan Yean
Bronwyn Halfpenny  Thomastown
Katie Hall  Footscray
Dustin Halse  Ringwood
Paul Hamer  Box Hill
Melissa Horne  Minister for Public Transport
Natalie Hutchins  Sydenham
John Kennedy  Hawthorn
Gary Maas  Narre Warren South
Stephen McGhie  Melton
Frank McGuire  Broadmeadows
Pauline Richards  Cranbourne
Tim Richardson  Mordialloc
Robin Scott  Assistant Treasurer
Michaela Settle  Buninyong
Ros Spence  Minister for Multicultural Affairs
Natalie Suleyman  St Albans
Meng Heang Tak  Clarinda
Jackson Taylor  Bayswater
Kat Theophanous  Northcote
Vicki Ward  Eltham
Gabrielle Williams  Minister for Women
Richard Wynne  Minister for Planning

Bills

COVID-19 OMNIBUS (EMERGENCY MEASURES) BILL 2020

Council’s agreement

The SPEAKER (23:23): Before the Leader of the House continues can I, in anticipation of the motion she may move, just read a message to the house that I have received from the Legislative Council agreeing to the following bill without amendment: the COVID-19 Omnibus (Emergency Measures) Bill 2020.

Business of the house

POSTPONEMENT

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure, Minister for Priority Precincts, Minister for the Coordination of Transport: COVID-19) (23:23): I move:

That remaining business be postponed.

Motion agreed to.

The SPEAKER: The house now stands adjourned until the next sitting day.

House adjourned 11.24 pm until Tuesday, 2 June.
Joint sitting of Parliament

LEGISLATIVE COUNCIL VACANCY

Members of both houses met in Assembly chamber at 12.17 pm.

The Clerk: Before proceeding with the business of this joint sitting it will be necessary to appoint a Chair.

Mr ANDREWS (Mulgrave—Premier): I move:

That the Honourable Shaun Leane, President of the Legislative Council, be appointed Chair of this joint sitting.

He is willing to accept the nomination.

Mr M O’BRIEN (Malvern—Leader of the Opposition): I second the proposal.

The Clerk: Are there any other proposals? There being no other proposals, the Honourable Shaun Leane, President of the Legislative Council, will take the chair.

The CHAIR: Members, under the Constitution Act 1975 this joint sitting must be conducted in accordance with rules adopted by members present at the sitting. The first procedure therefore will be to adopt the rules.

Mr ANDREWS (Mulgrave—Premier): I move:

That joint rule of practice 2 be the rules for this joint sitting.

Mr M O’BRIEN (Malvern—Leader of the Opposition): I second the motion.

Motion agreed to.

The CHAIR: I now invite proposals from members for a person to occupy the vacant seat in the Legislative Council.

Mr ANDREWS (Mulgrave—Premier): I propose:

That Mr Lee Tarlamis be chosen to occupy the vacant seat in the Legislative Council.

He is willing to accept the appointment if chosen. In order to satisfy the joint sitting as to the requirements of section 27A(4) of the Constitution Act 1975, I also advise that the President has received advice from the state secretary of the Victorian branch of the Australian Labor Party that Mr Tarlamis is the selection of the Australian Labor Party, the party previously represented in the Legislative Council by the Honourable Gavin Jennings.

Mr M O’BRIEN (Malvern—Leader of the Opposition): I second the proposal.

The CHAIR: Are there any further proposals? As there are no further proposals, I declare the nominations closed. The question is:

That Mr Lee Tarlamis be chosen to occupy the vacant seat in the Legislative Council.

Motion agreed to.

The CHAIR: I declare that Mr Lee Tarlamis has been chosen to occupy the vacant seat in the Legislative Council. I will advise the Governor accordingly.

I now declare the joint sitting closed.

Proceedings terminated 12.20 pm.
Members statements

Published under resolution of house today

COVID-19

Mr BATTIN (Gembrook)

During these challenging, unprecedented and unpredictable times it has been incredibly heartwarming to see how my local community have come together to support one another. The Gembrook electorate has stepped up to help one another, sticking by their local businesses in their time of need, even when many households are experiencing financial uncertainty themselves. From safely buying takeaways to supporting their local butchers and their local personal trainers, they are all ensuring their favourite businesses will still be there when this crisis is over.

I also want to mention all the small business owners in Gembrook who despite these financially difficult times are sticking by their employees and doing everything they can to adapt in these times to ensure they can keep many of their staff employed. As I have said on many occasions, supporting local businesses is supporting local jobs, and I am so proud the Gembrook community is understanding the importance of shopping local and sticking by our local businesses during this period. I believe one positive to come out of this pandemic is the stronger bond our community has formed during this challenging time and the stronger connection the Gembrook community will have with one another.

I would also like to thank our Prime Minister, Scott Morrison, who is doing a great job leading our country through these challenging times. The way the Prime Minister has ensured all states, no matter their politics, have had an opportunity to be heard on a regular basis through his establishment of the national cabinet is commendable. The only thing that is disappointing is how the Andrews Labor government have repeatedly made the decision to not have regular meetings with the Liberal opposition leadership team to make sure both sides of Parliament are regularly informed, unlike our Prime Minister who has been regularly communicating with the federal Labor team.

RACISM

Mr TAK (Clarinda)

Racism and xenophobia have no place in the response to COVID-19 and no place in multicultural Victoria. There are zero excuses for racism—not a health crisis, not fear or uncertainty or otherwise. There is no excuse. We have seen some disgusting behaviour directed towards Asian-Australians over the past few months. I note the deeply held concerns of many Australians of Chinese and other Asian heritage, including those recently outlined by the Chinese Community Council of Australia’s Victorian chapter.

I echo the sentiment that these racist attacks are an insult to all Australians who share the common Australian values of respect and equality. This behaviour needs to be called out. If you see or hear something, say something. Call it out. Report it. Let us send a strong message that there is absolutely no place in Victoria for xenophobia and racism—not now, not ever.

We will always be stronger—and we will only get through this—together, in solidarity with our Asian-Australian community during this difficult time.

COVID-19

Mr WELLS (Rowville)

In my members statement I would like to acknowledge and thank all the hardworking healthcare workers, essential workers and all Victorians who are following the rules in place and saving lives. As a state we have relied heavily on all frontline workers, and their hard work must be recognised. My wife, Judy, is a nurse at the Royal Children’s Hospital, and I have seen firsthand how stressful these strange and uncertain times can be for our healthcare workers.

This year has been extremely difficult for Australia as a nation with the tragic bushfires and now the extremely stressful COVID-19 situation. It is so important that we stick together and remain strong. The devastating effects of this virus have already started, with thousands of Victorians now unemployed and many businesses being forced to close their doors. The financial help from all levels of government has been extremely helpful in reducing the financial stress on individuals and families. It is fantastic to see that Australia is flattening the
curve and slowly managing to get back in control. It is so important to remain hopeful and positive throughout these tough times and to continue to look out for each other.

**VICTORIA POLICE DEATHS**

Ms **NEVILLE** (Bellarine—Minister for Water, Minister for Police and Emergency Services, Minister for the Coordination of Environment, Land, Water and Planning: COVID-19)

The 22nd of April 2020 will be forever remembered as the darkest of days for Victoria Police and indeed the whole Victorian community.

What occurred on the Eastern Freeway was an unimaginable tragedy.

I was briefed on the terrible incident by the Chief Commissioner last night and again throughout today. There remain many unanswered questions about what happened, all of which will be fully and properly investigated in the days ahead.

But today is a day for grieving.

Leading Senior Constable Lynette Taylor, Constable Glen Humphris, Senior Constable Kevin King, Constable Josh Prestney: four police officers who were killed in the line of duty. Four police officers who were killed while doing their job and keeping Victorians safe. Four police officers who expected to go home at the end of their shift have been torn from their families and torn from their friends and comrades in Victoria Police.

Today we grieve for the four police officers and offer our thoughts and prayers to their loved ones. And we stand in solidarity with the entire Victoria Police family through this incredibly distressing time.

Policing is inherently a difficult and dangerous job, and last night’s incident is the most painful of reminders of that reality.

But it is a job that is fundamental to the safety and wellbeing of our community.

When Victorians need help it is the police who respond.

Time and again they put themselves at risk to keep us safe, and last night four police officers, in doing just that, made the ultimate sacrifice.

My thoughts and prayers are with the families of Lynette, Glen, Kevin and Josh. We all share your grief. Be assured that we will always remember them. We will always honour and cherish them.

**VICTORIA POLICE DEATHS**

Ms **KEALY** (Lowan)

I would like to acknowledge the tragic deaths of the four members of Victoria Police who were horrifically killed last night in the line of duty, doing the job they loved.

I extend my deepest sympathies to their families, friends and past and present members of Victoria Police for their devastating loss.

**REMOTE LEARNING**

Ms **KEALY** (Lowan)

Over the past weeks I have heard from many parents extremely stressed with the burden of working from home full time while also trying to support their children to learn remotely full time. It is heartbreaking to speak to mums who are in tears while talking about their children in tears from the pressures and the stress of a change to their daily routine, not seeing their friends and studying outside the school-based environment.

While both parents do their best to support their children to learn at home, it is mostly women who are taking on this extra responsibility and pressure. I have also had feedback from managers, board members and CEOs concerned that mothers working from home and educating their children are not as productive, with their jobs now at risk.

The chief medical officer, Dr Brendan Murphy, and the chief public health officers of all other Australian states have reviewed the evidence, and in their view the evidence is clear: the risk of COVID-19 transmission at schools is very low. Other states have managed adult risk with staggered drop-off and pick-up times, strict cleaning regimens and contingency plans for localised school closures and deep cleans if there is a positive case detected within a school community.
I urge the Andrews Labor government to also listen to the current advice of the chief medical officer and look at the evidence, as other Australian states have. They must acknowledge the risk of the harm caused by closing schools to families through job losses, mental health harm and family violence and the harm to our children’s education, socialisation and mental health—risks that are far-reaching and far greater than the risk of COVID-19 transmission. And so I urge the government to take steps to get Victorian students back to school to best manage the current risk of COVID-19 and ensure our children get the quality education they deserve as soon as possible.

COVID-19

Mr FOLEY (Albert Park—Minister for Mental Health, Minister for Equality, Minister for Creative Industries)

You can tell a lot about a community by its response to a crisis—and the coronavirus pandemic crisis is as big a crisis as we will see.

We have seen the best of our community in the worst of circumstances.

Our community has stepped forward and built on its shared values of compassion, inclusion and a sense of community solidarity and decency.

The coronavirus pandemic is hitting us all hard. We are already seeing increased demand in our services sector: our homelessness services, our alcohol and drug services, those who provide desperately needed material aid to vulnerable people and those who work with the destitute and the unwell and the mentally ill.

So I want to thank organisations, including the Father Bob Maguire Foundation, Sacred Heart Mission, C Care, the Salvation Army, the City of Port Phillip, all of our homelessness and community housing organisations—especially the South Port Community Housing Group, St Kilda Community Housing and Housing First—and the local Port Phillip police command.

The collaboration these groups are showing is inspirational. The partnership with the wider community pop-up groups which are emerging across the electorate shows the best of what we can achieve with a helping hand and a generous heart. We know that the coming months will be challenging. But with commitment and community support—and with the Andrews government leadership in responding to the pandemic and its implications—I am certain the difficulties that lie ahead will be overcome.

COVID-19

Ms HALFPENNY (Thomastown)

We are in the midst of a global pandemic that has affected us all—lost lives, lost jobs, closed businesses, lost opportunity to grieve and be comforted by loved ones in times of need, unable to attend funerals in large numbers, unable to celebrate happy occasions like weddings, birthdays and anniversaries. We have to do this to stop the spread of this deadly virus.

I want to thank friends in Thomastown for all they are doing and the sacrifices they are making to keep everyone safe by heeding the advice of the Victorian chief health officer, by watching out for neighbours and by the many acts of kindness, generosity and compassion from so many. There are innovative and impressive ideas coming from small businesses, suggestions to solve problems and give help and support.

Thank you to neighbours such as Eliza in Rose Avenue for offering to do shopping and pick up essentials for neighbours, the Pakistan Welfare Organisation who are delivering groceries and hot meals to those in need, lawyer Peggy for providing legal advice free of charge, and to all our healthcare and allied services workers, education workers, police and emergency services, supermarket and construction workers, all those in businesses that are keeping us going. Thank you to the First Peoples’ Health and Wellbeing Centre for their energy and dedication in providing drive-through coronavirus testing and pop-up flu vaccination centres across the metropolitan area. Thank you to the many other organisations and community groups doing their bit across the electorate and beyond.

We feel for every family that has lost a loved one to this virus, the families separated by border closures and those that have lost their jobs or been forced to close businesses.

THOMASTOWN ELECTORATE COOKING COMPETITION

Ms HALFPENNY (Thomastown)

As a means of keeping connected we have set up a WhatsApp and Facebook cooking competition in Thomastown that has really taken off. The photos of the food are amazing. Each dish is judged and a winner
announced each week. I am donating a fresh fruit and vegetable box home delivered. Thanks to Marino Bros Fruit and Vegetables for supporting this competition, selecting top-quality produce and making it look so good. Congratulations to Amal Barkouki, our inaugural winner.

COVID-19

Mr RIORDAN (Polwarth)

The ongoing changes to business as usual caused by the COVID-19 pandemic will have a long-lasting effect on towns and communities right across Polwarth for years to come. Firstly, I wish to thank all those frontline emergency and community workers who have stepped up to their emergency plans and protocols, whether it has been keeping our medical services safe and operating or ensuring our elderly and vulnerable have been able to access food and essentials. The Polwarth electorate has remained one of the safest places in the world.

There have been many well-known and much-loved business, events and traditions that have been severely impacted since mid-March. I know from my own household there are many people across our region who are very anxious to see the return of regular winter sports and competitions. I am also very aware, and I bring to this Parliament’s attention, of the very heavy hit our tourism and hospitality businesses and workers have had at this time. I know too that the rebound to normal will be long and difficult. I can assure all in my region who rely on the visitor economy that I will do all I can to support them over coming months and even years.

Unlike many other electorates, Polwarth has been gifted with one of the richest and most prosperous agricultural regions. April has seen a fantastic and on-time autumn break, and we will all look towards this diverse and world-beating sector to once again help keep our local economy and jobs turning over. I will do all I can to make sure that red tape is kept to a minimum and all necessary supply lines are kept open and accessible to make sure our high-quality meat, dairy and grain products reach the markets they need to.

In conclusion, education is the key to our future. I urge the government to take the advice of the Prime Minister and Australian chief medical officer that the risk to children and schools is low and manageable. We know country students are often at an educational disadvantage at the best of times, but slow internet, slow mail and fewer resources will, if prolonged longer than is necessary, only lead to greater disadvantage for students in Polwarth. I call on the government to work with school communities to get schools back as soon as possible.

COVID-19

Mr CHEESEMAN (South Barwon)

On behalf of my electorate and the constituents of South Barwon I would like to congratulate Professor Brett Sutton for his frank and fearless advice as chief health officer. Down in the Surf Coast in my electorate we are used to our population dramatically increasing with tourists on big holidays, so my constituents were growing very concerned in the lead-up to Easter. Thanks to the strong guidelines of Professor Sutton and the leadership of the Premier and his team we averted a potential health disaster over Easter. I would like to personally thank all Victorians who were planning on visiting our beautiful beaches but decided not to. You did the right thing and you kept our regional communities safe.

Victorians have had to do a lot of difficult things over the past weeks, and many of us have effectively put our lives on hold. In time we will be able to welcome tourists and visitors again, and I really look forward to that day. I look forward to crowded beaches and full cafes. When it is safe to do so, based on the chief health officer’s expert advice, we will welcome you all back with open arms.

COVID-19

Ms McLEISH (Eildon)

It has been a challenging year so far for businesses in my electorate. First, dealing with the indirect impact of the awful bushfires and the massive effects on tourism, then followed by the COVID-19 pandemic which has seen many businesses temporarily close their doors and forced others to adapt. It is so important during this pandemic that we save lives and livelihoods and support local businesses.

I would like to acknowledge local businesses in my electorate that have transformed their services and products to cope with COVID-19 restrictions. Notably, the Four Pillars gin distillery and De Bortoli Wines have developed their own hand sanitiser to sell to the public or deliver to schools, nursing homes and public services while providing local employment. Bucks Country Bakehouse in Yarck have displayed great initiative in turning their cafe to face the street to allow for social distancing restrictions while serving customers. Wine Yarra Valley have created a virtual cellar door to have wine tastings from the comfort of your home. Fondata 1872 in Kangaroo Ground are offering restaurant-quality takeaway meals so you can
dine at home. Mansfield Coffee Merchant is getting creative and delivering coffee, ‘breakfast in bed’ boxes and takeaway meals to customers’ homes, even making the trip to Bonnie Doon, and providing free delivery in Mansfield township. These businesses are only a few that are making a challenging situation positive by adapting their services so they can continue operating, provide local employment and offer goods to the community.

**JOBBEEKEEPER PROGRAM**

Ms THEOPHANOUS (Northcote)

I rise, albeit remotely, to speak on behalf of the thousands in my community that are struggling because of a value judgement made by the federal government. Last week the federal Parliament met to pass legislation to allow for millions of Australians to receive the JobKeeper wage subsidy—a subsidy that was put forward by federal Labor, and I must make it clear that I am thankful the federal government did take this step.

I know that the government cannot underwrite the entire economy. I know that governments cannot write blank cheques. I know that a line must be drawn. But right now a huge swathe of casual workers have be left on the wrong side of that line.

These workers have been left out in the cold because of the very privileged view of the federal Minister for Industrial Relations that all casual workers make the choice to be in insecure work, that all casual workers choose to forgo entitlements such as sick leave because that suits them better, that all casual workers have savings in reserve to see them through this pandemic.

These assumptions bear no basis in reality or the lived experiences of so many in my community. I am aware that I speak from the same Parliament to call on the federal government to act. But something of this magnitude, of this consequence, bears speaking across jurisdictional lines.

I am calling on the federal Minister for Industrial Relations to walk in the shoes of real people across the country—real people who are casual workers, real people like the many restaurant and bar staff, retail workers, musicians and artists in my electorate of Northcote.

Not including workers that have not been with the same employer for more than 12 months affects so many people in my community, but it also affects so many of the businesses disrupted by this health crisis.

Moon Dog Brewery in Thornbury opened its doors to the electorate in October last year, bringing in over a hundred new jobs. Any casual workers in their team would not qualify for a wage subsidy with the venue being less than a year old.

The Andrews government will introduce legislation today to provide access to urgent funding to see Victorians through to the other side of this crisis.

As the Victorian Treasurer said yesterday, we are not giving up on one single job. It angers me that the federal government would.

**NATIVE FOREST LOGGING**

Dr READ (Brunswick)

This year we lost more forest than ever to fire, but our native forests continue to take a beating. While the fires were burning log trucks rumbled out of Kinglake, the Rubicon Valley and the Central Highlands laden with native trees. If trees were not ablaze, they were being logged.

And while many businesses are closed to prevent virus transmission, the logging continues. In recent weeks we have seen plumes of smoke rising from logged coupes east of Melbourne as they burn the branches and undergrowth left behind.

These burns are hotter than fuel reduction burns and blanket the surrounding area in smoke, subjecting people for miles around, including in the outer eastern suburbs, to small particle pollution with its attendant health consequences.

Leadbeater’s possums, greater gliders, powerful owls and sooty owls are among the better known species depleted by the recent fires and those in 2009. Already devastated by fire, their habitats are disappearing to logging at 3000 hectares per year, with scant attention paid to the precious wildlife that remains.

Just a few days ago volunteers from Wildlife of the Central Highlands spotted a Leadbeater’s possum within the active Desilijic logging coupe between Mount Baw Baw and the Thomson Dam. Habitat just 100 metres away had just been clear-felled. That possum’s days are numbered.

We were pleased last year to hear the Andrews government acknowledge that the supply of mature native timber is so depleted by fire and logging that native forest logging is no longer sustainable. They have said it
will stop in 10 years if they remain in power. Trashing our forests costs us more than we can calculate, and after this year’s terrible losses of ecosystems, flora and fauna it needs to stop well before then.

SIKH VOLUNTEERS AUSTRALIA

Ms RICHARDS (Cranbourne)

As the member of Parliament whose role is to represent Cranbourne I have many reasons to be proud of my community. This pandemic, despite its many tragedies, has certainly brought some of those many deeds, people and organisations to the forefront of our community’s response. Few have made me more proud than Sikh Volunteers Australia, a community group who have been working tirelessly preparing and delivering hundreds of beautiful meals for those in need seven days a week. These unprecedented times have asked a lot of us, and the Sikh volunteers have met the challenge with an energy and commitment to the welfare of others that must be recognised. As of 22 April more than 26 000 meals have been delivered, and they will continue their efforts into the next few weeks. What a truly incredible act of service that is, living their faith in action. Sikh Volunteers Australia live by the motto ‘In the service of humanity’. I cannot remember a time when that idea has been more valuable. For all the incredible work you continue to do and for all the lives you have positively impacted, Sikh Volunteers Australia, I say thank you. I take this opportunity to particularly record and thank Manpreet Singh, Bhai Harpreet Singh, Major Singh, Sakattar Singh, Tejinder Singh, Jagpal Singh, Inderjit Kaur, Sukhwinder Kaur and Gurumukh Singh.

Across the community the people of Cranbourne have been playing their role in supporting each other and flattening the curve. From our emergency service workers, and today I particularly acknowledge our police officers, our educators and supermarket workers to those who have done the right thing in staying home, protecting our health system and saving lives, to all of you I also say thank you.

ECONOMY

Mr NEWBURY (Brighton)

With a 14 per cent collapse in gross state product in the first six months of the year, hundreds of thousands in our community will be left without jobs, and projections of tougher economic conditions in the second half of the year mean our state may face a deeper recession than others. We need an urgent economic plan, a plan of hope which puts revival of the private sector at its core.

COVID-19

Mr NEWBURY (Brighton)

Our community supports current preventative health measures. We care about our neighbours and their health. But our community has begun to question inconsistent social distancing restrictions where they lack common sense, especially when the rules restrict freedoms more so here than in neighbouring states. Restrictions should not push Victorians to feeling locked up. Ongoing community support will depend on the practicality and livability of those restraints and the government setting out a roadmap for their liberation.

Many businesses impacted by the coronavirus health pandemic have raised their concerns about the Victorian government’s business support measures. I have already raised concerns with the Premier about the Business Support Fund’s criteria, and notably he has expanded the eligibility. But there is more to be done. Other businesses, including sole traders and those whose payrolls have collapsed this year, remain ineligible despite being in desperate need of support. Businesses have raised similar issues about the payroll tax relief measures. Businesses in hospitality, like the Pantry, which is operated by Daniel Vaughan and Guy Mainwaring, should have access to support based on their current figures. The Pantry has been in Brighton for 30 years and employs 150 people. Many others like them deserve support.

REMOTE LEARNING

Mr NEWBURY (Brighton)

With other major states developing plans to encourage young students back to school parents have begun to ask whether the Victorian term 2 home schooling policy is practical. Parents find juggling home, work and their children a full-time job at the best of times, let alone the current strategy of asking parents to work and be full-time teachers concurrently. Certain schools have already begun to question the policy, after assessing the evidence, and decided to re-open their doors. The government needs a practical policy as it has begun to lose community support.
COVID-19

Mr FOWLES (Burwood)

Speaker, we live in truly extraordinary times. The last six months have wrought unspeakable tragedy on Victoria and on Victorians. It started with a bushfire season that devastated so many of our rural and regional communities, most particularly in East Gippsland. That natural disaster took a savage economic toll and a gut-wrenching human toll. Five lives, sadly, were lost, nearly 400 homes were destroyed and a breathtaking 1.5 million hectares—3.7 million acres—were burnt.

Victorians responded with generosity and compassion. But no sooner did that response begin, no sooner did the gradual the return of tourists to bushfire-hit areas commence than we were thrust into the biggest global health emergency in a century.

An emergency that, were it not for the efforts of the Victorian government, the commonwealth government and all state and territory governments working brilliantly together, might have claimed tens of thousands of Australian lives. Tens of thousands: a human toll unseen in Australia since World War II.

We are very fortunate to have seen the health response, to this point, contain the level of infections and death to an extraordinarily low level, and we hope of course that this trajectory will continue. But it will take continued sacrifice and effort. This sacrifice was thrown into sharp relief by yesterday’s unspeakable tragedy with four lives lost in service to our state and our community. In one tragic moment, the worst loss of police life in the state’s history.

We grieve for those officers, their families, their friends and their colleagues today. It is a journey in grief that will be all the more challenging in the current climate.

Every day police put themselves in harm’s way to protect and serve. And we honour that service today. Indeed, we honour the service of all the emergency services workers and support staff who have worked in the most challenging of circumstances, whether in bushfires, on hospital wards or alongside fallen comrades.

It matters not whether these workers are cleaners or cooks, paramedics or police officers, firefighters or truck drivers. They are all, every day, putting their community before themselves.

And for that, they have the enormous and eternal gratitude of this Parliament and of all Victorians.

GLORIA WHITFIELD

Mr McGHIE (Melton)

I rise today to pay my respects to an extraordinary lady. Less than two years ago I met Gloria Whitfield in Bacchus Marsh. Gloria is a little like indelible ink: once she gets under your skin there is just no removing her! Sadly, Gloria passed away on 6 March.

Every community needs a Gloria or two—her work with so many groups is legendary. Gloria was featured in the Victorian Seniors Festival booklet in 2019, and I quote just a small piece that I think describes her to a tee:

Small in stature but big in spirit Gloria lives her life with a deep sense of social justice. Known as ‘the terrier’, by work colleagues, Gloria is a fearless advocate for many.

Her community work ranged from setting up support groups for parents to dinner clubs for the lonely, vulnerable or elderly. She drew on her experiences as a JP and bail justice for over 20 years.

Gloria’s cheer squad was bigger than any you would see at the MCG, but her greatest fan, her best friend and her soul mate was her husband, Daryl. Daryl was always nearby. He was her driver, her courier, her right-hand man, and the two made a formidable team.

Gloria worked with so many people who have found themselves far from home and away from their families. Gloria worked hard to help reconnect family and loved ones broken up by war, with the Sudanese community bestowing upon her the title ‘Habboba’, meaning grandmother, and that she was, but she was so much more—she was all things to all people. She had a way of working through problems or walking beside someone as they navigated their way through a difficult time.

Gloria Whitfield will be remembered fondly by many, and I am honoured to have been counted among her friends.
VICTORIA POLICE DEATHS

Mr KENNEDY (Hawthorn)

With Anzac Day this Saturday I wanted to remember and honour those who served Australia in wars, especially those who died in the line of duty. And then last night, with the tragic news of the deaths of four Victoria Police members, we were further reminded of the ultimate sacrifice paid by those who serve.

Every year around Anzac Day I think of a school friend, Peter Eris Murray, who died on 9 July 1968 at the age of 21 from wounds inflicted in Vietnam whilst serving in the 1st Battalion of the Royal Australian Regiment. Peter was a conscript, unlike many of his classmates who were able to defer national service until after university.

And now we have this awful news. Next door to the Hawthorn electorate office in Camberwell Road is the Camberwell police station which this morning I visited not only as MP but also as the proud and grateful father of Senior Constable Fionnuala Kennedy, who is currently on maternity leave. There were feelings of hopelessness that hopefully will soon enough turn into thankfulness and gratitude for lives lived generously in the service of others.

COVID-19

Ms ADDISON (Wendouree)

I wish to thank the Ballarat community for their response to the coronavirus pandemic. Our willingness to adopt social distancing, wash our hands and stay at home has resulted our community achieving three consecutive weeks without a new COVID-19 case.

This is the result of our actions. We have not visited family and friends, we have not played sport and we have not gone out for a meal. We have adapted our lives by embracing the challenges of remote learning, working from home and staying connected through phone calls and Zoom catch-ups.

For many this has been a really hard time, I truly understand that, but the restrictions are working. We are saving lives by staying at home, learning from home and working from home.

There are so many people and organisations that deserve recognition for how they are supporting the community during this unprecedented time.

I wish to thank our police, who are protecting us throughout this challenging time and always. I send my best wishes to all members of Victoria Police and sincerely thank them for their service and for putting themselves in harm’s way. My thoughts are with you on this tragic day.

Thank you to our frontline health workers at Ballarat Health Services as well as the leadership of CEO Dale Fraser and the executive directors.

Thank you to our school principals, teachers and support staff for the work they are doing to ensure ongoing teaching and learning, and to students and their families who are rising to the challenges of remote learning.

The Andrews Labor government is focused on minimising the impact of the coronavirus on businesses and workers, and we are working hard to support our community now and into the future.

COVID-19

Mr McGUIRE (Broadmeadows)

I was delighted to help secure a reprieve for 400 workers when the Australian Services Union asked me to intervene after Hume City Council announced it was standing down employees due to the coronavirus pandemic.

Many of the workers are women and the sole income earners for their families according to the union.

Instead of immediate stand downs, agreement was reached to redeploy the staff into meaningful work. This is particularly important, especially in the network of global learning centres throughout the City of Hume.

These 21st-century community hubs, founded on libraries, have been internationally acclaimed.

Hume City Council went from being criticised on television news to being praised, the result I was seeking through a creative, flexible and collaborative approach.

This is the strategy I won support for more than 20 years ago in founding the global learning village model to help connect the disconnected when Broadmeadows did not even have the cornerstone of civilisation, a public library.
The landmark global learning centre in Broadmeadows, the next version in Craigieburn hailed as the best community library internationally and the new addition recently opened in Sunbury will continue to provide services that benefit the community.

Other initiatives on how to reactivate facilities in a timely and appropriate manner across the municipality are also underway.

This new approach aligns with the Andrews Labor government’s call for Victorian councils not to dismiss or stand down staff during this difficult time.

I also invited Hume City Council to partner the Labor government’s $500 million Working for Victoria Fund to help people who have lost their jobs and ensure local services continue to be delivered for community benefit.

The Victorian and Australian governments have invested record funding to keep people connected to work during this unprecedented crisis.
Constituency questions

Published under resolution of house today

ROWVILLE ELECTORATE

Mr WELLS (Rowville) (2323)

My constituency question is for the Minister for Education. Minister, how do you plan to ensure that all students receive the appropriate standard of education they are entitled to during the COVID-19 restrictions? A constituent wrote to me regarding the frustration she feels that the Andrews Labor government is going against the Prime Minister’s advice to re-open schools and get teachers to return to the classroom. This mother is particularly concerned as her son is in his final years of schooling. Parents have every right to be concerned for their children, who are missing out and may fall behind in their learning.

Victorians deserve clarity on the issue of schools, as well as the highest quality of learning from home. There must be assurance from the government that the standard of learning does not slack off. No student should miss out on a proper education. That is why it is so important that the minister and the state government keep sending a consistent and clear message. There are many parents, such as my constituent, as well as students who have been left confused. The inconsistency is causing even further stress.

BROADMEADOWS ELECTORATE

Mr McGUIRE (Broadmeadows) (2324)

My constituency question is to the Minister of Creative Industries. When will schools in the Broadmeadows electorate receive the rollout of the Andrews Labor government’s school creative learning partnerships program?

Creative learning partnerships provide an opportunity for Victorian schools to partner with creative professionals or arts and cultural organisations.

They involve school communities in creative partnership projects, while providing students, teachers and creative professionals with diverse and challenging learning experiences.

The 2020 round of this program will see 14 schools across the state, including Belle Vue Park Primary School and Hume Central Secondary College in my electorate, share $215 000 to support a range of projects that take a creative approach to big themes for the future, from the ethics of artificial intelligence to online and personal safety.

SOUTH-WEST COAST ELECTORATE

Ms BRITNELL (South-West Coast) (2325)

My question is to the Minister for Health in the other place, and I seek the latest information about the number of influenza vaccinations available for Victorians, particularly those in rural and regional areas.

Minister, I have been contacted by a number of constituents, particularly in the Portland area, who say they are unable to get a flu shot because their GP is out of stock.

I have also spoken with a doctor in Warrnambool, who said getting access to vaccinations is proving to be a major issue.

Minister, my constituents are trying to do the right thing by following your advice and making sure they get a flu shot early, only to be told by their doctor or pharmacist there are none available.

Any information you can provide on why this is the case would be most appreciated by the people of South West Coast.

BUNINYONG ELECTORATE

Ms SETTLE (Buninyong) (2326)

My constituency question is for the Minister for Education. The question is: when will the minister consider extra support for running flexible school breakfast clubs during term 2?

The Victorian government has generously committed funding of $58 million to deliver the expanded school breakfast clubs program in 1000 Victorian government primary, secondary, P–12 and specialist schools in
Victoria over four years from 2019–23. The free program has been providing a healthy, nutritious breakfast to primary school students across Victoria since 2016.

As all Victorian government schools have transitioned to remote and flexible learning arrangements for term 2, many households that had previously relied on school breakfast club meals are now struggling to have food on the table at breakfast.

Sebastopol Primary School in my district has organised drive-through collection of school breakfasts. I have been so proud to see the innovative, caring response from Sebastopol Primary School and other schools in my district that are organising times for parents or carers of students to come to the school to pick up their school breakfast club food supplies.

CAULFIELD ELECTORATE

Mr SOUTHWICK (Caulfield) (2327)

To the Minister for Corrections: constituents in my electorate of Caulfield and many others across the state have followed lockdown requirements and have self-isolated for 14 days where necessary.

During the COVID-19 pandemic, a number of measures are being taken throughout Victoria’s prisons to ensure their continued function.

As part of these measures, inmates may be required to isolate for a period of 14 days, consistent with measures being applied to the broader community.

Minister, under the current Corrections Regulations 2019, inmates required to isolate may be eligible to apply for up to four weeks off the sentence via emergency management days.

The safety of inmates, staff and visitors must remain a priority, but prisoners should not be awarded days off their sentence for following the same measures that the rest of the community is required to.

Minister, will you now rule out the granting of emergency management days for COVID-19-related measures?

NARRE WARREN SOUTH ELECTORATE

Mr MAAS (Narre Warren South) (2328)

My constituency question is for the Minister for Disability, Ageing, and Carers, and is regarding the most vulnerable in our community. Minister, what support is the Victorian government providing to vulnerable seniors in my electorate of Narre Warren South during the coronavirus pandemic?

COVID-19 can affect anyone in our community but is particularly harsh on people over 70 years of age.

My office has been contacting local seniors to check on them and to see if they have what they need. Under the stage 3 restrictions, many seniors are rightfully staying home to keep safe. They are often reliant on family, friends, community and government to access their basic needs, such as medication, food and supplies.

I would appreciate any information regarding how the state government is supporting seniors in my electorate through this pandemic.

I look forward to sharing the minister’s response with my community.

SHEPPARTON ELECTORATE

Ms SHEED (Shepparton) (2329)

My constituency question is to the Minister for Education. Can you advise what action is being taken to ensure internet access for some of the Shepparton district’s most vulnerable students?

Communications with the school principals of Gowrie Street Primary School, Mooroopna Primary School, Mooroopna Park Primary School, St Georges Road Primary School and Wilmot Road Primary School indicate significant challenges and concerns about how some of our most vulnerable students are going without access to reliable and affordable internet.

These five schools are part of the Greater Shepparton neighbourhood schools project, which represent highly disadvantaged communities across the Greater Shepparton region. It is concerning that approximately 169 families across these primary schools are without reliable internet.
Despite the schools’ best efforts to purchase internet dongles and routers and provide support and advice to families on other sources of internet, such as hotpotting or public wi-fi, the lack of dongles and routers, the unreliable nature of hotpotting and data costs for these families have created a real barrier to continuing their education.

I share the concerns raised by the principals of these primary schools that students are losing the opportunity for regular contact and connectivity with their teachers and peers. It substantially disadvantages the ability of these students to access the same learning being completed by their peers and students at other schools.

PASCOE VALE ELECTORATE

Ms BLANDTHORN (Pascoe Vale) (2330)

My constituency question is for the Minister for Training and Skills in the other place. The question I ask is: what additional support is the Andrews Labor government providing to our TAFE sector to ensure that current and prospective students in the Pascoe Vale electorate can continue to access the further education they need to develop their skills for future education and employment?

Our government has a strong record of investment in TAFE. From our free TAFE programs to our funding for rebuilding TAFE facilities we have worked hard to ensure Victorians can access the excellent education and skills these institutions provide for further education and employment right across our state.

Our community needs a strong TAFE sector now more than ever before. As such, I am keen to find out what support the government is providing to ensure locals who are completing their secondary education or who are seeking new training and skills will be able to depend on the TAFE sector to help prepare them for the future.

OVENS VALLEY ELECTORATE

Mr McCURDY (Ovens Valley) (2331)

My question is to the Minister for Education, and I ask: will the minister assist rural families who simply do not have access to the internet requirements to support home schooling?

Jeff Goldman lives in Cobram East, which is centrally located between two significant towns, Yarrawonga and Cobram.

Jeff’s family is remaining at home to learn; however, the internet service is not strong enough to support such learning.

When he has asked service providers, they can only offer him an upgrade at his own cost of $1400 to install external telecommunication infrastructure, which will ensure a suitable and capable supply.

This is unfair and unjust, as this family already pays many hundreds of dollars to be connected to the service.

Why should rural families like Jeff Goldman’s be disadvantaged and be excessively out of pocket just so that they can educate their families?

I ask the minister if he will fund the infrastructure required so that regional families like the Goldmans can be ensured equal opportunities for education.

IVANHOE ELECTORATE

Mr CARBINES (Ivanhoe) (2332)

My constituency question is to the Minister for Police and Emergency Services, and I ask: when will onsite construction of the new Victoria State Emergency Service headquarters at the corner of Altona Street and Waterdale Road in West Heidelberg start?

This $3 million project, funded in past state budgets, will house the relocated Northcote branch, which services the local government areas of Banyule, Darebin and Yarra.

The current branch site is located in Alphington, in premises that are no longer fit for purpose.

I am aware that the site for the new headquarters has been expanded, with the exchange of adjoining land from the Office of Housing that sits on the corner of Waterdale Road and Lloyd Street, West Heidelberg.

This was a sensible outcome, which will ensure a suitable and expanded land footprint is available for the SES redevelopment.

Preliminary designs and drawings were available for public display last year and were well received by the local community.
Locals remain keen to see construction get underway so that the SES can begin providing services to the community from these new state-of-the-art facilities.
Adjournment

Published under resolution of house today

PRINCES HIGHWAY, BEACONSFIELD, FIRE

Mr BATTIN (Gembrook) (2333)

My adjournment matter is to the Minister for Planning. Minister, on 10 July 2019, a fire ravaged six shops on the Princes Highway in Beaconsfield, completely gutting the shops. To this day, the shops are still in the condition they were in since the fire, becoming not only a major eyesore for the main street and shopping complex at Beaconsfield but also a safety hazard, with many constituents worried it could encourage vandals to the area.

Minister, Beaconsfield is a proud community, and despite its growth has a strong community spirit. Locals have expressed their concerns that the lack of action by the owners of the building and council on the burnt-out premises for nine months is letting down the community. I understand the wonderful Beaconsfield Progress Association has been trying to work with Cardinia Shire Council to work with the community on repairing or removing the buildings. Still, we are yet to hear of any developments.

We know, Minister, that the appearance of a community is critical to the pride of locals. If one part of the town is left neglected and abandoned, many are worried this could have a flow-on effect to other parts of the community, or even worse—leave the property a target to vandals. This set of buildings is front and centre on the highway at the entrance to the town, and for no action to have been taken by the owners or council to rectify the buildings in nine months is very disappointing and unacceptable.

How much longer will residents have to walk or drive by these burnt-out buildings on their daily walk or commute to the supermarket before someone takes action? I am sure if this were in the minister’s main street, he would have acted straight away. The Beaconsfield community deserve better and, Minister, I am calling on you to come down to see this eyesore and hazard for yourself on the Princes Highway in Beaconsfield and get the council and the properties’ owners to act and repair or remove the burnt-out and dilapidated properties.

SOMERTON ROAD DUPLICATION

Mr McGUIRE (Broadmeadows) (2334)

My adjournment request is to the Minister for Roads and Minister for Road Safety and the TAC. The action I seek is a report on the Victorian government’s feasibility study concerning the duplication of Somerton Road.

The duplication is feasible and required. Somerton Road is an essential part of economic development in Melbourne’s north, as outlined in the strategy, Creating Opportunity: Postcodes of Hope.

The section of Somerton Road from Roxburgh Park Drive to Aitken Boulevard in my electorate is a single lane, but because of booming population growth causing congestion another lane is needed urgently.

One in 20 Australians is predicted to live in Melbourne’s north within two decades, where an increase of half a million people means the population—already more than four times the size of Victoria’s second-largest city, Geelong—will match the population of Adelaide.

The road duplication is significant in the crucial transport network for new industries and jobs where they are needed most. It will help improve links between the two largest employment hubs in Melbourne’s north—the curfew-free international airport in Tullamarine and the Melbourne Wholesale Fruit and Vegetable Market in Epping.

COVID-19

Mr D O’BRIEN (Gippsland South) (2335)

My adjournment matter is to the Premier. The action I seek is for the government to take a more common-sense approach to its rulings on social distancing, particularly by allowing for land-based fishing, hunting, horse-riding, golf and other low-impact activities, such as prospecting, that can be undertaken safely and locally during the COVID-19 crisis.

While we all understand the restrictions on travel, there should be no reason that a person cannot go fishing off a beach, lake, river or jetty if they are lucky enough to live close by to one. It makes no sense that two people can walk along a river bank for exercise, but they cannot stop and throw a line in while keeping to social distancing rules. Likewise for hunting, where many hunters undertake their activity solo or in pairs, and
horse-riding, where riders are not naturally close anyway. Provided these people do not travel or go on long expeditions, they should be allowed to do so. Of course, groups of fishermen or hunters travelling long distances must not be allowed at this stage, but for those who are lucky enough to be able to stay local and fish, hunt, ride or play golf there appears no medical or epidemiological reason why they cannot do so, especially when these activities are allowed in other states.

These forms of exercise or recreation are critical to the mental and physical health and wellbeing of many Gippslanders, and indeed for many they are the reason they live where they do. I acknowledge the difficult role the government has in tackling this unprecedented pandemic situation, and I thank Victorians for generally adhering to the rules.

However, if the restrictions are to last a long time, as expected, then a more common-sense approach will not only be welcomed, it will be necessary to ensure Victorians do not become frustrated and lose faith in the rules.

**MORDIALLOC ELECTORATE SCHOOLS**

Mr **RICHARDSON** (Mordialloc) (2336)

My adjournment matter is for the Minister for Education, and the action I seek is for the minister to update my community on the progress of school building projects at Chelsea Heights Primary, Edithvale Primary and Yarrabah School in light of the coronavirus pandemic.

The coronavirus pandemic has had a significant impact on the entire Victorian community. We have seen the overwhelming majority of Victorian students learning from home to stop the spread of the virus.

I want to take this opportunity to place on record our deepest appreciation and gratitude to our principals across our more than 2240 schools, our amazing teachers, our incredible students and the parents who are supporting their kids to learn from home. They are doing awesome work and have shown the best side of our community.

Prior to the coronavirus pandemic, a number of building projects were on the way at Chelsea Heights Primary, Edithvale Primary and Yarrabah School, supporting the expansion and future learning needs of our kids.

I ask the Minister for Education about the progress of these building projects during this pandemic, and the expected completion of each of these projects.

**CAULFIELD HOSPITAL**

Mr **SOUTHWICK** (Caulfield) (2337)

My adjournment matter is to the Minister for Health, and the action I am seeking is the minister’s intervention in the current car parking arrangements at Caulfield Hospital.

Minister, Caulfield Hospital, operated by Alfred Health, provides a wide range of health services to locals and Victorians across the state, including rehabilitation services, an acquired brain injury centre and aged-care and aged mental health services.

Unfortunately a number of facilities at the hospital remain in a state of disrepair, and the hospital has received no significant government funding or support since the $36 million Acquired Brain Injury Rehabilitation Centre was opened under the Napthine coalition government in 2014.

Recently, Glen Eira City Council has attempted to negotiate a fair parking outcome for staff with Caulfield Hospital, which has said that due to budget and cash flow constraints it intends to continue to charge staff for parking at only a slightly reduced rate.

Minister, I along with many local residents are greatly disappointed that Caulfield Hospital is not in a position to provide free parking to staff given the essential work and extended hours so many frontline healthcare workers are giving to support our community during this difficult time.

The last thing our hardworking nurses, doctors and allied health workers should be worrying about at the moment is parking, and I ask you provide additional support to Caulfield Hospital to enable free parking to be provided for all healthcare workers at Caulfield Hospital during the COVID-19 pandemic.

**GROWING SUBURBS FUND**

Ms **GREEN** (Yan Yean) (2328)

My adjournment matter is for the Minister for Local Government, and the action I seek is that he provide the Yan Yean electorate with a detailed report on the economic and community benefits of the numerous projects funded through the Growing Suburbs Fund in the City of Whittlesea and the shires of Mitchell and Nillumbik.
One of the most important objectives of Labor’s GSF has been the generation of local jobs. Local jobs have never been more important, given the economic pain inflicted by the coronavirus pandemic. I have seen firsthand how projects like the Wallan adventure playground have transformed the local economy of Wallan as it has driven visitation to the town. My great hope is that the report that I am seeking from the minister will give great urgency to interface councils preparing shovel-ready projects for the GSF. I also hope that such a report will provide an incentive to the federal government to introduce their own GSF program so that jobs growth in interface areas can be turbocharged at this time of pandemic-inflicted economic pain.

MILDURA ELECTORATE INFRASTRUCTURE

Ms CUPPER (Mildura) (2339)

My adjournment matter is for the Premier. I acknowledge the comments of both the Premier and the Treasurer from yesterday’s press conference that point to a bleak outlook for the Victorian economy on account of the Victorian government’s very necessary and appropriate response to the COVID-19 pandemic.

Regarding economic recovery, the action I seek is for the Premier to invest in infrastructure projects to supercharge the Victorian economy, including in the many worthwhile infrastructure projects that are required in my electorate of Mildura. The Premier will recall that Mildura has languished for many years in terms of state government investment when compared to other regional centres, while also facing higher unemployment and lower social and economic indicators.

In the face of COVID-19, providing economic stimulus by way of new infrastructure not only creates employment, which in turn creates income to be spent in local communities, but results in infrastructure that brings economic benefits of its own by way of increased industrial capability, productivity, innovation and service delivery.

The Mildura South regional sporting precinct desperately requires Victorian government funding, which is the last remaining piece of the puzzle before the project can be fully realised. This facility will provide a hub not only for community sport but for Mildura to host statewide and national sporting competitions across a range of codes, including our beloved AFL. An investment of $10 million will inject vital capital into the local construction industry to weather the recovery and will leave our community with an asset to attract visitors from all over the country to flagship sporting events.

Rail investments for our electorate will not only keep people in work during the construction phases but will also allow us to shift more of our precious and valuable fresh produce to market, help our communities to get to Melbourne in comfort and encourage tourists to get to our region while experiencing our uniquely outback feel.

How do we do this? By completing the Murray Basin rail project and by restoring passenger rail services to Mildura. Both these rail projects are big, but unprecedented economic circumstances call for a big response.

Let us get people working on making the necessary improvements to the Mildura line by installing boom gates at level crossings, fixing the railway stations in communities like Woomelang, Ouyen and Birchip, refitting the appropriate V/Line rolling stock for a standard gauge line and getting a passenger service back on the tracks.

With the health of the Victorian economy and the wellbeing of the people of the Mildura electorate in mind, the action I seek is for the Premier to invest in game-changing infrastructure and services in the forms of the Mildura South regional sporting precinct, the Murray Basin rail project and the restoration of a passenger rail service to Mildura via Birchip, Woomelang and Ouyen.

VICTORIA STATE EMERGENCY SERVICE WHITEHORSE UNIT

Mr HAMER (Box Hill) (2340)

My adjournment matter is for the attention of the Minister for Police and Emergency Services, and the action that I seek is for the minister to visit, at the appropriate time, the State Emergency Service Whitehorse unit headquarters in Box Hill South.

The SES Whitehorse unit is responsible for all SES call-outs within the Box Hill electorate as well as other parts of Whitehorse and Boroondara. The leafy eastern suburbs are famous for their tree coverage, but this also adds risks when major storms hit, such as the golf-ball-sized hail event that occurred in late January. The beautiful environment in which we live, coupled with dense population, means that the SES Whitehorse unit is the busiest in the state, responsible for some 4 per cent of all incidents in any given year.

The unit’s skills and resources are also deployed across the state, with a number of crews helping out in East Gippsland during the recent bushfire crisis. I want to particularly single out the efforts of crew leader Phill...
Solomon, Jo Denton and Daryl Maunder from the Whitehorse SES and all those who were part of Taskforce Charlie that was deployed along with three others into Gippsland shortly after Christmas. They provided some specialist skills as a standby rescue boat crew, as well as relief to other local emergency services for a variety of activities over a four-day period.

In January, Jo Denton again went to the far east of the state and performed the role of a logistics support officer based out of the Orbost incident control centre for four days, where she was booking and confirming accommodation for 100-plus emergency service staff and volunteers that were working in and around the ICC.

Soon after Jo’s return, Ollie Nam and Brian Griffin headed to Orbost ICC to assist, but they were diverted to other sites in New South Wales and Victoria on their way as those sites required their assistance more. Ollie fulfilled the role of base camp manager out of Delegate in NSW, whilst Brian assisted as ground support crew based out of a Victorian ICC.

For each of these deployments, the volunteers were designated a different role to what they ended up completing when they arrived, but they were able to successfully adapt to the situations they were put in. The wholly volunteer crew at the SES Whitehorse unit do a magnificent job, helping out our community when it is in need, including during the current COVID-19 emergency, and are led by a 30-year veteran of the SES, Unit Controller Anthony Tregenza, and his deputy, Steven Eckfeld.

For many years the SES Whitehorse unit has been operating out of portables out the back of council’s depot. In recent months, the unit has been working alongside Whitehorse City Council on developing plans for a new Whitehorse SES operations centre building at its current site.

As the member for Box Hill, I would welcome the opportunity for the minister to join me and the member for Burwood to view the current operations centre firsthand, look at their plans for future development and thank our wonderful SES volunteers for their tireless effort in keeping our community safe.

PORT PHILLIP CITY COUNCIL

Mr NEWBURY (Brighton) (2341)

My adjournment is for the Minister for Local Government, and the action I seek is for the minister to investigate whether there are systemic issues of entitlement misuse by Greens councillors at the City of Port Phillip.

Almost 50 days ago I raised with the minister concerns that Greens councillor Ogy Simic had claimed a whopping $17,582 on childcare expenses in the 2018–19 financial year. In total, the other eight councillors claimed a combined $6655. As yet, the minister has failed to address those concerns.

Freedom of information documents, initially blocked for release by the council, showed that Cr Simic’s childcare claims were based almost solely on homemade, consecutively numbered invoices produced by an unnamed private babysitter.

The invoices included reimbursement claims for dates after the invoices were produced and double dipping, where babysitting was claimed whilst his child was signed into Council-funded childcare.

After the claims were made, Cr Simic denied wrongdoing, but refused to explain away any of the inconsistencies. Considering the gravity of the claims, his trite denial is not good enough.

Developments this week only reinforce the need for an investigation. This week, a second Greens councillor has stepped forward, confirming that he misused his travel entitlements. Deputy Mayor Tim Baxter has admitted that he used his council-funded Myki public transport card for personal purposes to the tune of $2802.59.

In identifying the misuse, the deputy major confirmed that he had been using the council card for a long period of time for personal travel. He said:

I feel quite silly for not paying enough attention to the Myki I’d been using (my personal Myki had been languishing at home, waiting for “Council business” that I never remembered to use it for) …

This admitted misuse was not silly, as the councillor claimed.

For clarity, the expenses are equivalent to over 310 daily fares or over 622 hourly fares.

We know that no-one can mistakenly pick up the wrong Myki card and tap it 600 times. This misuse was deliberate, calculated and deceitful. The notion that Port Phillip City Council is represented by a deputy mayor of such questionable character is disturbing.

We also know of reports that Greens councillors Tim Baxter, Katherine Copsey and Ogy Simic were jointly subject to a complaint after failing to recuse themselves from votes relating to matters affecting major Greens
party donor Stephen Hill, a disturbing allegation that further calls into question the character of all three councillors.

These incidents confirm the need for urgent intervention and investigation. We have seen dirty behaviour in other Victorian councils, behaviour that has led to the forced appointment of independent monitors. Very serious allegations have been levelled at Greens councillors at the City of Port Phillip. It looks dirty and it looks systemic. How many instances must we see before action is taken? The minister has a duty of care and must not be seen to be sitting on his hands. He must act urgently.

KANANOOK PRIMARY SCHOOL

Ms KILKENNY (Carrum) (2342)

My adjournment matter is for the Minister for Education, and the action I seek is for the minister to join me in visiting Kananook Primary School to meet with the wonderful teachers, staff and students at a time when it is safe to do so following the coronavirus pandemic.

Kananook Primary School has received from the Andrews Labor government almost $2 million in funding since 2015 for school upgrades and capital works as part of this government’s Education State agenda.

This significant investment will help make sure that current and future students at Kananook Primary School have the opportunity to learn in the first-rate facilities they deserve to get a great local education. This is just another example of this government’s absolute commitment to the importance of education, making Victoria the Education State and making sure that every Victorian child has access to a great local school.

I wish to thank the staff at Kananook Primary for working so hard to support their students during the coronavirus crisis. Remote learning is not easy, but what does make it easier is the care, compassion and respect shared among the wonderful school community.

And to this end I note that students and staff from Kananook Primary were featured recently on the ABC for their heartwarming efforts in acknowledging and thanking people in our community for their work in helping to save lives and stop the spread of COVID-19.

Led by their teacher, Jemma Bull, students in year 5/6 wrote beautiful letters and notes to nurses, police, supermarket workers and other frontline workers, thanking them for all that they are doing. I was very fortunate to receive my own letter from Dominic, kindly delivered by principal Michael Block.

I am very much looking forward to being able to visit the staff and students at Kananook Primary with the minister when it is finally safe to do so.