

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE ASSEMBLY
FIFTY-NINTH PARLIAMENT
FIRST SESSION**

WEDNESDAY, 6 APRIL 2022

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By authority of the Victorian Government Printer

The Governor

The Honourable LINDA DESSAU AC

The Lieutenant-Governor

The Honourable JAMES ANGUS AO

The ministry

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

**OFFICE-HOLDERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-NINTH PARLIAMENT—FIRST SESSION**

Speaker

The Hon. CW BROOKS

Deputy Speaker

Ms JM EDWARDS

Acting Speakers

Mr Blackwood, Ms Blandthorn, Mr J Bull, Ms Connolly, Ms Couzens, Ms Crugnale, Mr Dimopoulos, Mr Edbrooke, Ms Halfpenny, Ms Kilkenny, Mr McCurdy, Mr McGuire, Mr Morris, 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. MJ GUY

Deputy Leader of the Parliamentary Liberal Party

Mr DJ SOUTHWICK

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

Ms LE STALEY

Heads of parliamentary departments

Assembly: Clerk of the Legislative Assembly: Ms B Noonan

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

Parliamentary Services: Secretary: Mr P Lochert

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

| Member | District | Party | Member | District | Party |
|----------------------------------|--------------------|--------------|-----------------------------|--------------------|--------------|
| Addison, Ms Juliana | Wendouree | ALP | Maas, Mr Gary | Narre Warren South | ALP |
| Allan, Ms Jacinta Marie | Bendigo East | ALP | McCurdy, Mr Timothy Logan | Ovens Valley | Nats |
| Andrews, Mr Daniel Michael | Mulgrave | ALP | McGhie, Mr Stephen John | Melton | ALP |
| Angus, Mr Neil Andrew Warwick | Forest Hill | LP | McGuire, Mr Frank | Broadmeadows | ALP |
| Battin, Mr Bradley William | Gembrook | LP | McLeish, Ms Lucinda Gaye | Eildon | LP |
| Blackwood, Mr Gary John | Narracan | LP | Merlino, Mr James Anthony | Monbulk | ALP |
| Blandthorn, Ms Elizabeth Anne | Pascoe Vale | ALP | Morris, Mr David Charles | Mornington | LP |
| Brayne, Mr Chris | Nepean | ALP | Neville, Ms Lisa Mary | Bellarine | ALP |
| Britnell, Ms Roma | South-West Coast | LP | Newbury, Mr James | Brighton | LP |
| Brooks, Mr Colin William | Bundoora | ALP | Northe, Mr Russell John | Morwell | Ind |
| Bull, Mr Joshua Michael | Sunbury | ALP | O'Brien, Mr Daniel David | Gippsland South | Nats |
| Bull, Mr Timothy Owen | Gippsland East | Nats | O'Brien, Mr Michael Anthony | Malvern | LP |
| Burgess, Mr Neale Ronald | Hastings | LP | Pakula, Mr Martin Philip | Keysborough | ALP |
| Carbines, Mr Anthony Richard | Ivanhoe | ALP | Pallas, Mr Timothy Hugh | Werribee | ALP |
| Carroll, Mr Benjamin Alan | Niddrie | ALP | Pearson, Mr Daniel James | Essendon | ALP |
| Cheeseman, Mr Darren Leicester | South Barwon | ALP | Read, Dr Tim | Brunswick | Greens |
| Connolly, Ms Sarah | Tarneit | ALP | Richards, Ms Pauline | Cranbourne | ALP |
| Couzens, Ms Christine Anne | Geelong | ALP | Richardson, Mr Timothy Noel | Mordialloc | ALP |
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| Donnellan, Mr Luke Anthony | Narre Warren North | ALP | Scott, Mr Robin David | Preston | ALP |
| Edbrooke, Mr Paul Andrew | Frankston | ALP | Settle, Ms Michaela | Buninyong | ALP |
| Edwards, Ms Janice Maree | Bendigo West | ALP | Sheed, Ms Suzanna | Shepparton | Ind |
| Eren, Mr John Hamdi | Lara | ALP | Smith, Mr Ryan | Warrandyte | LP |
| Foley, Mr Martin Peter | Albert Park | ALP | Smith, Mr Timothy Colin | Kew | LP |
| Fowles, Mr Will | Burwood | ALP | Southwick, Mr David James | Caulfield | LP |
| Fregon, Mr Matt | Mount Waverley | ALP | Spence, Ms Rosalind Louise | Yuroke | ALP |
| Green, Ms Danielle Louise | Yan Yean | ALP | Staikos, Mr Nicholas | Bentleigh | ALP |
| Guy, Mr Matthew Jason | Bulleen | LP | Staley, Ms Louise Eileen | Ripon | LP |
| Halfpenny, Ms Bronwyn | Thomastown | ALP | Suleyman, Ms Natalie | St Albans | ALP |
| Hall, Ms Katie | Footscray | ALP | Tak, Mr Meng Heang | Clarinda | ALP |
| Halse, Mr Dustin | Ringwood | ALP | Taylor, Mr Jackson | Bayswater | ALP |
| Hamer, Mr Paul | Box Hill | ALP | Theophanous, Ms Katerina | Northcote | ALP |
| Hennessy, Ms Jill | Altona | ALP | Thomas, Ms Mary-Anne | Macedon | ALP |
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| Hodgett, Mr David John | Croydon | LP | Vallence, Ms Bridget | Evelyn | LP |
| Home, Ms Melissa Margaret | Williamstown | ALP | Wakeling, Mr Nicholas | Ferntree Gully | LP |
| Hutchins, Ms Natalie Maree Sykes | Sydenham | ALP | Walsh, Mr Peter Lindsay | Murray Plains | Nats |
| Kairouz, Ms Marlene | Kororoit | ALP | Ward, Ms Vicki | Eltham | ALP |
| Kealy, Ms Emma Jayne | Lowan | Nats | Wells, Mr Kimberley Arthur | Rowville | LP |
| Kennedy, Mr John Ormond | Hawthorn | ALP | Williams, Ms Gabrielle | Dandenong | ALP |
| Kilkenny, Ms Sonya | Carrum | ALP | Wynne, Mr Richard William | Richmond | ALP |

PARTY ABBREVIATIONS

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

Legislative Assembly committees

Economy and Infrastructure Standing Committee

Ms Addison, Mr Blackwood, Ms Couzens, Mr Eren, Ms Ryan, Ms Theophanous and Mr Wakeling.

Environment and Planning Standing Committee

Ms Connolly, Mr Fowles, Ms Green, Mr Hamer, Mr McCurdy, Ms McLeish and Mr Morris.

Legal and Social Issues Standing Committee

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

Privileges Committee

Ms Allan, Mr Carroll, Ms Hennessy, Mr McGuire, Mr Morris, Mr Pakula, Ms Ryan, Ms Staley 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 Hall, Dr Read and Mr Rowswell.

Council: Mr Erdogan, 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 Rowswell, Mr Taylor, Ms Ward and Mr Wells.

Council: Mr Grimley and Ms Shing.

Pandemic Declaration Accountability and Oversight Committee

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

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

Public Accounts and Estimates Committee

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

Council: Mrs McArthur and Ms Taylor.

Scrutiny of Acts and Regulations Committee

Assembly: Mr Burgess, Ms Connolly and Mr Morris.

Council: Ms Patten and Ms Watt.

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Wednesday, 6 April 2022

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

Announcements

ACKNOWLEDGEMENT OF COUNTRY

The SPEAKER (09:32): We acknowledge the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, their culture, their elders past, present and future, and elders from other communities who may be here today.

Bills

VICTIMS OF CRIME (FINANCIAL ASSISTANCE SCHEME) BILL 2022

Introduction and first reading

Ms HUTCHINS (Sydenham—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (09:33): I move:

That I introduce a bill for an act to provide a new scheme for providing financial assistance to victims of crime, to amend the Victims of Crime Assistance Act 1996 and the Victims of Crime Commissioner Act 2015, to make consequential amendments to other acts and for other purposes.

Motion agreed to.

Mr BATTIN (Gembrook) (09:33): Could I just ask the minister for a brief explanation of the bill.

Ms HUTCHINS (Sydenham—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (09:33): This bill is a commitment that we took to the last election in terms of overhauling a new financial assistance scheme for victims of crime. It establishes the new administrative financial scheme for victims of crime to assist in their recovery from acts of violence and amends the Victims of Crime Assistance Act and the Victims of Crime Commissioner Act to finalise all pending matters. It also prioritises victims' safety and recovery from acts of violence by delivering financial assistance that is trauma informed and accessible. It also goes to a range of amendments around special financial caps and also improving the protection of victims' information.

Read first time.

Ordered to be read second time tomorrow.

Business of the house

NOTICES OF MOTION

Notice given.

Petitions

Following petitions presented to house by Clerk:

BREAST SCREENING

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Assembly that the Andrews Government has failed to fully reinstate the funding for health protection services which will see 29,000 fewer Victorians have the ability to access a breast screen service.

Victorians know that preventative measures such as breast screenings are vital and potentially lifesaving.

We therefore request that the Legislative Assembly call on the Andrews Government and the Minister for Health to reverse the cuts to women's health and fully fund the program so all women, at all times, have access to this essential program.

By Mr HODGETT (Croydon) (1 signature).

PORTLAND DISTRICT HEALTH

The residents of the Portland area draw to the attention of the House the Victorian Government's failure to implement recommendations of the *Towards a Sustainable Medical Healthcare Workforce in Portland* report compiled by Professor David Hillis in 2020.

The petitioners therefore request that the legislative Assembly of Victoria ensure the Minister for Health orders the Department of Health to implement the recommendations of the said report. Furthermore, they request that the Victorian Government increase Portland District Health's annual funding budget to a level that adequately funds delivery of all services needed by the growing Portland area community.

Finally the petitioners urge the House to ensure the Victorian Government guarantee there are no plans to amalgamate Portland District Health with any other health service.

By Ms BRITNELL (South-West Coast) (2073 signatures).

Tabled.

Ordered that petition lodged by member for Croydon be considered next day on motion of Mr HODGETT (Croydon).

Ordered that petition lodged by member for South-West Coast be considered next day on motion of Ms BRITNELL (South-West Coast).

Bills

PUFFING BILLY RAILWAY BILL 2022

Council's amendments

The SPEAKER (09:36): I have received a message from the Legislative Council agreeing to the Puffing Billy Railway Bill 2022 with amendments.

Ordered that amendments be taken into consideration later this day.

Documents

DOCUMENTS

Incorporated list as follows:

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

Auditor-General:

Government Advertising—Ordered to be published

ICT Provisioning in Schools—Ordered to be published

Victorian Law Reform Commission:

Improving the Justice System Response to Sexual Offences: Supplementary Report on 'Grab and Drag' Conduct—Ordered to be published

Stalking—Interim Report—Ordered to be published.

PROCLAMATIONS—Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Justice Legislation Amendment (Criminal Procedure Disclosure and Other Matters) Act 2022—Part 3—29 March 2022 (Gazette S157, 29 March 2022)

Major Events Legislation Amendment (Unauthorised Ticket Packages and Other Matters) Act 2022—Whole Act—31 March 2022 (Gazette S157, 29 March 2022).

Members statements**CAULFIELD ELECTORATE FUNDING**

Mr SOUTHWICK (Caulfield) (09:37): We need to do whatever we can to get Victoria back to where it once was—the top—and recover and rebuild. And with a month to go to the budget, I am calling on a number of commitments for my electorate of Caulfield.

Our schools are in desperate need of repairs. Caulfield South, Caulfield Primary, Caulfield Junior College and Ripponlea cannot be neglected any further. They desperately need funding to ensure they get upgraded to where they need to be.

Caulfield Hospital—we do not just need a feasibility study; we need a plan to ensure we upgrade the facilities to be able to take more patients and to bring them up to the standard they should be.

Green space—it is a huge area, but we have the lowest amount of open space of any area. We have got the racecourse at the moment. The Aquanita training stables are now gone. Those facilities can be upgraded with parks and open space.

We also need the Neerim Road level crossing to be upgraded, with proper greenery around that. The Glen Huntly level crossing—the ditch that is being dug should be capped with more open space as well.

Community safety really is a big issue. We need to ensure we have got police available when we need them. And we saw the Police Association Victoria come out strongly yesterday, talking about the need for police to be available.

Shopping strips—whether it be Caulfield, Carlisle Street, Glen Huntly, Elsternwick or Ormond, these are shopping strips that could be revitalised and could be upgraded to ensure that shoppers have great options locally.

GJ HOSKEN RESERVE

Ms HORNE (Williamstown—Minister for Ports and Freight, Minister for Consumer Affairs, Gaming and Liquor Regulation, Minister for Fishing and Boating) (09:39): Last week I was absolutely thrilled to visit the GJ Hosken Reserve with the incredible Geoff Mitchelmore from Friends of Lower Kororoit Creek. We were there to inspect the progress that is underway to transform this important reserve in the heart of Altona North, and let me say the transformation is nothing short of amazing.

Construction is well underway to build a new adventure playground, footpaths and park furniture. There is a multi-use court, a barbecue and two new shelters near the playground. A section of the western part of the reserve will be fenced off to create an off-lead dog park with new seating, and it has used natural materials that will complement the creek and the regenerated bushland it overlooks. Works will be completed by midyear, with a community celebration to be held on Sunday, 19 June, that will include tree planting and a free barbecue. It is simply spectacular.

I remember a couple of years ago Geoff Mitchelmore came to me with concept designs to transform this area, and it is wonderful to see this vision being realised, which has been made possible by the Andrews Labor government establishing the West Gate Tunnel Project's neighbourhood fund. It is jointly funded by the West Gate Neighbourhood Fund through the Friends of Lower Kororoit Creek and the Hobsons Bay City Council. This is a transformation in the heart of Altona. It will be shared by generations to come, and it is a credit to all involved.

LOWAN ELECTORATE CHILDCARE CENTRES

Ms KEALY (Lowan) (09:40): A recent report by Victoria University confirms what many parents in my electorate already know, and that is that we live in a childcare desert. In Minyip, Murtoa and Rupanyup the locals simply cannot access any local child care, and that is not because of a lack of workers. There are actually sufficient workers, but there is no approved facility that is available for

those workers to deliver a local service. As a result, that puts more pressure on Warracknabeal, and Warracknabeal at the moment has 2.59 young children per childcare space. They simply cannot get in. To have almost 3 children per space seems very high, but that is nothing—sorry, that was in Horsham; in Warracknabeal it is a staggering 6.8 young children per childcare space.

Now, this has been exacerbated by the state government's three-year-old kinder program—and none of us object to that; it is a fantastic program that helps give our kids the best possible start to life, but we have not seen enough childcare educators be trained up to fill the three-year-old kinder spaces and be able to provide the childcare support spaces. In Horsham we have got a fabulous childcare facility, but because there are not enough childcare workers we simply have not got the ability to offer those services to parents. The result of this is often it is the mum who stays home, and these women cannot work. We are losing nurses from the workforce, agronomists and even childcare workers who cannot go back to work full time because they cannot access child care. All my local families want is to give their kids the best possible start to life, to be able to access that early years education and to be able to go back to work, and I urge the government to invest in child care this budget.

AVONDALE PRIMARY SCHOOL

Mr CARROLL (Niddrie—Minister for Public Transport, Minister for Roads and Road Safety) (09:42): It is an old African proverb that it takes a village to raise a child, and often at the centre of that village is a wonderful, great school. I am very proud of the school that is Avondale Primary, which has been operating in my community since 1961. It has recently celebrated more than 50 years of service. Also, another saying is 'First impressions last', and back in October 2019 with the member for Monbulk, the Minister for Education, I visited Avondale Primary. The school community came together for a presentation on what investment we could make for that school and that community for the next 50 years, and the minister himself remarked that it was one of the best presentations he had ever seen from a school community. I had the great fortune then to announce more than \$9 million in funding for that school. What makes a great school is not just the buildings, it is the teachers, it is the principals, it is the families—it is the community that makes a great school. I was so proud just recently when I read in the *Age* newspaper on 16 March 2022, in 'The Victorian schools with the most improved NAPLAN results', that another high-performing school in Melbourne's north-west was Avondale Primary.

Principal Jill Benham said that during lockdown, students and staff combined literacy and numeracy study with yoga, meditation and colouring while listening to music.

She said the government school also supported students who were falling behind or needed extension, and prided itself on responding to and incorporating feedback.

At Avondale Primary we have a wonderful school community. I want to acknowledge principal Jill Benham, Paul Mulroyan, student council president Isabelle Sawtell and the wonderful parents and the wonderful students that make up this outstanding school.

HEALTH SERVICES

Ms VALLENCE (Evelyn) (09:43): Victoria's health system is in crisis. The Premier and his Labor government's record on health is dismal. Data proves that Victoria under this Labor government has the lowest health funding per person versus any other state in Australia. Our hospitals are underfunded by Labor, and they have been left languishing. We have ambulances ramping—you only have to go to a local hospital to see that—just queuing up outside hospitals. Even the union is calling out this ambulance crisis. Nearly 100 000 Victorians are on the elective surgery waiting list, though the government is trying to keep secret these figures and spin that it is 'elective' and 'sacrifices need to be made because of COVID'. Well, people do not elect to have these surgeries, they need them because it is vital. These surgeries are vital—spinal surgeries, cleft palate reconstructions and hip replacements are only just a few examples. These people are in pain and need their surgeries. The ESTA 000 phone system is failing. People in acute pain experiencing heart attacks and asthma attacks are left on hold, ambulances not being dispatched. Our nurses and our doctors are doing a tremendous job during the

pandemic; they have been fabulous. But they are exhausted and overworked, all because this Labor government has failed on resourcing, failed in their planning. The Premier has no credibility. Only a change of government will help recover— (*Time expired*)

WOMENCAN AUSTRALIA

Ms EDWARDS (Bendigo West) (09:45): I was delighted to launch the Andrews Labor government's massive aged care jobs investment in Bendigo last week in partnership with charity WomenCAN Australia. This new partnership will see local women supported into 12-month full-time and part-time roles in the aged care sector, needed now more than ever. From this new partnership and investment 200 aged care jobs will be created in Bendigo, Mildura and surrounding shires. Women prioritised in recruitment will include those aged over 45 from culturally and linguistically diverse communities and newly arrived migrants from non-English-speaking backgrounds. The benefits of this program include women earning as they learn, and the project will assist in addressing workforce shortages in the aged care sector. The jobs will include caring directly for residents and working in various support roles. I know the incredible difference this program will make not only to the women, who will be learning new skills to further contribute to our community, but also to the residents receiving the care. This program is supported by our government's \$250 million Jobs Victoria Fund, which is creating 10 000 steady and secure jobs for those most impacted by the pandemic, as part of our wider \$619 million investment in Jobs Victoria. My best wishes to the women who will be part of this great program and to WomenCAN.

RUSSIA-UKRAINE WAR

Ms EDWARDS: Over the weekend I joined with concerned residents in Bendigo at the second local Unite with Ukraine gathering. The scenes we have been witnessing on our screens and the stories we have been hearing are just heartbreaking. I would like to thank residents Neil Dyson and Maree Stanley from my electorate for organising the gatherings, and I know our community joins with others across the state and the country calling for this— (*Time expired*)

HODDLES CREEK CRICKET CLUB

Ms McLEISH (Eildon) (09:46): Congratulations to Hoddles Creek Cricket Club for being named Community Cricket Club of the Year at the Community Cricket Awards. This is a wonderful recognition for the club's committee, members, coaches and supporters and the whole Hoddles Creek community. This award comes on top of the Wombats under-12-5 cricket team's exciting grand final win by 4 runs against Mount Evelyn.

The club has been around for yonks, being founded in 1886, and has forged an excellent reputation. It fields junior and senior teams and has a Blasters program, which encourages young players and their parents to take part in the fun of cricket. And I can certainly attest to the joy you have when you play in the same team as your children. With its strong family focus, great fundraising ideas and encouraging of junior players, it is no wonder they took out the community club title.

Hoddles Creek is a small community, home to vineyards, orchards and berries in the picturesque Yarra Valley. There is no town centre, so it can be difficult to attract some of the grants that come with the larger clubs. Yet the community make sure that they are tight-knit and do their best to support this wonderful cricket club. This is a big deal for the small community of Hoddles Creek, and it is a testament to their hard work.

MELBOURNE INTERNATIONAL FLOWER AND GARDEN SHOW

Ms McLEISH: Well done to Tim Read from Tread Sculptures in the Bend of Islands. Tim won second prize at the Melbourne International Flower and Garden Show in the Estate category for the Association of Sculptors of Victoria. His *Secrets and Wisdom* piece is worth looking at. Congratulations to Yea florist Nici Thompson for winning bronze.

MELTON SECONDARY COLLEGE RUGBY ACADEMY

Mr McGHIE (Melton) (09:48): Melbourne's future rugby stars are getting the training and skills for success for their academic, sporting and working careers right here in my electorate of Melton. Melton Secondary school has implemented Academy Movement's rugby program created by passionate mentor Jimmy Orange. Jimmy has been a secondary school teacher for 14 years, so he understands the education system and he created Academy Movement.

Jimmy along with his team have experience with Māori Pasifika communities that has led to a real connection and understanding with many of the participants and families. The mixed-gender rugby academy that was implemented this year is already seeing success, with students participating recording improved attendance and behaviour academically as well as smashing it on the field during training. The academy gives the participants high-quality skills for use on and off the field. The rugby academy program is not just about teaching youth about how to play the game; it is backed up by values that extend into school, into families and into the community. The program is backed by data that tracks the success of the program.

Melton Secondary principal David Reynolds has confirmed that participating students have already improved attendance and adjusted behaviour as the program has continued. With programs like the rugby academy, I am sure we will see future Melbourne Rebels players who come from Melton playing on the big screen of the Super Rugby competitions. I was down at the school recently, and it was great to see the students enjoying their participation in the rugby academy.

CAMPING REGULATION

Mr RIORDAN (Polwarth) (09:49): I rise this morning to put on the record very clearly the absolute disgrace that this Andrews government is in the way it has been treating farmers across regional Victoria over this past week or so. Farmers right across the Polwarth electorate have received letters saying that the government is opening up free camping on their land for up to 14 days. This is a terrible situation. This government trumpets regularly that they are doing so much for the Otways and the beautiful Great Ocean Road region, but what are they doing along the Otways, along the Great Ocean Road? They are closing up public camp sites left, right and centre. As of today we have the Skenes Creek caravan park closed. We have Aire Crossing closed. We have only 10 per cent of sites available at Jamieson Creek. We have less than 10 per cent of sites available at the beautiful Blanket Bay. What this government is doing is putting its responsibility to provide good, open-space camping and family-friendly, free access for the community to our national parks, our rivers and our coastlines and that cost onto farmers. It is simply not good enough.

Biosecurity is being ignored. People at home by themselves who are used to isolation are now going to be inundated with literally hundreds of people on their riversides, on their farms without permission, without consent. It is simply not good enough. It is a disastrous cost shift, and the Minister for Fishing and Boating sitting here should be ashamed of herself for allowing such a disregard—

The SPEAKER: Order!

Mr RIORDAN: It is farmland, Minister.

Members interjecting.

The SPEAKER: Order! I warn the member for Polwarth. We will just stop the clock for a moment.

Mr Riordan interjected.

The SPEAKER: The member for Polwarth has been warned. That is not appropriate behaviour in the chamber.

CARRUM ELECTORATE STUDENT LEADERS

Ms KILKENNY (Carrum) (09:51): Congratulations to the 2022 school captains at Seaford Park Primary: Amelia Stewart and Archer Ferdinands. Congratulations to the 2022 school captains at Seaford North Primary School: Alice Parker, Matilda Winter, Isaac Bromley and Riley Foster. And congratulations to the 2022 school captains at Kananook Primary School: Harriet Cripps and Holly Russell Vasilopoulos. I am so proud of these wonderful young people. I know they are going to carry out their duties and responsibilities of school leaders to the best of their abilities because they understand that being a good leader means working hard to support others to be their best.

IRMA SHELTON

Ms KILKENNY: Yesterday we farewelled a truly wonderful person, Irma Shelton. This amazing woman lived a full, vibrant, compassionate and warm life with a loving family, a huge circle of friends and a great love for her local Carrum community, the beautiful Carrum foreshore and the Patterson River. Irma was a proud member of our Labor family in Carrum. I could not have asked for a better supporter and friend. Her energy, enthusiasm and passion for life was infectious. At yesterday's service one of her carers, Kat, thanked Irma for teaching her so much about life, including this sage piece of advice: if the branches of the neighbour's lemon tree grow over your side of the fence, the lemons are yours and you can pick them. Kat and Irma shared a lot of lemons and a lot of laughs during their times cooking together. My deepest condolences to her four gorgeous daughters—Shannon, Lisa, Laura and Sherine—her siblings, her 10 grandchildren and her loving partner of over 20 years, Trevor Shewan.

BRAIN INJURY MATTERS

Mr MORRIS (Mornington) (09:53): I rise this morning to seek additional support for the Brain Injury Matters organisation as part of the forthcoming Victorian budget. The Minister for Disability, Ageing and Carers would, I am sure, be well aware of the organisation. It is a not-for-profit run by people living with an acquired brain injury. BIM run a number of programs, including the highly valued peer support groups. A constituent has written recently:

I am a member of a weekly BIM Peer Support Group meeting in Frankston and have benefited a great deal from being part of the group. I have made friends, developed skills, accessed the community and had a lot of fun. I am afraid of increasing isolation and lack of confidence if BIM cannot find funding to continue my Peer Support Group. BIM's research has found that addressing social isolation continues to be a key need for Victorian adults living with brain injury.

...

BIM would welcome an increase in the recurrent funding amount. This would allow the continuation of the BIM Peer Support Group I attend. Funding for the project team which runs the PSGs ends on June 30, 2022.

The Department of Health provides some modest funding which assists with staffing and accommodation costs, but that is not sufficient to ensure the ongoing operation of the peer support groups. I think we are all only too aware of the mental health cost of the pandemic across the community, and that impact certainly extends to people with an acquired brain injury, so I do urge the minister to provide additional funding for this worthy organisation in the upcoming budget.

PUBLIC TRANSPORT ACCESSIBILITY

Mr KENNEDY (Hawthorn) (09:54): I had the privilege of hosting the Minister for Public Transport at two of our train stations, Riversdale and Canterbury, over the last fortnight. As a keen advocate for public transport I showed the minister the ways in which these stations can be improved, especially in terms of accessibility. It is important to remember that for decades no consideration was given to the accessibility of our transport system despite the fact that 20 per cent of the population have a disability. The Andrews government is changing that, with a strong commitment to build all new stations, stops, trains and tram carriages to be fully accessible. Furthermore, our record on broader accessibility issues speaks for itself, with measures like the \$1.6 billion disability inclusion package

enriching the education of our disabled students. I would like to thank the Minister for Public Transport for his visit, and I look forward to working with him in the future to create a more accessible public transport network.

CARLTON PRIMARY SCHOOL

Ms SANDELL (Melbourne) (09:55): Last week I attended a wonderful Harmony Day celebration at Carlton Primary School on the International Day for the Elimination of Racial Discrimination. A big thankyou to the Carlton community network for all the hard work they put into organising the day and also the community groups who ran an activity or stall. Thanks also to Carlton Primary School for hosting us—what a fantastic opportunity for the community to see the wonderful new facilities at that school. It was great to see so many residents and families from the Carlton housing estate come down to join the fun, and I want to give a special shout-out to the Carlton public housing tenants association, who are just starting up to give voice to residents on the estate who are often not given a voice when it comes to government management of issues that concern them and their homes. Well done for taking this important step. I encourage all residents to join.

RAMADAN

Ms SANDELL: We are so lucky to have such a diverse community in my electorate of Melbourne. As we begin the month of Ramadan this week I want to wish all our Muslim residents Ramadan Mubarak. This Friday evening my Greens colleagues and I will be hosting our annual iftar at the Kensington town hall. This event is an opportunity for the community to come together, meet new friends and share experiences and stories over a meal. I am really looking forward to celebrating with my local community. For anyone who is watching at home, I hope to see so many of you there—Ramadan Kareem.

GLENN O'DONNELL

Ms GREEN (Yan Yean) (09:57): Today I rise to pay tribute to the memory of Glenn O'Donnell, a 34-year veteran of VICSES who lost his very short battle with cancer in the past month. Glenn was just a legend. I worked with him throughout the 20 years that I have had the privilege to be the member for Yan Yean. He was just an amazing, big, lovable human, who was just loved by all who met him. He received a 2017 Emergency Services Medal. He was the Nillumbik controller for 18 years. He was the deputy controller for 10 years. The newly opened headquarters in Eltham, recently opened by the member for Eltham, is a fitting tribute to his memory. He is mourned by his loved ones but also his extended emergency services family, particularly the neighbouring Whittlesea SES unit controller Gary Doorbar and Leanne at the Kinglake SES, and all of their members.

EMERGENCY SERVICES WORKERS

Ms GREEN: Glenn O'Donnell would have been at the forefront of their minds in that appalling rescue on Mount Disappointment in my electorate last week. I want to thank all emergency services volunteers and career staff that turned out to that shocking event and also the VICSES members and CFA members who have been deployed recently to the floods in northern New South Wales. It just shows that the sacrifice that emergency service volunteers, career personnel and their families make is a huge one.

ROWVILLE ELECTORATE SCHOOLS FUNDING

Mr WELLS (Rowville) (09:58): This statement calls on the Andrews government to fund an upgrade of neglected schools in the Rowville electorate in the next may budget. The last time I saw the Minister for Education in my electorate he graciously invited me along to help open an outdoor area the Liberal-Nationals had actually funded. He is very welcome to visit and see the sad state of local school buildings which have had no funding over the last eight years of Labor.

Scoresby Secondary College students scored some of the top NAPLAN results in the state this year, showing a 71 per cent improvement in numeracy alone. Scoresby's principal has strived for excellent

results. Scoresby has not received a cent from the Andrews government to upgrade their 1970s-era classrooms. The school fights to maintain enrolments as local students are drawn to schools with newer facilities. Even though so many students travel long distances, the government refuses to invest in local schools. Rowville Secondary College has two large campuses with excellent programs, including sports and performing arts. Labor have neglected these students too, with the run-down classrooms that are in dire need of an upgrade.

Local primary schools have also missed out on upgrades. There has been very little investment for them in previous years. Our youngest students deserve so much more at Scoresby Primary, Carrington Primary, Karoo Primary, Heany Park Primary, Lysterfield Primary, Rowville Primary School and Park Ridge Primary, and our Catholic schools, St Joseph's, St Jude's and St Simon's.

MCMAHONS ROAD–BURWOOD HIGHWAY, FERNTREE GULLY

Mr TAYLOR (Bayswater) (10:00): Actions speak louder than words and empty promises. For years now many have promised they will fix the McMahons Road and Burwood Highway intersection. For some it is really the promise that just keeps on promising. Years later, no change, no action, and the community is still left with the intersection in Ferntree Gully as is. Well, I am proud to be out there as a member of the state Labor government, listening to locals who have made it clear they are fed up and want to see it get done. With hundreds of signatures supporting my campaign to deliver lights at this intersection, I am absolutely committed to doing exactly that. If you have not already, please get on board my campaign today and go to the comments section to get behind it.

KNOX CENTRAL PRIMARY SCHOOL

Mr TAYLOR: It was great to also check out Knox Central Primary recently with principal Lisa Burt, as well as their fantastic student leaders. It is a fantastic local school with a big heart, and I am proud that the state Labor government delivered their brand new front fence, making it safer and more accessible for students and families. I am proud to be able to represent ripper local schools like Knox Central in the state government, and I cannot wait to get back out again soon.

ALCHESTER VILLAGE, BORONIA, ROAD SAFETY

Mr TAYLOR: Not long ago I announced we would fix the Alchester Village intersection in Boronia, and I am excited to say that after work from the Department of Transport we will be delivering a fully signalised intersection there and installing traffic lights to make it safer. This project started not long after I was first elected, when I met a group of locals who raised their concerns about this busy intersection with me. Since then we have secured funding in the budget, early works have commenced and now we are getting on with it. Major works will kick off in late 2022 and early 2023. This is really a great outcome, and of course I will keep our community updated on its progress.

BEDFORD ROAD, RINGWOOD, LEVEL CROSSING REMOVAL

Mr TAYLOR: And of course we are getting rid of the Bedford Road level crossing, with major works to start next year—getting rid of 85 by 2025, including this dangerous level crossing.

CRANBOURNE ELECTORATE LIONS CLUB

Ms RICHARDS (Cranbourne) (10:01): I am delighted to update the house about the work being undertaken by the local Lions club. I would particularly like to thank local members, including one of the hardest working women I know from Cranbourne, Norma Barnard, and her whole team, for what they do at a local level. I would like to highlight that the local Lions Club donated \$100 000 to the Australian Lions Foundation for the flood appeal and that the Cranbourne Lions Club have been funding the conducting of eye checks at primary schools for prep children. The Lions Club supports people with diabetes and sight projects through Lions Clubs International. I am very proud of the work that they do.

CRANBOURNE ELECTORATE CHRISTIAN COMMUNITIES

Ms RICHARDS: In the lead-up to Easter and during the holy time of Lent, I would like to acknowledge the local Christian communities. I am particularly grateful for many organisations who respond to need with benevolent acts and those who raise awareness of social justice, keeping the focus on homelessness and the need to provide preferential treatment for the poor and the importance of providing welfare to those who need it. I would like to thank faith leaders, including Fr Joseph Abutu and Fr Stanly at St Agatha's, who work tirelessly alongside Sr Mary, Sr Faustina and Sr Victoria. At St Thomas the Apostle in Clyde North I thank Fr Denis O'Bryan, along with Sr Julie. I would like to thank Reverend Tony Duncan, who is filling the spot at the Cranbourne Uniting Church, and thank Reverend Ray McCluskey, a person we have always turned to for pastoral care and when people need help. I would also like to pay credit to Chris Marsh and all of the volunteers who do the work with the food truck at the Cranbourne Uniting Church, and to Reverend Sam Bleby at St Johns. I pay credit to you all—happy Easter.

ROSEBUD SECONDARY COLLEGE WELLNESS PAVILION

Mr BRAYNE (Nepean) (10:03): Last week I was so pleased to open the new wellness pavilion at Rosebud Secondary College. This was the culmination of many years of tireless advocacy, hard work and many fundraising efforts. The wellness pavilion will provide a new space for students at Rosebud Secondary College to support their mental health and wellbeing. I know that this new space will have such a positive impact on young people at this great school. I want to commend the work of the many people and organisations who were involved in getting this project off the ground, particularly assistant principal Geoff Seletto, principal Lisa Holt, the Bendigo Bank, Rotary Club of Rosebud-Rye and the many teachers, parents and students who make up the Rosebud Secondary College community, who kept the faith to see this project through to its successful completion.

I am proud to be part of a government that played a part in seeing this project happen, but more importantly to be part of a government where committing to a project like this is not an anomaly. These are the sorts of projects we regularly want to make investments in. Making investments in our students' mental health is one of the best investments we can make, and equipping our kids to take the time to consider focusing on this aspect of their lives will be a lifelong investment. I also consider this a great outcome for our community generally, an outcome that lines itself up against our Rosebud Primary School rebuild, our Dromana Primary rebuild and ultimately our Rosebud Secondary College rebuild, as well as upgrades to Red Hill Consolidated School and Dromana college. I am so thrilled to have been able to play a small role in this great project, knowing the tangible benefit it will have on the mental health and wellbeing of our students for the long term.

EPPING HOTEL

Ms HALFPENNY (Thomastown) (10:04): I was at the Epping Hotel on Saturday for a get-together organised by Lewis Farrugia, a long-time AMWU delegate, state councillor and union organiser. It was a gathering of AMWU members, friends and family, most of whom are hot rod and vintage car enthusiasts, although there were a few blow-ins like me who went for the good company, a good time and hopefully a cruise in one of the cars. I would like to give a shout-out to the staff at the Epping Hotel and acknowledge the difficulties faced by owners and staff in the hospitality sector during the pandemic. I hope the Andrews Labor government's new sick leave entitlements for casuals demonstrate how we value your work and how we acknowledge the difficulties you face. I would like to give special thanks to Nikky, the venue manager, who does an extraordinary job. All of the patrons would definitely say that she is the soul of the place, and I thank her for her work. I look forward to returning soon and catching up with all the patrons and locals to celebrate all the things and to talk about the great work that is being done in the local area.

RAMADAN

Mr MAAS (Narre Warren South) (10:06): I am pleased to rise to acknowledge and recognise the importance of the holy month of worship that is Ramadan, which is observed by many in my electorate of Narre Warren South. The Islamic holy month of Ramadan is a time for Muslims all over the world to reflect and renew their focus on spiritual life and its application to everyday life. The Muslim community in Narre Warren South is a very valued community, a rich part of our diverse electorate, and I appreciate how this time is one of community expression and appreciation. During the pandemic I was extremely grateful to our Islamic faith leaders who we partnered with in getting out the very latest health advice. It was a two-way street, and we listened very carefully to what we needed to deliver to keep the community safe. I am very, very proud to represent the diverse electorate of Narre Warren South, and I would like to thank my Muslim community for their contribution to our fabulous community, often when we are in great times of need. I look forward to seeing our Muslim community unite for what will be a well-earned Eid al-Fitr, and I wish them Ramadan Kareem.

SUNBURY ELECTORATE INFRASTRUCTURE PROJECTS

Mr J BULL (Sunbury) (10:07): It is only this government, the Andrews Labor government, that is committed to getting on and removing the dangerous and congested level crossing in my community in Sunbury. This is a terrific project, one that will improve safety, relieve congestion, create local jobs and provide a terrific local project for my community. This builds upon the duplication of Sunbury Road and the upgrade of a number of local schools and sports precincts within my community. This government will continue to work with the local community, to listen to the local community and to make sure that we continue to invest not just today but in the months and years ahead to ensure that growth within the Sunbury community, within places like Bulla, Gladstone Park and Diggers Rest, continues. It is only this government that will continue to get things done.

Statements on parliamentary committee reports**PRIVILEGES COMMITTEE**

Person Referred to in the Legislative Assembly: Professor David Lindenmayer AO

Mr BLACKWOOD (Narracan) (10:08): The committee report that I will speak on is the Privileges Committee report on a person referred to in the Legislative Assembly, that person being David Lindenmayer, and his response published with the report from the Privileges Committee. David Lindenmayer requested a right of reply following statements I made about his activities as a feral green activist. His reply contains the same statements that I accused him of fabricating, the same statements that defamed VicForests and blatantly undermined the credibility and professionalism of the native forest industry workers. In my speech on 6 May 2021 I informed the house that one of the Lindenmayer lies was linked to the Snobs Creek area in the Goulburn catchment, that lie being that the industry had logged areas in excess of a 30-degree slope and threatened Melbourne's water supply. This allegation was investigated by the Office of the Conservation Regulator, and she found the allegations could not be substantiated.

In Lindenmayer's reply he stated that the Snobs Creek area I referred to was not in the Goulburn catchment, so in his reply he told another mistruth. Of course Snobs Creek falls within the Goulburn catchment. Lindenmayer is not only a scientific fraud, he is also a very poor map reader. If he cannot read a map, how could you trust any of his field research? As most members of this house would know, the Goulburn catchment does not supply Melbourne's water. Lindenmayer claimed in his reply that the north-south pipeline is used for supplying Melbourne. How out of touch is he, or is he deliberately manipulating the facts to strengthen his fabricated argument? In his reply at privileges he also claimed my statement alleging he is a scientific fraud was demonstrably false. I stand by my statement, where I said:

David Lindenmayer constantly puts out information that is incorrect, quotes from papers he has written on forest science that have never been peer reviewed and flagrantly abuses the Australian National University process for claiming peer review status for his work.

I have it on good authority that his paper on the impact of logging on Melbourne's water quality has been reviewed by hydrologists as a social science research project—not genuine forest science, which should be the case if his work is used to inform the management of our public native forests. At least one eminent hydrologist raised serious concerns with his paper. Lindenmayer consistently quotes himself—his own work in previous questionable peer-reviewed papers—and he used a 2004 version of the code of forest practice in deciding if a breach had occurred in the Goulburn catchment. So yes, David Lindenmayer is a fraud.

I am sick to death of these serial litigants attacking the native forest industry at every opportunity with vexatious claims and false information about threatened species that are now crippling our magnificent industry. Someone must stand up for the industry, and I have no hesitation in calling out those that use misinformation, lies and false science to influence the management of our native forests. I have to be very careful when calling out these feral activist frauds. I have already been sued by Sarah Rees, a former director of MyEnvironment, for publicly stating that she owes the Victorian taxpayer over \$1 million in court costs, awarded against MyEnvironment when they lost a court case to VicForests. That event cost me \$25 000. MyEnvironment still to this day owe VicForests \$1.25 million.

It is third-party litigation that is killing the native forest industry at this very time and will see its demise if the Andrews government does nothing about it. There are plenty of genuine environmentalists and forest scientists that have dedicated their lives to conservation, such as Forests Australia. Their papers have been genuinely peer reviewed, and their knowledge is unquestionable. Governments need to start using them to inform their decisions on forestry.

The really sad part about all of this is that there are so many businesses, livelihoods and families at risk for absolutely no reason other than bastard politics influenced by feral green activists. Our once proud industry that has coexisted with threatened species for years with not one extinction is being decimated by lies, deceit and a politically expedient government.

The DEPUTY SPEAKER: I just want to remind members about the use of unparliamentary language.

LEGAL AND SOCIAL ISSUES COMMITTEE

Inquiry into Responses to Historical Forced Adoption in Victoria

Ms CONNOLLY (Tarneit) (10:13): This morning I too rise to speak on a committee report, which I think is one of the most significant and important ones that I have had the pleasure to watch being tabled here in this place—that is, the inquiry into responses to historical forced adoptions, a really powerful report. The report was tabled in Parliament in August last year, and the response was handed down earlier this year.

It is quite a shameful practice, something that we have known about for decades, forced adoption. What the inquiry was able to find out was that between 1958 and 1989 approximately 40 000 babies were removed from their mothers at birth. The inquiry and then subsequent report into this—and I will talk hopefully in just a moment about our government's initial response to that report and the funding that has now been announced and put in place for women who underwent such trauma in having their babies forcibly removed—really made me reflect on my family's history in relation to adoption. Whether I could say they were forced adoptions I am unsure. My nanna actually tried to have a child for 10 years before going on and having my mum, my aunt and my uncle, and during that 10-year period she adopted a son, her eldest son—in Sydney. Nanna has since passed away. I remember she used to talk about when she first laid eyes on Ian—he was six weeks old. My mum has subsequently told me that it is highly likely that her brother Ian was one of those children that was taken from their mother, probably a very young woman at the time with no family support and certainly no community

support around her to indeed try and keep that child and raise him as her own, as she should have been entitled to do. My uncle Ian is still with us today. Very sadly, he was never reunited with his biological mother. I think there was a little bit of a search undertaken early in his life, and he was unable to find her and be reconnected, which indeed was very tragic for him. Some of the challenges that he has faced in his life I have no doubt are from his being an adopted child and, despite being raised in a very loving home, being unable to be reunited with his biological mother.

Another story—and I guess these come out in families over the years, particularly as you get older—is of my mother’s cousin, who found herself pregnant and was sent away to work in Queensland, apparently up north picking fruit, and came back many months later and went back into the family home. It was decades later that my mother found out that she had been sent away to have a child and have that child taken away from her. She too has never been reunited with that child—a very sad story indeed. I cannot imagine the trauma of both those biological mothers. My family does not know who they are or have anything to do with them, but I can only try and imagine for a second the abject torture of what these women went through, not only losing a child just after giving birth but knowing that they are out there somewhere in the world but never knowing anything about their life or what they are doing and in fact, as this inquiry found out, not even knowing if their child was indeed alive.

I was very pleased a couple of weeks ago to see that our government has announced investing more than \$4 million in response to this parliamentary inquiry and report, including a plan to go ahead and design and establish Australia’s first redress scheme for people affected by forced adoption. The funding will certainly immediately provide crisis counselling as well as the option of integrated birth certificates which include the names of the adopted person’s natural parents and their adoptive parents. I know that will have a real significance in these people’s lives. This is a very important report, and I cannot wait to see the funding that will come out of it into the future.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Report on the 2020–21 Financial and Performance Outcomes

Ms RYAN (Euroa) (10:18): I am delighted to rise this morning to talk on the *Report on the 2020–21 Financial and Performance Outcomes* that the Public Accounts and Estimates Committee tabled yesterday, and I particularly want to commend my colleague the member for Gippsland South on his very fine work as part of that committee. It is probably one of the heavier committees in this place, and it is not easy being a country member with the excessive travel that he has to do, so he does a fabulous job. Particularly I wanted to turn to page 40 of the report, which deals with elective surgery and highlights the underspend of money set aside for elective surgery because of COVID.

The report mentions that there were 66 230 patients on the waiting list for elective surgery as of June 2021. Now, this is a very topical issue at the moment. We know that that figure actually blew out to more than 80 000 by the end of December, but we do not currently know what the figures are for the March quarter, and that is because the government has not released them. We do know that that situation has dramatically worsened, because the government called a code brown which cancelled all surgery through January, but there is wide discussion that there are now more than 100 000 people waiting for elective surgery in Victoria. And of course if you are waiting for elective surgery, it is not necessarily elective, it is not something you are choosing to do; it is, rather, vital surgery that you are stuck on a waiting list requiring.

I have had a look at the local statistics for my own region around elective surgery, and they are really concerning. In Wodonga there are 2843 people waiting for elective surgery. That has blown out by more than 500 since December last year. These are the December figures, because that is all the government has given us. At Goulburn Valley Health we have 939 people waiting for surgery. In Wangaratta we have 758 people waiting for surgery. The Northern has also experienced a real increase in the number of people who are stuck on their waiting lists. Of course they might all just sound like figures, but behind every one of those is a story of someone who is suffering in pain, who is waiting for treatment and who cannot get it because the government has bungled and mismanaged the state’s

hospital system. We have given a very firm commitment that if we are elected, we will halve the state's elective surgery waiting list—that is our commitment to Victorians. At the moment we are seeing a situation where the government has created a fire and is now attempting to take the credit for putting it out. You cannot do that. This is a situation of the government's making.

Just last Monday Wangaratta called a code yellow. Albury Wodonga called one on Tuesday, and at the same time Goulburn Valley Health was urging people not to come to the emergency department unless they absolutely, absolutely needed to. The government has had three years to increase the capacity of our health system. They promised us 4000 ICU beds that were never delivered, and we have similar problems now through the ambulance system. I mean, the figures there are just extraordinary, and I find it quite amazing that not a single Labor MP has stood up and raised their concerns about the state of 000 or about the state of the ambulance system.

I know that on this side of the house we are all receiving case studies from people, constituents, who are coming through our doors, telling us how they have had horrific situations in trying to get ambulances. I cannot believe that that situation is isolated only to seats held by The Nationals and the Liberals, so it makes me ask what Labor MPs are doing if they are not willing to raise that issue in this place. They are not willing to put on record the very dire crisis that is facing our health system at the moment in both the hospital system but also the ambulance system. That leads me very firmly to conclude that it is only the Liberals and Nationals who have a plan to help our hospital system and our ambulance system to recover and rebuild after three years of complete mismanagement by this government.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Report on the 2020–21 Budget Estimates

Mr McGuire (Broadmeadows) (10:22): I refer to the Public Accounts and Estimates Committee inquiry into the budget estimates 2020–21 and the contribution from the Minister for Economic Development on how Victoria is trying to strengthen economic performance through a range of mechanisms. Catastrophic events change societies and politics. The pandemic proves how our lives and livelihoods intertwine. The virus stalks inequality, exposing systemic fault lines like an X-ray. The state district of Broadmeadows defines why our political system must change to deliver more needs-based funding and performance-based MPs.

My call is to establish creating opportunity zones and drive economic and social development. The aim is to spread opportunity and prosperity. The strategy is aimed at providing practical, creative responses to cultural, generational and systemic failures and defining how we reimagine the so-called postcodes of disadvantage. Creating opportunity zones should address place-based inequality as priority one. They should be given status in law. There should also be an assessment by the Department of Treasury and Finance of government decisions and how they impact on all projects and all programs to address place-based disadvantage, because this will unlock enormous value, investing in these communities now, and we will reap great rewards.

This is a value-based economic and social development policy, and it builds on the prototype that I have established in Broadmeadows through the Broadmeadows Revitalisation Board 4.0. We put '4.0' on it because we want to get to industry 4.0—the new industries, the new jobs, the new ways to create opportunity. This establishes Broadmeadows as a prototype for economic and social recovery. The method is to coordinate the three tiers of government, business and civil society where they are needed most, and the mechanism aggregates the assets and the opportunity to deliver needs-based investments in the national, state, regional and local interests. It goes to that point that the pandemic has exposed the peril of indifference over time and the systemic problems that we have in power, politics and money.

Too often resources are gifted to marginal seats ahead of those of greater need and disadvantage. Labor's promised spending for its second term in power for Victoria's most disadvantaged state district was an off-the-leash dog park and bike track, creating no jobs in communities with perilously high unemployment at more than 26 per cent, higher than Spain and equal to Greece, following

deindustrialisation and the closure of the Ford Motor Company, which devastated Broadmeadows. We got managed decline from the Australian government. That was the same as Margaret Thatcher's response to England's north. That was what we got for Melbourne's north. Then we had the one-term coalition government and we got the reverse Robin Hood—they took the money out. They took more than \$100 million out of Broadmeadows at this critical time, even from the TAFE when we were going through deindustrialisation and we needed the training the most.

From this base I have inspired \$1 billion in investments for 5000 new jobs at no cost to taxpayers through this vision, plans and partnerships, and advocated to secure city deals, the internationalising of the Cancer Moonshot partnership with the White House for Australia's benefit and the establishment of Broadmeadows as the epicentre for life-saving vaccine manufacturing, which CSL is doing against COVID. We will soon have nearby vaccines being manufactured against influenza, which will provide a lucrative export industry. This delivers the independent supply chains and national sovereignty Australia craves, and it takes the community from being a rust belt to a brain belt, because that is where we need to go.

If we want to be the smart country, the clever country, we have to invest, and here is how we have been able to turn it around. We have been able to get the private sector to come in and invest. We need to get this other social infrastructure, because this has been the problem historically: while Broadmeadows drives prosperity, the social infrastructure has lagged. We have got \$60 million in the last budget for the health centre of excellence. We need to add that to Kangan Institute to train the next generation of nurses and allied health workers in the areas of the community that needs them most.

To make sure that you connect the disconnected, use technology to do that. Make sure we have got the communications right. This will be of major benefit. It is a prototype that can be harnessed and used in other communities right across the state and internationally as well. It will go national, and it will be an international model also. Cabinet ministers have called me the relentless Frank McGuire. I wear that description as a badge of honour. I am relentless with a cause to be a change agent to improve the social determinants of life and create better opportunities for more people to deny that miser fate. That is why we are here. I will continue to do this. Let us get it done, and I will fight for all the time that I have in this place.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Report on the 2021–22 Budget Estimates

Ms STALEY (Ripon) (10:27): Today I am going to speak on the Public Accounts and Estimates Committee inquiry into the 2021–22 budget estimates, and I will primarily be discussing chapter 2, which is the 'Whole of government review'. I return to finding 4 in this report, which says:

The Government's third and fourth step of the fiscal strategy include returning to operating surplus and stabilising debt levels. However, the 2021–22 Budget does not provide a timeline nor a numerical objective for these targets.

This government has not got a time line for either returning Victoria to an operating surplus or stabilising debt. In fact we could interrogate this further and note that the government does not even understand what it is saying. The committee, which is of course a government-dominated committee, wrote to the Department of Treasury and Finance and asked them to clarify what it means when it refers to debt being stabilised in the medium term. DTF responded:

Stabilising debt—the last step in the Government's fiscal strategy—is important as debt will continue to grow as a percentage of [gross state product] GSP, until operating surpluses are at a level which limits the growth in debt to the growth rate of GSP.

Of course it does. I mean, that is just a circular argument, isn't it? It does not explain. It does not give a time line. It does not suggest that the government understands that it has to stop adding more debt to its debt mountain if it wants to stabilise debt in the future.

You just cannot keep adding to it. It is very simple, but somehow DTF, the Treasurer, could not tell the committee that, because that would be to bell the cat that in fact this government has no plan to stabilise the debt mountain that it adds to at every opportunity. The committee went back to DTF to ask it to clarify it further, and the DTF basically gave the same words again. Hence a Labor-dominated committee has been forced to find as a result of this inquiry that the government has no plan. So the Labor backbenchers on this committee had said to the government, to the Treasurer, ‘Your fourth step has no time line. You don’t know what it is. You don’t know when you’re going to stabilise debt’.

Now, that brings me to the most recent financial update on these estimates, which is the quarterly update that came out a couple of weeks ago, and what we saw in that was year on year taxation is up 28 per cent. So their debt mountain growing is not because they cannot tax people enough. They are clearly taxing Victorians at record levels—up 28 per cent, year on year, in the last quarter, quarter 2. The government likes to claim that the federal government duds Victoria, that everything that is bad in Victoria is because the federal government does not pay enough. Well, grant revenue in quarter 2, the most recent quarter, was up 48 per cent. The majority of that is GST receipts, and the rest that is not that is from the commonwealth as grant receipts.

So there was a 48 per cent increase in grant revenue and a 28 per cent increase in taxation receipts, year on year in one quarter, and yet the government’s debt mountain continues to explode, because this government cannot manage its projects. It cannot manage its expenses. This government has no solutions for Victorians other than to tax them beyond what is in any way reasonable. And at every point we get another one of the government’s taxation measures. We have got 42 so far. How many more will we get in the remaining eight months of this government? I am not convinced that Victorians will be seeing a reduction. In fact I am convinced we will not be seeing a reduction in the budget that we are about to see in Victoria. There will be another new tax, I am sure, because that is the Labor way—more debt, more tax, more cost blowouts and worse outcomes for Victorians.

LEGAL AND SOCIAL ISSUES COMMITTEE

Inquiry into Responses to Historical Forced Adoption in Victoria

Ms COUZENS (Geelong) (10:33): I am pleased to rise to again speak on the Legal and Social Issues Committee inquiry into responses to historical forced adoptions in Victoria and the government response. I am pleased that the government has responded to the recommendations of this inquiry, and I know the government acknowledges the efforts of everyone who provided submissions and evidence to the inquiry, particularly given the sensitive and distressing experiences we heard from mothers who gave evidence.

Babies were taken from mothers at birth. Sometimes mothers were medicated to stifle any resistance. Sometimes false promises were made, written consent was falsified and records were lost. Whatever the individual details, the taking of babies from these mothers occurred routinely and in social settings of secrecy, blame, shame and alleged sinfulness where institutions, professionals and mothers’ own families conspired to hide the pregnancy and the resulting baby. This secrecy has long-lasting effects. Mothers and adopted children have felt silenced and unable to tell their stories. For decades these cruel and inhumane practices were sanctioned or implicitly condoned by governments, professionals, charities, hospitals, the community and families.

The government is pleased to respond to the full recommendations in the committee’s report. The inquiry made 56 recommendations covering a range of issues aimed at government and other public agencies, including hospitals as well as other organisations involved in historical forced adoption. The government’s response addresses each recommendation in the report, identifying current government initiatives aimed at addressing the concerns raised as well as future priorities and actions that will respond to the inquiry’s recommendations. It has been developed across multiple portfolios, including justice, health, mental health, Aboriginal affairs, child protection and Creative Victoria. The commonwealth Attorney-General’s Department and the Department of Social Services also participated in its development.

The Victorian government is proud to support the design and scoping of a redress scheme. Consultation will occur on the design of the scheme so that we appropriately recognise and account for the harm caused. We are also pleased that the response supports providing crisis counselling for impacted Victorians and resources to implement recommendations as set out in this response. Knowing their origin and identity is critical to a person's wellbeing, hence the recommendations requiring easier access to and the location and provision of adoption records and information are critical components of the government's response. The government's response supports in principle those recommendations calling for legislative reform, as many are best progressed in conjunction with a broader package of operational and service reforms. Several of the recommendations will require government investment above existing levels to implement and so will only be progressed through the context of the state budget. The government will develop an implementation plan as a first priority.

I do want to mention the Andrews government's recent announcement in relation to integrated birth certificates. We are not waiting to begin the important work in response to the recent inquiry into adoption practices. This is a meaningful change we can start to make now to help people who were adopted to tell their stories. We know we cannot manage the past, but we can try and repair the damage caused. This is something the victims of forced adoption have asked for. We are putting their voices and wishes at the centre of this process. The Victorian Registry of Births, Deaths and Marriages will begin work to develop integrated certificates, which are expected to be available by late 2023.

The government has announced more than \$4 million to shape a redress scheme in response to the forced adoptions inquiry, aiming to address the grief and trauma experienced by women who gave birth between 1958 and 1984 and were subjected to cruel and damaging forced adoption practices. No government will ever be able to compensate for what has happened. We can never take away the pain and the grief or make up for the time lost to the women and their babies, but we can at least acknowledge what happened.

It was a great privilege to have listened to those mothers giving evidence during the inquiry. I know for many of them the outcome of this inquiry is really important, particularly the acknowledgement of what actually happened and what they experienced as mothers who had their children forcibly removed from them. This is a body of work that I am very proud to have been involved in. I thank the government for its response. This means a lot to those women.

Business of the house

NOTICES OF MOTION

Mr CARBINES (Ivanhoe—Minister for Child Protection and Family Services, Minister for Disability, Ageing and Carers) (10:38): I advise that the government does not wish to proceed with government business, notice of motion 1, and ask that it remain on the notice paper. Further, I move:

That the consideration of government business, notice of motion 2, be postponed until later this day.

Motion agreed to.

Bills

JUSTICE LEGISLATION AMENDMENT BILL 2022

Statement of compatibility

Ms HUTCHINS (Sydenham—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (10:39): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Justice Legislation Amendment Bill 2022.

Opening paragraphs

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Justice Legislation Amendment Bill 2022.

In my opinion, the Justice Legislation Amendment Bill 2022, 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 engages and promotes a number of Charter rights.

The Bill will expand the exceptions to the *Equal Opportunity Act 2010* (EO Act) secrecy provision to enable the sharing of information in certain circumstances. These amendments promote the protection of children (section 17(2)) and engage but do not limit the right to privacy (section 13).

The Bill removes gender binary terms and provides gender inclusive language in the Charter. In doing so the Bill promotes the right to equality (section 8).

The Bill will introduce integrated birth certificates and make miscellaneous amendments to the *Adoption Act 1984* and the *Births, Deaths and Marriages Registration Act 1996* (BDMR Act). These amendments engage privacy rights (section 13) and the protection of families and children (section 17) but are considered compatible with the Charter.

The Bill clarifies the Magistrates' Court's (MCV) jurisdiction to hear and determine federal jurisdiction matters which promotes privacy rights (section 13) and the right to a fair hearing (section 24).

The Bill expands the circumstances under which the Public Sector Gender Equality Commissioner and other prescribed persons may disclose information gained through their dispute resolution function. These amendments engage the right to privacy (section 13) but is considered compatible.

Amendments to the *Judicial College of Victoria Act 2001*, the *Magistrates' Court of Victoria Act 1989* and the *Crimes at Sea Act 1999* are not considered to engage any Charter rights.

Human Rights Issues

Equal Opportunity Act 2010

The Bill will expand the exceptions to the EO Act secrecy provision to enable the sharing of information:

- a. where there is a serious threat of harm to a person or persons,
- b. to comply with a mandatory reporting requirement,
- c. where VEOHRC is the respondent to a freedom of information review at the Victorian Civil and Administrative Tribunal (VCAT), to the extent necessary to facilitate the review.

These amendments promote the protection of children (section 17(2)) and engage but do not limit the right to privacy (section 13).

The Bill will also amend section 83 the Equal Opportunity Act 2010 to include an avoidance of doubt provision which was inadvertently omitted from the Equal Opportunity (Religious Exceptions) Act 2021. Given the amendment is an avoidance of doubt provision and does not substantively change the legal effect of the Religious Exceptions Act, this amendment will neither limit nor promote any rights under the Charter.

Protection of children (section 17(2))

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.

The Bill promotes the right of a child to protection that is in the child's best interests. It does this by enabling the disclosure of information where there is a serious threat of harm to a person (which may include a child) and enabling disclosure in compliance with a mandatory reporting obligation, such as the obligation to contact Victoria Police when a person reasonably believes that a sexual offence has been committed against a child.

In doing so, the Bill promotes the protection of children through appropriate disclosure of information, in the child's best interests.

Right to privacy and reputation (section 13)

Section 13 of the Charter provides all persons with the right to not have their privacy, family, home, or correspondence unlawfully or arbitrarily interfered with.

The Bill engages the right to privacy by enabling the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) to share private, confidential information in particular circumstances. However, these amendments do not constitute arbitrary or unlawful interference with the right to privacy, and therefore do not limit this right.

The amendment to enable disclosure where there is a serious threat of harm to one or more persons will only operate in circumstances where the threat is assessed as credible, and imminent—limiting the circumstances

in which confidential information is disclosed. Similarly, the exception to enable disclosure to comply with a mandatory reporting obligation will only operate in narrow circumstances—where there is an existing legal requirement to report certain information.

The purpose of these amendments is to allow for the sharing of information only when it is necessary to promote the safety and wellbeing of others, including some of the most vulnerable members of our community—children. When balanced against the risk and potential degree of harm associated with not disclosing information in these circumstances, I consider these amendments are compatible with the right to privacy.

The narrow application of the FOI exception—being applications for review made to VCAT—ensures that individuals' information will not be released arbitrarily. Individuals' privacy is further protected by sections 53A and 56 of the FOI Act, which impose protections and restrictions on VCAT's use and distribution of 'exempt' documents, and a right of intervention for persons whose personal information is contained in the documents (and who are not otherwise party to the review).

The amendment appropriately balances the right to privacy with the efficient and effective functioning of the FOI review process and I am therefore satisfied that it does not limit the right to privacy.

Charter of Human Rights and Responsibilities Act 2006

The Bill removes gender binary terms and provides gender inclusive language to the Charter of Human Rights and Responsibilities Act 2006 (the Charter). In doing so the Bill promotes the right to equality (section 8).

Right to equality (section 8)

Section 8 of the Charter provides that every person has the right to recognition and is equal before the law. It also recognises every person is entitled to the equal protection of the law without discrimination. These three limbs of entitlement collectively ensure that all laws and policies are applied equally to all Victorians, and do not have a discriminatory effect.

Introducing gender inclusive language into the Charter promotes the right to equality by recognising every person has the right to recognition before the law and is therefore afforded equal protection under the law, regardless of gender identity.

Adoption Act 1984 and Births, Deaths and Marriages Registration Act 1996

The amendments to the Adoption Act and the BDMR Act are introduced to support the adoption community in Victoria by giving effect to several recommendations of the Legal and Social Issues Committee's *Inquiry into responses to historical forced adoption in Victoria*, and to provide a discretionary power to the Secretary of the Department of Justice and Community Safety to use and disclose adoption information.

Right to privacy and reputation (section 13)

Under section 13 of the Charter, a person has the right not to have their privacy or family unlawfully interfered with, and not to have their reputation unlawfully attacked. This right is relevant to new section 100A to be inserted into the Adoption Act, which provides a discretionary power to the Secretary of the Department of Justice and Community Safety to use and disclose adoption information. This will allow the Secretary to use and disclose information as not currently allowed for in the Act, for example:

- a. Providing a foster care agency with information about a child awaiting adoption;
- b. Providing child protection with specific information if they are investigating an adoptive family;
- c. Providing an Aboriginal Community Controlled Organisation with information about the adoption of an Aboriginal child.

In determining whether to disclose adoption information, the Secretary must have regard to certain matters, including whether disclosure would be in the best interest of any adopted child or adopted person who may be able to be identified from the adoption information, and whether there are risks to the safety or privacy of any individual who may be identified as a result of the disclosure and whether those risks can be managed. The person to whom adoption information is disclosed must only use or disclose it for the purpose for which it was provided.

Additionally, the Secretary, as a public authority, is required to consider the Charter before making a decision to use or disclose information. If such a decision is likely to limit a human right, the Secretary must assess whether the limitation is reasonable and justified, taking into account all relevant factors.

I therefore consider that any interference under new section 100A with a person's privacy or reputation is lawful and not arbitrary and is compatible with the Charter.

Protection of families and children (section 17)

Section 17 of the Charter states that families are the fundamental group unit of society and are entitled to protection, and that every child has the right, without discrimination, to protection in their best interests needed by reason of being a child.

The Bill will amend section 43 of the Adoption Act, which enables the court to dispense with the consent of a person to the adoption of a child on certain grounds. Consent is a fundamental component of adoption, with the informed, voluntary consent of the parents or guardians of a child required in most cases before an adoption can take place. The Bill will remove some of the grounds which indicate a child may be in need of protection for dispensing with consent—i.e. where the court is satisfied the person has ‘deserted, persistently neglected or ill-treated’ the child or ‘has seriously ill-treated the child to the extent that it is unlikely that the child would accept, or be accepted by the person within, the family of that person’. An adoption order permanently severs the legal connection between the child and their birth family. Dispensing with consent may limit the right to protection of family, as it can result in a child being adopted without the consent of one or both birth parents. Therefore, limiting the grounds for dispensing with consent promotes the right to family, as there are fewer reasons where the consent of birth parents is not needed for an adoption to take place. The child’s right to protection will not be compromised, as where those grounds exist, they will be dealt with under the child protection system. That system is established to make decisions in relation to children at risk of harm, with the best interests of the child being the paramount consideration. Therefore, this amendment is compatible with section 17 of the Charter.

Victorian and Civil Administrative Tribunal Act 1998

As a result of High Court and Victorian Court of Appeal decisions, VCAT cannot determine ‘federal jurisdiction’ matters. These include matters where the dispute is between residents of different states.

To address this jurisdictional gap, the *Victorian Civil and Administrative Tribunal and Other Acts Amendment (Federal Jurisdiction and Other Matters) Act 2021* inserted Part 3A into the *Victorian Civil and Administrative Tribunal Act 1998* (‘VCAT Act’) to establish a regime for the MCV to hear and determine federal jurisdiction matters.

Relevantly, provisions in Part 3A allow persons to apply to the MCV (under section 57B(1)(b)) and the MCV to hear and determine matters if their ‘application’ to VCAT that was struck out, rejected, dismissed or withdrawn on the grounds of federal jurisdiction. The Bill clarifies that these provisions also apply if the VCAT proceeding that was struck out, rejected, dismissed or withdrawn was commenced by way of ‘referral’ from a third party, rather than an ‘application’.

Referrals are made under enabling legislation, for example by a public authority if requested or required by a person, or by the relevant Minister in some cases. The amendment will clarify that both the person or body who made the referral and the party who requested the referral are entitled to apply to the MCV under section 57B(1)(b).

Right to privacy and reputation (section 13)

Section 13(a) of the Charter states that a person must not, relevantly, have his or her privacy unlawfully or arbitrarily interfered with.

The Bill promotes this right, by providing accessible legal recourse for parties if a complaint about an act or practice that may be an interference with the privacy of an individual has been referred to VCAT under the *Health Records Act 2001* or *Privacy and Data Protection Act 2014* and it is struck out, dismissed, rejected, or withdrawn because it involves a federal jurisdiction matter.

Right to a fair hearing (section 24)

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

The amendments to the VCAT Act promote the right to a fair hearing by facilitating access to justice. A narrow interpretation of Part 3A could exclude matters commenced in VCAT by referral from existing provisions which allow parties to apply to the MCV to hear, and the MCV to resolve, matters that have been struck out by VCAT due to federal jurisdiction. This would prevent individuals from vindicating their rights.

For example, if the Health Complaints Commissioner referred a complaint to VCAT under the *Health Records Act 2001* and the respondent was a natural person who resided in different State to the complainant, VCAT would strike-out, dismiss or reject the matter or it would be withdrawn. On a narrow interpretation of s 57B(1)(b), the complainant would be unable to use the mechanism under Part 3A of the VCAT Act to apply to MCV and MCV could not hear the complaint. By clarifying that the relevant provisions apply to matters commenced in VCAT by ‘referral’, the Bill enhances the right to fair hearing.

For these reasons, I consider that the Bill promotes the right to a fair hearing.

Gender Equality Act 2020

Division 3 of Part 7 of the GE Act sets out the Public Sector Gender Equality Commissioner's (Commissioner) functions in relation to enterprise agreements, enabling the Commissioner to deal with public sector gender equality disputes. In the course of exercising these functions, the Commissioner may be in receipt of personal and sensitive information about individuals, including information about their personal circumstances and their involvement in workplace conflicts. The Commissioner may also be in receipt of other forms of confidential information relating to organisations who are party to a dispute.

Right to privacy and reputation (section 13)

Section 46 of the Gender Equality Act currently prohibits the Commissioner from using or disclosing information obtained or provided under Division 3 of Part 7 of the GE Act for any purpose other than that for which it was obtained or provided. The Bill makes a number of changes to this requirement that engage the right to privacy in section 13(a) of the Charter.

First, the secrecy obligation in section 46 of the GE Act is extended beyond the Commissioner to include the Commissioner's delegates or persons employed or engaged to assist the Commissioner ('specified persons'). This amendment affirms that those working for the Commissioner are also bound by the secrecy obligation. In my view, this change promotes the right to privacy by strengthening the secrecy obligation in section 46, ensuring better protection of personal and sensitive information.

Second, the Bill also inserts new section 46A into the GE Act, providing a limited number of exceptions to the secrecy obligation in section 46. Section 46A will allow the Commissioner and specified persons to disclose information obtained through Division 3 of Part 7 of the GE Act to each other, and to use or disclose such information in the following circumstances:

- a. if reasonably necessary for the Commissioner to perform a duty or function, or to exercise a power, under the GE Act or any other Act provided the information is not personal information, with the consent of the relevant;
- b. to a court or tribunal during a legal proceeding or pursuant to an order;
- c. to obtain or seek legal advice; or
- d. if authorised, required or permitted by any other Act or law.

New section 46A also enables the Commissioner to disclose information to the Victorian Equal Opportunity and Human Rights Commission, Fair Work Commission, or another prescribed person or body, where the Commissioner considers that the information is relevant to the duties, functions and powers of the Commissioner or person or body to whom the information is being disclosed.

Whilst new section 46A broadens the circumstances in which information collected under Division 3 of Part 7 of the GE Act may be used and disclosed, to the extent that this may interfere with the privacy of persons to whom the information relates, the interference will be neither unlawful nor arbitrary. The interference will be prescribed by law and may only be shared for specified circumstances or with certain persons and bodies. The permitted uses and disclosures would thereby be authorised by law under the *Privacy and Data Protection Act 2014* and the Information Privacy Principles.

Further, the interference is not arbitrary as the amendments are designed to allow the Commissioner to more effectively and expeditiously perform the Commissioner's duties, functions and powers under the Act, and to align the Commissioner's obligations under the Act with obligations arising under other laws.

The provisions authorising information use or disclosure for the purpose of performing the Commissioner's duties, functions or powers are also subject to safeguards as information use or disclosure under this exception requires the consent of the relevant persons where the information to be used or disclosed contains personal information. Similarly, disclosing personal information to VEOHRC, Fair Work Commission and other prescribed persons or bodies is only permitted where the Commissioner obtains the consent of the person to whom the personal information relates, where it is reasonably practicable to obtain consent. Where consent is not obtained, the Commissioner can only disclose the information if the Commissioner is satisfied that the public interest in disclosing the information without consent outweighs the public interest in the non-disclosure of the information.

In my view, these safeguards, along with the narrow circumstances in which the use of personal information may be used and disclosed, mean any interference with a person's privacy is not unlawful or arbitrary. Therefore, in my view, new section 46A is compatible with the right to privacy.

I consider that the GE Act amendments are compatible with the right in section 13(a) of the Charter, and, to the extent that the amendments limit this right, that such limits are reasonable and demonstrably justified having regard to the improvements the amendments will make to the ability of the Commissioner to operate in the broader public sector context.

Judicial College of Victoria Act 1999

The Bill increases the number of directors on the Judicial College of Victoria (College) Board who have experience outside the judiciary and acquits recommendation seven of the Review of Sexual Harassment in Victorian Courts and VCAT (Szoke Review). The Bill also amends the Judicial College governance processes to ensure the efficient operation of the College Board. As these changes are purely administrative, they are not expected to engage any Charter rights.

Magistrates' Court Act 1989

This Bill will create administrative efficiencies in the MCV by requiring one instead of two Deputy Chief Magistrates in conjunction to the Chief Magistrate to make the rules of the court. As these changes are purely administrative, they are not expected to engage any Charter rights.

Crimes at Sea Act 1999

The Bill makes amendments to the *Crimes at Sea Act 1999* to update the applicable criminal jurisdictions for areas adjacent to Australia's coastline. The Crimes at Sea Act along with corresponding legislation in the Commonwealth, other Australian states and the Northern Territory ratify the national cooperative scheme for the operation of criminal jurisdiction in areas adjacent to Australia's coast. As the Crimes at Sea Act describes the criminal jurisdiction of Victoria, it engages rights in the Charter that are relevant criminal proceedings and the rule of law, including sections 21 to 27.

The Bill does not make any changes to the criminal jurisdiction of Victoria, the only changes to jurisdictions are to those of Western Australia and the Northern Territory. The remaining changes are purely technical as they only relate to updating references to Commonwealth legislation. On this basis it is considered that no Charter rights are engaged by the Bill in relation to the Crimes at Sea Act amendments.

Hon. Natalie Hutchins, MP
Minister for Crime Prevention
Minister for Corrections
Minister for Youth Justice
Minister for Victim Support

Second reading

Ms HUTCHINS (Sydenham—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (10:40): 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 Justice Legislation Amendment Bill 2022 makes a number of minor but important amendments to update and clarify the law and support procedural improvements. The Bill responds to recommendations arising from inquiries including the Legislative Assembly Legal and Social Issues Committee's *Inquiry into responses to historical forced adoption in Victoria* and the Szoke Review of Sexual Harassment in Victorian Courts and the Victorian Civil and Administrative Tribunal (or VCAT). The Bill also supports the Government's ongoing commitment to the equal recognition and protection of all Victorians under the law regardless of gender.

I turn now to the detail of the Bill:

Clarifying and improving the operation of the Equal Opportunity Act 2010

The Bill creates new exceptions to the secrecy provision within the *Equal Opportunity Act 2010*, enabling the Victorian Equal Opportunity and Human Rights Commission to disclose confidential information when it is necessary to promote the safety and wellbeing of others, including children.

Under these exceptions, the Victorian Equal Opportunity and Human Rights Commission can disclose information where there is a credible and imminent threat of harm to a person or persons, and to comply with a mandatory reporting obligation, such as the obligation to contact Victoria Police when a person reasonably believes that a sexual offence has been committed against a child. The appropriate sharing of information is vital in promoting the safety and wellbeing of others.

These changes align with existing information sharing schemes across family violence and child protection and will ensure the continued protection of some of the most vulnerable members of our community, such as children. The narrow scope of these exceptions will ensure that a person's right to privacy is respected, and confidential information is only shared when it is absolutely necessary to do so.

The Bill also creates a further exception to the secrecy provision to enable the Victorian Equal Opportunity and Human Rights Commission to disclose information to VCAT in respect of freedom of information review applications. Review of freedom of information decisions made by government and government agencies is a crucial accountability and transparency mechanism in our democracy, and it's important that this vital function of government can continue to proceed in an efficient and timely way, while also ensuring appropriate privacy protections are still in place.

The Bill will also amend section 83 the Equal Opportunity Act to include an avoidance of doubt provision which was inadvertently omitted from the *Equal Opportunity (Religious Exceptions) Act 2021*. The Religious Exceptions Act already includes the same avoidance of doubt provisions in sections 82, 82A and 82B. While the proposed amendment does not alter the legal operation of section 83 given it is an avoidance of doubt provision, it will aid with interpretation and provide greater clarity and consistency within the Act.

Gender inclusive language in the Charter of Human Rights and Responsibilities Act 2006

This Bill will update the *Charter of Human Rights and Responsibilities Act 2006* with gender inclusive language. This will include removing references to language such as 'his,' or 'her' and replacing these terms with language that does not denote gender, such as 'person.'

Adopting gender inclusive language within legislation is an important step in modernising our laws and ensuring they are inclusive for all Victorians.

We know that a gender inclusive society has many social benefits—including improving social inclusion and cohesion, and better health and wellbeing outcomes across the community. As the foundational human rights law in Victoria, it's important that the Charter reflects the more inclusive society we wish to be and should strive for.

The Government recognises that many other pieces of legislation contain outdated language. Addressing this issue for the Charter, which is a foundational document establishing equality for all Victorians, is an important first step but by no means the end of the process. Other legislation is being reviewed for inappropriate language and, as has occurred for some time now, will be updated progressively in conjunction with other reforms.

Reforms to the Adoption Act 1984 and Births, Deaths and Marriages Registration Act 1996

The Bill swiftly implements priority recommendations arising out of the Legislative Assembly Legal and Social Issues Committee's *Inquiry into responses to historical forced adoption in Victoria*.

The forced separation of children from their mothers is a shameful part of our history. For many people this has resulted in significant distress, grief and lifelong trauma. The government recognises the significant harm caused by these practices, which for many is still traumatic to this day. We are committed to providing meaningful acknowledgement and support to those who are impacted.

The Bill amends the *Adoption Act 1984* and the *Births, Deaths and Marriages Registration Act 1996* to enable the issuing of an integrated birth certificate upon request by an adopted person who is 18 years of age or above. An integrated birth certificate is a legal identity document which includes both the names of the adoptive and birth parents of the adopted person. It is of equal status to other birth certificates and will be issued free of charge for first time applicants. This is an important change that is already in place in other jurisdictions.

Providing an adopted person with the choice to obtain an integrated birth certificate is the most appropriate way to address the interests of people who are adopted, as recommended by the Inquiry. The right to choose balances the adopted person's right to have their identity and heritage recognised with their right to privacy and protection from unwanted disclosures.

The Bill improves access to adoption information for critical service organisations by providing the Secretary of the Department of Justice and Community Safety with a discretionary power to use and disclose adoption information. Adoption information can only be disclosed if the Secretary has considered the best interests of the adopted child or person and is satisfied in all the circumstances it is desirable to disclose such information.

In addition, the Secretary of the Department of Justice and Community Safety will have the power to obtain historical adoption records and information so they can be properly protected and be accessible into the future. It is vital that this history is preserved, to help ensure the mistakes of the past are never repeated.

The Bill will remove the requirement for a mandatory interview prior to the release of adoption records to adoptees and other applicants. The mandatory requirement will be altered to an 'offer' of counselling should it be required. This implements another recommendation of the Inquiry and recognises current modern practice.

The Bill will also make amendments that remove some of the current grounds for dispensing with consent to adoption of a child on grounds which indicate the child may be in need of protection. This will mean that where a situation of neglect or ill-treatment of a child exists, and the parents did not consent to the child being subject to an adoption order, the child could be kept safe and be cared for within the child protection system instead.

Increasing diversity and improving governance arrangements for the Judicial College of Victoria Board

The Bill will acquit Recommendation 7 from the Szoke Review of Sexual Harassment in Victorian Courts and VCAT by increasing the number of appointed directors on the Judicial College Board from 2 to up to 4 directors. This increase will help to ensure the education for Victoria's judicial officers is directed by a more culturally diverse and community-based Board of directors. This diversity will help the judiciary to tackle the problems of sexual harassment as well as ensuring judicial education is reflective of Victoria's diverse community.

Other amendments to the Judicial College governance processes will help to ensure that the College can continue to focus on providing the best education for Victorian judicial officers by streamlining their processes and reducing administrative inefficiencies.

The Bill will amend the decision making around rules of the court so that one or more Deputy Chief Magistrates are required to make rules of the court instead of two or more. This change better reflects the governance arrangements of the court and will assist to improve efficiencies in the court's operations.

Clarifying federal jurisdiction matters in the Victorian and Civil Administrative Tribunal Act 1998

The *Victorian Civil and Administrative Tribunal Act 1998* empowers the Magistrates' Court to resolve disputes involving federal jurisdiction that cannot be heard by VCAT.

Matters can be commenced in VCAT by 'application' by a party or by 'referral' from a third party, such as a public authority or Minister.

The Bill puts beyond doubt that existing provisions that allow people to apply to the Magistrates' Court to hear matters which were struck out, dismissed or rejected by VCAT or withdrawn on the ground that they involve federal jurisdiction, apply to 'referrals' as well as 'applications' and can be heard by the Magistrates' Court.

These amendments ensure the existing provisions are not interpreted in a way which would leave referring entities and parties to referrals without a legal avenue to resolve the matters if they involve federal jurisdiction.

Updating criminal jurisdictions in the Crimes at Sea Act 1999

The Bill will make technical amendments to update the *Crimes at Sea Act 1999*. Victoria is part of a national cooperative scheme for applying and enforcing criminal jurisdiction in areas adjacent to Australia's coast. Following the 2018 Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea, the areas of criminal jurisdiction adjacent to Australia's coastline were amended in the relevant Commonwealth legislation.

The amendment to the Crimes at Sea Act will achieve consistency with the national cooperative scheme by updating descriptions of the areas adjacent to Australia's coastline. The proposed amendments have no substantive impact on Victoria's criminal jurisdiction as they primarily relate to Western Australia's and the Northern Territory's criminal jurisdictions.

Amending the secrecy provision in Gender Equality Act 2020

The Bill also includes amendments that will support better gender equality outcomes in Victorian workplaces, helping to achieve the objectives of the *Gender Equality Act 2020*.

One of the functions available to the Public Sector Gender Equality Commissioner is to conduct dispute resolution for a systemic gender equality issue that adversely affects a group or class of employees within a designated body. Currently, the Commissioner is subjected to a secrecy provision which prevents them from using or disclosing information obtained during the course of dispute resolution. This Bill amends the secrecy provision in section 46 of the *Gender Equality Act 2020* to allow the Commissioner and specified persons to, in certain circumstances, use or disclose information obtained during the course of dispute resolution.

The amendments will allow the Commissioner to more effectively discharge their educative, research and reporting functions under section 36 of the *Gender Equality Act 2020*. They will also enable the Commissioner to enter into meaningful information sharing schemes with relevant bodies, including the Victorian Equal Opportunity and Human Rights Commission and the Fair Work Commission, where the information is relevant to the performance of the duties and functions or the exercise of powers of the Commissioner or that relevant person or body. This will support more effective processes and improve outcomes for affected parties, for example where a party to a systemic gender equality dispute referred to the Commissioner has also raised a related individual complaint of discrimination with the Victorian Equal Opportunity and Human Rights Commission. The amendments would also align the Commissioner's obligations under the *Gender Equality Act 2020* with obligations arising under other laws.

I commend the Bill to the house.

Ms McLEISH (Eildon) (10:40): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday, 20 April.

AGRICULTURE LEGISLATION AMENDMENT BILL 2022

Statement of compatibility

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure, Minister for the Suburban Rail Loop) (10:41): In accordance with the Charter of Human Rights and Responsibilities Act 2006 I table a statement of compatibility in relation to the Agriculture Legislation Amendment Bill 2022.

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 Agriculture Legislation Amendment Bill 2022 (the **Bill**).

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

Overview of the Bill

The Bill makes various amendments to the following Acts:

- Agricultural and Veterinary Chemicals (Control of Use) Act 1992;
- Catchment and Land Protection Act 1994;
- Dairy Act 2000;
- Drugs, Poisons and Controlled Substances Act 1981;
- Farm Debt Mediation Act 2011;
- the Livestock Disease Control Act 1994;
- Meat Industry Act 1993;
- Plant Biosecurity Act 2010;
- Rural Assistance Schemes Act 2016;
- Veterinary Practice Act 1997; and
- Wildlife Act 1975.

Part 1—Human rights issues

In light of the range of Acts amended by the Bill and issues that arise, this Statement of Compatibility commences with an outline of all rights engaged by the Bill. It then discusses the compatibility of relevant Parts of the Bill with those rights.

Equality

Section 8(3) of the Charter relevantly provides that every person is entitled to equal protection of the law without discrimination and has the right to equal and effective protection against discrimination. The purpose of this component of the right to equality is to ensure that all laws and policies are applied equally, and do not have a discriminatory effect.

‘Discrimination’ under the Charter is defined by reference to the definition in the *Equal Opportunity Act 2010* on the basis of an attribute in section 6 of that Act (including, for example, age, sex and disability). Discrimination can either be ‘direct’ or ‘indirect’. Direct discrimination occurs where a person treats, or proposes to treat, a person with an attribute unfavourably because of that attribute. Indirect discrimination occurs where a person imposes a requirement, condition or practice that has, or is likely to have, the effect of disadvantaging persons with a protected attribute, but only where that requirement, condition or practice is not reasonable.

Right to freedom of movement

Section 12 of the Charter provides that every person lawfully within Victoria has the right to move freely within Victoria, to enter and leave Victoria, and to choose where to live in Victoria. The right extends, generally, to movement without impediment throughout the State, and a right of access to places and services

used by members of the public, subject to compliance with instructions legitimately made in the public interest. The right is directed at restrictions that fall short of physical detention (restrictions amounting to physical detention fall within the right to liberty, protected under section 21 of the Charter).

Right to privacy

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

The right to privacy is broad and extends beyond information privacy to include, for example, the right to personal autonomy, dignity and identity. It may also apply to protect a person against unlawful or arbitrary restrictions on employment, which may affect a person's personal relationships and private life.

Right to freedom of expression

Section 15(2) of the Charter provides that every person has the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds. However, section 15(3) provides that special duties and responsibilities attach to this right, which may be subject to lawful restrictions reasonably necessary to respect the rights and reputations of others, or for the protection of national security, public order, public health or public morality.

Right to take part in public life

Section 18(1) of the Charter provides that every person in Victoria has the right, and is to have the opportunity, without discrimination, to participate in the conduct of public affairs, directly or through freely chosen representatives.

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. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely.

Right to a fair hearing

Section 24(1) of the Charter provides that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The concept of a 'civil proceeding' is not limited to judicial processes, but may encompass the decision-making procedures of many types of tribunals, boards and other administrative decision-makers with the power to determine private rights and interests. The right may be limited if a person faces a procedural barrier to bringing their case before a court, or where procedural fairness is not provided. However, the entire decision-making process, including reviews and appeals, must be examined in order to determine whether the right is limited.

Right to be presumed innocent

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

Right against self-incrimination

Section 25(2)(k) of the Charter provides that a person charged with a criminal offence is entitled not to be compelled to testify against themselves or to confess guilt. This right is at least as broad as the common law privilege against self-incrimination. It applies to protect a charged person against the admission in subsequent criminal proceedings of incriminatory material obtained under compulsion, regardless of whether the information was obtained prior to or subsequent to the charge being laid. At common law, the High Court has held that the protection accorded to pre-existing documents is considerably weaker than that accorded to oral testimony or to documents that are brought into existence to comply with a requirement to produce information. Accordingly, any protection afforded to pre-existing documents by the privilege is limited in scope and not as fundamental to the nature of the right as the protection given to the compulsion of oral testimony.

Right not to be tried or punished more than once

Section 26 of the Charter provides that a person must not be tried or punished more than once for an offence in respect of which they have already been finally convicted or acquitted in accordance with law. This right reflects the principle of double jeopardy. However the principle only applies in respect of criminal offences—

it will not prevent civil proceedings being brought in respect of a person's conduct which has previously been the subject of criminal proceedings, or vice versa.

Penalties and sanctions imposed by professional disciplinary bodies do not usually constitute a form of 'punishment' for the purposes of this right as they are not considered to be punitive.

Part 2—Amendment of Agricultural and Veterinary Chemicals (Control of Use) Act 1992

Part 2 of the Bill amends the *Agricultural and Veterinary Chemicals (Control of Use) Act 1992 (AVCU Act)* in relation to the inspection and enforcement powers of Authorised Officers (AOs). Relevantly, new s 53A provides that AOs may exercise powers for the purposes of determining whether the Act has been complied with, preventing the commission of an offence or determining the source of agricultural spraying or the cause of contamination.

Powers of entry, inspection and information-gathering

Clause 10 inserts new ss 54 to 54AJ into the AVCU Act. New s 54(1) empowers AOs to, at any reasonable time, enter any place, other than a place occupied as a residence, and inspect anything found at that place, if they reasonably suspect that certain things are or may take place relating to the manufacture, storage, use and or contamination of chemical products or equipment; or the place is occupied by a person who holds or is reasonably suspected to require a licence under the Act. AOs may also, at any reasonable time, enter any other place (other than a place occupied as a residence) if they reasonably believe that it is necessary to do so to access a place that may be entered under s 54(1). Amended s 54 provides that AOs must cause as little inconvenience as possible and must not remain at a place any longer than necessary.

Under new s 54AB AOs may, at any reasonable time, stop, enter and inspect any vehicle, vessel or aircraft the inspector reasonably believes or suspects is, has been or may be used to transport, keep or store certain chemical products or stock, or for agricultural spraying. AOs may also enter and inspect any other vehicle, vessel or aircraft the AO reasonable believes or suspects is, has been or may be used for such purposes. If the AO considers a stopped vehicle is not safe or practical to inspect, they may require the driver or person in charge to present it at some other reasonable time and place for inspection. AOs may also request or require assistance from certain persons (non-compliance with an AO requirement without reasonable excuse is an offence: s 54J). In exercising these powers, s 54AC requires AO to take all reasonable steps to notify occupants on entry and if such persons are not present, to leave a notice of their entry, unless doing so would unreasonably interfere with their exercise of powers or cause unreasonable delay.

Privacy

These powers may engage the right to privacy of persons present at a place or within a vehicle, vessel or aircraft the subject of an AO's decision to stop, search and or inspect. New ss 54AH–54AJ permit AOs at any reasonable time to take photographs and recordings, and require persons to answer questions, give information and produce documents. To the extent that a person's personal information is captured in the course of an inspection, their privacy may be interfered with. However, to the extent that the new provisions interfere with the right to privacy, I consider that the right will not be limited. Any interference is authorised by legislation that is appropriately circumscribed. AOs are precluded from inspecting residential premises and may exercise their inspection and information-gathering powers to ensure compliance with the regulatory scheme of the Act, per new s 53A. Relevant powers may only be exercised at reasonable times, and on a reasonable suspicion. As such, I am satisfied that interferences with individuals' privacy that may occur under these provisions will be predictable and proportionate to the aims of the regulatory scheme under the AVCU Act, and will therefore not be arbitrary.

Property

Exercise of these powers may also interfere with a persons' enjoyment of premises or vehicles, vessels or aircraft which are stopped, entered and or inspected, and or deprive owners of chemical or other products the subject of inspection from the right to deal with those products, thereby engaging the right to property. Relevantly, new ss 54AF–54AG also permit AOs to, at any reasonable time, open packages they reasonably suspect contain certain products, remove any label or advice note and take and remove for analysis or examination samples or equipment. A person may be deprived of property if packages are opened and or it is taken for examination. However, I am satisfied that no limitation of the right to property will occur. Any deprivation of property will be confined to that required by AOs to check compliance with the Act under 53A, and can only occur at a reasonable time and on the relevant reasonable suspicion of AOs. AOs must announce or give notice of their entering a place to relevant owners or occupants. As such, I consider that the right to property is not limited by these provisions.

Freedom of movement

The stopping, entry and inspection of vehicles may interfere with persons' ability to move freely in Victoria. This is particularly so for persons who are required to bring a vehicle to a separate place for entry and

inspection. However, any interference will be temporary—only for the duration of time required by an inspection, and will be for the important purpose of ensuring compliance with the controls on the use of certain products in the AVCU Act, regulation which is in the public interest. I am therefore satisfied that the provisions are compatible with the freedom.

New offence provisions

The Bill inserts new ss 54J–54L, which are offence provisions. Relevantly, s 54J renders it an offence to fail to comply with an AO requirement without reasonable excuse. Officers of a body corporate which breach these provisions may be also be liable for breach if they authorised or permitted or were otherwise knowingly concerned (by act or omission) in the commission of the offence.

Reverse onus

By creating a ‘reasonable excuse’ offence exception, s 54J may be viewed as placing an evidential burden on the accused, in that it requires the accused to raise evidence as to a reasonable excuse. (This provision may also apply personally to officers of bodies corporate which satisfy s 72A.) However, in doing so, this offence does not transfer the legal burden of proof. Once the accused has pointed to evidence of a reasonable excuse, which will ordinarily be peculiarly within their knowledge, the burden shifts back to the prosecution who must prove the essential elements of the offence. I do not consider that an evidential onus such as this limits the right to be presumed innocent, and courts in other jurisdictions have taken this approach.

Powers to require answers to questions and the production of documents

New ss 54AI–AJ empower AOs to, at any reasonable time, require a person to answer a question to the best of their knowledge and take reasonable steps to provide information, and to produce any document the AO reasonably requires. Existing s 54I provides that it is a reasonable excuse to refuse or fail to give information or do any other thing if required to do if doing so would tend to incriminate a person. However, it is not a reasonable excuse to refuse to fail to produce a document.

Right against self-incrimination

The amendments engage the right against self-incrimination. However, where an AO asks questions, the requirement is subject to a reasonable excuse, including the privilege against self-incrimination, so the right will not be interfered with. In the case of the production of documents, there is not a reasonable excuse for the production of documents and so the right may be interfered with. However, the right doesn’t attach as strongly to pre-existing documents. Therefore, I consider that the protection will not be limited by the amendment.

Provision for electronic service

Clause 24 of the Bill inserts new s 73A, which clarifies that AOs may give any notice under the Act orally or in writing, and that any written notice or other document may be given or served on a person under the Act in person, by post, by leaving it at an address with certain persons or by sending it by electronic communication to a person’s usual or last known electronic address.

Fair hearing

The fair hearing right may be relevant to the electronic issuing of infringement notices within the meaning of the *Infringements Act 2006*. The Infringements Act provides that an infringement penalty must be responded to within the period specified in the infringement notice, and that infringement notices may be referred to a court or be registered under the *Fines Reform Act 2014*. These steps may fall within the s 24(1) definition of ‘civil proceeding’ and engage an individual’s Charter right to a fair hearing. The Supreme Court has held that, in civil proceedings, the right in s 24 of the Charter applies to the initiation of a proceeding as well as to all the steps taken, orders made or directions given in the course of the proceeding.

There may appear to be a risk that persons will not be aware that they have been sent an infringement notice by electronic communication, and thereby affect the procedural fairness of enforcement processes that follow. If individuals do not know they have been issued with a notice, they will not be aware of when they have to pay a penalty, or the period within which they may seek review of the notice. However, the option for electronic issuing is supplementary to the other service options set out above and AOs can employ the mode of service appropriate in the circumstances. Individuals who have provided their electronic address to AOs will be on notice that they may receive correspondence or notices at that address. Further, procedures for the provision of penalty reminder notices and other correspondence under the Infringements Act and *Fines Reform Act 2014*, which provide for personal service, will remain unaltered, and must occur prior to any penalties in infringement notices being finally enforced.

Because of these factors, I consider that the amendments in the Bill relating to electronic service do not limit the right to a fair hearing and are compatible with the Charter.

Part 3—Amendment of Catchment and Land Protection Act 1994

Part 3 of the Bill relevantly amends the *Catchment and Land Protection Act 1994 (CLP Act)* to improve the controls for noxious weeds and pest animals; to strengthen AO inspection and enforcement powers; and to amend offence provisions relating to the spreading of noxious weeds.

*Privacy*A person must notify the Secretary of a notifiable species on land

The Bill inserts new section 58C(8) into the CLP Act, which requires a person who suspects the presence of a notifiable species on land to notify the Secretary of that fact without delay. Insofar as these provisions may require disclosure of personal information, it will not be arbitrary as the information required must relate to noxious weeds and pest animals that pose a serious risk to the environment, community health and primary production.

Power to require a person to produce information or documents

The Bill inserts a number of new provisions which allow AOs to require a person to produce information or documents kept by that person as well as examine and make copies or notes of the documents.

The production of information or documents on entry

New section 79B allows an AO to require a person, on reasonable notice and for the purpose of ascertaining whether or not a person is complying with the Act or the regulations, to produce information or documents kept by that person as well as examine and make copies or notes of the documents. These documents may be any record or documents relating to the person (including financial, accounting to business records) that are kept by the person; or the production of such records or documents by any other person who is holding those records on behalf of the person.

The Bill also adds a new section 82(4)(bb) in the context of an emergency entry, requiring a person to produce any document if the AO reasonably believes it to be relevant for the purpose of ascertaining whether or not this Act and regulations have been complied with as well as examine and make copies of the document. While there is no safeguard of reasonable notice as provided under section 79B, the Act requires an AO, on leaving the land, to leave a notice which sets out details of the emergency entry (82(5)) which limits arbitrary interference, which is appropriate in the context of an emergency entry.

The requirement to produce any records relating to the person, including financial and business records, will necessarily interfere with the private spheres of persons. However, any such interference will not be arbitrary. The purpose of the power to compel production is strictly prescribed, for the purpose of monitoring compliance with the CLP Act. In my view, this power is necessary to properly enforce the CLP Act, as an AO may have difficulty determining compliance with the CLP in the absence of communication from an owner or occupier of land, such as if they fail to fulfil their notification requirements under the Act or choose not to attend any inspections. The power also enables noncompliance to be detected more promptly and remedial actions undertaken in response, particularly where there may be serious and pressing risks to biosecurity with the potential to affect large areas. Accordingly, I am satisfied that any interference with privacy is proportionate to the important objectives of protecting primary production, the environment and community health.

Entry and land search powers where a prohibited weed 'may' be on the land

Previously, authorised officers have relied on emergency entry powers under section 82 and powers to undertake certain work under section 79 in order to enter and search neighbouring properties for the presence of State prohibited weeds and restricted pest animals and to undertake broader surveillance programs of areas to ascertain their presence.

Clause 41 of the Bill amends section 82 of the CLP Act to provide authorised officers with explicit powers to enter properties, without an authorised officer needing to hold a belief on reasonable grounds that prohibited weed 'is' on the land; rather, it will be sufficient that they have a reasonable belief that a prohibited weed 'may' be on the land.

While these powers engage privacy rights and expand the circumstances in which entry powers may be exercised, they are not arbitrary as they assist in achieving the objectives of monitoring land within a wider geographical area, following detection of a prohibited weed. This expansion will allow, for example, an authorised officer to check for the absence of a prohibited weed, or to re-check a property at which eradication works have been undertaken to see if that work is deemed effective to achieve its purpose and so serves an important land management purpose. There is also a seven day notice requirement as well as a provision stating that the power to enter does not apply to a dwelling, which protects the privacy of the home. In my view, the right to privacy is not therefore not limited because the interference with privacy is neither arbitrary nor unlawful.

Enabling an officer, without a warrant, to search a vehicle, trailer machinery or equipment

The Bill inserts new section 83EA, which allows an AO, at any time without a warrant, to search a vehicle, trailer machinery or equipment. The officer may search any parcel, basket, bag, box or receptacle for anything which the authorised officer reasonably believes has been or is being used in the importing, keeping or trading pest animals or noxious weeds. Again, while these powers engage privacy rights, these search powers are necessary as high-risk invasive species, such as prohibited weeds or pest animals, present a serious threat to the economy and environment. As the overall volume and movement of people and goods continues to grow, and becomes faster and easier as technology improves, enhanced enforcement powers are required to manage the increased potential for the entry of infested or noxious goods into the state. As well as serving an important regulatory purpose the most cost-effective management of these high risk species is to prevent their entry as quickly as possible, which is enabled by this provision. Accordingly, in my view, the privacy rights will not be limited.

Direct entry powers

Clause 40(4) of the Bill repeals a number of consent-based provisions in the CLP Act (81(4)), which has the effect of giving AOs powers of direct entry under section 81(1).

Entry, search and examination without occupier consent

Repealing the consent-based provisions under the CLP Act will allow an AO to enter, search and examine goods and vehicles on land, under section 81(1), without consent of the occupier of land. While this may engage privacy rights, any interference with privacy will not be unlawful provided it is permitted by law, is certain, and is appropriately circumscribed. In this case, to enable the Secretary to fulfil these duties and protect Victoria's environment and agriculture from pests, it is both necessary and reasonable that an AO is allowed to access land to check for their presence and absence. In practice, the requirement for authorised officers to obtain consent of the occupier simply gives the occupier the opportunity to refuse consent and then remove and destroy evidence of contravention. In any event, if an authorised officer believes on reasonable grounds that there is on premises evidence that a person has contravened the act or the regulations, they will seek approval for the issue of a search warrant under the Act. However, in these circumstances a warrant is not appropriate as they take significant time and administrative effort, where quick detection of noxious weeds is required.

It may also be operationally impractical due to resourcing limitations, such as availability of authorised officers combined with remote locations, to arrange consent to enter all properties within an area so that they can be visited in a coordinated and short timeframe, particularly if there are absentee landowners. Thus, repealing these provisions serves an important land management purpose. There is a short window during which these weeds and pest animals, which cause or have potential to cause significant damage, can be eradicated. The legislation aims to support early detection and eradication before they become a significant problem for Victoria. Accordingly, in my view the repeal of the section does not give rise to any limit on the right to privacy.

Taking of photos and video recordings during a search on land without occupier consent

The repeal of the consent-based provisions will allow an AO to take of photographs (including video recordings) during a land search under section 81(1). The taking of photos and video during a land search will allow for further and better analysis of what is on the premises in order to accurately ascertain whether or not a person is complying with this Act or the regulations.

In addition, a number of factors safeguard against arbitrary interferences with the right, including: that the occupier must be given seven days written notice of entry, setting out the reasons for entry; the power to enter does not apply to a dwelling; and that the right to take photos and video recordings will be confined by the parameters of AOs functions and duties when entering relevant land. Accordingly, the power is appropriately confined such that there is no limit on the right to privacy.

Officers can take photos and videos during searches of vehicles for noxious weeds

Section 83E of the CLP Act allows an authorised officer to search vehicles for noxious weeds, at any time, without a warrant if the authorised officer believes it is necessary in order to comply with 70A(1) of the Act. The Bill amends s 83E to enable an authorised officer or police officer, when inspecting a vehicle for noxious weeds, to take photographs and videos of anything found during the search of a vehicle and to inspect and make copies of any document. As above, I consider no arbitrary or unlawful interference with the right to privacy as the power to take photos and videos or examine items is reasonable in the circumstances.

Owners of land who sell or transfer land are required to provide personal information to the Secretary

The Bill inserts section 85B which requires a person who is the owner of land that is the subject of a land management notice, a priority area notice or a directions notice, to give written notice to the Secretary if they

decide to sell or transfer their land. The notice will include: the land owner's name and contact details, the street address of the land and the volume and folio numbers of the certificate of title (or the Crown allotment details of the land). It also requires the name and contact details of the new owners of the land. The compulsion of information sharing will engage privacy rights. However, a landowner will only receive notice where they have failed to comply with their duties to take reasonable steps to eradicate or prevent the spread of noxious or prohibited weeds or otherwise needs to take these steps. Accordingly, providing the Secretary with their contact information will allow the Secretary to better monitor the potential growth and spread of noxious weeds or pest animals on at-risk land areas. That information will only be shared in limited circumstances, for the purpose of controlling the threat of weeds and pests on land identified that this is necessary to do so, will mean that there is no arbitrary or unlawful interference with the right.

Property

Under section 71, the CLP Act currently requires a person to obtain a permit from the Secretary to buy, sell, possess, display, plant, propagate, import into Victoria or transport noxious weeds in Victoria. It also requires the movement or sale of various materials and things such as soil, fodder, machinery or animals which are likely to do, or do, contain the seeds of noxious weeds.

Person must apply for a permit to sell or move animal bedding materials

The Bill inserts new s 71(15) which requires a permit for the removal or sale of bedding materials used by animals in primary production. It further creates an offence to move such materials and other goods that are likely to contain seeds or other parts of noxious weed that are capable of growing. This may engage the right to property, as requiring a person to apply for a permit may operate to restrict how a person may use their property or interfere with a person's ability to derive a profit from their property. However, in my opinion there is no limitation on the right to property in section 20 of the Charter because there is no permanent deprivation of a person's property. Also, the interference is in accordance with law as it is for an important public purpose and will occur pursuant to and circumscribed by legislation.

Powers of Secretary to refuse a permit to buy, sell, or otherwise possess noxious weed in Victoria

The Bill inserts new section 71A requiring a person to apply to the Secretary in writing for a permit or for the renewal of a permit to do any of the things referred to in 71(1) to (17). The section further provides the permit may be granted, refused by the Secretary 71A(4) made subject to any conditions 71A(6)(c) or revoked (71B). Insofar as existing permits could be characterised as 'property' under the Charter, the Secretary's powers to refuse applications may be seen to constitute a deprivation of property, in that refusing permit would deprive a person of using or selling their property in a way that they choose. However, any deprivation will consequently be confined and not arbitrary but for the important purpose of limiting the transfer of plants affected by disease. I therefore consider that any interference will not be arbitrary and as such, compatible with the Charter right.

Taking of sample soil, stone or land during a search without occupier consent

Repealing the consent-based provisions under the CLP Act (section 81(4)) will allow an AO to take any sample soil, stone or land during a search under section 81(1), which may deprive a person of their property. However, I am satisfied that no limitation of the right to property will occur. As above, any deprivation will consequently be confined and not arbitrary but for the important purpose of limiting the transfer of plants affected by disease. AOs must also give notice of their entering a place to the relevant owner or occupants. As such, I consider that the right to property is not limited, compatible with the Charter right.

Seizure of pest animal or thing during boat or vehicle search

Section 83D provides powers to authorised officers and police officers to enter and search any boat or vehicle suspected of being involved in the importing, keeping, trading and releasing of pest animals. The Bill amends section 83D(2) to include reference to the seizure of a pest animal or a thing to prevent its loss, concealment and destruction and its use in committing or continuing to commit an offence against the Act or regulations. Powers to seize pest animals or things may in certain circumstances amount to deprivation of property. However I consider the seizure of pest animals to be in accordance with the law; the circumstances in which the property can be seized is clearly specified and constrained, which is to prevent loss, concealment or destruction and to prevent the person from continuing to commit or repeating an offence against the CLP Act.

Take and keep samples of blood, bodily fluids or other matter from any pest animal, noxious weed or other thing or seize anything during search of personal property

Similarly, new Section 83EA in the context of a search of a personal property on the basis of a reasonable belief the property is used in the importing, keeping, trading or releasing of pest animals or noxious weeds in contravention of this Act, the AO may without warrant take and keep samples of blood, bodily fluids or other matter from any pest animal, noxious weed or other thing or seize anything found during the course of the search. Again, I consider this provision does not limit the right to property as it relates only to the taking of samples and

is unlikely to lead to a material deprivation of property rights. In the event that it may, I consider any limit to justified in relation to preventing a serious threat to the economy and environment, as outlined above.

The right against self-incrimination

The Bill inserts new section 84AA(2) to provide that a natural person who received a request to produce a document or to answer a question under section 82 is not excluded from producing a document or answering a question on the grounds that the production of the record or the response to the question would tend to incriminate that person.

Section 25(2)(k) of the Charter provides minimum guarantees in criminal proceedings including the right to be free from self-incrimination. A compulsion to produce documents or answer questions may limit this right by abrogating the privilege against self-incrimination.

However, if a person, before producing a document or answering a question, claims that it may incriminate them, new provision 84AA(3) says that their refusal to produce documents or answer questions is not admissible as evidence in any criminal or civil proceedings. An exception is carved out for an offence under section 84(1)(e) (which relates to the provision of false information). Accordingly, I am satisfied that this immunity is sufficient protection to ensure the right is not limited in this context.

While I note this immunity does not extend to prevent derivative use of information obtained through this provision, to do so would unreasonably restrict the effective monitoring and investigation of compliance with the CP Act, by either making AOs reluctant to exercise essential investigative powers for risk of having evidence deemed inadmissible, or lead to an unacceptable risk of those responsible for wrongdoing escaping liability and continuing to pose threats to biosecurity, the environment and the economy. Further, to extend the immunity to proceedings in respect of the provision of false information in breach of the CPL Act would render such prosecutions unworkable, and undermine the essential duty that a person not knowingly provide false information where required under the Act.

Accordingly, to the extent that the provision may limit section 25(2)(k) of the Charter, I consider that it is reasonably justified.

Part 5—Amendment of Drugs, Poisons and Controlled Substances Act 1981

Part 5 of the Bill relevantly amends the *Drugs, Poisons and Controlled Substances Act 1981 (DPCS Act)* in relation to the regulation of applications for authorities for activities relating to low-THC cannabis, as well as the renewal, cancellation and suspension of such authorities. Consequential amendments are made to the existing poppy cultivation and processing licences, renewal, cancellation and suspension provisions to achieve consistency with the modified low-THC cannabis scheme.

Applications for authorities

Clause 56 amends s 62 to provide that a person may apply to the Secretary for an authority authorising that person to engage in certain activities relating to low-THC cannabis, for commercial or research purposes relating to non-therapeutic use. Clause 57 amends s 63 to require the Secretary to investigate such an application upon receipt, and require the applicant or any ‘associate’ (as relevantly defined in the Act) to submit a national criminal history check that was undertaken within 6 months of submission. The Chief Commissioner of Police (CCP) must inquire and report on matters they believe are appropriate or necessary or that the Secretary requests, and notify the Secretary of their decision to oppose or not oppose the issuing of an authority, and subject to s 69AC(1) (which provides that ‘protected information’ must not be disclosed), provide reasons. If the Secretary is notified the CCP opposes an application, they must not issue the authority. If an application is refused, the Secretary must give notice to the applicant, with reasons (excluding protected information) and information on their right to seek VCAT review. Similar notice requirements are introduced for decisions to refuse application renewals, as well as applications for poppy cultivation and processing licences or licence renewals (see cls 63, 72, 74, 76 and 78).

Other requirements for a national criminal history check

Clauses 71, 73, 75 and 77 amend the Act to require that on receipt of an application for a licence, the Secretary must require that an applicant or their associate submit a national criminal history check undertaken within 6 months of submission. A ‘national criminal history check’ is a check of the criminal history of the person in or outside of Australia with or through a police force or other authority of Victoria, another State, a Territory or the Commonwealth, as defined in amended ss 61(1) and 69N.

Privacy

The requirement that an application for an authority or licence be investigated by the Secretary, and or be inquired into by the CCP, may engage an applicant’s right to privacy, as any investigation or inquiry is likely to reveal personal information relating to them. These provisions may also engage a person’s right to privacy to the extent that they compel the provision of a national criminal history check (**check**) from applicants and

their associates. Both the process of having a check conducted and the provision of a completed check may involve the collection and sharing of personal information, including sensitive information, which will engage the privacy right. However, any interference with a person's privacy occasioned by either process will be for the important purpose of assessing whether a person is a fit and proper person who should be granted a licence or authority to deal with a drug of dependence. Persons apply for authorities or licences voluntarily and as such become aware that a check must be provided. Investigation of an application or renewal is necessary for the important purpose of ensuring that the Secretary is satisfied that a person is suitable to hold an authority or licence. I am satisfied that the amendments do not limit the Charter right to privacy.

Suspension or cancellation of authorities and licences

Clause 64 amends s 69A which provides for the suspension or cancellation of authorities. Under the amendments, the Secretary may suspend or cancel an authority if satisfied the authority holder or their associate is no longer a fit and proper person to hold or be associated with the authority, or if the CCP requests it on the basis of protected information, which may occur at any time. The CCP must provide reasons for doing so (excluding protected information). Clause 79 makes equivalent amendments to s 69QA, which provides for the suspension or cancellation of poppy cultivation and processing licences, to allow the Secretary to request a suspension or cancellation, giving reasons (excluding protected information). On receipt of either such request, the Secretary must suspend or cancel the licence or authority, and as soon as practicable, notify the relevant person, providing reasons, and inform them of their right to seek VCAT review.

Privacy

To the extent that an authority or licence is required for a person's work, these amendments may interfere with a person's ability to work and therefore their ability to maintain a private life. However, I consider that any interference that occurs will be authorised by law and not arbitrary. The drugs of dependence that authorities and licences authorise being dealt with are otherwise controlled and it is appropriate that there be strict safeguards around the provision and maintenance of such authorities and licences. The right to seek review of adverse decisions protects against any arbitrary outcomes. Any interference can therefore be seen to operate for a protective purpose and I consider that the provisions are compatible with the right.

Right not to be punished more than once for the same offence

The right to not be punished more than once may appear to be engaged by decisions to cancel or suspend licences on the basis of 'fit and proper' person decisions or protected information that each relate to a holder having received a criminal penalty. However, a cancellation or suspension is protective and not punitive in nature, and can only occur where the Secretary is satisfied of certain matters or on the CCP's request. Therefore, the amendments do not constitute a 'punishment', and do not engage the right in s 26.

Decisions based on protected information and procedure for VCAT review

Clause 65 inserts new s 69AC to provide that if the CCP opposes the issuing or renewal of an authority or requests a suspension or cancellation wholly or partly based on protected information, the CCP may decide to include or not include specified protected information. If the Secretary's decision is based on protected information, they must specify that their decision is based on CCP advice. Clause 80 makes equivalent amendments to s 69U, which relate to poppy cultivation or processing licences. Each section provides that s 8 of the Administrative Law Act 1978 does not apply to such decisions.

Clause 66 inserts new ss 69BA–BF, which relate to the procedure for VCAT review of a decision to refuse, suspend, cancel or amend an authority. Under the amendments, VCAT must enquire as to whether the decision was based on any protected information, and the Secretary must respond in writing. If the decision was based on protected information, VCAT must appoint a special counsel to represent the interests of the applicant, who may communicate with them to obtain information and seek instructions. However the special counsel must not do so once they have commenced attending hearings or have obtained any confidential affidavit.

In such matters, the CCP must be joined as a party and at the first hearing and VCAT must decide whether or not the information is protected. This and subsequent hearings involving protected information must be heard in private. The Secretary is only entitled to attend if protected information was given to the Secretary from the CCP, otherwise only the CCP and special counsel may attend. Parties may make submissions as to whether information was protected information, and if VCAT determines that it is, as to the weight that should be given the protected information. In making its review decision, VCAT must determine whether the applicant is a fit and proper person, and may only make orders answering this question and whether a decision has been upheld. If the special counsel wishes to seek instructions from an applicant in relation to protected information, they must submit written questions to VCAT for approval, which must hear from the CCP on the content of the questions. Under new s 69BD, VCAT may only publish reasons to the extent that they do not relate to protected information.

Fair hearing

The amendments which provide for decisions made on the basis of protected information and for VCAT review engage the fair hearing right. Relevantly, a person the subject of protected information may be affected by it but unable to challenge its contents. The requirement that hearings be held in private interferes with the principle of open justice. That an applicant themselves cannot attend a hearing and is precluded from giving their counsel instructions once a hearing has commenced may interfere with the ability of an applicant to have a reasonable opportunity to put their case. That the CCP may make submissions to VCAT on the content of questions counsel proposes to ask an applicant in relation to protected information disadvantage applicants. As VCAT cannot refer in its reasons to protected information, the ability of applicants to mount an effective appeal to a decision based on protected information may be hampered. I therefore consider that the right may be limited by these amendments, and the question becomes whether the limitation is justifiable.

The limitation on the fair hearing right is for the protective purpose of ensuring protected information is not released. Protected information includes information that is 'likely' to reveal identities, methods or jeopardise safety, or put investigations at risk, or may prejudice investigations. The need to protect law enforcement investigative techniques and intelligence has been accepted by courts as a legitimate and necessary objective justifying limits on fair hearing, in order to maintain the confidentiality of information that is essential to the proper discharge of police functions. The amendments are for the important purpose of ensuring that the CCP can share protected information, or give notice of a decision being based on protected information, with, where relevant, the Secretary and or VCAT to facilitate proper and informed decision-making.

The High Court has permitted the judicial use of protected information not disclosed to an affected party, provided the court or Tribunal retain discretion to independently assess the confidential information and how much weight to afford it in terms of fairness to the parties. I note that under the amendments, VCAT will have an opportunity to assess whether information is, in fact, 'protected', and must permit the excluded party to attend the hearing if it determines that the evidence does not amount to protected information. Parties have the opportunity to make submissions as to what weight to accord the protected information in a proceeding, with the applicant being represented by a special counsel with appropriate skills and ability to represent their interests, who may obtain instructions from the applicant prior to attending the hearing or obtaining any confidential affidavit. While the special counsel is subject to limits regarding their ability to take instructions from the applicant during the hearing or after obtaining any confidential affidavit, the Bill provides for seeking additional instructions through written questions approved by VCAT.

I note that a number of schemes in Victoria provide similarly for a scheme of protected information and the appointment of special counsel to represent an applicant's interests at a closed hearing, particular in relation to regulated industries where there is strong public interest that participants and authority holders be fit and proper persons. Additionally, any limits on fair hearing apply only to a person who has voluntarily sought to assume the special duties and responsibilities of an authority or licence holder in relation to activities relating to authorities for low-THC cannabis, poppy cultivation and processing licences, which include accepting limits on the procedural fairness afforded in relation to decisions under the scheme.

I am also satisfied that there is no less restrictive means available to achieve the objective. There can be a complexity to police intelligence which makes it difficult to release details or provide summaries to affected parties without comprising the information. Information can come from a variety of agencies (including federal or international sources) and have varying levels of classification and protection requirements regarding access and disclosure. Any inappropriate release of such information may place the community at imminent risk of danger or impair the ability of police to obtain similar intelligence in the future, which is of heightened concern in the context of organised crime and proliferation of controlled substances. I consider the special counsel model to be an appropriate balance that mitigates the extent of limits on rights to the greatest extent possible.

I therefore consider the limitation to be a lawful one to protect the important public interest in maintaining the confidentiality of protected information, and as such, consider that it is compatible with the Charter.

Freedom of expression

The fact that VCAT hearings are held in private will engage the right to freedom of expression, as it limits the ability of people to attend hearings to seek and receive information, and the ability of people to report on hearings. However, as VCAT hearings involving protected information will involve sensitive material relating to policing practices and other matters, I consider that the requirement that hearings be private is a lawful restriction. I also consider that it is reasonably necessary, for instance to protect the interests of persons whom protected information may relate to or the broader public interest in ongoing police operations or methods. Therefore, the amendments are compatible with the right to freedom of expression.

Part 6—Amendment of Farm Debt Mediation Act 2011

Part 6 of the Bill relevantly amends the *Farm Debt Mediation Act 2011* (**FDM Act**) to streamline and harmonise the operation of that Act with other jurisdictions.

Property

The Act requires creditors to offer farmers farm debt mediation before taking enforcement action. Clause 91 of the Bill inserts new s 7A which requires a creditor to hold an exemption certificate prior to taking enforcement action under a farm mortgage. Cl 92 substitutes new ss 8 and 9 which require creditors to give notice of their intention to take enforcement action, and preserve the right of farmers who initiated farm debt mediation when not in default to be offered the procedure if or when a creditor intends to take enforcement action under a farm mortgage.

To the extent that a creditor is a natural person, the amendments introduced by the Bill may be seen to interfere with their right to ‘use and enjoy’ their beneficial interest in mortgaged property by enforcing their interests against a mortgagee farmer in default. Practically, the Bill introduces further limits on creditors being able to take enforcement action. However, the amendments made by the Bill are for the beneficial purpose of clarifying and preserving farmers’ ability to seek farm debt mediation. Any deprivation of the ability to enforce an interest will be temporary and confined to the limited circumstances set out in the Act as amended by the Bill. As such, I consider that the right will not be limited by the amendments in the Bill.

Part 7—Amendment of Livestock Disease Control Act 1994

Part 7 of the Bill amends the *Livestock Disease Control Act 1994* (**LDC Act**).

Limits on dealing in certain livestock

Clause 109 of the Bill substitutes s 9 with new s 9 which prohibits the dispatch, transport, sale, slaughter, processing and moving of non-branded or unidentified cattle, livestock or carcase. Clause 115 inserts new s 44B which prohibits the sale of ‘exposed cattle or pigs’, being cattle or pigs that have been on, fed or been provided with access to pastures or crops grown on sewerage land.

Property

These amendments may interfere with livestock owners’ ability to sell their livestock and therefore to ‘enjoy’ their property interests in the livestock, engaging their property rights. However, owners will not necessarily be deprived of property. Owners will be precluded from dealing with certain livestock until they have complied with the requirements in the Bill, including requirements to brand and identify livestock, and obtain any relevant approval from the Secretary. The requirements are confined and structured and as such I am satisfied that the Bill will not limit persons’ property rights.

Amendment to composition of various committees

The Bill (clauses 120, 122, 125 and 127) amends the provision for the composition of the Apicultural Industry Advisory Committee, Cattle Compensation Advisory Committee, Sheep and Goat Compensation Advisory Committee and the Swine Industry Projects Advisory Committee. The Bill relevantly sets criteria for committee membership to allow the Minister to appoint members after considering the recommendation of the Secretary and having regard to each appointees’ experience in certain relevant industry areas.

Taking part in public life

Section 18(2) of the Charter provides that every eligible person has the right, and is to have the opportunity, without discrimination—to have access, on general terms of equality, to the Victorian public service and public office. There is a question about the meaning of ‘eligible person’ in this provision. It could mean eligible under the general law—so that a change to the eligibility criteria does not engage this right, or it could incorporate a fundamental standard of ‘eligibility’—such as citizenship. In any event, the criteria to which the Minister must have regard—experience in a particular industry—is not a protected attribute for the purposes of discrimination and is clearly related to the functions of the Committees. For these reasons, the amendments do not limit the right.

Information collection, storage and sharing provisions

The Bill contains various amendments which provide for information collection, storage and sharing. Clause 115 inserts new s 44A which requires the owners of exposed cattle or pigs to notify the Secretary in the prescribed manner. The Secretary may disclose any information contained in or accompanying that notice to the Environmental Protection Authority (EPA) and or the local water corporation. Clause 134 extends the functions of the Secretary under s 107A to relevantly keep records as required under regulations, and to analyse and or publish such information. Clause 135 amends the record-keeping obligations in s 107B to require the Secretary to keep certain records, and to make records available to all ‘relevant persons’. Relevant

persons are defined to include, broadly, prescribed persons, contracting parties, and government workers, where the Secretary is satisfied that certain criteria or circumstances apply.

Privacy

To the extent that a person's personal information is captured in information collected, kept in records, or shared under these provisions, their right to privacy will be engaged. However, any interference will be authorised by law, and will not be arbitrary. In the case of s 44A, the Secretary can only disclose information to the EPA or a water corporation where satisfied that information is necessary to the body's functions. In relation to amended s 107A, any regulations made which require the Secretary to keep records that include personal information will themselves be the subject of human rights scrutiny in the form of a Human Rights Certificate, and the provision only extends record-keeping obligations (as distinct from information collection). Amended s 107B may allow personal information to be made available to 'relevant persons', however this can only take place if the Secretary is satisfied that making a record available is in the public interest, or will assist with the control of disease or the relevant persons to protect markets for livestock products, or doing so is for certain purposes including emergency response planning, reuniting livestock with owners, the administration of Acts, legal proceedings, protecting safety or relevant research or analysis work. As such, I am satisfied that any interference will not be arbitrary, and the amendments will not limit the privacy right.

Clause 136 amends s 109 to provide that inspectors can require the production of documents by electronic means, extends their power to require the production of documents to also include 'other thing[s]' and allows inspectors to make sketch, still or recording of any land, vehicle, place or premises or any animal or other thing on or at the land, vehicle, place or premises. These amendments may engage the right to privacy of persons whose personal information is captured in the course of inspectors exercising their new information-gathering powers. However, inspectors can only do so for the purposes of exercising other powers or determining compliance with the Act, and as such any interference will not be arbitrary.

Enforcement powers

Amended s 109 also permits inspectors to take and remove for analysis or examination samples of or from, or specimens of, any land, vehicle, place or premise or any animal or thing on or at the land, vehicle, place or premise. The amended power to take samples may interfere the property rights of persons who own the property sampled, however any deprivation will be minor—only sample-sized quantities may be taken. Furthermore, this can only occur in the limited circumstances where an inspector's powers are enlivened. For these reasons, I consider that the amendments will not limit the Charter rights to privacy and property, and are therefore compatible with the rights.

Clause 137 inserts new s 115AB which empowers inspectors to give notice to persons with directions to remove, destroy or dispose of contravening material in relation to the feeding of pigs, where they believe on reasonable grounds that a contravention of s 41(1) has occurred, is occurring or is about to occur (s 41(1) prohibits feeding pigs with material originating from other mammals). If the relevant person is not present, the inspector may leave the notice in a prominent place or give it by means of electronic communication.

Property

This provision may be seen to interfere with person's property rights in the relevant material, however any deprivation will be confined to material that was already in breach of the Act. Inspectors can give a notice when they believe on reasonable grounds that a contravention has occurred. I am therefore satisfied that the provision will not limit the property right. I note that giving a notice by electronic communication may engage the fair hearing right in the same manner set out above in relation to the provision for electronic service under the AVCU Act. To the extent that any proceeding may flow from the issuing of a notice under s 115AB, for the same reasons as discussed above, I consider that this provision is also compatible with the right.

Part 8—Amendment of Plant Biosecurity Act 2010

Part 8 of the Bill relevantly amends the amend the *Plant Biosecurity Act 2010* (**PB Act**) in relation to assurance certificates, plant health certificates, plant health declarations, the sale of diseased plants, the detention and seizure of plant and plant products, border security and fees and charges for beehives.

Property

Clause 153 amends s 18 of the PB Act to prohibit the sale of any plant or plant product, other than seeds, that is affected by any disease or pest. By limiting a person's ability to deal in affected plants or plant products, the amendments may interfere with their use and enjoyment of the property, engaging their property rights. However, persons will not be deprived of the property, just the ability to sell it. Any deprivation will consequently be confined and not arbitrary but for the important purpose of limiting the transfer of plants affected by disease. I therefore consider that any interference will not be arbitrary and as such, compatible with the Charter right.

Part 10—Amendment of Veterinary Practice Act 1997

Part 10 of the Bill amends miscellaneous aspects of the *Veterinary Practice Act 1997* (**VP Act**) relating to the registration of veterinary practitioners, the conduct of investigations and hearings relating to professional conduct and fitness to practice, and governance matters pertaining to the Veterinary Practitioners Registration Board of Victoria (the **Board**).

Powers of Board to suspend, or impose conditions upon registration pending investigation or hearing

Clauses 178–179 of the Bill amend sections 24 and 26A of the VP Act (respectively). The amendments relevantly empower the Board to suspend the registration of a veterinary practitioner, or to impose a condition, limitation, or restriction upon the registration, pending completion of: i) a professional misconduct preliminary investigation or hearing (clause 178); or ii) a preliminary investigation under section 25 of the VP Act into the fitness of a registered veterinary practitioner to practice veterinary medicine or surgery, and any hearing into the matter (clause 179).

The rights to equality, privacy, and fair hearing protected under sections 8(3), 13(a), and 24(1) of the Charter, respectively, are relevant to these amendments. For the reasons set out below, it is my opinion that any limit on the equality right is reasonable and justified, and that the rights to privacy and fair hearing are not limited.

Equality

Under section 25 of the VP Act, the Board may appoint a person to conduct a preliminary investigation where the ability of a registered veterinary practitioner to practise may be affected because of their physical or mental health, or because the person has an incapacity or severe substance dependence. Clause 179 of the Bill may therefore limit the right to equality as it could result in unfavourable treatment of persons with a disability (a protected attribute in section 6 of the *Equal Opportunity Act 2010*) who are subject to a preliminary investigation under section 25 of the VP Act. In particular, a practitioner with a disability may have their registration suspended, or a condition imposed upon their registration, as a result of their disability.

In my view, however, any limitation on the right to equality is reasonable and justified. The purpose of clause 179 of the Bill is to expand the range of responses available to the Board to protect the health and safety of the public, and the health and welfare of animals, pending completion of a fitness to practice investigation and (where applicable) hearing. Prior to the amendments, the Board could only suspend a registration (not impose conditions, restrictions, or limitations), or permit the practitioner to continue to practise with no controls. The power to temporarily suspend, or, with the agreement of the practitioner, to limit or impose conditions on a practitioner's registration is necessary to achieve the important legislative objective of protecting the public. I note that discrimination on the basis of disability for the protection of health and safety is a permitted form of discrimination under the *Equal Opportunity Act 2010*.

The extent of the limitation is carefully tailored to the legislative objective. In particular, the Board has discretion whether to impose any limitation upon a person's registration, and flexibility to impose conditions in lieu of complete suspension in circumstances where conditions can adequately protect the public and ensure animal welfare. As a 'public authority', the Board must give proper consideration to, and act compatibly with human rights, when exercising its discretion (section 38 of the Charter).

In addition, there are numerous opportunities to adjust, rescind, or review a registration suspension or conditions. For example, the Board is empowered under clause 179(4) of the Bill to vary or revoke any condition, limitation, or restriction before an investigation or any hearing is complete, and must revoke a suspension if it no longer believes that the ability of the practitioner to practise is likely to be affected to such an extent that allowing the person to continue practising would pose an unacceptable risk (section 26A(9) of the VP Act). A person may also apply to VCAT for review of a decision to suspend their registration if the Board has not instituted an investigation within a reasonable time of the suspension (section 55(1)(c) of the VP Act).

In my view, there are no less restrictive means available to achieve the legislative purpose. The discretionary nature of the power in clause 179 of the Bill permits the Board to choose the least rights-impairing response that will achieve the protective objectives in the circumstances of any given case. In some circumstances, the Board may decline to exercise its discretion at all.

Privacy

Clauses 178–179 of the Bill are relevant to the right to privacy in section 13(a) of the Charter, insofar as they empower the Board to temporarily suspend, or to limit, the ability of a registered veterinary practitioner to work in their chosen profession. Restrictions upon employment may engage the right to privacy in circumstances where they have a sufficient impact upon a person's capacity to experience a private life, maintain social relations or pursue employment.

However, any interference authorised by clauses 178–179 of the Bill is lawful in the sense that it is prescribed by law. And, as discussed above, any restriction is not arbitrary because the Board must exercise its discretion to impose a suspension or condition in a manner that is proportionate to the risk posed to the health and safety of the public or of animals.

Fair hearing

Clauses 178–179 of the Bill are relevant to the right to a fair hearing in civil proceedings, protected under section 24(1) of the Charter, insofar as they empower the Board to temporarily suspend, or impose conditions upon, a practitioner's registration prior to the completion of an investigation or hearing.

Any impact on the right to a fair hearing does not, in my view, constitute a limit upon the right. Part 3 of the VP Act provides numerous safeguards which ensure that a person whose registration may be suspended or subject to restrictions is accorded procedural fairness. The safeguards include written notice requirements in relation to a decision to commence a preliminary investigation or hearing, and in relation to a decision to suspend or place conditions upon a registration, as well as the opportunity to make submissions with respect to a decision to suspend or place limitations upon a registration.

Offence to disclose information identifying complainant or witness whose identity is protected

Clause 184 of the Bill substitutes a new provision for existing section 53 of the VP Act. The new provision makes it an offence to publish or broadcast a report of a formal hearing held under Part 3, where the report contains information which would enable the identification of the complainant, or of a witness whose identity is the subject of a non-publication determination made by the panel. The prohibition does not apply where the complainant or witness consents to the publication or broadcast.

A number of existing sections of the VP Act are relevant to the Charter analysis. Section 44(c) provides that, if a formal hearing arises out of a complaint, the identity of the complainant is not to be published or broadcast. Moreover, pursuant to section 44(d) of the VP Act, the panel may only make a determination prohibiting the publication or broadcast of the identity of a witness to a formal hearing if it has first determined that the proceedings should be closed because the hearing is taking evidence of intimate, personal or financial matters.

In my opinion, clause 184 of the Bill engages, but does not limit, freedom of expression under section 15(2) of the Charter. Any restriction on freedom of expression is reasonably necessary to respect the rights of other persons, including the right to privacy, and is therefore permitted by section 15(3) of the Charter.

Offences relating to claims of registration

Clause 186 of the Bill substitutes new subsections for existing subsections 57(1)–(5) of the VP Act, and amends the penalty at the foot of existing subsection 57(6). New subsections (1)–(1C) prohibit a person who is not a registered veterinary practitioner from making representations that they are registered or qualified to practise as a veterinary practitioner (eg, by using the title of registered veterinary practitioner). New subsections (2)–(2A) and (3)–(3A) prohibit a registered veterinary practitioner from making false claims or representations about the nature of their registration (eg, that the registration is general when it is specific). Last, new subsections (4)–(4B) and (5)–(5B) prohibit persons from making false representations in relation to registration or qualification to practise as a veterinary specialist.

Clause 186 of the Bill limits freedom of expression under section 15(2) of the Charter, because it restricts the kinds of claims that a person may make in relation to registration under the VP Act. However, in my opinion, that limitation is reasonable and justified under section 7(2) of the Charter for the following reasons.

The purpose of the offences is to protect the integrity of the registration scheme established by the VP Act and, relatedly, to protect the public and animals from the risks associated with unauthorised veterinary practise.

The extent of the limitation is proportionately tailored to this important objective. In particular, the offences are concerned with representations or claims that are misleading in the specific context of the regulatory scheme established under the VP Act. For instance, the offence in subsection 57(1) prohibits the use of the title of registered veterinary practitioner in a way that suggests the person is registered under the VP Act (when they are not). It does not prohibit, generally, appropriate uses of the title. In addition, section 60 of the VP Act exempts certain persons undergoing approved veterinary training courses from the offences in section 57.

Furthermore, the type of expression that is restricted is likely to be commercial in nature (eg, a title may be used inappropriately to generate business for the unauthorised provision of veterinary services). It therefore falls outside the core of the interests protected by freedom of expression.

Last, there is no less restrictive means available to achieve this important legislative objective. Anything less than a full prohibition (subject to the exceptions in section 60) on persons misrepresenting their qualification to provide veterinary services will undermine public confidence in the registration scheme and the ability of the public to rely on the register of veterinary practitioners (established under section 16 of the VP Act) as evidence of a person's qualification to practise.

Duty of confidentiality

Clause 191 of the Bill substitutes a new confidentiality provision for section 77 of the VP Act. It provides that a person who is or has been a member of the Board, or a member of the staff of the Board, must not make a record of, disclose, or communicate any information obtained in the course of the performance of their functions under the VP Act. The prohibition is subject to exceptions for the purposes or in the circumstances listed in subsection (2).

Two Charter rights are relevant to clause 191 of the Bill: privacy, protected under section 13(a), and freedom of expression, protected under section 15. For the reasons set out below, it is my opinion that neither right is limited.

Privacy

Clause 191 permits interferences with privacy by authorising certain disclosure of personal information pursuant to new subsection 77(2).

However, disclosure in these situations is for legitimate purposes, including to administer and enforce the provisions of the VP Act, or to reduce risks to health, safety and wellbeing of natural persons or animals. Additionally, in relation to a disclosure to a 'relevant person' (as defined), subsection (1)(b) provides that the person disclosing must first be satisfied that privacy protections exist and that disclosure is necessary to enable the relevant person to perform their functions. Thus, provided disclosure is made in accordance with the criteria in subsections (1) and (2), any interference with privacy will be lawful and not arbitrary, and therefore permitted under section 13(a) of the Charter.

Moreover, as 'public authorities' under the Charter, persons who are members of the Board, or members of the staff of the Board, must give proper consideration to, and act compatibly with, human rights in making decisions to disclose information (section 38(1) of the Charter). This will oblige those persons to ensure that the extent of disclosure is proportionate to the legitimate purpose for disclosure in any given case. The Board is also bound by the *Privacy and Data Protection Act 2014* in respect of the use and disclosure of personal information, which provides further safeguards against unlawful or arbitrary interferences with privacy.

Freedom of expression

In my view, clause 191 of the Bill does not limit freedom of expression. Any restriction on freedom of expression is reasonably necessary to respect the rights of other persons, including the right to privacy, and is therefore permitted by section 15(3) of the Charter. Additionally, the persons to whom these restrictions will apply have voluntarily assumed the obligations and duties that attach to these roles.

Part 12—Amendment of Meat Industry Act 1993

Part 12 of the Bill relevantly amends the *Meat Industry Act 1993* (**MI Act**) in relation to the sale and slaughter of meat for consumption.

Prohibitions on sale or disposal of certain meat products

Clause 199 substitutes s 34 to ban the sale or disposal of meat and poultry meat for human consumption, unless the meat is from a consumable animal slaughtered and processed at a licensed or authorised facility, and has been inspected and branded, or certified as fit for human consumption, as the case may be. The offence in relation to game meat is treated differently, where the processing and certification requirements are different for the sale of game meat for human consumption, and the disposal of game meat for human consumption. This is to reflect that game meat, in contrast to other meat from a consumable animal, may be disposed of for human consumption where it has been processed at a meat processing facility that solely processes game not intended for sale, and if so is not required to be branded or certified as fit for human consumption. Clause 202 inserts new s 37B which bans the sale or disposal of certain meat for consumption as pet food unless it has been inspected in accordance with the Act and all applicable procedures under regulations have been complied with. Clause 204 amends s 39(1) to require that a person must not remove game meat from a game processing facility unless certain conditions are complied with.

Property

These provisions may engage the property rights of persons who purport to deal in meat products for human consumption, or consumption as pet food, that will be banned under the amendments. However, the amendments are for the purpose of clarifying the offences in relation to the disposal of game meat for human consumption, and meat for consumption as pet food, for clarifying when meat may be legally sold and disposed of for human consumption, and to remove inconsistencies between various offence provisions in the Act. Affected persons will be part of a regulated industry and aware of their obligations to process meat accordingly, and the broader scheme is for the important purpose of protecting the health of humans or animals which consume meat. I therefore consider that any interference will be confined and proportionate and will not limit the right.

The Hon. Jacinta Allan
Minister for Transport Infrastructure
Minister for the Suburban Rail Loop

Second reading

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure, Minister for the Suburban Rail Loop) (10:42): 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 Bill makes amendments to 11 Acts to improve efficiency, operation, administration and enforcement.

Amendments to the Agricultural and Veterinary Chemicals (Control of Use) Act 1992

The Bill modernises authorised officer powers, removes unnecessary barriers to sharing information with other regulators and clarifies requirements for giving notices, making requests and recovery of debts. This will resolve ambiguity, improve efficiency and the ability for authorised officers to protect public safety, animal health and welfare, the environment and trade.

The Bill expands the definition of a ‘label’ so that the Australian Pesticides and Veterinary Medicines Authority (APVMA) ‘approved label’ will be the applicable standard in most circumstances instead of the label affixed to the chemical product. This harmonises Victoria’s requirements with other jurisdictions and improves the ability to communicate and enforce the legal obligations of chemical users when label changes are made.

The Bill broadens the scope of a destruction notice that may be issued under the Act to allow discretion for alternatives such as recycling, in alignment with government policy for waste and resource recovery.

Amendments to the Catchment and Land Protection Act 1994

The Bill improves the controls for noxious weeds and pest animals and strengthens inspection and enforcement powers of authorised officers to better regulate the risk of introduction or spread of noxious weeds and pest animals in Victoria. Globalisation and the expansion of trade have increased Victoria’s exposure to biosecurity risks and increased the rate of new incursions into the State. The amendments create new offences and impose new requirements to address these risks. The Bill provides for graduated penalties for offences relating to the spreading of noxious weeds without a permit and improve consistency of penalties to similar offences relating to pest animals. These amendments will improve our ability to manage the risks associated with noxious weeds and pest animals.

Amendments to the Dairy Act 2000

The Bill removes ambiguity about the application of the *Public Administration Act 2004* to Dairy Food Safety Victoria employees and clarifies that all public sector employees are subject to the values and principles set out in that Act.

Amendments to the Drugs, Poisons and Controlled Substances Act 1981

The Bill ensures that in the event of a large-scale natural disaster, such as the 2019–20 bushfires or biosecurity responses, the health and welfare outcomes for animals, both domestic and wild, are improved. By mirroring the existing human health emergency order to allow broader, controlled access to Schedule 4 and 8 medicines for animal treatment, the impacts of these events on animal health and welfare can be reduced such as by ensuring rapid provision of pain relief and anaesthetics for the surgical and medical treatment of wounds. The Australian Veterinary Association and Zoos Victoria are supportive of this important initiative. If it been in place for the 2019–20 bushfires it is likely to have had a significant impact on relief activities, including ministration of care to impacted wildlife, and allowing compassionate donation of medicines by veterinary practitioners to be quickly supplied to impacted areas.

The Bill removes potential impediments to interstate trade in the hemp industry through harmonising legislated thresholds for tetrahydrocannabinol (THC) in low-THC cannabis with other states and territories.

The Bill improves the efficiency and effectiveness of Part IVA of the DPCSA for authorities for low-THC cannabis by: introducing further regulation making powers; improving the fit and proper person assessments for applicants; introducing new provisions for the protection of sensitive information; and introducing the ability to issue infringement notices and establishing a new, lesser offence for non-compliance with minor conditions of an authority. The amendments also widen the eligibility criteria for an authority by narrowing the definitions of ‘serious offence’ and ‘relative’.

Amendments to the Farm Debt Mediation Act 2011

The Bill strengthens an already effective Act and harmonises some provisions with farm debt mediation legislation in other States.

The Bill will strengthen farmers' rights to farm debt mediation by expanding the definition of 'farming operation' to include forestry and aquaculture; retaining a farmer's right to be offered mediation by a creditor if the farmer has previously initiated mediation when not in default; and requiring a creditor to hold an exemption certificate in all instances prior to taking enforcement action under a farm mortgage.

The Bill will also streamline the administration of the farm debt mediation scheme by transferring all administrative responsibilities to the Victorian Small Business Commission.

Amendments to the Livestock Disease Control Act 1994

The Bill strengthens the existing legislative framework available for the prevention, monitoring and control of animal diseases in Victoria by improving compliance and enforcement tools, creating new offences to underpin livestock and bee traceability through the supply chain and extending and clarifying the powers of inspectors.

The Bill supports Victoria's biosecurity system by extending beekeeper registration requirements, establishing better risk management of livestock exposed to sewage and pigs exposed to prohibited pig feed, and providing for the Exotic Diseases Fund to pay the costs of administering exotic disease response activities associated with protecting animal welfare.

The Bill also modernises the governance arrangements for the livestock compensation funds by revising the structure of the advisory committees to improve openness and transparency, consistent with the Premier's Circular No. 2015/02 on Good Board Governance, which requires that selection processes be merit-based, fair, open and diverse. These amendments will facilitate a broader, more diverse range of candidates and will be complemented by advice from the compensation fund advisory committees on specific skills and experience necessary for each committee. The composition of the committees will continue to include strong producer and industry representation.

Amendments to the Meat Industry Act 1993

The Bill removes ambiguity about the application of the *Public Administration Act 2004* to PrimeSafe employees and clarifies that all public sector employees are subject to the values and principles set out in that Act. Other minor amendments to the Meat Industry Act will improve its operation and provide greater clarity on the food safety regulatory framework for meat, including the regulatory arrangements that apply to packaged meat.

Amendments to the Plant Biosecurity Act 2010

The Bill provides additional support to inspectors when interpreting and applying the requirements of the *Plant Biosecurity Act 2010* to prevent the entry and spread of plant pests and diseases in Victoria.

The Bill amends the definition of a plant health declaration to provide a clear power to authorise a person to issue a declaration. It clarifies circumstances in which an Importation Order can be made to prevent entry of pests and diseases into Victoria; and the notification of relevant persons, and taking of samples, when plants are seized or detained. It also provides new offences for inappropriate use of plant health documents, and the sale of diseased plants, both of which complement existing offence provisions, and will support the use of Infringement Notices for the offences.

Amendments to the Rural Assistance Schemes Act 2016

The Bill improves flexibility for an externally appointed Member of the Rural Assistance Commissioner to operate part time, rather than full time. Accountability and administrative efficiency are improved by requiring only the responsible minister of a rural assistance scheme to approve an instrument of delegation as it relates to their portfolio, rather than the lead minister of a department.

Amendments to the Veterinary Practice Act 1997

The Bill provides greater flexibility to the Veterinary Practitioners Registration Board of Victoria (the Board) to register veterinary practitioners, conduct hearings and investigations and modernises disclosure of information provisions. It also restructures several offences to ensure those that are suitable may be enforced by infringement notice.

The Bill improves the efficiency and flexibility of the Board to conduct professional misconduct preliminary investigations by providing it with an option to enter into an agreement with a veterinary practitioner to impose conditions or restrictions on their practising, as an alternative to continuing to allow the veterinary practitioner to continue practising unrestricted or suspending their registration, pending the outcome of an investigation.

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The Bill improves governance of the Board by removing the requirement that the President and Deputy President roles be restricted to registered veterinarians, allowing for a broader range of skill sets to be considered. It also removes the requirement that one veterinary position be an employee of the University of Melbourne, instead requiring that position to be filled by a registered veterinarian with skills and experience in veterinary education thereby broadening the range of professionals available for Board appointment.

Amendments to the Wildlife Act 1975

The Bill corrects an administrative error, to clarify who can remain on specified hunting areas at certain times during the duck season. This will improve public safety on duck hunting wetlands by ensuring people in specified hunting areas during specified times during the duck hunting season hold the relevant game licence.

I commend the Bill to the house.

Mr WALSH (Murray Plains) (10:42): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Wednesday, 20 April.

Motions

FEDERAL BUDGET

Mr FOLEY (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (10:43): I would not say it gives me pleasure to have to move this take-note motion, but I will move:

That this house notes the federal Liberal-National government:

- (1) has again failed to deliver Victorians their fair share in the 2022–23 budget; and
- (2) will cut all COVID-19 funding at the end of September, which is \$1.5 billion in Victoria alone.

It is not with pleasure that I move this motion, because last week's federal budget really was an opportunity for the commonwealth to take a national lead in responding to the one-in-100-year global pandemic's impact on our health system. This was an opportunity to step in, particularly on the eve of a federal election, and fix the ongoing issues that have plagued our health system and which the last two-and-a-bit years of the global pandemic have amplified for all to see. This is not just a set of issues that have plagued Victoria; they have been consistently championed by every state and territory across the commonwealth, particularly during the course of the global COVID-19 pandemic.

Faced with that opportunity, sadly, the federal government missed the chance to lead that reform and to lead that support for our health system. Instead what the federal Liberal government did was deliver for the Victorian system alone a \$1.5 billion cut in hospital funding. Across the commonwealth some \$5 billion to all states and territories has been hacked from the system. Right across the commonwealth every state and every territory system is under pressure like never before. Despite repeated attempts to constructively engage the commonwealth over the course of the pandemic, whether it be through national cabinet or the health ministers forum, and despite direct approaches to the Prime Minister and the federal health minister, they have again refused to fund 50 per cent of the costs of catch-up care across Australia for the global pandemic's impact, as indeed they have refused to reinstate the funding arrangements hacked away by the Abbott government in 2015 when they reduced the commonwealth contribution from 50 per cent allegedly to 45 per cent and capped all health funding at 6 per cent growth, which over time has seen the measure of that allegedly 45 per cent contribution from the commonwealth gradually reduce even further. Faced with that prospect, so many people beyond state and territory governments have seen the cumulative effect of this past decade of underinvestment by the commonwealth take its toll on our health system whilst at the same time seeing that amplified over the course of the global pandemic.

Not only did the commonwealth not listen to the states and territories, they did not listen to people on the front line of delivering those services—people like the Australian Medical Association and the Australasian College for Emergency Medicine, those professional industrial organisations

representing our hardworking nurses, allied health professionals, paramedics and a range of others, all of whom have seen firsthand the implications of this pandemic and have called for the commonwealth to do its fair share in contributing to the impact of repairing that damage that the global pandemic has done. And that fair share really is returning to the notion of an equal split on hospital costs and working with the states to reform and develop a fit-for-purpose model coming out of this pandemic for our health system. Of course we know that, despite the huge efforts that all Australians and all Victorians have made, this pandemic is not over yet, as we still see an increasing number of cases, particularly flowing from the increasingly contagious and transmissible variants that have emerged over the course of the last few months.

It is not just an issue for our public hospital system. Our friends and partners in the primary care system express the same sort of frustration with the commonwealth's lack of support when it comes to those GPs and other primary care service providers, and that process of demand continues to have an impact on state health services. I note, for instance, that earlier this week our Queensland colleagues had to yet again make the difficult decision to suspend elements of elective surgery as a result of furloughed workers in that state passing 3000 healthcare workers either with COVID or caring for those in COVID situations, and we see that replicated right across the country, right across healthcare systems, primary care, community care and the acute hospital system. We know that the impact of COVID-19 will mean that the states will carry the impact and the burden of the healthcare system costs for many years to come. It is that abrogation of their leadership role, their partnership role, by the commonwealth that is particularly disappointing.

Contrast that with the efforts of the states and territories more broadly and the Andrews government in particular. In contrasting that with the record in Canberra and their mates on the other side here in Victoria, we know that this is a position that can and should be fixed by bringing the same level of hard work, funding and dedication to the implications of this on our healthcare system. We know this in Victoria because we have done it before. We did it in the period from 2015 to 2019 as a result of partnering with our healthcare system, partnering with our industrial and professional associations, funding the necessary services, building the necessary infrastructure, training the necessary workers and having a genuinely collaborative approach to solving the crisis of the war that was declared on our healthcare system—the erosion of ratios, the attacks on paramedics, the cuts to budgets that were launched between 2010 and 2014. It can be done, but it is hard work, and it is sustained investment and partnership that counts. That is why we have seen, since coming to office, this Labor government delivering record investment in so many ways across our healthcare system in partnership with and investment in the workforce that is there to look after us. In total that is some \$130 billion worth of investment that this government has made in that system over that journey.

But what COVID-19 has shown us is that more needs to be done. Even with that impressive record so much more needs to be done when it comes to modern up-to-date facilities that patients are looking for for their care—providing the best working environment for the workforce and the up-to-date facilities that communities are looking for. We know that the \$8 billion worth of investment that we are putting into that capital pipeline is making sure that that is a reality. But it would be quicker, it would be more enduring and it would be a genuinely nation-building effort if the commonwealth were to step up and support the states and territories. There is no sign of that. It is investments such as the \$1.5 billion investment in the new Footscray Hospital, the largest single infrastructure investment that this state has ever seen, all the way through to investment in projects right across the state. I had the pleasure last week of seeing some of our smaller regional and rural locations' important investments—significantly smaller investments. But really targeted partnerships with local communities can play such an important role in reinvigorating the delivery of care in local communities, all of which sadly the commonwealth is seen to be missing from. Or we could point to the investment in some of our growth areas, such as the new Western Health hospital that is being built in Melton, for instance: secured sites, secured planning, secured partnerships and secured capital investment to make sure that that future Melton hospital will be delivered for one of the fastest growing communities in our nation, let alone our state.

The commonwealth, sadly again, are not to be found in these important projects. We know instead the history, whether it is of the commonwealth government or their friends on the other side of the chamber here. When they have the opportunity, they cannot help themselves when it comes to funding cuts, when it comes to their anti-worker approach, when it comes to partnering with nurses, paramedics and others. We need to make sure that that approach is challenged, that that approach is looked at in a way that says, ‘What is in the best interests of delivering the quality care and the quality investments that we need?’.

It is not by declaring war on paramedics, it is not by winding back ratios, it is not by slashing alcohol and drug services, and it is not by the myriad of cuts that saw over a billion dollars taken out of our public health system over the course of the 2010–14 period of Liberal-National government in this state. It is by investing in more paramedics, more nurses and more facilities, and during the course of the global pandemic ratcheting that up even more to how infection prevention and control measures respond to the unprecedented levels of stress and demand that the system has been placed under by partnering with health services in a new way of operating. For a period of time a window was opened and the commonwealth did sign up, in April 2020, to a genuine partnership arrangement of meeting those costs. But, sadly, that has come to a brutal end. We now know that instead of meeting the ongoing costs of the global pandemic, the commonwealth will be walking away from that funding and with it making a \$1.5 billion cut to those important services.

States and territories have been unanimous in their view of calling for a fairer funding model with the commonwealth to address all of the flow-on effects of the pandemic—the immediate ones now that we are confident of having the worst behind us, but also the long tail of how this will play out in our healthcare system and in the lives of Victorians and in the lives of Australians who are relying on their healthcare systems for a long and successful recovery and know that the complex issues are not going away. I suppose that is what makes the decision from last week’s federal budget so disappointing—that there is instead a pretence that it is all over, a pretence that we can just go back to business as usual. The ongoing implication is that the chance for genuine partnerships and genuine reform has been sacrificed on the altar of the Liberal Party and National Party cuts to the healthcare system.

I can assure the house and the people of Victoria that all states and territories recognise these challenges and are determined to make sure that they are significant issues in the weeks and months ahead and indeed in the advocacy that we will bring in partnership with so many stakeholder groups as to the concerns that they have around the same approach of the commonwealth budget. If I could perhaps quote the Australian Medical Association, who noted in their discussion paper in 2021, when all the states and territories gathered with the commonwealth to talk about these very issues around the opportunities that the pandemic brought to a change of approach for funding, Australia’s healthcare system is ill-prepared and under-resourced to effectively manage a future where COVID-19 is allowed to circulate in the community whilst also trying to:

... address the health care backlog that COVID-19 has created and meet the usual health care needs of the community.

This applies to all of our health system, including hospitals and primary care. The AMA raised this issue last year publicly with all the states and the territories and has been seeking that it be addressed by the commonwealth government. They too called for a true partnership to address the unmet care needs of people right across the country instead of this Liberal-National business-as-usual approach where states foot increasingly most of the bill. That was sadly confirmed when last week, following the federal budget, the AMA national president, Dr Omar Khorshid, was moved to comment:

The Medicare and hospital funding in tonight’s Budget amounts to little more than usual recurrent spending ... not the new injection of funds our health system desperately needs.

He went on to say:

... the Government’s focus on cost of living has overlooked quality of life, particularly for the thousands of Australians languishing on hospital waiting lists.

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The Budget re-states the Commonwealth will only meet 45% of usual hospital costs, and that the 6.5% cap on hospital funding growth will remain.

Yet hospital Emergency Departments are full, ambulances are ramping, and the AMA estimates the waiting list for essential (elective) surgery has blown out by a further 190,000 surgeries with COVID-19 elective surgery pauses, on top of the existing wait lists.

The next Government will need to act.

And I think the AMA is right, because what we have seen is the Morrison government's refusal to act, refusal to partner with the states. Indeed their refusal to act does not extend to their determination to refrain from budget cuts, and the \$5 billion cut to the public hospitals around the country in last week's budget showed that this is a federal government that yet again is prepared to play politics with the healthcare system of our country.

For the benefit of those in the chamber who may not spend that much time thinking about the complexities of the national health system or the very complicated, tricky arrangements of that system, the AMA's position is strongly supported by all the states and territories when it comes to convincing the federal government now is the time to act, that now is not the time to cut. Yet they refuse to listen to the states and territories. They refuse to listen to the frontline healthcare professionals, all of whom have asked for a fairer funding deal to enable the necessary expansion of the services across our primary care system, which is so important in dealing with demand at a community level.

When that is cut and when that is not supported, where do people go? They ring 000. They show up at emergency departments. They look to the acute system in a way which the system is not designed for. They have missed the opportunity yet again—the commonwealth—of responding to the chance for reform offered in this one-in-100-year event, and they refuse to listen to the experts. They refuse to listen to the doctors, the surgeons, the nurses—all the professionals who are at the frontline system of our hospitals.

But it is not just our hospitals that are under strain due to the neglect by the federal commonwealth government. As the Royal Australian College of General Practitioners has pointed out, this is again an opportunity for primary care to be able to restate its case for change and reform. And to quote the royal college in one of their most recent contributions to the debate, they said:

... the considerable strain being placed on the Australian primary healthcare system as a result of the pandemic has simply exacerbated existing issues affecting the sector.

They went on:

... the need for considered, coordinated and adequately supported long-term reform across the entire healthcare system and with greater focus on primary healthcare and preventive health, are only more apparent and pressing in this time.

We know that that is the case right across the nation, and the GPs are spot on. And the further you get away from capital city locations, the further and greater the reflection of that crisis in primary care becomes. We know that many areas in regional and country Victoria and Australia are facing—and indeed increasingly in metropolitan centres as well—the underservicing by primary care and GPs who are so important in backing families during this COVID-19 global pandemic. And again, where does that gap get filled by families and people looking for support? They look to our acute and hospital system to manage that gap, further transferring commonwealth responsibility to the states and territories.

Despite the known benefits that investment in primary care systems bring in improving community health, particularly those most at-risk communities—culturally and linguistically diverse communities, Indigenous communities, recently arrived communities, people with chronic illnesses, increasingly our aged and vulnerable community members, people with disabilities, all those people who we all know from report after report face particular health challenges—are best served at a primary care and community care location as opposed to an acute hospital system location. But if you do not have primary care in your community or in your nursing home, where do you go? You ring 000 in what should not be an emergency but should be a routine primary care system. You show up at your emergency

department, and that in part can be sheeted home to the commonwealth's continued neglect of this system, which has now extended to the point of this \$1.5 billion cut to the Victorian system and a \$5 billion cut to the national states' and territories' systems.

So we know that there is much to be done, and in that regard I use this again as an opportunity to call upon if not this federal government certainly whoever forms the next national government to come to the party with the states and territories, with our professional organisations, with our frontline professionals and use this opportunity for far-reaching systemic reform. This one-in-100-year event has highlighted like never before the inequalities and the inequities in how health care is delivered across our nation and across our state.

There is a willingness and a preparedness on the part of all states to engage with the commonwealth, to engage with whoever forms the next commonwealth government, with the chance for genuine, systematic reform, but it will be a position that requires a genuineness and a preparedness to sit down and partner with communities, with states and with our professional organisations. This is too significant a moment in the history of the healthcare provision of our country for it simply to be sacrificed on the altar of politics in a federal election campaign and to see that rolled out with a \$5 billion cut to our healthcare system in the hospitals from last week's budget. A \$1.5 billion cut in Victoria alone does not bode well—if we have the return of the Morrison government—for those conversations.

We live in hope. We live in the expectation that whoever forms the next national government would use this as an opportunity to come back to the table, to genuinely partner with states and territories, regardless of political colour, because a one-in-100-year global pandemic that has highlighted the inequities, inequalities and failings of our health system can and should see enduring reform that flows from this pandemic, from the trauma, the suffering and the crises that we have seen right across the world, let alone right across our nation, over the last two-and-a-bit years. Let the enduring legacy be an opportunity for reform. Let it be a genuine partnership and investment program between the states and the commonwealth and the community, and let that be a legacy that we can all be proud of—as opposed to the necessity of what we have to do as a result of the billions of dollars worth of cuts to highlight the perpetuation of those inequalities as a result of the commonwealth budget.

I might leave my contribution there. I urge that the house adopts the resolution, and I look forward to that outcome.

Ms KEALY (Lowan) (11:09): Acting Speaker Morris, it is wonderful to see you in the chair. I have not had the great pleasure of being on my feet when you have been there, so congratulations on taking on that role. I have only heard good things.

It is a great pleasure and I am so pleased that I am able to speak on this motion that was put forward by the Labor government, because it gives me an opportunity to put on record some of the mistruths that are being perpetuated by the Minister for Health on the state of Victoria's health system and where the accountability lies. Let us get to the bottom of truth and transparency, because we know that truth and transparency are not on the top of the agenda for the Andrews Labor government.

Firstly, I would just like to pick up a point on the first section of this motion, and that is around getting a fair share. Now, I am a National Party member. I represent one-sixth of the state of Victoria, and yet across regional Victoria we have 25 per cent of the state's population. I am now in my eighth year of Parliament. I am about to see the eighth budget handed down, and not once in the past seven years—and I am sure it will happen again in May, the next time that we meet in this place—have Labor invested more than 10 per cent of their infrastructure budget into country Victoria. So when they talk about how important it is to invest and for people to get their fair share, maybe Labor should take a little bit of their own advice. If this is a new initiative of the state Labor government, I cannot wait until that first Tuesday in May. I cannot wait to see that 25 per cent of Victoria's infrastructure budget will be directed towards country Victoria and investing in those people and those areas that need it most.

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Ms Green: On a point of order, Acting Speaker, this is a take-note motion on the federal budget. The member for Lowan will have the opportunity to speak on the state budget, but this is a take-note motion on the federal budget. I would ask you to draw her to that.

The ACTING SPEAKER (Mr Morris): Your point of order was relevance, I assume. I do not uphold the point of order.

Ms KEALY: As I said, I cannot wait to see this fair share of the budget, and I hope that I can look finally at that section of the budget, the booklet that is focused on regional Victoria, and see 25 per cent of the infrastructure budget directed to country Victoria to support the 25 per cent of the population who live outside of Melbourne. It is fabulous.

The second point I would like to put on record is around cutting all COVID funding at the end of September, which is \$1.5 billion in Victoria alone. Now, I think that the Labor government are belling the cat here, because they know full well that that \$1.5 billion allocation by the commonwealth government is part of the national partnership agreement, and part of the national partnership agreement means that it is extended if the pandemic continues. So I suspect here that what Labor is doing is saying, 'We want to lock down Victorians. We want to continue restrictions well beyond September'. That is what they are saying when they are writing that in this motion, when they are putting that to this place. They are telling all Victorians that when it comes to September, when the national partnership agreement ends, expect to get more lockdowns. And that is a key point of difference over what Labor want to do in the future and what the Liberal and National parties want to do. We have already committed to it, there will be no more lockdowns, but here we have Labor saying that they are going to continue lockdowns well beyond September. We will not forget that. Country Victorians will not forget. All Victorians will not forget, because we are still suffering.

We know some of the greatest impacts of the lockdowns have been on the mental health of all Victorians. We are seeing greater investment and greater demand for mental health services than we have ever seen before in Victoria, and yet people cannot get to an appointment because they cannot get an appointment. We are actually three years into the mental health reforms, the Royal Commission into Victoria's Mental Health System reforms—three years in—and yet we still have not seen the Labor government meet five of the nine recommendations of that interim report. Five of those nine recommendations of the interim report were about rebuilding Victoria's mental health workforce, and because Labor have failed to act, because they are more interested in putting out media releases than taking the actions that need to happen to build Victoria's mental health workforce, to fill the gaps that were already there as part of how we address Victoria's mental health crisis, which has gone on for much, much longer than this pandemic has indicated, we have not got now the workforce to rebuild Victoria's mental health system as recommended by the royal commission.

But even more so, when Victorians are suffering under restrictions and lockdowns, when they are losing their jobs and when they are cut off from their friends and family—particularly our youth, who have been cut off from going to school and have got ongoing uncertainty that at any moment their schools may be re-closed and they may be cut off again from their mates, from their art lessons, their music lessons and from playing community sport—we are hearing warnings and messages from the government, and the Minister for Health and the Premier in particular, that we have got this big wave coming, 'We might have to lock everybody down again, beware'. All that is telling people is that we are going to go through another winter of lockdowns, another long winter, where in the past we have even seen our playgrounds closed.

It is having the biggest impact on young people. Young people, particularly primary school aged children, are absolutely terrified of COVID. Over the past 2½ years our kids have been at home homeschooling, as I said, cut off from their friends and family. But more importantly, a lot of the time they have been exposed to the same information that all Victorians have at that daily presser with the Premier or the Minister for Health telling them that they are going to die if they get COVID. And now what we are exposing our kids to every day of school is that the youngest kids have to wear masks.

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They feel like they are toxic; they feel like they are diseased. They have to do RATs twice a week. I know of so many parents—I have spoken to them—who have children who have tested positive for COVID and feel like they are going to die. I spoke to a mum recently whose son was in tears, an eight-year-old boy who was in tears—

Ms Settle: On a point of order, Acting Speaker, on relevance, I am not sure how a global pandemic is connected to the federal budget take-note motion. This is pretty extraordinary straying from the topic.

The ACTING SPEAKER (Mr Morris): I do not uphold the point of order. I draw the member's attention to the text of the motion.

Ms KEALY: Thank you very much, Acting Speaker. It is interesting that Labor MPs want to shut down the truth about what is happening with these restrictions and lockdowns. We look at again our kids, and I want to talk about this because it is very important and it is a message that does not seem to be being heard by any Labor MPs. Restrictions are still harming our children. I will continue. I heard a story from a mum whose eight-year-old boy tested positive for COVID in his twice-weekly RAT that he did for his school, and he was devastated. He was convinced he was going to die. He wanted his mum to hold his hand all night because he did not think he was going to survive.

Members interjecting.

Ms KEALY: I notice Labor MPs interjecting and saying that somehow this is okay, that it is okay to treat Victorians, and our youngest Victorians, this way and to inflict that sort of mental health harm on them. Eight-year-old boys are thinking that they are going to die overnight.

Members interjecting.

The ACTING SPEAKER (Mr Morris): Order! The member for Bentleigh will desist. And the member for Warrandyte.

Ms KEALY: To think that eight-year-olds are put in a situation where they think they are going to die because of these restrictions that are being enforced through pandemic orders issued by the Minister for Health.

It has been an ongoing theme that we have heard, that the government will follow the health advice. However, when we go back to what health advice is being sought, it usually goes back to the Doherty Institute. I have got utmost respect for the Doherty Institute. They do a fabulous job, there is a doubt about it, but their specialty is around infection and immunity. Their full name is the Peter Doherty Institute for Infection and Immunity, so their focus is around the spread of a virus. Their specialisation in their research is around the spread of a virus, it is not around mental health impacts. There are other organisations that should be providing input to the government, and when they are, they should be heard. Their voice is so important because it is simply unacceptable that, as Labor is flagging, we are going to continue lockdowns and restrictions well beyond September of this year. What they are actually saying is, 'We will control this virus at any cost. We do not care if we are harming youth mental health, we do not care if we are closing down small businesses, we do not care if they cannot provide enough staff to be able to operate our businesses to keep any services open. We do not care about any Victorians and how they are impacted aside from if they get the virus or not'.

Now, on this pandemic, if nothing else, we need the government to understand that this is much more than a virus and there is a massive cost to so many Victorians. I note that Victorian women have suffered the consequences of many, many of the lockdowns and restrictions. They are the ones who have picked up the additional work when it came to homeschooling and working from home at the same time and trying to continue things on. We know that they have borne the brunt of increased levels of family violence. The rates of family violence have gone absolutely through the roof, with an 8.9 per cent increase in offences in the 2020–21 year. In the same period there was a 22 per cent increase in

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stalking, a 20 per cent increase in harassment and private nuisance, and a 9 per cent increase in threatening behaviour.

This is the impact of lockdowns and restrictions, and all Labor want to do is to continue to have that control over Victorians' lives, to continue to turn a blind eye to the harm it is doing to children, to women and to other Victorians. That simply is not good enough. But it does give everybody an option when it comes to the last Saturday in November this year. Do you want to vote for a Labor government that has flagged today, 'We're going to continue to lock you down, Victorians. We're going to continue to apply these restrictions which impact on your mental health and your everyday life, your ability to put food on the table, to keep a roof over your children's heads, to make sure your kids can actually go to school and get an education, to be fit and healthy and mentally healthy'? That is what they are throwing away. Or you can vote for the Liberals and Nationals, who have made a very clear commitment that we will implement, which will help Victorians to recover and rebuild from the damage that Labor have caused through their lockdowns and restrictions—and the number one part of our plan is no more lockdowns. It is a clear choice. The Victorian Liberals and Nationals will promise: no more lockdowns or what Labor have flagged today, which is that come September expect more lockdowns, expect more restrictions and expect the cost of this to be borne and paid by every single Victorian, particularly women and particularly our youth.

When it comes to getting our fair share of funding in the state, it is interesting to hear the Minister for Health talking about how important it is that we get this additional funding through. I would like to put on the record that just yesterday Labor's federal Shadow Treasurer, Jim Chalmers, actually made the commitment very clearly during his National Press Club address that he will not be reviewing the GST agreement with the state government, and he has told the Premier this. So when the government are going on and blaming the Liberals and Nationals, maybe they should get on the blower, maybe they should give their federal brothers and sisters in Canberra a call and perhaps pursue that line.

We heard from the Minister for Health that he is not going to play politics with health. Well, I cannot see how that is anything beyond politics if you are going to target one side of politics but you are not going to actually bother to engage with people who you work with, who are your apparent colleagues. That is nothing worse than being absolutely political and making health a political football. That is unacceptable, and I condemn the Minister for Health for going down that pathway, because you should not just take pot shots based on one side or the other. If it is about calling for more funding from the commonwealth, it should be for both. But when you have got Labor coming out and saying that they are definitely not going to do it, then you just wonder what on earth this minister is doing. All he wants to do is be part of the federal campaign, but obviously he is not going to put his hand up for a federal seat, so he will continue waffling on and bumbling in Victoria and turning a blind eye to the harm that he has caused to so many Victorians.

I would like to go through some of the issues that we are facing in Victoria when it comes to our health system, because the list is very, very long. We know that we have had horrible tragedies born through the media, and I know through my own electorate office of cases where people are trying to call 000 and they simply cannot get through. I heard of a horrific story locally in the past week—it was something that happened earlier this year—where a mum called 000 in the early hours of the morning because her partner was not breathing properly. He was clearly in cardiac arrest at the time, and it took 45 long minutes for any paramedics to arrive—and this was in Hamilton. This is an area which is built up and should have two paramedic services on overnight.

When you read through her letter it is hard not to be brought to tears. To think that you would wake up in the night, that your partner cannot breathe and they end up regurgitating bloodstained froth, that you are being given instructions about CPR and are being comforted by the person on the phone, who did their very best in saying, 'They'll be there soon. They'll be there soon', but it is quite clear that 'soon' was not soon enough. So 45 minutes later absolutely you have got seven paramedics who turn up. You have got four ambulances on site, but he was dead. He was dead. That is obviously sending ambulances from Warrnambool or from Portland, because we did not have enough crews in our local

area. It is a tragic circumstance. I mean, this was a 40-year-old man. He has left behind three kids and a stepchild. I cannot even try to explain the heartbreak that this woman is dealing with and the grief that she is going through, but that is what so many Victorians are having to deal with because they cannot get the ambulance response that they should expect in Victoria. They should expect not to hang on the phone for 15 or 20 minutes with either the Telstra operator or with 000 to finally get an answer and to know that an ambulance is on its way. They should not have to wait on the phone and be told, 'There are no ambulances available. It's quicker if you take an Uber or a taxi to get to hospital'.

Then of course we have got the next issue once you get to the emergency department. We have had widespread ramping across all hospitals around the state. So once you get to hospital you might have huge delays, and that is absolutely not a reflection on the emergency department staff, because they are absolutely worked to the bone and have been for many, many, many years. They are doing their best to work within the COVID restrictions themselves under short staffing. They are fatigued and are getting to the point of burnout. They try and do their very, very best, but there simply is not capacity in Victoria's healthcare system to deal with the demand.

I did note that the Minister for Health in his contribution spoke quite specifically about the AMA and their position, and he also spoke around this one-in-100-year pandemic, but I want to put on the record again something that I raised yesterday in Parliament, a quote from Dr Sarah Whitelaw from the AMA, who said:

This is not the result of the pandemic. The pandemic ... has revealed the stress that was there already.

I do not think we can continue to see this government and the Minister for Health try to blame a pandemic for problems that already existed. We already had enormous elective surgery wait times in Victoria well before the pandemic started. The pandemic absolutely exacerbated that demand, and it showed just how badly Labor has handled Victoria's health system for 19 of the past 23 years.

Let us not forget that the Premier has been either the Minister for Health or the Premier and responsible for the health system for 11 of the past 15 years, and this all of a sudden is being blamed on somebody else rather than him accepting responsibility—'You know what? We didn't get it right. We didn't train the people when we should have. We didn't put in the additional resources to provide support and make sure Victorians could get the health care to meet their needs when they needed it. If we had, then perhaps we wouldn't be in this situation.' But we also know it has been exacerbated by bad decisions by the government in the handling of this pandemic.

Something that has been questioned by the Pandemic Declaration Accountability and Oversight Committee, which I am a member of, is around the impact of the elective surgery quotas earlier this year. Victorians were promised that this would free up nurses from the private health system who would then be able to go and work in our public system to assist with COVID demand. During questioning, and we have had a number of public hearings, every single time that we have questioned a public health service we have asked them, 'Did you pick up any private nurses through the government's decision to halt elective surgery in this state?'. The response we heard from every single public hospital was an unequivocal no. No private nurses who would have and could have been providing elective surgery since January—none of those nurses—came to the public health system. So the question has to be asked: why on earth was elective surgery cancelled then if the whole reason for it being cancelled was to free up nurses who were never utilised in the public system? As a result, we have this lack of truth and transparency by the Labor government.

We do not know how many Victorians are currently on Victoria's elective surgery waitlist. The government continues to come back and say, 'Well, it was 71 000 last time we looked', which was back in December, which is an absolutely unacceptable response. It shows that the minister has no line of sight or is completely negligent in his job for not reaching out to hear how many elective surgery cases we have to deal with. We are not seeing it, we are not seeing that through. If you do not know what problem you are dealing with, how on earth are you going to get the plan to fix it? It is estimated

that over 100 000 Victorians are on the elective surgery waitlist, and while we know that it is called elective surgery, there is often no singular choice about this.

I would like to refer to a case from my electorate of a young boy—he is about six months old now—Malik, who was born with a cleft palate and lip. We first raised a question about little Malik in this place back in February. The best time for cleft palate surgery is in about that four-month period—four to six months of age. He still has not received his surgery. I have heard it is coming soon, which I am very happy about. But for Tiana and Billy, Malik's parents, it has been a long, long wait. They know when their child's surgery has the best opportunity for success. Malik's cleft palate is having a big impact on his hearing—he wears a hearing device—and there could be flow-on impacts if he does not get his surgery at the right time. It should have been back at four months, but it was cancelled by this government. It would have gone ahead in February if the Labor government had not cancelled his surgery. He has a greater risk the longer it goes on. He will have more scarring and there may be some additional problems in his development because of the hearing challenges that he has got at the moment with his speech and also his swallowing. He uses a special bottle at the moment because he cannot get suction on a bottle. He has a special bottle that he chomps down on, but as he grows that is not meeting the supply of nutrients that a growing little boy needs.

With these surgeries, while we call them elective, for many there are time limits on them. For others these delays impact their ability to go around and live their lives. Whether it is joint surgery, whether it is someone who perhaps needs a new knee or a new hip, this can impact on people's ability to go to work, to go about their business, to play sport or to even just go for a daily walk. It can become a challenge just to leave the house and go to the supermarket. While it is called elective and it seems like it might be something that is nice to have, it is something that is essential to have for these people who are waiting for their surgery.

But it is still a secret for the government—'We're not telling you how many people are on the elective surgery list'. We know that that data is freely available. During the Pandemic Declaration Accountability and Oversight Committee hearings we have heard this. As soon as we asked hospitals, 'What's your elective surgery waitlist?', we immediately got a response with the number of cases on their category 1 waitlists and category 2 and 3 waitlists. That information is readily available. Why won't the government release that data? Why won't they talk about the critical state, the crisis state, that Victoria's healthcare system is in now?

It is not just the elective surgery waitlist that is blowing out. At the last count there were 150 000 people waiting on the dental waitlist. Not having good dental hygiene has an enormous impact on other aspects of your health. It can impact on your ability to eat and even to smile, and it can also give you a higher incidence of secondary infections which can turn into systemic infections. It also has a massive impact on your mental health if you are living in constant pain. We know that last December there were 150 000 Victorians who were waiting for dental services. It will now be much, much higher than that.

We have also got this hidden waitlist of people waiting to see specialists. We cannot see that. If the government was serious about truth and transparency, then we would be able to readily see these waitlists. It is not 'we' as in members of Parliament who do not happen to sit on the government side of the house; it is 'we' as in every single Victorian. We have a right to know the state of the healthcare system in Victoria. We have a right to know when it is likely that we will get our surgery, when we will get our dental care and when we will be able to see a mental health professional, but Labor are continuing to keep this information secret.

We also know the impacts on mental health, and I heard from a paramedic recently that the impacts of having no supports and Labor's absolute neglect of training up the next generation of mental health workers mean that we have got enormous pressure on the mental health system, particularly mental health beds. Because the government is not providing that first up-front support to keep people's mental health in a good state, in a positive state, the first time people can get mental health support is when they

front up to an ED in acute crisis and they need a mental health bed. Because there are simply not enough mental health services in the community, because we have got this huge demand for mental health beds and particularly youth mental health beds, people are having to stay in the emergency department. Paramedics or police are staying with them when they are having a psychotic episode and are acutely unwell, and it is just taking more and more resources when we should not be doing that. We should not have to soak up even more time. It is stopping Victorians from getting the mental health support they need when they need it, from getting the healthcare support that they need when they need it.

It is not as if the government have not had an opportunity to do more when it comes to the mental health workforce. They reannounced recently the Schools Mental Health Fund, but that will not be rolled out to metropolitan schools until 2024. Now, we first knew there was a massive impact from remote schooling and the other restrictions through the pandemic back in 2020 when this first started. Victorian school students are going to have to wait five years before this government will respond. That will be too little too late for so many Victorian students. Look at our students now and what they are living with and working with. I spoke to a principal recently who said, 'There's a big challenge for our students because its three years since they have had a normal year of school'. For year 9 students their last full year of normal school was when they were in primary school. They have not had a normal year of high school. Our year 7 students are even more challenged, because they have not had a normal year of school since they were in grade 4. They simply have not developed that maturity of working with others, of knowing what to do and how to behave in that secondary college environment when they are a bit older, because they have not been exposed to it. That just shows how important it is that when the government is making decisions around lockdowns and restrictions, at every single opportunity we need to minimise the impacts on our youngest.

I would like to cite research, because we have got great research in Victoria. The Murdoch Children's Research Institute have done an amazing amount of work when it comes to knowing more about the impacts of COVID restrictions on children and adolescents. Professor Fiona Russell is an outstanding contributor and researcher on the global scale—she reviews research from all over the world—and also Professor Sharon Goldfeld and many others are part of that team. They are putting forward the clear evidence that the restrictions and lockdowns and particularly the closures of schools should always be a last resort—that we need to take action to minimise the impacts on the youngest Victorians. One of the key reasons for that is the kids that were already disadvantaged. The ones who may be from a lower socio-economic background or who were disengaged with school for their own reasons are the kids who are falling behind further and further and further. And we are not seeing anything from the Labor government that would help to support our most vulnerable Victorian children to reengage with school, to support their mental health and to make sure they get an education and have the best possible start for life.

This is something that deeply concerns me, and I do just urge the government. The Minister for Health was trying to say that the federal government refused to listen to the experts. Well, I urge the Minister for Health: please listen to the experts. Listen to the Murdoch Children's Research Institute. Let us stop the lockdowns and restrictions. This flag here that we have got—the government belling the cat, that they are worried about the COVID funding being cut at the end of September because they want to continue lockdowns and they want to continue restrictions—is a problem. Victorians want something different. They want a vision that Victorians will recover and rebuild. They want to have security in their future. They want to know that someone is putting their mental health first, putting their health care first, putting their jobs first and putting the economy first. That is what people want to see, and this November there will be a clear, clear decision all Victorians will be able to make. Vote for the Liberal-Nationals, who have a plan to recover and rebuild, or vote for Labor, who are flagging with this that there will only be more lockdowns, more restrictions and they do not care a fig.

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (11:39): It gives me pleasure to rise in support of the take-note motion moved by the Minister for Health. Look, I am really pleased to speak on behalf of the one in four Australians who

live in the great state of Victoria who were absolutely, categorically, mendaciously duded by the federal budget on Tuesday, 29 March. This was a budget that could best be defined by sectionalism and political sectarianism. It was all about winners and losers, and the people of Victoria are without doubt the biggest losers. Budgets define you, but at their worst they consign you—to history. This budget is the Morrison government's epitaph. It is short-term bandaids being applied to deep structural wounds in the economy. Those are not words that I use lightly, but in all honesty I cannot describe the budget in any other way.

Make no mistake: a public policy outrage occurred in Canberra last Tuesday, engineered by Josh Frydenberg and the Prime Minister, Scott Morrison, with Victoria and its over 6.5 million residents as its victims. Make no mistake: Victoria received less than 6 per cent of new infrastructure funding in the federal budget, behind New South Wales, behind Western Australia, behind Queensland, behind South Australia. We did beat one state, barely: Tasmania. We beat them, just barely but we beat them. Let us bear in mind of course that they have much less than one-tenth of the population of Victoria.

But let me be crystal clear about this: Josh Frydenberg's budget was mean-spirited, malicious and put short-term politics over fairness and good policy. It shamelessly pork-barrelled to states that the Prime Minister and the federal Treasurer think will be more in play in the federal election that is just around the corner. All of that really demonstrates that this was more of a political manifesto about re-election than it was about good public administration and the fair treatment of the people of this country. And the people of Victoria have every right to ask: what principle was this federation founded upon? The state of Victoria has subsidised every other state in this federation since its inception, and when Victoria—and, might I say, also New South Wales—needed help and assistance from the commonwealth we got nothing but words, empty gestures from a government that seems to have rated politics above the welfare of the Victorian people.

It was a budget for the next six weeks, not the next six years and certainly not the next 60 years. It was about short-termism and it was about selling out the long-term interests of this state. I will quote Josh Gordon from the *Age*, where he said:

It's hard not to conclude the Morrison government has all but abandoned Victoria.

Talk about belling the cat. I do not know of any serious analysis that could come up with any other conclusion, unless of course you want to be a professional apologist for one side of politics. But if you want to name an outrage, a disgrace against every Victorian, regardless of how they vote or where they live, you have got a right to criticise this government for what they have done to this state.

Deputy Prime Minister Barnaby Joyce allocated exactly nothing to Victoria out of a \$7.1 billion regional investment fund. We now know what The National Party's price was for a carbon emissions target—\$7.1 billion to everywhere but the Victorian regions. This is a disgrace. Infrastructure for Melbourne was not a patch on the gravy train to Sydney, Perth and Brisbane. Mr Morrison has been called the Prime Minister for Sydney, but if you follow the numbers, the more appropriate title is the Prime Minister against Victoria. If I sound angry, it is because I am, and I think everybody who has listened to this debate with any degree of reason would have formed exactly the same view. This is theft, pure and simple. A theft has occurred in broad daylight, and the thieves are crowing about it. We are governed at a federal level by a bunch of young Libs. It is all rhetoric, it is all about messaging and nothing about outcomes. As Gladys Berejiklian only today is revealed to have said, the Morrison government is more concerned about petty pointscore than people's lives. And that is exactly what this budget does.

On top of the maldistribution of infrastructure spending, the budget laid bare the inequity of the new system of GST distribution that has been put in place by Scott Morrison. Victoria is set to be more than \$1 billion a year worse off under the new system once the so-called no-worse-off guarantee expires. Let us remember how that no-worse-off guarantee came into existence. The state of Victoria joined with the state of New South Wales and a number of others—but we were the principal movers—and we said, 'If the commonwealth thinks that we are not going to be any worse off through

this nonsense of putting a floor and speculating about what happens to the resource income for the state of West Australia, then write it into legislation and give the guarantee', and if we had not succeeded in getting that done through the Senate, this state and every other state would have been tens of billions of dollars worse off. But that day of atonement will come when this public policy atrocity eventually comes to full fruition in the 2026–27 financial year.

At the same time taxpayers across Australia, including Victorian taxpayers, are being told that they need to take on billions more debt so that additional funds can be funnelled to Western Australia. You have got to wonder. This is a state that is likely to receive an additional \$4.4 billion next year at the expense of the other states. Now, I want you to keep in mind that Western Australia is a state that at the moment is set to post an \$8 billion surplus this year on the back of booming iron ore royalties, which because of supply chain restrictions and because of problems in other countries is likely to continue for quite some time. You have got to wonder what the policy is going to be in terms of distribution of wealth in Western Australia—a mansion and a pool for every citizen? Because that is how maldistributed the GST is, and that is about the sense of quintessential fairness that every Australian has prided themselves on. To actually see this atrocity, this public policy atrocity, inflicted upon this country at a time when we expect equality and provision for needs is nothing short of outrageous. Scott Morrison came up with this crooked GST system with one objective and one objective only—to improve his electoral processes in the west—and without a care for the principles of fairness that previously underpinned the GST and the population of other states.

When it comes to Victoria getting our fair share, the federal budget had \$1.5 billion of costs for Victoria's COVID response missing. I note one more failure, this one of the so-called city deals. I have given up basically spending time with the time sponges from the federal government. Just before every election they come out with a city deals idea, so we ask a few basic questions: what is it that you would like? What are the projects you would like? How much money are you putting in and would you like from us? And still the silence is deafening. But they are starting to talk again now because they want to fool people that they are serious about the interests of Victoria. Why is it that every other capital city in this nation has got a city deal except for of course Melbourne?

There is a recurrent theme here. It is starting I think to dawn on me that maybe they do not like us all that much. Maybe the people of Victoria do not like them that much either, and neither should they, because quite frankly governments are counted by the priorities they set and the choices they make, and they have made one choice loud and clear—and that is, that they do not rate Victoria or the Victorian people. Let us remember that. Let it be the clarion call for Victorians at the next election—these people forgot you. The forgotten people of the Liberal Party are the Victorian people. Let's remember that, and let's pay the favour back in kind for the atrocity that they have inflicted upon us.

Ms BRITNELL (South-West Coast) (11:49): It is interesting to rise after the Treasurer for Melbourne, who conveniently forgets just what his role is. Here we are in the state of Victoria, that goes from Portland all the way to Orbost and Mildura down to Warrnambool and country towns all through, and what we have seen is a state that has the least funding per capita for our health system, which goes way back before the pandemic. Now, do not believe me. Have a look at the Productivity Commission report that came out telling us. We sat in our homes for much of the last two years, and for an hour at least a day the Premier said to us he was preparing the health system. I am sorry, but it has not been prepared. Today we have a health system that is overwhelmed. We have over 100 000 people on waiting lists for urgent surgery, necessary surgery. Think for a minute about the person in pain that needs orthopaedic surgery, for example—a new knee, a new hip, a shoulder operation—who is taking Endone every single day several times a day, worrying about how they are going to get rid of the addiction that they will have once they have had that surgery but not knowing when that surgery will take place, not knowing when they get up in the morning whether they can put their foot to the floor and take steps capably. It is a most debilitating situation to be in, and to need that surgery and feel like you are going to fail and not be able to walk is frightening. Let us think about for a minute how many of those people there are—over 100 000 people. Some of them are desperate for surgery for

saving their lives, like someone who has found a lump in their breast. It is a very frightening experience, and the sooner you get that looked at—

A member interjected.

Ms BRITNELL: Yes, it is. I have actually experienced it. I know firsthand how frightening it is, and when those results come back and you have got to have more surgery it is very frightening. And what about the people who have been trying to ring 000? In my electorate I am getting so many reports of this. It is just a failure of this government that there are less people answering the phone for 000 services today than there were prior to the pandemic. How can the Premier have said he was preparing our health system?

What amazes me the most is when I am hearing—and I have heard this story more than once, in fact at least three times in the last three weeks—that people are going to accident and emergency with abdominal pain and being sent home. Now, I am going to state here and now that I can factually tell you it is not the nurses and doctors who are making mistakes here and sending people home. They have to prioritise based on the resources they have got. I see the member for Melton shaking his head. Well, you think about the little girl who is five who was sent home and ended up with a burst appendix. For those who do not know, the appendix is a part of your bowel, so when the appendix is inflamed and bursts bowel contents can end up in the peritoneum, and it is not a pleasant situation. In fact I have seen people die from that, and it is not uncommon for that to happen. I am correct, aren't I, member for Melton? You know this too.

The ACTING SPEAKER (Mr Morris): Through the Chair.

Ms BRITNELL: This little girl was so sick when she was finally operated on that they had to fly her to the Royal Children's in Melbourne. But do you know what? The Royal Children's said, 'We can't accept her. We've got 46 more urgent patients before her'. This is not a Victoria that I can believe I am in right now. This is a Victoria where I cannot call an ambulance and have confidence that the ambulance is going to turn up. The emails we are receiving!

Then you go to Portland hospital. Last week in the Parliament here, or the week before, I warned the government that young Jessa had contacted me, terrified she was going to have her baby on the side of the road. I spoke with her yesterday. That is exactly what happened. She had her baby on the side of the road. This is after the hospital had shut maternity services for three months. That happened after Portland hospital had had their ophthalmologist taken away from that hospital despite the fact that he wanted to keep practising and is capable of practising. There is no rationale—

Ms Green interjected.

Ms BRITNELL: Yes, I know, actually. The member for Yan Yean is going, 'What's ophthalmology got to do with babies?'. That is right. So they have had ophthalmology cut, and despite the doctors all coming out saying, 'Something's really wrong here, and could you please listen to us because services are being cut?', after the doctors came out and said that, they then cut maternity services. And guess what? At the public rally last week people from the maternity services stood up and said, 'We can do this with a patient-assigned system. We don't need to shut this down. We don't want to lose our obstetrician-gynaecologist, but if he doesn't have his ability to operate and do his obstetric work as well as gynae work, he is going to lose his skills, so of course he's going to be poached'.

The government will try and say it is because there were not enough midwives to fill every shift. Yes, but there were enough midwives to help Jessa, a patient, so she could have turned up and had her obstetrician and a midwife assigned to her to deliver that baby for her rather than the terror she experienced on the side of the road. She talked about it. She had her hand on the baby's head as it crowned and she was trying to push it back in. That is what she told me, because she was so frightened of having that baby on the side of the road. An extraordinary situation!

Her husband, Ben—can you imagine what it was like for him? Driving along, could not pull up anywhere because there are no overtaking lanes, and it is a bloody shocking road, to be honest. It was dark, it was 5 o'clock in the morning when she delivered. The terror for that man: he knows that she has had a postpartum haemorrhage in the past. That is why she contacted me. She said, 'I'm really scared. What happens if I have the baby on the side of the road?'. Thank God—thank you, God—that she did not have that situation recur because the situation would not be that little beautiful Astrid is here today and Jessa is in hospital recovering—in shock still, I think. She was so in shock afterwards from having the birth in such a challenging way.

I just cannot understand. The government are not listening to the people of Portland. I was sent with a message from the meeting that said, 'Immediately replace the current board with an eminent local administrator to work with the CEO and restore the hospital with a new funding model that properly reflects the cost of delivering the health service that Portland needs and deserves'. Cutting services is not an option.

You know, the government have had the Hillis report that says Portland is in a situation where the ad hoc model is not working. They need to put money and effort and incentives into attracting staff. We did the perinatal inquiry in Parliament. The report which was delivered in 2018 recommended workforce planning that the government should do. It is now 2022. Where is the workforce planning? For two years an ad for a midwife sat on the internet—no encouragement from the government to sort of say, 'What can we do to incentivise? How can we do this better?'.

It is just not good enough for the government to say, 'I've given them an extra \$7 million'. Do not be fooled by that, Portland community. Do not be fooled by that. That \$7 million was to get through the pandemic and the cost of the outbreaks we had in Portland where the hospital and the board, two years ago, did a fantastic job. The government have helicoptered in a chair from out of town and people from out of town and put them all on that board. It is an insult to the local people to say there is no-one in the town that is qualified or capable to be on the board.

Mr Staikos: On a point of order, Acting Speaker, the member has 1½ minutes left and in 8½ minutes she has not actually spoken on the motion, which is about the federal budget. It is not an opportunity to just rant about all sorts of things—

The ACTING SPEAKER (Mr Morris): Your point is relevance?

Mr Staikos: Absolutely.

The ACTING SPEAKER (Mr Morris): Members are entitled to respond to points that are made in debate. That is exactly what the member is doing.

Ms BRITNELL: The people have told me that they have got no confidence in the board, and they do not want to lose services. They need these services replaced. We cannot afford to have people giving birth on the side of the road because the government has not funded the health service properly.

The Hillis report was released two years ago, but not publicly. There is no coincidence that it was released after I raised it in the Parliament. The government can continue to pretend they are implementing it, but when you put in a board from out of town I think there is a very clear intent that the government is not going to be producing a hospital that can give us the services we need. I get calls from people like John yesterday, who told me he had a call from the health service saying they cannot give him podiatry any longer. I am hearing of more and more services being cut. He is a gentleman who is a diabetic with blisters on his feet. You should never cut a diabetic's toenails if you are not a podiatrist. What is going to end up with him? Is he going to lose his legs if he is not getting treatment properly? Why does Portland deserve less?

Mr CARROLL (Niddrie—Minister for Public Transport, Minister for Roads and Road Safety) (11:59): It is my pleasure to rise and talk on this take-note motion on the Victorian government and the Victorian community—indeed, the taxpayers—receiving their fair share, as well as the COVID-19 funding concluding at the end of September, leaving Victoria \$1.5 billion short. I will confine my remarks to the federal government’s lack of investment particularly in the transport sector, but COVID as well, because it is the transport sector that helps get the vaccines into people’s arms. The way the vaccine gets anywhere is it is carried by the transport sector, from air to rail to emergency. There is a lack of recognition of how it has been the Andrews government that has supported the transport sector and emergency services workers right through COVID, added more space than ever before to our network and continued to run a fully fledged network. When other places that have been rewarded, such as the New South Wales government, went to a Sunday timetable we continued to invest and provide an adequately serviced, well-serviced, public transport network.

I thought the Victorian Treasurer outlined very well what we are missing out on. I just recently celebrated 10 years in this place. I had the pleasure, though, of serving as Minister for Industry and Employment when I saw the defence industry go to South Australia when Victoria had the best bid; I saw the space industry and all our work with the university sector also go off to South Australia as well when it is our university sector—the La Trobe University centre—that is partnering with NASA, partnering with SpaceX, doing all the world-leading innovation and technology.

It would be remiss of me if I did not talk about public transport, because in most jurisdictions around the world it is actually at the federal level that public transport gets funded. The British government recently released a bus plan that has the Prime Minister on the front cover—because they invest in transport at a commonwealth level and at a federal level. Look at the Biden administration: their stimulus package is heavily invested in getting America moving again by investing in transport—Secretary Buttigieg. They are putting a record investment in transport. We are fortunate that when we came to office under the leadership of the Premier we got ahead of the curve with our level crossing removal program, with all of that investment in transport and with the Metro Tunnel, because that will help insulate us for the future.

It would be remiss of me if I did not touch on commuter car parks. The Minister for Ports and Freight, who is at the table, did an incredible job helping us with the commuter car park program and getting it to a stage where we are delivering literally thousands upon thousands of commuter car parks. And we actually are delivering them—I was with the Deputy Premier in his electorate just a week ago; I talk to all of my colleagues. And then when you think about the federal government and its commuter car park program, what a botch-up hatchet job it has been. Think about even the federal Treasurer in his own electorate, his own seat of Kooyong. He committed some \$65 million to car parks at Canterbury, Glenferrie, Camberwell and Surrey Hills. And guess what? None of them are happening. He has pulled the \$65 million away from his own community—and he probably wonders why he is in for the fight of his life. He is not delivering for Victoria—he is not even delivering for his local community—promises that he made at the last election. Just recently I saw him on a pushbike, advertising how good and important it is to cycle. Have we seen any commitment to active transport in any budget that the federal Treasurer has handed down? No.

You cannot talk about transport without talking about its role in the climate change challenge. We know transport is the second-largest and the fastest growing emitter of emissions, and under the leadership of the Victorian government, in particular the Minister for Energy, Environment and Climate Change, and I must say most states and territories around Australia, we are actually taking up that issue of the electric vehicles and rolling out charging stations. Under the leadership of our Treasurer, we were the first state to introduce a subsidy for people to actually purchase electric vehicles, and interestingly, for working-class people, who are very much car dependent and who do not have access to public transport, the data has shown that they have been the people that have taken up the subsidy for electric vehicles the most.

The Grattan Institute says it is being left to the states and it should be a national approach from the commonwealth level to do the rollout of electric vehicles. The future is electric. We are doing our program on zero-emissions buses, which is going very well, but again the commonwealth government is completely at sea. I do not want to go back too far in history, but I think one of the things with Malcolm Turnbull was he never lived up to his values, whether it was on climate change—he was always famous for getting around his own community on buses, but when it came to the opportunity to invest in the Metro Tunnel, he squibbed it. He was never a believer in public transport, despite professing a love of it. We know on our side of the chamber where the investment is so required for the Victorian community.

I thought the Treasurer quoted very well when it came to some of the articles that have been written, in particular by Josh Gordon. But I want to go to the Grattan Institute and Marion Terrill, who I have had the pleasure to meet and who is the director of transport policy at the Grattan Institute, who said this:

Victoria consistently misses out on federal transport spending. Of the funding we do get, the federal government is all too happy to play favourites with marginal seats.

She goes on:

This underweighting cannot be explained by our rate of population growth over the period, or the length of Victorian roads, the amount of passenger or freight traffic, or how much it actually costs the state government to run the transport system.

The states that do better are Queensland and NSW—which just happen to be the states where federal elections are usually won and lost.

So you can take an independent advocate for transport and you can hear in their own words what they have to say about the infrastructure spend in this state.

When you think about airport rail—I was very surprised, I have got to say. The Treasurer I thought spoke very well about this city deal. We have got the member for St Albans, the member for Pascoe Vale and we have a few other members that represent Melbourne's north-west. I was shell-shocked when I saw just yesterday out at Essendon Airport the federal minister for urban infrastructure, Paul Fletcher, with the mayor of Moonee Valley. I quote Moonee Valley council here, from their page:

It's great to see the Australian Government including the Western Gateway Station in its vision for the North and West ... City Deal workshop today!

I have never read anything about the federal government committing to build any stations in Melbourne's west. They have made it very clear that they have got \$5 billion on the table for the airport rail link. I have never seen them at all advocate for the communities of Melbourne's west. We know Mr Finn in the other place, and I have never seen any advocacy for what they want to do in Melbourne's west. I think often you see with this commonwealth government lots of show and tell but no delivery, and that is another prime example of holding a workshop to give the local communities in Melbourne's north and west some false hope that they are committed to doing something to help us with transport in our community—but it is false hope. They have never put their money where their mouth is, and we see it time and time again. You do not have to take my word for it; you can take the Grattan Institute's.

What gets me in my craw are these ads that they are running about net zero at the moment. The Prime Minister thinks he can go to Glasgow and that gives him basically the licence to say, 'We're doing something about net zero'. You do something about net zero not by talking about it. The deciding decade on climate change is now, and this is when you do roll out electric vehicle charging stations, when you do commit to a properly resourced public transport system and when you do make sure all our buses are operating on zero emissions.

Mr WALSH (Murray Plains) (12:09): I rise to make a contribution on behalf of the Liberals and Nationals on the Minister for Health's motion, which effectively reads that the federal Liberal-National government has failed to deliver for Victoria their fair share in the 2022–23 budget. I suppose listening to both the Treasurer and the Minister for Roads and Road Safety speak the phrase that comes to my mind is the kettle calling the pot black, because as a member for regional Victoria I can almost say ditto to what they have said around the issue that there is very little investment in regional Victoria from the Andrews government. The Treasurer made some comments about what Victorians may or may not think of the federal government, but I would put to the house that the way the Andrews government treats regional Victoria I do not think regional Victorians would think very highly of the Andrews government and what they have not done for regional Victoria.

The classic project that comes to my mind that has not been funded properly by the Andrews Labor government is the Murray Basin rail project, a project that is very dear to the heart of a lot of people in north-west Victoria, which was to standardise and upgrade the rail freight lines of north-west Victoria. Money put in by the Liberals and Nationals when we were in government here in Victoria was matched by money from the federal Liberal and Nationals to do that particular project. If you ever wanted to write a book on how not to do a project, how to totally botch a project, that would be something that someone at a university should do a major thesis on and examine how that project could go so badly to the point that in addition to the \$420 million of initial funding, the commonwealth has had to stump up another \$200 million to actually fix up the mess of that project for that part of it that has been done.

Now there are two lines left undone, the Manangatang line and the Sea Lake line, and what I think the people of north-west Victoria find extremely galling is that now the Minister for Transport Infrastructure in Victoria is putting out press releases saying that the project is on budget and on time and will be finished. It would have to be the largest mistruth that I have ever heard from a politician here in Victoria to say that that project is on budget or on time. The project has been absolutely destroyed by the Andrews government, and we have now ended up with some standardised lines and some broad-gauge lines and there are even more inefficiencies than there were when that project started. The freight operators on that line are saying it is actually worse now than before the project was started, so effectively \$600 million has been spent to not improve that system at all. So when the government members here stand up and speak about the fact that Victoria is not getting its fair share, for that project Victoria got more than its fair share from the commonwealth to help do that. Victoria has not matched the commonwealth money and Victoria has wasted most of that money, and we do not have a good project out of that.

When I talk to my federal colleagues, who obviously cannot break cabinet-in-confidence discussions between governments, they say the standard of the business cases that are received from Victoria by the commonwealth asking for funding is just appalling. They are getting a one-page letter effectively saying, 'We want hundreds of millions of dollars for a particular project'. It does not stack up if you are talking about good governance and good oversight of projects. The level of integrity and detail that is in the business cases put forward by Victoria for hundreds and hundreds of millions of dollars of funding just do not give enough detail for the commonwealth to have confidence that those projects will go well.

When you think about the fact that the Andrews Labor government has now wasted \$24 billion in Victoria on cost overruns on their major projects, the commonwealth quite rightly has some reservations about Victoria's ability to manage major projects. If you think about that \$24 billion, that could have funded a lot of ambulances, it could have funded a lot of people working at ESTA to take the 000 calls and it could have solved the hospital waiting list crisis a number of times over in Victoria if it had not been wasted on the cost overruns and the blowouts on major projects. It is the kettle calling the pot black for Victoria to stand up and say they are not getting enough money to do the things they need to do. They would have had more than enough money to do the things they need to do if they had actually spent it wisely and done it properly.

The Suburban Rail Loop is a project that no-one really knows what it is going to cost in the final result, with no business case that has ever been released and no scrutiny by Infrastructure Victoria. It was just announced, effectively on the back of an envelope, and now tens of billions of dollars are going to be spent on that particular project. Again, that money could have solved the ambulance crisis, it could have solved the hospital waiting list crisis and it could have solved the mental health crisis without a levy on payrolls. It could solve basically every crisis that is in Victoria, the \$24 billion and what is going to be spent on the Suburban Rail Loop, which will constantly go up and up and up. Victoria is not spending the money it is getting wisely. They should start doing that before they start complaining about how much they are not getting from the commonwealth.

The issue for the Victorian government when it comes to the pandemic funding is they are saying that after September there will be a cut in funding. To me, the Victorian government is effectively barracking for the fact that they believe the pandemic is going to keep going and that they will need that additional funding from the commonwealth into the future. It is my understanding that of the \$1.5 billion for the surgery catch-up, half of that money is being paid for by the commonwealth. The Victorian government has gone out and is effectively bragging about the fact they have put \$1.5 billion into catching up on the crisis in the surgery waitlist, but half of that money is coming from the commonwealth. Where is the credit? Where is the honesty from them to say, 'Half of the money we are spending is commonwealth money'? If the Treasurer and the ministers on that side of the house want to have any credibility with the people of Victoria, they should be honest with them and tell them, 'Yes, we're spending \$1.5 billion to solve a crisis that we made ourselves, which predates the pandemic'. It is not all driven by the pandemic. The Minister for Health is not being honest with Victorians by saying this is all about the pandemic, because hospital waiting lists were blowing out before the pandemic. It is very disingenuous to blame the pandemic for all of those problems. To say Victoria is putting in \$1.5 billion when half of that is coming from the commonwealth and then to criticise the commonwealth for not putting enough money in does not stack up. It just smells. The Minister for Health is not being honest at all with the people of Victoria when it comes to this.

The last thing I would like to finish off on is the comments from the Minister for Roads and Road Safety, who was talking about the false hope of having the commonwealth government making commitments and visits before a federal election. I welcome the commonwealth coming to my electorate to make commitments. On Sunday and Monday we are opening a bridge in Echuca. It will be the second river crossing there and will take traffic pressure off the centres of Echuca and Moama. That is a project that was funded and started when we were in government here, and most importantly it was funded by the federal Liberal-National government to get it done. I welcome the commonwealth ministers coming in and showing an interest in my electorate. I welcome them coming to regional Victoria and showing an interest in it. If you look at all the major transport projects in regional Victoria that the ministers talk about, 80 or 90 per cent of the funding for those projects comes from the commonwealth. It is disingenuous again for ministers to stand up and say, 'The Andrews Labor government is doing the Shepparton rail line', when 90 per cent of that money is coming from the commonwealth. It is not coming from the state. A lot of it is coming from the commonwealth.

A member: \$330 million.

Mr WALSH: \$330 million is a lot of money coming into that project. For the Echuca rail line upgrade, more than 90 per cent of that money is coming from the commonwealth. Let us give credit where credit is due, rather than just constantly playing politics around this. It is just part of the mantra of the Andrews Labor government to blame the commonwealth for everything instead of taking responsibility for their own mistakes and for the administration of their own budget. They should give everyone a fair go rather than just saying 'the commonwealth, the commonwealth, the commonwealth, the commonwealth'. It is almost like a spoilt child demanding more lollies every day. The Andrews government should manage their own budget and be responsible for their own mistakes.

Ms HORNE (Williamstown—Minister for Ports and Freight, Minister for Consumer Affairs, Gaming and Liquor Regulation, Minister for Fishing and Boating) (12:19): It gives me great pleasure to rise today to speak in support of the Minister for Health's take-note motion on the federal budget. There are a couple of points that I would like to talk about today, particularly in relation to my portfolios as both the Minister for Ports and Freight and the Minister for Consumer Affairs, Gaming and Liquor Regulation.

With just 18 per cent of infrastructure spend for a quarter of the population, it is clear that Victoria has been duded once again in the federal budget. Not only have we been forgotten by the Morrison government, with money set aside for freight projects in the budget, this will make things worse for the state of Victoria. The federal budget announced \$3.1 billion to deliver the \$3.6 billion Melbourne intermodal freight terminal package, but only \$208 million is allocated over the next four years and \$2 billion of that funding was included in last year's federal budget. It is not new money, it is just smoke and mirrors, which is a hallmark, I must say, of this federal government.

What is even more alarming is that the federal government is not listening to what the freight industry wants and needs. The Victorian government has made it really clear by doing the business case, by doing that detailed work, that Victoria's priority is for an intermodal terminal in the west of Melbourne. I have sat down with transport operators, primary producers and exporters, and these conversations have highlighted that a terminal in Melbourne's west will deliver better outcomes for business and community. Only recently, when the federal budget was handed down, did I have a conversation with Paul Scurrah, the head of Pacific National, who was unequivocal about the need for that intermodal terminal to be in the west of Melbourne—instead, completely ignored by the federal government. It will put so much more pressure onto the western suburbs. Industry has backed the west as a priority location, and that is needed now. Our comprehensive business case unequivocally demonstrates that the west is best because a terminal in Melbourne's west benefits Victoria, but it not only benefits Victoria, it benefits the whole of the nation. The site is a no-brainer because half of Victoria's interstate rail freight customers are already operating in the area.

Just recently I was out in Truganina with a great voice in the whole freight sector, Peter Anderson, who is the head of the Victorian Transport Association, announcing that the Victorian state government is partnering with the VTA to create 125 new jobs in the freight sector. Once again here is the state government stepping into the space where the federal government should be to do the heavy lifting when it comes to freight. We are doing that because we know the freight task is set to increase exponentially over the next two decades, and the volume of road freight generated and consumed in Melbourne's west is around the same as for all of Brisbane and for all of Adelaide.

Instead what the federal government's budget is doing is putting an intermodal freight terminal in Beveridge, so up in the north of Melbourne. This is an expedient opportunity for the federal government, because they have got an incredibly challenged inland rail project. We know it is under time pressure, we know it is under cost pressure and it is a significant nation-building project, but to simply stop it at Beveridge, which will dump more trucks and more congestion into that area, without the supporting infrastructure to take it around to the back of Melbourne is nothing short of despicable, because not only will it create challenges up in the north but also it is not what industry wants. Instead what they are saying is that we need to put an intermodal freight terminal in the west of Melbourne because it will save more than 600 000 truck kilometres per day compared to what is happening up in Beveridge, and this will see about 30 per cent less interstate rail demand at Beveridge than in the west. Also in the west there is closer access to the hundreds of warehouses and logistics businesses already there as well as efficient connections not only to the inland rail but to Adelaide and to Perth and, critically, to the port of Melbourne.

It will create almost 2000 direct jobs and countless more indirect jobs. Industry has been clear, but having ignored industry, it is clear that we have got a federal government that is only interested in a budget based on politics and not on building prosperity. It is a quick political fix for that incredibly challenged inland rail project. Effectively, if it were an airline path, we have got the pathway there and

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we have got the journey planned, unfortunately what the state needs to get on and do is have the terminal at the end built.

Instead, as I said, the state government is interested in getting more freight onto rail, and that is part of our comprehensive freight plan. It is in stark contrast to the federal government, but because we are out there listening to our primary producers, to our exporters, to our importers and to our transport operators, we have heard loud and clear that rail freight is not competitive with road. So we need projects that the state government has built, things like the Murray Basin rail.

It is interesting to hear that the members opposite were talking about the Murray Basin rail. They clearly have not been talking to Seaway or GrainCorp about the benefits that that project is now delivering. We have got the port rail shuttle changing the way that freight moves around Melbourne, and the last piece of the puzzle is that on-dock rail solution down at the port of Melbourne.

But the other slap in the face, really, that we saw out of this year's federal budget was the measly \$2.2 million for a business case into the Portland–Maroona line. Now, just last week I was out walking that track, and I was shocked by the condition of the track. This is a track that is leased to the federal government agency, the Australian Rail Track Corporation. There are rail sleepers crumbling underneath that track. There are rail nails that hold the track to the actual sleepers that are lying beside the track. It is clear that the Port of Portland has got a clear vision. They have done the business case work that says, 'We've got eight customers ready to use that rail line if only it was up to the condition that the lease agreement is'. They are not short-term rail customers; they are customers for 30, 40 years. So denying the port of Portland that sort of customer base is costing jobs, and it is costing prosperity into the south-west region.

But finally let me just touch on, in my last minute, the consumer affairs portfolio, because we know that the cost of living is a massive concern for people, particularly in Victoria, and indeed for so many people nationally. So you would think you would have a federal government minister for consumer affairs to provide those important consumer protections. But no, we do not. In fact we have got a minister who takes some kind of responsibility, but there was nothing in the budget. There was nothing to support people with the cost of living and to provide those important consumer protections. In fact what we have seen is a government that has abolished a national ministerial council for consumer affairs instead of actually making sure that we have got a model that provides the protection for consumers across the country.

Mr SOUTHWICK (Caulfield) (12:29): We know that our health system is in crisis in Victoria. It is broken. We have heard so many examples, certainly from our side, about people waiting for an ambulance, people waiting for a bed and 100 000 people on a waiting list. It is absolutely beyond belief that we have got now 100 000 people that cannot get a surgery here in Victoria. 000, a lucky dip whether somebody actually turns up; ambulance ramping; a code brown—no other state has seen a code brown except for Victoria.

The Victorian Minister for Health, who has brought this motion before the Parliament today, blames the federal government, and he says, 'Well, it's a pandemic that seems to be hitting Victorians harder than every other state'. Our system is broken because this government has been in power 18 of the last 22 years, with the Premier either the health minister or the Premier for 11 of those 18 years. This did not happen overnight, this happened over a long time of negligence. Now this government is claiming that the federal government should provide more money. Well, this government, prior to the pandemic really hitting its straps just two years ago, around April Fools' Day, said, 'We're going to provide \$1.3 billion worth of money, 4000 beds, additional staff, to prepare for the pandemic'—\$1.3 billion, 4000 beds to prepare for the pandemic, money and beds that never, ever happened. Was it an April Fools' Day joke? I do not know, because only last weekend we got again the health minister rolling out with the Acting Premier to say, 'We're now promising \$1.5 billion to fix the health system'. Let us hope this time around they get it right, because we did not see the \$1.3 billion, and if we had had that money two years ago, we would not be in the mess that we are currently in right now.

Let us just also focus on this motion, because this motion blames the federal government. The health minister who blames the federal government for the health crisis came out on the weekend and said, '\$1.5 billion to help fix the health system'. Well, the health minister failed to mention where that money is actually coming from. Half of that money—half, 50 per cent of that money—is coming from the federal government. So the federal government is kicking in 50 per cent to fix what the state government has created in terms of this mess, with no acknowledgement. Instead of any acknowledgement or even a thankyou, what we do get is a motion today blaming somebody else. This government is very good at blaming someone else but not at taking responsibility for its failure, and in the meantime we have got people waiting for an ambulance, people dying calling 000—12 people died waiting for 000—100 000 people waiting to get a bed and chronic issues that go beyond elective surgery. We have heard them. We talk about them each day in question time, and the minister says, 'Well, I'm not sure about this one; I'm not sure about that one'. These are real people suffering pain under this government.

Let me tell you one other thing. How would you trust this government with any money at all when it has blown \$24 billion worth of money? It is like giving a naughty child a credit card that they keep spending and ramping up time after time to a point where it has cleaned out the bank account. Would you give them any more, or would you cut up the credit card? I tell you what, this government is absolutely drunk on spending, and not spending where it counts but blowing budgets—\$24 billion of blowing budgets: \$24 billion is the equivalent of about 48 hospitals.

Mr Staikos interjected.

Mr SOUTHWICK: The member for Bentleigh can laugh and carry on, but this is quite serious, member for Bentleigh. I tell you what, member for Bentleigh—

The DEPUTY SPEAKER: Member for Caulfield, I would ask you not to respond to interjections.

Mr SOUTHWICK: Thank you, Deputy Speaker. From the seat of Bentleigh I had a constituent contact me last week trying to get their child to hospital. They were waiting for an ambulance to turn up. They waited over an hour. They then waited for hours in emergency for that child to be treated. So I am sure in seats like Bentleigh there is a health crisis that this government has failed to fix, and I know because constituents in Bentleigh are contacting me because they cannot get any help from the member for Bentleigh.

Let me continue about some of these issues: \$24 billion of waste. On the weekend is the Good Friday Appeal. The Royal Children's Hospital cost \$1 billion to build the whole thing. We could have 24 Royal Children's Hospitals for the money that has been wasted under this government—24 of them. When everybody gives, as they should, during the Royal Children's Hospital appeal, just think how much the Victorian Labor government have blown, have wasted, through mismanagement of major projects. Let me give you some examples: North East Link has blown out to \$10.79 billion—that is 10 Royal Children's Hospitals; Metro Tunnel, \$3.4 billion—that is three Royal Children's Hospitals; level crossing removals, \$3.3 billion—another three Royal Children's Hospitals; the West Gate Tunnel has blown by \$2.7 billion—almost three Royal Children's Hospitals; and the east-west link, \$1.3 billion—another one and a half children's hospitals. The Victorian Heart Hospital, \$564 million, was promised at \$150 million and has blown out. It just goes on in terms of this cost.

This waste that this government has blown could build so many hospitals, could fix the health system. The \$24 billion would repair our health system and get it back to where it once was, and yet the government is asking for more money. The government is saying, 'You know what, we've wasted ours so how about you kick in more?'. How about this government do their job and budget properly and not spend and waste taxpayers money on projects that they clearly cannot manage?

You know what? In my electorate of Caulfield, Alfred Health needs \$500 million to build a whole new hospital. You have got \$24 billion worth there. I could build 48 or thereabouts Caulfield Hospitals

with the budget blowouts. All we have got from the government at the moment is a feasibility study to look at what they are going to do with the Caulfield site, and we know—

Mr Rowsell: Sell it.

Mr SOUTHWICK: As the member for Sandringham said, sell it. That is possible as well under this government. They are broke, so who knows what this government is going to do in terms of selling hospitals. That is probably on the cards. But I will tell you what, this government does not care about what they have done in the health crisis in this state, a health crisis that will go on for years in terms of what it has done for pain and suffering, a health crisis that is also a mental health crisis through lockdowns. The health minister said, when it comes to isolation and masks and other things and he was asked the other day what he was going to do about that, ‘It is a federal government problem’. Is this government going to take any responsibility for anything? This government is about to kick on the emergency management powers again so we have isolation, mandates and masks again, kick the can down the road for an indefinite period of time. Victorians are sick of fear. They are sick of control. They are sick of a government that will not let people get on with their lives. We have got a broken health system, we have got schools that are still suffering under this government and kids that have suffered from homeschooling and the mental health crisis because of a government that has provided the longest and harshest lockdowns in the world. What a shocking record to have.

Ms D’Ambrosio interjected.

Mr SOUTHWICK: The Minister for Energy, Environment and Climate Change says that is rubbish. Well, tell me another place in the world that had a longer lockdown than Victoria, Minister for Energy, Environment and Climate Change. Tell me one of them. I do not know any other.

Ms D’Ambrosio interjected.

Mr SOUTHWICK: The Minister for Energy, Environment and Climate Change says, ‘Do your homework’. I would welcome knowing another place anywhere in the world that had longer lockdowns than Victoria. You know, we just want to wipe off history. They just want to wipe history in terms of what this government has done to Victorians—ordinary Victorians that have absolutely suffered under this government. They have suffered a health crisis, they have suffered a mental health crisis and they have suffered in lockdowns from an incompetent, useless government.

Ms HUTCHINS (Sydenham—Minister for Crime Prevention, Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:39): I rise to take note on the federal budget as well. Many of my colleagues have remarked on how this budget has short-changed Victoria and how as the second-largest state we are owed more than the federal infrastructure spend allocated. Instead, we got such a tiny slice of the pie, only a fraction of what was given to New South Wales. The budget papers show that Victoria will get less than 6 per cent of new infrastructure spending, and that is a disgrace. That is \$208 million versus \$1.1 billion for Western Australia, \$1.3 billion for New South Wales and \$446 million for Queensland. This underscores something that Victorians already know, and that is that Prime Minister Scott Morrison is not a prime minister for Australia as he should be but instead a prime minister for New South Wales. Now, I do not have anything against New South Wales—in fact I have lived in New South Wales; born and bred in Melbourne but I have lived in New South Wales, and I even barrack for New South Wales when it comes to the State of Origin—but Victoria deserves its fair share. We saw it through the vaccine rollout, and we are seeing it again now with the infrastructure spending. It breaks my heart that Victoria is being treated so poorly and that Victoria and New South Wales have to fight each other for the Prime Minister’s attention.

Beyond this huge disparity between states I would like to also focus on the impact this budget has had on Australian women and the lack of commitment that it has shown. This budget has predicted that real wages will fall when combined with a tax hike. Women are already underpaid and do more unpaid work than men, and this has got worse during the pandemic, so this cost-of-living crisis is going to hit women so much harder. Those who have worked at home or had to work around the restrictions have

had to manoeuvre daily life just to take home some pay. It has become clear over the last two years that many women were working jobs that do not pay their bills, do not meet their needs or let them plan for their future, for their retirement.

The responsibility of caring for children still overwhelmingly falls to women, even in this year of 2022. The budget from the Liberal-National government in Canberra does not include any semblance of a plan for cheaper child care. Child care is good for productivity, it is good to help women get involved in the workforce, it is great for economic growth and it is good for children. The crisis we currently face in childcare affordability is hurting Australian women—women who have had to put up with disadvantage many, many times in their careers in order to care for their families; women who sacrifice working hours, networking with their colleagues and learning new skills to give their time to caring for children. As a woman who stood down from being a minister to care for my family in a time of crisis it pains me to see other women, many who are in much more challenging positions than I was, have to make similar choices. I do not regret my decision in the slightest, but I know that it is a decision that far fewer men have to make. It is an investment in child care and in the protection of our children with mental health and health facilities. We know that these are the strains that often fall upon women's shoulders.

It is worth noting that child care is one of the industries where the workforce is overwhelmingly dominated by women, so by supporting childcare funding the workforce also benefits, and it will improve our economic situation for women who work in the industry. I have a lot of friends in the industry, and I have a lot of women in my electorate that say they cannot make ends meet on a childcare salary—those that work in the industry. Scott Morrison had the opportunity to support women who work in this area, and he has failed to do so.

Similarities arise also when you look at the funding of the aged care workforce, again dominated by women, with around 87 per cent of staff being women—women who show up every day to do their absolute best to look after those that need love and respect and deserve it in their care. They will be the first to tell you that the system is at breaking point, and I want to commend every aged care worker in Victoria who has done everything they can to protect those in their care throughout the pandemic. I cannot imagine how challenging the day-to-day work would have been at the height of lockdowns. The federal government should have supported these workers. Scott Morrison was the Treasurer who cut \$1.7 billion from aged care. He was warned at the time that this would have catastrophic consequences for the system, and it is exactly what has happened.

The interim royal commission report, with the searing title *Neglect*, shows just how bad things have become. Central to many problems in aged care is the short staffing. Low wages in the sector mean current workers are overstretched, and it has become almost impossible to recruit new staff. During the height of the pandemic in my electorate one of the private aged care facilities unfortunately very much struggled with a lack of staff due to not only an outbreak of COVID but also a general understaffing issue that they had. Unfortunately we saw, as a result of that, the care of a local aged care resident splashed all over the news, with her open wound, which had not been changed for days due to isolation and restricted staff, being covered with ants—when her family were able to get a picture of what her wound looked like. It was an absolute disgrace to this nation's ability to deliver good aged care. Scott Morrison had the opportunity to do the right thing in this budget, and he did not. I am really pleased that the opposition leader, Anthony Albanese, has set out five concrete measures to solve Australia's aged care crisis. Solving the issue of low wages has been one of the main points. For thousands of women who work in aged care this will be a game changer.

This is not the only way the federal government has failed Australian women. We are all still waiting for some real outcomes from the recommendations from the report known as *Respect@Work*—a very serious report by the federal Sex Discrimination Commissioner into women in Australia and how workplace sexual assault and sexual harassment is reported. Women in Australia have had to put up with a lot from the federal government. They have seen women staff treated awfully, and even women from the Liberal Party are saying that this Prime Minister is not fit to serve. It is heartbreaking that

even in the year 2022 women face so many challenges to being respected at work. This budget could have included funding for every single one of those recommendations, but it failed to do so. What would Jenny say about that? I can tell you now federal Labor will fund those recommendations.

Nothing in this budget makes up for a decade of attacks on wages and job security. Seventy-seven per cent of Australian women say cost-of-living pressures have gotten worse over the last year. When thousands of women took to the streets to say they had had enough, they were saying they had had enough of this federal government too. They want respect. They want respect from their government at a federal level and they want respect from their government here in the state, and we give it to them. We say that we respect you, that we put you front and centre not just as part of our recovery plan from COVID but also in terms of the respect for those workforces that are dominated by women, whether that be in health care or in child care or in aged care.

Mr ROWSWELL (Sandringham) (12:48): I also rise to take note of the motion moved by the Minister for Health. Specifically in reference to point (1) of that motion there is the phrase used, ‘failed to deliver Victorians their fair share’—sure—in reference to the federal government. But what I would like to do in my contribution today is outline for the house the multitude of ways in which the Andrews Labor government has failed to deliver a fair share for the people of my community. Just yesterday in question time I had the opportunity to raise a question in this place about the circumstance at my local hospital, Sandringham Hospital. It is a much-loved community hospital that has served my community for 58 years. It is something which the Andrews Labor government has, in my view, a particularly poor record on. In March 2016 the then Labor Minister for Health threatened to slash the hospital’s emergency department operating hours from 24 hours a day to 12 hours a day. It took a three-month community-led, community-driven campaign to get the health minister down to Sandringham Hospital and for the health minister at the time—

Mr Staikos: On a point of order, Deputy Speaker, the member for Sandringham is required to be factual in this house. I remember in 2016 the then Minister for Health, the member for Altona, actually conveyed exactly what the effect of the federal Liberal government—

The DEPUTY SPEAKER: Member for Bentleigh, that is not a point of order.

Mr ROWSWELL: Thank you, Deputy Speaker. And through the course of that discussion they threatened to reduce the hours of the emergency department of Sandringham Hospital from 24 hours a day to 12 hours a day. The member for Bentleigh has actually just made the point for me which I was wanting to make myself. The emergency department’s operating hours were threatened, and it took a three-month community-led, community-driven campaign to get the then health minister, the member for Altona, to the Sandringham Hospital to recommit to the emergency department at Sandringham Hospital remaining open 24 hours a day, seven days a week—something which I recommitted to ahead of the 2018 election and something which I remain committed to.

But it does not stop there. In December 2019 the Labor government, on their watch, allowed for eight beds to be cut from the hospital—an entire ward closed—which therefore forced five full-time nursing staff to either move to other wards or leave their nursing careers. By contrast, not only have we committed to retaining a 24/7 emergency department, but we in fact pledged ahead of the 2108 campaign to rebuild the outpatient clinic at Sandringham Hospital. Every step of the way my community has backed Sandringham Hospital. Whether through the 24-hour charity bike ride, which I participated in just a few short years ago; the annual Lunch by the Bay; the charity golf day; support from the Sandringham community bank; the Black Rock Sports Club; or Beaumaris Rotary, my community and I are absolutely aligned when it comes to having a viable, vibrant and purposeful Sandringham Hospital in our community that will serve the interests of this generation and the next.

By contrast, as I raised in the Parliament yesterday, on this government’s watch the surgical department at Sandringham Hospital is mooted to be disbanded. Now, there are seven general surgeons who operate at Sandringham Hospital and solely operate at Sandringham Hospital. They received correspondence

from Alfred Health effectively saying that the surgical department at Sandringham Hospital will be disbanded. I have that correspondence from Alfred Health, and I have the surgeons' response to Alfred Health as well. I also have here with me in the chamber the *Alfred Health Strategic Plan: 2021–23*, and lo and behold, not at one place in this document does it actually say that the surgical ward at Sandringham Hospital will be disbanded. This is happening on this government's watch, at a time when we are in a health crisis, when we have a surgical waiting list of at least 100 00 people. At this time the government is sitting idly by with the potential loss, the potential redundancy, of seven well-credentialed local surgeons who are committed to the Sandringham Hospital, when in fact we need these surgeons to be performing as many surgeries as they possibly can to cut down that waiting list as quickly as possible in the best health interests of all Victorians.

I was interested to see in the course of my research for this take-note motion that the Australian Productivity Commission had released an annual snapshot comparing hospital performance across the states and territories, and the news for Victoria was really gobsmacking. It found that Victorian public hospitals received the equivalent of \$2687 per person for ongoing running costs in 2019–20, just as the pandemic was starting to occur. No other state in the nation received less funding per capita. Hospitals were getting the equivalent of \$2887 in New South Wales, \$3094 in Queensland, \$3366 in Western Australia, \$2730 in South Australia and \$3294 in Tasmania. But in Victoria, per capita, \$2687—and this was at the start of the pandemic.

To say that it is purely because of the pandemic that we are experiencing in Victoria, the health crisis that we are currently in, is a furphy. It is wrong. It is a porky pie. Really what the government should be doing is taking responsibility for a problem of their own making in a way that is agreeable to our community. It is not fair, and it is not right just to blame the federal government for a problem of your own making. For goodness sake, man up, accept the responsibility and accept the fault being yours.

The commonwealth has increased funding to Victorian hospitals by approximately double that which the Victorian government has provided to their own hospitals. Since 2012–13 commonwealth funding to Victorian hospitals has grown substantially by 112.7 per cent, and over that same period Victorian government funding for Victorian hospitals has increased by just 69.5 per cent, so we urge the Premier and this government to match commonwealth funding to Victorian hospitals.

Of the \$1.5 billion for elective surgery catch-up which was promised on the weekend by the Andrews government, it is noteworthy that half of that, \$750 million, is through the COVID national partnership agreement and will be funded federally. The Australian government has also provided the Victorian government with a prepayment of some \$473 million for delayed activity which was not performed during the last few years, and this was in recognition that this activity would need to be caught up after COVID.

It pains me when I see the wastage of this government—as my friend and colleague the member for Caulfield pointed out in his worthy contribution earlier, some \$24 billion of wastage by the Andrews Labor government on major projects. To think what that could mean for my community, to think what impact that wasted money could have on my community, is just incredible. We could do so much at the Sandringham Hospital. We could set it up to be a world-class facility delivering for my community and beyond for this generation and the next. That is a case in point that in my view demonstrates that the Victorian government has failed to deliver the fair share that my community deserves—my hardworking, earnest and honest community of the district of Sandringham.

Mr STAIKOS (Bentleigh) (12:58): I have sat in this chamber since 9.30 this morning, and I have suffered through so much garbage I have heard from the opposition benches. It is all rubbish—we are used to hearing rubbish from them—but nothing could have prepared me for the contribution by the member for Lowan, who was their lead speaker. The member for Lowan was foreshadowing lockdowns. Nobody is talking about lockdowns but those opposite—nobody. We are not in lockdown. Victorians are moving on with their lives, and those opposite are really cranky about that. But what I was not prepared for was to hear the member for Lowan decry the fact that we are testing. You know,

when we are in lockdown, ‘No lockdowns’. Then when we are just wearing masks, ‘No masks’. When we take the masks off, ‘No isolating’. Now they are saying, ‘Stop the tests’—like Donald Trump, ‘Stop the tests’. They are little Trumps. They are all little Trumps.

Anyway, I did not get up to speak about them; I got up to speak about the federal government’s neglect of Victoria, particularly in the area of infrastructure. You will all be able to enjoy 9 minutes of that contribution right after the lunch break, which we are heading to just about now. But I will take a few seconds to foreshadow that I will be talking about their failure when it comes to delivering a city deal for this state. I will be talking about their failure to deliver anything to build the Suburban Rail Loop, which will be a city-changing project, and their failures—their litany of failures—in many other areas right after this break.

Sitting suspended 12.59 pm until 2.01 pm.

Business interrupted under sessional orders.

Members

MINISTER FOR PREVENTION OF FAMILY VIOLENCE

MINISTER FOR AGRICULTURE

Absence

Mr ANDREWS (Mulgrave—Premier) (14:01): I want to advise that for the rest of this week the Minister for Multicultural Affairs will answer questions for the portfolios of women, Aboriginal affairs and prevention of family violence. This is in addition to other arrangements I detailed yesterday. The Minister for Transport Infrastructure will answer questions for the portfolios of regional development and agriculture.

Questions without notice and ministers statements

ELECTIVE SURGERY

Ms VALLENCE (Evelyn) (14:01): My question is to the Minister for Health. Stephanie, who lives in Seville in my electorate, had cancer removed from under her tongue in August 2021. The operation involved removing almost all her teeth and also undergoing extensive skin grafts inside her mouth. Stephanie was told after this operation that in three months time her jaw would require major repair, with the insertion of anchors through surgery. It is now eight months later and due to the government’s surgery bans Stephanie still has not received the medical treatment she so vitally needs. Can the responsible minister please explain why people like Stephanie who need urgent surgery are still not being seen and have no planned date for their urgent surgery?

Mr FOLEY (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:02): Can I thank the member for Evelyn for her question. I will have to take as given the details of the patient in the system that the honourable member refers to because I am at a disadvantage in not having been briefed on that particular matter. I do wish all of the Victorian people who are engaging with our world-class health system the speediest of recovery in their engagements with that system. But in regard to the general issue—I regress for a moment—if the honourable member were to provide me with the specifics, I would undertake to respond in terms of the specifics of the case that she refers to.

As a more general principle, I would point out to the honourable member that from the dates that I understood she referred to, that was in the context of the global pandemic that the Victorian, the Australian and indeed many similar jurisdictions around the world’s health systems have been grappling with as they respond to the pauses that we have sadly had to see put in place to protect the wider health system and the wellbeing of the wider community, particularly as it comes to infection prevention and control measures that have seen deferrals for arrangements that had been put in place based on clinical needs and demands.

It is always the case that clinical decisions are made by clinicians based on the available resources, which have been increased to record levels as a result of this government's investment and partnership with our clinicians and our hospitals, both public and private, over the course of this global pandemic. It is in that regard that some of the more recent initiatives that the government has brought to this area should give the honourable member for Evelyn and indeed all honourable members the certainty and the confidence that the challenges that the system is facing have been recognised, identified, resourced and a strategy put in place to rectify precisely the kinds of issues that the honourable member refers to. This is a government that is now partnering with the public and private sectors right across the board in terms of how we can deal with precisely the COVID catch-up challenges that the—

Ms Vallence: On a point of order, Speaker, on relevance. This question was directly around urgent surgeries being delayed; it is not about partnerships. Stephanie cannot go out in public because of her jaw disfigurement. She wants to know why these urgent surgeries are being delayed.

The SPEAKER: Order! I understand the question. The minister is being relevant to the question that has been asked.

Mr FOLEY: Partnerships are actually very important; partnerships between all levels of government—the public, the private and the professions. One of the partners that is missing in this partnership is in fact the commonwealth government, which only as a result of their last budget has seen a \$1.5 billion cut to the very system that the honourable member professes to be in support of.

Ms VALLENCE (Evelyn) (14:06): Stephanie's husband has been calling the elective surgery waiting list line every few days. These calls go unanswered, and he is forced to leave a voice message that is never returned—has never been returned. What is the point of the government telling people to call hotlines for vital surgery when the government fails to properly resource and manage them?

Mr FOLEY (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:07): Can I thank the member for Evelyn for her question. Again I will have to take as given the honourable member's assertions in this regard. It would be interesting to know what particular clinical conditions and relationships that the honourable member's, I assume, constituent has been dealing with. Again, should the honourable member undertake to provide me with that detail, I would of course seek to make sure that that was dealt with and investigated and respond to her constituent in an appropriate manner.

What we have found is that when it comes to, as she touched on, the elective surgery issue, this is a government that as of this very weekend has now in place a strategy—a funded strategy, a funded partnership strategy with the public sector, the private sector—

Members interjecting.

The SPEAKER: Order! I ask the minister to resume his seat. Just before calling on the member on a point of order, there is too much shouting across the chamber. Members from this point without further warning will be removed from the chamber if they shout across the chamber.

Ms Vallence: On a point of order, Speaker, on relevance. The minister is talking about something he is going to fund in a year's time. This is about a hotline that is not being answered now, so on a point of relevance I ask you to ask the minister to come back to answering the question.

The SPEAKER: Order! As the question related to the substantive question, the minister is being relevant to it.

Mr FOLEY: Thank you, honourable Speaker. As I was indicating, should the honourable member provide me with the details that she asserts are the case here, I am more than prepared to investigate based on them.

MINISTERS STATEMENTS: FEDERAL BUDGET

Mr ANDREWS (Mulgrave—Premier) (14:08): I am pleased to rise to update the house—or at least I thought I would be pleased to update the house when last week I saw at the federal budget the Deputy Prime Minister of Australia—the man with the big hat, he was there—\$7.1 billion. He is actually a suburban accountant, but he had a big cowboy hat on at the time. You know, throwing the hat in the air—\$7.1 billion, a \$7.1 billion regional fund. Imagine, just imagine, how up and about the people of regional Victoria would be—\$7.1 billion, goodness me. We will have to be getting a piece of that surely. Wouldn't that be great news? You would be so excited. You would be Barnaby beside yourself, wouldn't you? Until you learned—not a dollar, not a cent even. Nothing out of this fund, despite it being called a regional Australia fund, for regional Victoria.

We have gone from a situation where for every dollar we got out of Canberra you had to bow your head a bit and pretend it was foreign aid—that was the first problem—to now, where they have forgotten about us entirely. We are not part of regional anything. Apparently regional Victoria does not qualify under regional Australia funding criteria. Shame on Deputy Prime Minister Joyce. Shame on those who love him and cannot get over how big fans they are of him and that big hat. They just love him. They will never hear a cross word against him and will never speak up for Victoria ever. They are coalition first and Victorians last—and we know who we are speaking of. It is a great shame that the commonwealth government refuses to give Victoria a fair share.

The SPEAKER: Just before calling the member for South-West Coast, I want to acknowledge in the gallery the presence of the Honourable Heidi Victoria, the former member for Bayswater, who is here today with the CEO of the Stroke Foundation, Sharon McGowan. They have both been in the building today raising awareness about the impacts of strokes. Welcome to the chamber.

PORTLAND DISTRICT HEALTH

Ms BRITNELL (South-West Coast) (14:11): My question is to the Minister for Health. Last sitting week in question time I warned about the closure of birthing services at Portland hospital and the fears of expectant mums having their baby on the side of the road because they could not make it to Warrnambool on time. One of the mums who contacted me raising these fears, Jessa from Portland, had her worst fears realised yesterday—she delivered on the side of the road. This cannot continue. When will the state government reopen birthing services at the Portland hospital?

Mr FOLEY (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:11): Can I thank the member for South-West Coast for her question. I think we can all agree that we are very glad to hear the reports that both mother and baby are doing pretty well in the safe care of the Warrnambool hospital. I am sure we send all of our best wishes to her and the baby and their family.

I did in fact deal with this particular issue when the house convened in the last sitting week. Since that time I have had the opportunity of actually visiting the Portland hospital and discussing this very issue, amongst a range of other issues, with the leadership of both Portland and surrounding health services. This is a very, very significant issue to all of the expectant families of the south-west. Foremost amongst this is the issue of delivering those services safely and in a manner that can be endured safely in those services. Any suggestion that the Portland health service or indeed the other services in that region would ever compromise safety is not one that this government would support. There are regrettably a number of vacancies and unfilled—

Ms Britnell: On a point of order, Speaker, on relevance, can you clarify what 'safe' means?

Members interjecting.

The SPEAKER: Order! The member for Gembrook and the Minister for Police can leave the chamber for the period of 1 hour.

Member for Gembrook and Minister for Police withdrew from chamber.

Mr FOLEY: Thank you, Speaker. The leadership, the management, the board and all the practitioners at the Portland District Health service put first and foremost the safety and the wellbeing of their patients in that community. The inescapable truth is that there is a nationwide shortage, particularly when it comes to regional and rural Victoria, of midwives in our community, in our state and in our nation. It would not be responsible for that health service to deliver services that could compromise the wellbeing and safety of mothers and children. If the clinical advice says it is not safe to do so whilst they actively seek to recruit, that is advice that I am more than happy to take on to back in the Portland District Health service 100 per cent. I look forward to their commitment to me and to the people of Portland and the wider district of south-west to fill those vacancies as soon as they possibly can and to return those important services in an appropriate and safe manner to the people of Portland and the wider south-west.

Ms BRITNELL (South-West Coast) (14:14): Last sitting week the Premier said about country health:

The fact that you are a long way from Melbourne does not mean you should have to settle for anything other than excellence.

Can the minister tell the young mums in Portland why the government's definition of excellence is for them to have the strong possibility of giving birth on the side of the road because the government shut local birthing services?

Mr FOLEY (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:15): Can I thank the member for South-West Coast for her supplementary question. The member knows full well that she is seeking to politicise the current circumstances of the Portland District Health service midwifery shortage in a way for cheap political points. I think we should all resolve to back the Portland District Health service in its efforts to recruit and to design and deliver—whether you are in Portland, whether you are in Mildura, whether you are in East Gippsland, whether you are in the north-west of the state or whether you are in the central business district—safe and world-class midwifery services. That is what Portland District Health is committed to. That is what this government is committed to, and I look forward to working with Portland District Health and all our regional health services to make sure that all Victorians, no matter where they are, have access to world-class midwifery services.

MINISTERS STATEMENTS: FEDERAL BUDGET

Mr FOLEY (Albert Park—Minister for Health, Minister for Ambulance Services, Minister for Equality) (14:16): I rise to deal with the issue around how this Victorian government is being denied and the people of Victoria are being denied our fair share when it comes to funding from the federal government. What we have is a repudiation of the notion of an equal partnership to recover from the COVID-19 pandemic, whether it is our health services or across the entire state. For two years now our health services have been operating under a national partnership agreement that delivers COVID-related costs at a 50-50 partnership between the state and the commonwealth. That has been now repudiated in this most recent federal budget delivered by the Prime Minister and the federal Treasurer, who might be from Victoria but is certainly not for the Victorian community.

But even more troubling, what we have seen is a doubling down again on the position of this federal government to repudiate the partnership approaches that all states, regardless of political colour, have sought to deliver. What they have done instead, ever since 2015, is cut budget funding to our public hospitals from 50 per cent partnership arrangements to 45 per cent arrangements and indeed cap those arrangements every year at 6.5 per cent. Whether it is this government, whether it is the New South Wales government, whether it is the AMA or the Australasian College for Emergency Medicine—all of the professional industrial organisations—we have called on this federal government to genuinely

partner with the states and territories. What we have seen instead is a \$5 billion national cut and a \$1.5 billion cut to Victoria's fair share of health funding.

GOVERNMENT ADVERTISING

Mr GUY (Bulleen—Leader of the Opposition) (14:18): My question is to the Premier. The Auditor-General has found two government advertising campaigns breached guidelines and contained blatantly political material. Will the Premier now direct the Labor Party to pay for those ads?

Mr ANDREWS (Mulgrave—Premier) (14:18): The simple answer to the Leader of the Opposition's question is that if we got a fair share from Canberra, we would not have to run ads.

Members interjecting.

The SPEAKER: Order!

Mr ANDREWS: Well, they have got a lot to say now, Speaker. They would not say boo to the federal government—

Members interjecting.

The SPEAKER: Order! The member for South-West Coast can leave the chamber for the period of 1 hour. I am not going to have members howling across the chamber.

Member for South-West Coast withdrew from chamber.

Mr ANDREWS: The Leader of the Opposition would not want to hold his breath waiting for us to take a backward step when it comes to standing up for Victoria. We will always fight for our fair share. We know who will have a big voice here but is pretty quiet when he is on the phone to ScoMo—that is if he will even take the call.

Mr Guy: On a point of order, Speaker, on relevance, it was a very straightforward question about the Auditor-General finding ads to be blatantly political, and I asked the Premier whether or not he would make the Labor Party repay those ads.

Mr ANDREWS: On the point of order, Speaker, I might make the point, respectfully, I am not responsible for the affairs of the Australian Labor Party. That is the first issue. Our genius here—

Mr Guy interjected.

Mr ANDREWS: You wrote the question. The question is out of order. We thought we would just let it go, but in any event I have answered the question. I am now speaking relevantly to the issues raised by the Leader of the Opposition in his question, albeit the end of the question is not even in order.

The SPEAKER: Order! The question relates to government business, and the Premier is to come back to answering the question.

Mr ANDREWS: As I said, the Leader of the Opposition would be unwise to hold his breath waiting for any member of this government, least of all me, to not stand up for a fair share for Victoria. What a shame that we have to campaign for a fair share. Six per cent of new infrastructure funding—6 per cent. We are not eligible for \$7.1 billion worth of regional funding for regional Victoria—

Ms Staley: On a point of order, Speaker, on relevance, the question related to government business, the spending of this government on advertising that was found to be political. It has nothing to do with the federal government's budget or anything. It is to do with his spending—on relevance.

The SPEAKER: The Premier is being relevant to the question that was asked.

Mr ANDREWS: They are so disconnected from what a fair share would look like, so taken with being an apologist for their mates in Canberra, that they cannot even see that the subject of this material is relevant. Of course it is relevant. When the Prime Minister stops ripping off Victorians, then we will

not have to run ads pointing that out, will we? We will not have to fight for a fair share when we start getting one.

Mr R Smith: On a point of order, Speaker, the Premier and his government broke the law. Is he going to repay the money? It is that simple.

Members interjecting.

The SPEAKER: Order! The member for Warrandyte will resume his seat.

Mr R Smith interjected.

The SPEAKER: The member for Warrandyte can leave the chamber for the period of 1 hour. I asked the member for Warrandyte to cease making a point of order, and he continued. The member for Warrandyte will leave the chamber for the period of 1 hour.

Member for Warrandyte withdrew from chamber.

Mr ANDREWS: They were scratching around for a Shadow Attorney-General. Well, they never went there. They never went there, did they? As low as the bar was, they never went to Warrandyte. Thank you so much for that legal opinion. When the Prime Minister stops ripping off Victorians, we will stop running ads telling every Victorian that they are being ripped off by the Prime Minister from Sydney, for Sydney, who could not find Victoria with a cut lunch and a road map.

Mr GUY (Bulleen—Leader of the Opposition) (14:23): In light of the government being caught out using taxpayers money on political propaganda, why did the Premier not accept the Auditor-General's recommendation for an independent expert review into state government advertising laws?

Mr ANDREWS (Mulgrave—Premier) (14:23): The Leader of the Opposition seems unwilling to concede that we are not getting a fair share from Canberra.

Members interjecting.

Mr ANDREWS: I hear apparently I am angry. Too right I am angry, because when we get ripped off by Canberra, that is less nurses, less teachers—

Mr Guy: On a point of order, Speaker, on relevance, although I accept it is early. I did ask the Premier about accepting an Auditor-General's recommendation, a straightforward supplementary question, which I ask you to bring the Premier back to answering.

The SPEAKER: The Premier has only just begun his answer.

Mr ANDREWS: I will speak about the Auditor-General's report. That is absolutely in order. I will also speak about the stunning silence of some who seem completely unwilling or unable to call out the fact that the federal government is not funding Victoria according to our needs. We ask for not one dollar more than we are entitled to, and we will settle for not one dollar less than we are entitled to. If the Leader of the Opposition is concerned about these matters, then instead of, 'Yes, Scott; no, Scott; three bags full, Scott', he ought to pick up the phone and be a Victorian first instead of a Liberal—you know, this sort of lickspittling stuff we get. When the Prime Minister stops ripping off Victoria, I will stop pointing it out.

MINISTERS STATEMENTS: SCHOOLS FUNDING

Mr MERLINO (Monbulk—Minister for Education, Minister for Mental Health, Minister for Disability, Ageing and Carers) (14:24): I rise to update the house on how the Andrews government is giving schools the funding they need so that every student has the chance to succeed. Victoria has done the heavy lifting. Since we have come to office we have increased recurrent spending for government school students by more than 30 per cent, far exceeding every other state and territory, and that is before taking into account the extra investments we have made in building new schools,

students' mental health, the Victorian Academy of Teaching and Leadership and extra support to make sure that students can succeed no matter what their background.

Our reforms are making a difference. NAPLAN shows that Victoria is the nation's leader on student outcomes. However, under the current national school reform agreement, which dictates school funding for 2019–23, the commonwealth refuses to do its fair share. It is happy for non-government schools to get to 100 per cent of the schooling resource standard and more, but insists that government schools get no more than 95 per cent. It is illogical, it is unfair, it is discriminatory.

We make no apologies whatsoever for repeatedly calling on the commonwealth government to do its fair share for Victorian students and fund that final 5 per cent. Yet we are alone. We are alone in this place in ensuring that schools are being funded properly. There are some who say our schools are overfunded. There are some who say we should sack teachers. There are some who want to make our class sizes bigger, all of them members of the Victorian Liberal opposition. A new national agreement will be negotiated at the end of the year. Only the Andrews government will support Victorian schools.

FORMER SHEPPARTON SCHOOL SITES

Ms SHEED (Shepparton) (14:26): My question is for the Minister for Education. The Greater Shepparton Secondary College opened this year, bringing together four local secondary colleges on the site of the former Shepparton High School. While not the biggest school in Victoria—it has about 2200 students—it has facilities we have not seen in Mooroopna and Shepparton before and offers a breadth of subjects that would not have been possible in the individual schools. The community is now discussing the many opportunities that may exist for the redundant school sites, whether they could be a home for the new Verney Road special school or the expansion of TAFE facilities or other educational uses. Minister, what is the current government plan for these sites?

Mr MERLINO (Monbulk—Minister for Education, Minister for Mental Health, Minister for Disability, Ageing and Carers) (14:27): I thank the independent member for Shepparton for her question and say at the outset what an absolute pleasure it was to join the Premier, the independent member for Shepparton and a member for Northern Victoria, Mark Gepp, in the other place at the official opening of the school in February. It has been years in the making. This is one of the most transformative education projects in regional Victoria. Students in Shepparton and Mooroopna deserve the very best facilities and the broadest opportunities—this year 54 electives in year 9 and the full suite of VCE and vocational opportunities. I want to acknowledge the independent member for Shepparton for her advocacy, her leadership and her passion for education for not just this school but for the entire *Shepparton Education Plan*.

As the member points out, there is a high level of community interest in the sites that have been vacated—the former Wanganui Park Secondary College, McGuire Secondary College and Mooroopna Secondary College sites. I am happy to report that all existing community use agreements will remain in place in 2022 and beyond, but I am happy to provide the member with more detail.

The Wanganui Park Secondary College site will be retained for education purposes. My department is reviewing long-term provision for students with additional needs in Shepparton and Mooroopna, and I want to again acknowledge the advocacy of the honourable member in regard to special needs in that community. This work is particularly important given the enrolment pressures at Verney Road School. The former Wanganui Park Secondary College does open up opportunities for the state to address specialist provision in the future, and next steps are being considered right now. We have also agreed to a shared-use arrangement with the local council to facilitate continued community use of the Visy centre. I am happy to report that we have agreed with council for the community use of the adjacent oval, with both parties finalising details now. In addition, we have agreed for the scouts and the Goulburn Valley Woodworkers group to continue on the site ongoing, and again details are being finalised this month.

In terms of the former McGuire College site, this includes the expansion of the Goulburn Murray Trade Skills Centre operated by GOTAFE as well as considering the potential to locate future education facilities adjacent to the neighbouring Wilmot Road Primary School. We are facilitating community use of the oval area and the stadium through a shared use agreement, and we are exploring the use of vacated school buildings by other community groups. In terms of the future of Mooroopna, I know the member for Shepparton and the local community are interested in discussing the future use of this site and I commit to doing just that.

Ms SHEED (Shepparton) (14:30): Minister, before the amalgamation of these schools, Mooroopna Secondary College had dwindled to a pupil base of some 300 students. However, it is home to the Westside Performing Arts Centre and it is a major arts facility in our region that is regularly used by the whole of our community. Opportunities abound for further cultural and arts opportunities on this site, given what it currently has on it. So, Minister, will you guarantee that this school site will not be disposed of prior to there being a full investigation into how it might be reimagined as a community or arts facility?

Mr MERLINO (Monbulk—Minister for Education, Minister for Mental Health, Minister for Disability, Ageing and Carers) (14:31): I thank the honourable member for her supplementary question. I can absolutely assure the member for Shepparton and the local community that the government has no intention whatsoever to dispose of this site before deep engagement with the community with regard to its long-term use. The Westside Performing Arts Centre is a major performing arts space for the community, much loved, and as the member is aware, we have an existing joint use agreement with the local council for the performing arts centre at the site and we have also agreed on an arrangement with the council to facilitate community use of the adjacent indoor stadium. My department to date has been focused on those existing community facilities—the performing arts centre and the stadium. We will now turn our mind to the future use of the balance of the site, and I can assure the member for Shepparton that the Andrews government will continue to work with the member and the community on options to ensure the best long-term use of that site.

MINISTERS STATEMENTS: TRANSPORT INFRASTRUCTURE PROJECTS

Ms ALLAN (Bendigo East—Leader of the House, Minister for Transport Infrastructure, Minister for the Suburban Rail Loop) (14:32): This morning I was very pleased to be at Parkville station as part of our Metro Tunnel, joining workers and seeing the great progress that is happening on that site. The Metro Tunnel opening is just three years away. We are on track to open a year early in 2025, and what this means is that a young student in year 10 today, when they are going to their first year of uni they will be able to catch a train directly to Melbourne University, saving them travel time from every train station across Melbourne and Victoria.

Let me give you one example, Speaker. In Caulfield the travel time savings will be substantial. You will be able to get from Caulfield station to Melbourne Uni in just 18 minutes, and that is terrific for all the real professors that will be going to Melbourne University, and even the fake professor from Caulfield will be able to hop on the train and get straight to Melbourne Uni.

Of course if this project was in any other state, the federal Liberal government would be in this project 50-50, but this is in Victoria, which means the Andrews Labor government has had to fully fund the delivery of the Metro Tunnel project. Indeed if you bring together the Metro Tunnel, the West Gate Tunnel, the North East Link Project, if we were any other state, this \$38 billion worth of investment would be shared 50-50 with the federal government. Here in Victoria, we are only getting 5 per cent, or \$1.75 billion, in the North East Link Project, as opposed to the \$19 billion any other state would be getting. It is not just big projects. The federal Treasurer ripped off the \$65 million for his car parks in his local electorate, and that has gone elsewhere. We do not get our fair share. A leadership pretender in this place thinks the Andrews Labor government should just grow up and accept this rotten deal. Well, we will stand up and continue to fight for our fair share.

TIMBER INDUSTRY

Mr BLACKWOOD (Narracan) (14:34): My question is to the Premier. In 2019 the Premier announced that the Victorian native forest industry would end by 2030 as outlined in the *Victorian Forestry Plan*. That plan committed to maintaining the industry at 2019 harvesting levels, gradually reducing from 2024–25. Will the Premier confirm that the *Victorian Forestry Plan* remains the policy of his government?

Mr ANDREWS (Mulgrave—Premier) (14:35): Yes.

Mr BLACKWOOD (Narracan) (14:35): Noting the Premier’s answer, will he now instruct the minister for environment and climate change that the minister, her staff and her departmental bureaucrats are obliged to act in accordance with his government’s policy and that they will no longer be tolerated in doing everything they can to frustrate the operations of the native timber industry in Victoria?

Mr ANDREWS (Mulgrave—Premier) (14:35): Speaker, I noticed you hesitated. I am not entirely sure whether the question is in order. But in any event, I understand that the member for Narracan has been a long-term and passionate advocate on behalf of this industry, and I acknowledge that. But I would just respectfully say to him that I do not think he has fairly characterised the work that the minister for the environment, climate change—

Mr Walsh: He has characterised her very well.

Mr ANDREWS: If I might say to the former leader of the former National Party represented in this place, I was not addressing him; I was speaking to the member for Narracan. Neither the member for Narracan nor I need the help of the member for Murray Plains; let me be very clear about that. I was acknowledging, as I have done privately as well as in this chamber I think on a number of occasions, the passionate advocacy that the member brings to this issue. I am not looking for a quarrel with him, but I must say this: I cannot concur with the way he has characterised the work of the minister as referenced in his question.

Mr Blackwood: On a point of order, Speaker, on the question of relevance, it is not about my character, it is about the 24 timber industry people in the gallery who are facing no job prospects because this minister is not acting like she should.

The SPEAKER: Order! The member for Narracan will resume his seat. He knows that is not a point of order.

Mr ANDREWS: As I was saying, I do not accept the way that the member has characterised the work of the outstanding minister for environment and climate change.

MINISTERS STATEMENT: FEDERAL BUDGET

Mr PALLAS (Werribee—Treasurer, Minister for Economic Development, Minister for Industrial Relations) (14:37): I rise to update the house on the federal government’s crooked GST carve-up. We have known all along how dodgy the deal was that Scott Morrison put together. The federal budget was handed down last week, and it displays clearly the enormous dollars involved and the disadvantage and the devastating consequences that this will have on all states bar one.

Victoria is set to be more than \$1 billion worse off every year under the new system once the no-worse-off guarantee expires—that is enough to fund 9000 teachers or 10 000 nurses. The federal government’s self-proclaimed party of economic management, the coalition, is actively borrowing money so that they can pay for their no-worse-off guarantee, and indeed they are paying money to a state that is posting an \$8 billion surplus. I was surprised to read in the *West Australian* a GST ‘forever deal’—published seven times in the headlines—with a quote from Josh Frydenberg, the federal Treasurer. He has assured Western Australians that their hard-won GST fix is here to stay, and in fact he went on to say that the coalition had delivered a ‘fairer deal’. Well, a fairer deal for who?

CONSTITUENCY QUESTIONS

Wednesday, 6 April 2022

Legislative Assembly

1345

Ms Allan: On a point of order, Speaker, the Treasurer appeared to be quoting directly from a document, and I seek that he tables that document and makes it available to the house.

Members interjecting.

The SPEAKER: Order! If the Treasurer wishes, he can make the document available to the house.

Mr PALLAS: She has got me dead to rights, Speaker. I have tabled the document.

The SPEAKER: The Treasurer does not need to lift it up, just provide it to the Clerk.

Ms Staley: On the point of order, Speaker, the Treasurer should know not to use props and should not be encouraged by the Leader of the House to do so.

The SPEAKER: He nearly went there, but the Treasurer has provided the document.

Mr PALLAS: Victoria deserves better from their federal government, but we continue to be disappointed. This is a government that has delivered a budget that allocated only 6 per cent of infrastructure funds to this state, and it left Melbourne as the only capital without a city deal. And of course when it comes to GST allocations, we know that sad and sorry story. Victorians have been left with the scraps from the Treasurer's table. They have done the wrong thing over and over again.

Ms Vallence: On a point of order, Speaker—this is becoming a habit, me raising a point of order—I ask you to follow up question 5994. This is the eighth time I have raised this point of order. It is a question I asked to the Minister for Health about health services in the Yarra Valley. Clearly he does not care about residents in the Yarra Valley. It is the eighth time I have raised this point of order, and I would ask you to implore the minister to respond to my constituents.

The SPEAKER: Thank you, member for Evelyn. We will follow that matter up again.

Constituency questions

MALVERN ELECTORATE

Mr M O'BRIEN (Malvern) (14:41): (6306) My constituency question is to the Minister for Roads and Road Safety, who is at the table. I know the minister is aware of an application by Woolworths to build a multistorey 85-apartment mixed commercial and residential complex on the corner of Burke Road and Hope Street in Glen Iris, because I have written to him about it on a number of occasions. This proposal constitutes overdevelopment and would be disastrous to many local residents, small businesses and road users. The minister previously assured me in writing that his department objected to the proposal based on safety and traffic grounds. Now the department has backflipped and is supporting Woolworths's application for 173 Burke Road at VCAT. My question to the minister is: why won't the Andrews Labor government keep its commitment to me and the people of my electorate and oppose this application, as it said it would?

WENDOUREE ELECTORATE

Ms ADDISON (Wendouree) (14:41): (6307) My constituency question is for the Minister for Mental Health. Minister. How is the government increasing awareness of mental health services in my electorate of Wendouree? I recently met Wendouree resident Alan Thorpe and learned of his plans to fundraise for Beyond Blue and raise awareness for men's mental health. On 19 March Alan set off from Ballarat on a 600 kilometre-plus walk to Adelaide for a cause close to his heart. By mid last week Alan had walked over 342 kilometres, more than 400 000 steps, and crossed into South Australia. Unfortunately after 10 days of pain Alan was forced to cut the walk short. Congratulations to Alan for raising \$11 621, and thank you to the generous donors and sponsors, including Eric and Mel Morris at D2E Gym, Spring H2O water and Hip Pocket Workwear & Safety. The Ballarat community has rallied behind Alan, and I look forward to the minister sharing how this government is joining them in supporting mental health in Ballarat.

LOWAN ELECTORATE

Ms KEALY (Lowan) (14:42): (6308) My question is to the Minister for Fishing and Boating. The Victorian government has finally revealed the new Crown land riverfront camp sites. Many of these letters have been sent to landholders in my electorate of Lowan to inform them that their lease of Crown land river frontage is currently being evaluated as a future public camp site. These landholders remain very concerned about how people who do the wrong thing, like lighting fires, leaving gates open, posing biosecurity risks or polluting the land, will be dealt with, particularly for those areas that are a long way from their local police station. I therefore ask the Minister for Fishing and Boating: how many additional personnel will be placed in the Lowan electorate to immediately respond to complaints, including serious issues, made to the 13 FISH hotline.

NEPEAN ELECTORATE

Mr BRAYNE (Nepean) (14:43): (6309) My constituency question is for the Minister for Emergency Services. The Andrews Labor government recently announced that applications are open for the new round of the volunteer emergency services equipment program, better known as VESEP. These grants provide our hardworking emergency services volunteers with the latest equipment and vehicles they need to do their life-saving work. Our emergency services volunteers dedicate their time to protecting our communities, and it is so important that we are financially supporting them. I know that when devastating storms hit my local community last year our emergency services volunteers were the first to respond, providing my community with the support they needed during a very difficult time. With the new round now open, I ask the minister: which applicants were successful in Nepean in the last round of VESEP grants, and how can applicants apply for this year's round of funding?

SANDRINGHAM ELECTORATE

Mr ROWSWELL (Sandringham) (14:44): (6310) My constituency question is to the Minister for Energy, Environment and Climate Change, and I ask: how and when will the Victorian government address the high level of coastal erosion and the need for beach renourishment at Bayside beaches? Last week I met with Dr Vicki Karalis, president of the Sandringham Foreshore Association, together with the shadow environment minister to witness firsthand the severe coastal erosion along Bayside's coastline. Strong south-easterly winds coupled with high tides have washed away significant amounts of sand from Black Rock through to Sandringham and then further along to Brighton. These changes have also impacted beach access and activity. Vicki McKay, president of the Sandringham Life Saving Club, has told me that they have had to alter nipper activity due to dramatic changes to the width of the beach. Washed away sand has exposed a structurally unsound stormwater pipe that presents a physical hazard and safety concern to nippers, the club's members and beachgoers. I call on the state government to do all they can to ensure safe access to Bayside's beaches and help mitigate the impact of coastal erosion.

NORTHCOTE ELECTORATE

Ms THEOPHANOUS (Northcote) (14:45): (6311) My question is to the Minister for Small Business. I ask: what is the government doing to support the revival of our local economies in the inner north? We have some very special destination precincts in my patch, including our vibrant and eclectic High Street, Northcote. Our traders have been wonderfully creative in their efforts to reboot our economy. On High Street they have collectively rebranded as 'Northcote Rise'. They have been putting on events, like a fantastic neon art installation, and they have produced curated themed walking tours down our shopping strips. You can choose from themes like bars and live music, fashion runs or brunch spots. Local initiatives like this are immensely powerful. Many traders have also been scoping out the possibility of hosting street festivals, concerts and other family-friendly events that showcase our local food, music, arts and crafts. Northcote is a cultural and creative hub. As we look to ways to stimulate our economy in some of our hardest-hit precincts, I am looking forward to hearing more about how we can make the most of our strengths in the inner north.

SHEPPARTON ELECTORATE

Ms SHEED (Shepparton) (14:46): (6312) My constituency question is for the Minister for Transport Infrastructure. I would like to address a dangerous railway crossing in the Shepparton electorate. The unprotected railway crossing on Dhurringile Road in Tatura has been a hazard for many years, and it needs to be addressed. Only last week I saw a truck go through the stop sign without stopping to see whether a train was coming. The crossing is on a busy road used by milk tankers, agricultural vehicles, school buses and other vehicles. It is also used by pedestrians and cyclists. It is an operational freight line, and a number of trains go by it during the day and the night. It poses a serious risk. With the installation of multiple boom gates on our level crossings as part of the upgrade between Shepparton and Mooroopna and the Seymour station, will the minister direct the installation of boom gates at this dangerous level crossing?

BROADMEADOWS ELECTORATE

Mr McGUIRE (Broadmeadows) (14:47): (6313) My question is to the Minister for Public Transport. What information can he provide on upgrades for railway stations servicing our local communities? My constituents have raised concerns about the need for safety improvements, particularly at Jacana, which women aged between 15 and 30 have defined as being unsafe—so new CCTV, lighting and passenger information displays would be highly welcome to improve safety.

At Roxburgh Park railway station local residents are keen to have extra Myki vending machines and a lift. The minister is well informed about the long-term campaign I have had over the Broadmeadows railway station. We remember the one-term coalition government took the \$80 million and gave it to Frankston, because it was a marginal seat, which they lost. I just want to take this opportunity to say that the Glenroy railway station upgrade will be open fairly soon, and I want to thank the former minister, the late Fiona Richardson, who I started that campaign with long ago, and acknowledge her life and her legacy.

ROWVILLE ELECTORATE

Mr WELLS (Rowville) (14:48): (6314) My constituency question is to the Minister for Education, and the question I have is: when will the Rowville electorate receive funding for upgrades to the schools in its electorate? The two secondary colleges, Scoresby Secondary College and Rowville Secondary College, have not had any significant upgrades for many, many years, and it is time that the minister (1) makes a visit to the electorate and (2) in this budget coming up in May makes firm commitments to these two schools. What is happening at the moment is a large number of students are leaving the Rowville electorate and going to other schools outside, and part of the reason is because of the lack of up-to-date facilities at these two schools. So I would ask the minister: when will Scoresby Secondary and Rowville Secondary receive a fair deal?

PASCOE VALE ELECTORATE

Ms BLANDTHORN (Pascoe Vale) (14:49): (6315) My constituency question is for the Minister for Education, and the question I ask is: will he give due consideration to the stage 3 upgrade of the Pascoe Vale Primary School in the upcoming budget? This Victorian government has already invested over \$10 million in the Pascoe Vale Primary School, enabling the school to transform an over 150-year-old, heritage building into a beautiful new facility. The project was actually the winner of the Victorian School Design Awards. The stage 2 upgrade is currently underway, which is a \$7.8 million project—a new STEAM centre—and the plans for this look absolutely amazing. I will not be surprised if it is also a winner in future design awards. I would ask that the minister give due consideration to stage 3, which is a competition-standard gymnasium that would enable this growing community to fully service the student population and support the community.

Motions

FEDERAL BUDGET

Debate resumed.

Mr STAIKOS (Bentleigh) (14:50): It is a pleasure to continue my contribution on the take-note motion. I did promise more after the break, and I will deliver. But let me congratulate those on the other side for revealing their true colours, because the commonwealth government in recent days delivered a nakedly anti-Victorian federal budget to the sound of crickets from the Victorian Liberal Party. The Liberals in Canberra, supported by the Liberals here in Victoria, have pulled back their masks and sneered openly at working Victorians, it must be said. But at least we know where they stand, because that is what the latest federal budget amounts to—it is the Liberals, in their top hats and pinstripe suits, holding white handkerchiefs to their noses and sneering at working Victorians. Not a word of protest from the Liberal frontbench—not a whisper, not a peep. You just have to listen to their contributions today. I have listened to every single one of them; I have suffered through every single one of them. They started speaking about everything but the elephant in the room, and that is that this federal Liberal Morrison government in Canberra, which is hopefully on its way out, has completely neglected this state. This state, like the rest of Australia, is part of Australia, and it deserves its fair share.

But what did we see when it comes to infrastructure? I am going to focus on infrastructure funding. What did we see in this last federal budget? We saw Victoria receive just 6 per cent of new infrastructure funding, behind New South Wales, Western Australia, Queensland and South Australia, and barely above Tasmania, despite Tasmania being home to less than one-tenth of the population of Victoria. We are 26 per cent of the population of Australia; we received 6 per cent of infrastructure funding in this budget. That is a complete disgrace. Of the modest funding that the commonwealth did allocate to Victoria, a significant—

Mr McGuire interjected.

Mr STAIKOS: I am going to come to city deals in a moment, member for Broadmeadows. But of the modest funding the commonwealth did allocate to Victoria, a significant amount is outside the forward estimates—it is on the never-never. These are yet more empty promises from the Liberals, and you can go to the source material on that: budget paper 2, page 142. We have been shafted. I wish I could use stronger language than that in this place, but we certainly as a state have been shafted. For example, according to budget paper 2, a paltry \$208 million of new infrastructure funding is committed to be spent in Victoria over the next four years. That compares to \$1.3 billion in New South Wales—\$1.3 billion. We know the Prime Minister is indeed the Prime Minister for Sydney—clearly the Prime Minister for Sydney; you know, he could not give a rat's tail about Victoria.

Under this budget Victoria will also be more than \$1 billion a year worse off under the new GST distribution system once the so-called no-worse-off guarantee expires.

A member: How much?

Mr STAIKOS: One billion dollars. That is \$1 billion a year of our GST revenue, the hard-earned wages of Victorians, that the Liberals are sending to other states rather than reinvesting it here in Victoria in our schools, our hospitals, our roads, our rail. We have heard from so many regional MPs on the other side who have decried the amount of spending on the regions. I just want to correct the record on state government spending on the regions. In the 2021–22 Victorian budget we invested nearly \$3.7 billion in regional Victoria.

That built on the over \$26 billion we have invested to help support regional Victoria since November 2014, taking our total spend in the regions to over \$30 billion. That is more than four times what the previous government spent on regional Victoria. Those opposite really should be embarrassed about that record. But instead of being embarrassed and saying nothing, they have decided to double down and defend the federal government's record on investment in regional Victoria, when in this most

recent budget the Deputy Prime Minister, Barnaby Joyce, announced a \$7.1 billion regional Australia fund with not one cent for Victoria. Not one cent for Victoria—I mean, what fraudsters we have on those opposition benches—out of \$7.1 billion.

And now, should I come to city deals? On the eve of the last federal election a letter was sent out by—I think it was Alan Tudge at the time, wasn't it?

A member interjected.

Mr STAIKOS: Alan Tudge to say that the federal government would set up two city deals in Melbourne: one for the south-east, where I am from, and one for the north-west of Melbourne. There is no memorandum of understanding and there is no funding envelope for a deal; there are just media releases with empty promises. And here we are on the eve of entering federal caretaker mode—where is the city deal? Melbourne is the only capital city in Australia without a city deal. I know a bit about city deals because I am the Parliamentary Secretary to the Treasurer. We have been waiting for the commonwealth government to come good on this promise—crickets from them and crickets from those opposite. Yet on the 17th and 20th of March the commonwealth announced a new \$1.8 billion city deal in south-east Queensland and added hundreds of millions of dollars to the Perth deal, which now totals \$1.69 billion.

Budget paper 3, page 56—again, go to the source material. This page of the budget in particular makes for pretty depressing reading. Over the forward estimates we see provisioned new funding of \$363.9 million for the south-east Queensland deal, an additional \$313.5 million for the existing Perth deal, an additional \$212.5 million for the existing Townsville deal and an additional \$168.5 million for the Geelong deal, which was agreed before the 2019 general election. I could go on and on and on. This government has failed to deliver on any city deals for Melbourne.

Finally, in the 1 minute I have got left, I do want to talk about the Suburban Rail Loop. There is nothing, absolutely nothing, in the federal budget for the Suburban Rail Loop—a project that will transform Melbourne, that will set Melbourne up for the future and that will provide Melbourne with a rail system that is befitting a great city of the world, which is what Melbourne is. We will be the size of London by 2056. We need the Suburban Rail Loop for that reason. It is a project that will return \$1.70 for every dollar invested. The federal government says it does not stack up, but the federal government claims to have billions of dollars in a locked box for the east–west link, which loses 55 cents for every dollar invested, and that is from the business case of those opposite.

The Liberals are a disgrace. They are an absolute disgrace. They hold this state with absolute disdain. This federal government has done nothing for Victoria over the last nine years. It has to go, and those opposite should be ashamed of themselves for the way that they have defended this government.

Ms VALLENCE (Evelyn) (14:59): Well, well, well, in terms of being ashamed of themselves the Andrews Labor government should be ashamed of what it has done to Victorians, what it has done to the collective wellbeing, mental health and health of Victorians with its position of having rolling lockdowns—the longest lockdowns in the world—which have contributed so badly to the collective mental state of Victorians.

The speaker just before me talked about the federal government shafting Victorians. The government which shafted Victorians is the one on the government benches, the Andrews Labor government. They are the ones that have shafted Victorians. Let us not forget that this whole motion is all around screaming out, crying out, for the federal government to contribute funding, but the Victorian government, the Andrews Labor government, has a budget that it should be responsible for. It is responsible for the health budget. It is the government that should be careful with its money and making sure it is investing properly for the health outcomes for Victorians. But it has failed dismally in that cause.

Let us not forget that the Andrews Labor government had our state, had Victoria, in a recession before the pandemic. The state's budget was in such poor state. Before we came to this external crisis of the pandemic this government's finances were so poor that it was not set up to deal with the crisis of the pandemic. In the recession we were not set up. The government talks about fair share; well, let us not forget that Victoria had its fair share of support from the federal government right through the pandemic due to the lockdowns and due to the problems of the hotel quarantine program—let us not forget that woeful debacle, that absolute debacle, of hotel quarantine. If it were not for hotel quarantine, we would not have had the second wave of the pandemic, the rolling lockdowns, the longest lockdowns. That was a debacle. It led to more than 800 Victorians tragically losing their lives, 200 000 jobs lost, thousands and thousands of Victorian businesses closed, and in terms of fair share, Victoria required more JobKeeper from the federal government than any other state in Australia. The federal government stepped in to support Victorians when they needed it because the Andrews Labor government could not afford it—was not there, could not do it. Now we are on track to \$164 billion of debt and we are running out of money.

Also, when we look at this motion it talks to the COVID funding of the federal government. I think we should be very concerned that that is a feature of this motion, because it just goes to show that the Premier, the Minister for Health and this Andrews Labor government are indicating to the Victorian public quite clearly that they want to continue the COVID crisis, that they want to introduce more lockdowns and more restrictions, making the lives of Victorians more challenging for the next year and potentially for years to come. We need to be very, very cautious of this—that that is what is written into this motion. That is a clear indication to Victorians that it is something we need to be very, very careful about.

Let us talk to some truth, though. We know that the commonwealth Liberal-National government has increased funding to Victorian hospitals, it has increased funding to Victoria's healthcare system. Those are the statistics and that is on record. The Andrews Labor government seeks to deny this and seeks to play political games, but the reality is that the federal Liberal government had to step in when this Andrews Labor government here in Victoria had run out of money and could not fund our healthcare system in Victoria adequately.

As I said earlier, Victoria's health system is in crisis, and that is on the watch of the Premier and his Labor government. Their record on health is dismal. After nearly eight long years in power their record is dismal. The data just goes to show that in Victoria the Andrews Labor government spends the lowest amount of money on health funding per person versus any other state in Australia. We only have to look at our hospitals to see that they are underfunded. This Labor government has left them languishing. We have ambulances ramping again under the watch of the Andrews Labor government. It is a shambles—ambulance after ambulance after ambulance queueing up outside hospitals. Even the ambulance union is calling out this ambulance crisis. The Andrews Labor government have managed their budget so poorly that they have run out of money. They have underfunded ambulances, underfunded the services, underfunded hospital services, underprepared the health system, have not resourced it properly and have no surge capacity for the healthcare system. They have failed dismally.

We had the pandemic come to our shores here in Victoria in January 2020. In March 2020 we started going into lockdowns, and in April 2020 the Premier said that we were going to go into harsh lockdowns, and I quote, 'to prepare the health system'. Well, nearly three years on—

Mr D O'Brien interjected.

Ms VALLENCE: How did that go, member for Gippsland South? That went dismally. In April 2020 the Premier said that he needed to lock down this state to prepare the health system and then proceeded to do nothing. In April 2020 he announced \$1.3 billion for 4000 staffed ICU beds, has spent the money but there are no beds. He has failed to prepare this health system, and years and years and years on our health system is now failing.

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Nearly 100 000 Victorians are on the elective surgery waiting list. I have said this in this chamber before, but the Andrews Labor government is keeping these numbers secret. We know and a Public Accounts and Estimates Committee report has listed that—I think it was last year—we had around 65 000 or 66 000 Victorians on the elective surgery waiting list. Let us not forget this is not elective, this is vital surgery that people need because they are in pain. Recently the figure skyrocketed to 80 000. We now believe that the figure is around 100 000 Victorians, and this Labor government has hidden the data. It has failed to publish the most recent data.

It is astonishing that they are trying to keep this hidden from Victorians, but we know that it is terrible, and it is all down to the same thing. They have underfunded the health system, underfunded the hospitals, underfunded the ambulances, underfunded public surgeries, dental surgeries and public dental. The waiting list in the Evelyn electorate in my community at Lilydale is two years to get public dental, all because of the underfunding of this Andrews Labor government.

The ESTA 000 phone calling system has failed—is failing. The workers on the other end of the phone at 000 do a fabulous job, a very stressful job, but this Andrews Labor government has cut staff numbers at ESTA. People in acute pain, experiencing heart attacks or experiencing asthma attacks are calling 000, and they are left on hold. Ambulances are not being dispatched. This is all on the watch of the Andrews Labor government.

Our nurses and doctors do a tremendous job at all times, particularly amplified during the pandemic. They are exhausted. Their shift hours are going longer and longer because the resources are not there, and why aren't the resources there? That is because the Andrews Labor government has not prepared, has not planned, has not funded, has not got the resources it needs. As I said, back in April 2020 the Premier said on numerous occasions to the public press gallery that he was going to lock us down to prepare the health system, and yet we now know that it is not prepared. It is not prepared because ambulances are ramping, people are not getting their surgeries and people are waiting on hold to 000.

If this is happening, if these are all the examples, these real-life examples of real-life people being impacted and personal stories, that is because the money is not there in this budget. There is a near record \$164 billion of debt that we are going towards. The government has run out of money, and what that means is that they cannot deliver services, they cannot deliver infrastructure in the health system for Victorians, and Victorians are the ones that suffer. The Premier has no credibility when it comes to health. He says he is all about health, but we know that when he was health minister he said he would fix health. He said we would not wait for ambulances. Well, we are waiting for ambulances now. The Premier has failed Victorians, has failed the state and the health system is suffering for it.

Mr EREN (Lara) (15:09): I am delighted to be speaking on the budget take-note motion. Actually I am a bit disappointed that we have to come to this Parliament to speak about this issue, because it is very frustrating. As a Victorian I feel aggrieved. I am sure that many Victorians also feel aggrieved about the unfair system that we have federally in terms of the distribution of the GST. Just recently, in March, I tabled here on behalf of a committee a report. It was an independent report and mainly the submissions that were made by interested stakeholders about the unfairness of this distribution of the GST were non-political. They were independent organisations. So that inquiry into commonwealth support for Victoria I tabled in March. At the outset I want to say thank you to all of the committee members. It is a great report; it is a bipartisan report. Of course I want to thank the deputy chair, the member for Narracan; the member for Wendouree; the member for Geelong; the member for Euroa; the member for Northcote; and the member for Ferntree Gully.

I think in all political parties you have some sensible, good people and then you have the non-sensible people that only care about their party first. Particularly in this house we have seen time and time again some of the Liberal and National Party members here, regardless of how we are treated by the federal Liberal-National coalition, praise their actions to a certain extent. I know that opposition members have made very clear which side they are on. Josh Frydenberg, as has been mentioned many times in the media, is a Victorian, but he is not for Victoria, and I can say that of a number of people that have

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spoken in this house from the opposition—they are from Victoria, but they are not for Victorians. I think of the comments that were made particularly by the Leader of the Opposition in relation to the Minister for Transport Infrastructure when she was making it very clear that we are not happy with the distribution of the GST. He responded, ‘Now she wants more money. Grow the hell up’. That was his response, and that is just outrageous.

I want to point out some of the comments that were made in the report, and can I suggest to the opposition that they actually read the report. I am not sure if any of the committee members from the opposition are speaking on this very important motion; I do not think they are, because it is hard for them to justify what the federal government is doing because they have an insight into the report, whereas other opposition members did not look at this report. Obviously I am not sure that if they did they would be making some of the comments they are making in relation to this issue. I want to start off with the Commonwealth Grants Commission, who made a submission, and it is on page 15 of the report, the *Inquiry into Commonwealth support for Victoria*. It states:

As explained by ... Mike Callaghan—

Chairperson of the Commonwealth Grants Commission—

... after the expiration of the no-worse-off guarantee:

A state will be worse off if the reduction in its GST share as a result of increasing the GST relativity of another state is more than its share of the top-up payments in the GST pool.

So if the required boost to WA is less than the top-up to the GST pool (which is \$600 million in 2021–22), some states may be worse off and others may be better off. However, if WA requires a boost higher than the top-up amount, which seems probable based on states’ modelling, then all states other than WA will be worse off.

This is the grants commission—we are not saying this, this is not the state government saying this; this is them saying it.

For example, the Victorian DTF modelled six different scenarios to show the impact of the new arrangements on GST revenue in 2027–28, after the no-worse-off guarantee expires. Under each scenario, Victoria’s GST revenue falls, losing between \$87 million and \$1.2 billion ...

I mean, it is outrageous that the opposition have not read this report. I will go through systematically the independent, non-political people that are actually concerned about this. It states:

... Angela Jackson, Lead Economist at Equity Economics, reiterated the impact of significant revenue loss on the states—

page 16—

the expiry of the no-worse-off clause ... is clearly going to have a huge impact I think, particularly across New South Wales and Victoria. It is going to benefit Western Australia, and there is no doubt about that.

Every single state—the former Liberal South Australian government, the current Liberal Tasmanian government, the current New South Wales Liberal government—is opposed to the GST distribution, like Victoria. This has a bipartisan approach to it. I cannot understand how the opposition could stand up and defend an indefensible action by the federal government. They are Liberal first, not Victorians, and that is the problem.

Mr D O’Brien: Who has? Who’s defended it, John? Bring names.

Mr EREN: I will go to further comments just in case the member has not realised their mistake, and hopefully the speakers after me can rectify their mistake and support this motion that is before the house. South Australia and Tasmania have all agreed with Victoria in relation to how unfairly this GST revenue is being distributed.

So I just want to go to the page which should scare everybody in this house and indeed the federal government if they are not aware of it. The most frightening part is of course the presentation that was made by Mr Saul Eslake, who is an Australian economist, a very reputable person. He strongly argued:

All Australian taxpayers—including those living in Victoria—should be appalled that the Commonwealth Government will be incurring more debt (to be serviced, and ultimately repaid, by future generations of Australian taxpayers) in order to transfer billions of dollars to the government of the richest state in Australia, the only government in Australia (and one of very few anywhere in the world) which is currently running, and expects for the foreseeable future to be running, budget surpluses—

which is WA. Finding 6 in this report says:

The Australian Government significantly underestimated the costs of the new equalisation arrangements, which are forecast to add an additional \$11 billion to the Australian budget deficit by 2024–25.

This is outrageous. How can this be happening? There are so many instances, and I think it has been mentioned about Barnaby Joyce, how he stood with his big-brimmed hat, like JR from that show from way back—

A member: *Dallas*.

Mr EREN: *Dallas*, he looked like JR from *Dallas*, saying, ‘Harrumph, harrumph, harrumph’. Hang on, \$7 billion of money was meant to be expended in regional Victoria, and not one cent to us.

One example I will give you is the Northern Aquatic and Community Hub in my electorate, a very important project. We managed to give some significant moneys from the state government, allocated from a portfolio. Through Sarah Henderson the council was encouraged to go and apply to the roads funding. They applied to the roads funding, and they got their money for the aquatic centre through the roads funding. So when these opposition members in regions complain about the roads not being fixed, ask Sarah Henderson why \$7.2 million has been allocated from the roads budget to an aquatic centre. That is outrageous. People in regional Victoria are missing out on road projects because Sarah Henderson, through the federal government, has misappropriated those funds in that way, where they should be used for roads. So do not ever complain in here that we are not doing anything for roads when your federal member is encouraging that money to be spent elsewhere.

I want to rest my case in relation to all of the stuff that has been going on in this chamber from the opposition—other than the member for Euroa, the member for Narracan and the member for Ferntree Gully, who clearly have not spoken on this because they are smarter. They get it because they have read the report. This is an embarrassment for The Nationals and the coalition in opposition, and they should be voting in favour of this motion.

Mr D O'BRIEN (Gippsland South) (15:19): I am going to start with reference to the previous speaker, the member for Lara, and also the Minister for Education during question time. The Minister for Education during question time said some people want less money spent on education, and likewise the member for Lara was just going on about Liberal and Nationals members who support the current arrangements in Canberra. To both of them I say, ‘Who?’. To paraphrase the great British Prime Minister Margaret Thatcher, ‘Who? What people? Name names?’. It is very easy for those opposite to stand up there, throw bombs over and say, ‘Oh, you all do this, and you all do that’, but who has ever argued, Deputy Premier, that there should be less money spent on education? Not the member for Warrandyte. Not the member for Lowan. Not the member for Gippsland South.

I stand here first as a Victorian, and as a Victorian I will always back the interests of Victorians. I find it a little bit bemusing that we are standing here debating this particular motion—firstly, because it is yet another example of the government having completely run out of ideas and having no legislative agenda; secondly, of course, because it is playing absolute partisan politics with a federal election about to be called. The government is doing the bidding of its federal Labor counterparts, and to that end I would like to pick up some of the comments that were just made by the member for Lara but also by the Treasurer during question time because they seem most perturbed by the current carve-up of the GST arrangements. That is understandable. Certainly we always will argue for a better deal for Victoria. We live in a situation, though, in Australia where we have what is called horizontal fiscal equalisation, where across the nation we try and make sure that every Australian has the right to

equivalent services and infrastructure. That has been the case since federation and, as the Treasurer said in question time, it has been the case that Victoria has always been, I believe, a donor state.

So we heard a 2-minute rant from the Treasurer during question time about the dastardly Frydenberg-Morrison budget and this particular GST carve-up. But I have discovered that members of the Labor Party seem to have missed the other memo that has been around in the last 24 hours, because the reason we are having this debate is that there is a federal election about to be called. Quite rightly Victoria should be standing up for Victoria's interests and the government should be standing up against unfair arrangements that may come from Canberra. But they should be standing up against unfair arrangements that come from either side of politics. We heard the Treasurer spend 2 minutes complaining about the GST carve-up. We just heard a good 7 or 8 minutes from the member for Lara about how terrible Scott Morrison and Josh Frydenberg are with respect to the GST carve-up. But what have we heard from the alternative federal government? We have heard that they would do exactly the same. I can quote to you in fact—

Ms Kealy interjected.

Mr D O'BRIEN: No, no-one seems to have mentioned that. I am here to help, member for Lowan. It seems that the members of the government missed the announcement from the Shadow Treasurer federally yesterday. I just want to make sure that they are aware of it, because he said yesterday at the National Press Club—it might have been after the press club in a press conference:

We've said to all of the governments that we don't intend to reopen that deal—that is, the carve-up of the GST.

That has been a subject of some conjecture ...

Jim Chalmers said.

And as always, in these deals, which are done years in advance, but are asked to take into account fluctuations in state economies, there are typically people who are happy for good reason and people who are unhappy for good reason.

While we hear the partisan comments from those opposite about this terrible GST carve-up, the point that is relevant to Victorians is: vote for a Labor federal government and absolutely nothing will change. Now, I put the question out to the Treasurer, to the member for Lara and anyone else who is going to speak on this from the government benches: have you rung Jim Chalmers? Have you lobbied Anthony Albanese for a better deal for Victoria? Because it seems like they have not. In fact it seems I have just let them know what Jim Chalmers actually has said, because he has no interest in opening up that deal and changing it for Victoria. You can complain all you like about the GST deal and blame it on the Liberals and Nationals, but the Labor Party is going to do exactly the same.

I also wanted to talk about the situation with respect to the Victorian budget and how that is being impacted by the federal budget and what this motion is all about, because we have seen time and time again this government waste valuable Victorian taxpayers funds. On the infrastructure build alone there are \$24 billion of blowouts. We have the Minister for Health moving this motion and standing up every day in question time attacking the federal government and blaming them for not spending enough. Well, the facts bear out a different story. Since the 2012–13 year the commonwealth funding to Victorian hospitals has grown by 112.7 per cent. Now, you might say, 'Oh, but there's been health inflation over that period of time'. Well, the Victorian government funding for their own hospitals has increased by 69.5 per cent in the same period. If the Victorian government are serious that they are somehow being short-changed by the commonwealth, well, they should have a look in their own backyard.

I note that the big announcement made on the weekend of \$1.5 billion to catch up on elective surgery is half funded by the federal government; \$750 million will come from the federal government. That did not actually get a mention in the Acting Premier's press release somehow. It must have just got deleted at the last minute.

We have seen these arguments before. We hear the Minister for Health bemoaning the crisis that we are having to deal with, the pandemic crisis that has turned our health system into just a basket case. Yet we can go back and we can remember that the government announced on 1 April 2020—no pun intended; it was not an April Fools' Day joke—that the state government would put \$1.3 billion into the health system to fund 4000 beds. In fact it literally says in the government's media release from the Premier and the Minister for Health at the time that this announcement:

... will secure the ICU equipment, staff and space we need to meet the expected surge in case load at the peak of the pandemic.

The government knew two years ago that there was going to be pressure on the health system. Indeed we were told we needed these initial lockdowns to flatten the curve, to protect the health system. And yet here we are, over two years later now, and there is no sign of those 4000 beds that the government promised. There is no sign of the government actually having acted to address the issues that are affecting the health system, including the ambulance system, which is severely under stress at the moment. Yet now we have got the government, weeks out from a federal election, saying it is all the commonwealth's fault, and that is an indictment of the management of this government.

I want to just touch on the second part of this motion too, which refers to all COVID-19 funding being cut at the end of September. COVID-19 is an issue—it has been a significant issue—but it is retreating as an issue. My word, if we get to September this year and the government is still wanting funding to deal with COVID-19, we will be in a serious situation. The health system is going to take a long time to recover. We know that for sure. But it would appear, as the member for Lowan said in her opening comments, that the government is preparing us again for more lockdowns, for more restrictions. It is very clear that the government has not had a plan. The Leader of the Opposition said this time and again last year: if you are going into lockdown, that is a public policy failure.

We know there have got to be measures taken to deal with the health threats, but it is very clear that omicron and even the most recent variant, whilst they are far more transmissible, are nowhere near as virulent. I know some people are getting quite crook still, but there is no question that the worst of it has passed. The government needs to accept that, and it needs to be removing the restrictions that we still have on in Victoria—restrictions that I might say are still costing businesses money. Come September we should not be needing funding from the commonwealth to deal with COVID-19.

This government has mismanaged its own budget. It is failing to be clear on the facts of what is happening at federal level with the federal Labor Party changing nothing about the GST carve-up, and the government stands condemned for its own mismanagement.

Ms GREEN (Yan Yean) (15:29): It is with a heavy heart that I get up to speak on this take-note motion on the federal budget. In no way can any member in this house say that this has been a fair deal for Victoria, and those who are saying it need to reflect. Those just around from me, to the right of me—well to the right of me—are not condemning this federal budget, and they are ignoring the inquiry tabled in this house which showed how Victoria is being diddled on GST.

The member for Lowan and the member for Gippsland South mentioned Jim Chalmers as the Shadow Treasurer, and so it seems to me that they are giving up and assuming that Jim Chalmers will soon be the national Treasurer. It seems like they are giving up, and maybe they are giving up particularly because they know what a dud budget this is for Victoria. What they have not been mentioning is the infrastructure spend. It is easy to do the smoke and mirrors: 'Yes, this is what Jim Chalmers said about the GST'. What about infrastructure spend? What about health funding?

And if we are talking about belling the cat—the member for Lowan said in her contribution that we are apparently belling the cat, that part 2 of this motion is implying that we may introduce additional measures to respond to the pandemic in September—well, I would say, 'Who belled the cat on 20 January in one of his few fleeting visits to this state?'. The Deputy Prime Minister of this country, Barnaby Joyce, was in Mildura on 20 January, and I know this because I was there on that day. There

he was with the big hat—as the member for Lara said, like JR Ewing—in Mildura in the federal seat of Mallee, a seat that they only just got over the line at the last election, and when he was asked about infrastructure spend in Victoria, he said, ‘No money, no money, no money’. That is what he said on 20 January, and I would like to know what the Leader of the National Party, the member for Lowan and the member for Gippsland South have been doing since then.

They are trying to point out and say that members of the Labor government should be making a call to Jim Chalmers, the Shadow Treasurer, but they failed. They knew that Barnaby Joyce came here on 20 January—it was reported publicly—in the federal seat of Mallee and said, ‘No money, no money, no money’. He belled the cat. Barnaby Joyce belled the cat on 20 January in the seat of Mallee in Mildura because what we have seen is the regional fund for regional Australia—what is it, \$7.1 billion? Twenty-five per cent of Australia’s population is in Victoria, and we certainly care about regional Victoria. I know the National Party always go, ‘Oh, the government for Melbourne, the government for Melbourne’, when in fact we have 18 regional members in this place. They do not even have party status. They do not have 16 members put together, the coalition, in regional Victoria—that is what the voters think about them. They think the voters will forgive them for not speaking to the Deputy Prime Minister of this country, who said, ‘No money, no money, no money for regional Victoria’—now he has delivered.

It is not just all of regional Victoria; it is the outer suburbs as well. I met Michael McCormack, the former Deputy Prime Minister, and I was really pleased that unlike most of the National Party ministers—they do not come to Victoria very much—Michael McCormack did come to Wallan after the horrific train derailment where there were two lives lost. We had a really good chat there, and after that he said that they would provide funding for the Wallan interchange from the Hume to Watson Street. The federal member Rob Mitchell has been out there saying, ‘We’ve got the money. It’s going ahead’, and it turns out it has never been received by the Victorian government for us to be able to deliver that project—never been received. And now the federal member for McEwen has had to raise it on the adjournment just before their budget, going, ‘Hello. Remember the money you promised for Watson Street?’—well, they are not doing it.

Obviously Michael McCormack got the push as the Leader of the National Party and Deputy Prime Minister of the country. They brought in Barnaby from New South Wales. All he cares about—New South Wales and Queensland; Michael McCormack had a bigger picture going on there. But let me tell you, maybe the National Party and Barnaby Joyce do not understand that the seat of Nicholls is really close to Watson Street. It is really close to Wallan, so I reckon they are going to notice if a promise like that has been broken. Damian Drum is retiring at this election, so if the National Party wants to have even less seats in Victoria, well, go on with this. Go on, make sure that that \$7.1 billion is not being spent in Victoria’s regions.

I heard the member for Lowan, the member for South-West Coast and numerous others talking about health. Our community nationwide has been focused on health for two years, more than two years—health and aged care. And what did this budget do? It has cut funding to health. The member for Gippsland South was trying to say, ‘Well, I think the pandemic’s over’. We know the impact of the pandemic is not over. There are record numbers of people who have actually got it right now. It is putting pressure on our health and aged care services. They are criticising federal Labor and saying ‘They’re not going to pay’, and they are actually not supporting aged care workers.

Mr R Smith interjected.

Ms GREEN: Well, member for Warrandyte, you might think what I have got to say is a rant, but I actually think that aged care workers do not think it is a rant when they hear a federal government saying it will not pay them a decent wage, that it will not—as we do in Victoria—have qualified nurses in our state-run aged care. That is why people are healthier—they are not starving—in state-run aged care. They have had a royal commission in Canberra. Do you hear anyone from the National Party and the Liberal Party in this state saying, ‘What an appalling thing has been done’? Are they standing

up and saying this budget should have spent more on aged care? No. It is not, and it is spending less on health—a \$1.5 billion cut.

The coalition in this state would have the community think that there is really no relationship between hospital waiting lists, 000 call pressures and ambulance delays. Earth to the National Party again—and the outer-suburban Liberal members—a year or so before the COVID pandemic hit this country the federal government changed rurality funding for general practitioners. You can no longer, in the outer suburbs of Melbourne and in many, many country towns, claim rurality disadvantage so you can get a GP. So do not say that it has nothing to do with the federal government and health. They are supposed to provide primary care.

I sprained my ankle a few weeks ago—everyone saw me. I could not get a GP appointment for a week in my electorate. I had to end up going to accident and emergency at St Vincent's, and I thank them for their care. But I should not have had to do that, because if the federal government had not cut the rurality support to communities in my electorate, I would have been able to get a GP appointment. What we have got is people having no choice. This is a dreadful budget for Victoria. It ignores us. It treats Victorians like mugs, and Victorians will not forget it.

Mr R SMITH (Warrandyte) (15:39): Thank you very much, Acting Speaker McGuire. It is nice to have the Premier in here. It seems like he has taken your seat, though, unfortunately. I rise to speak on this motion.

Members interjecting.

Mr R SMITH: Maybe you could call the Premier to order, Acting Speaker. But he has your seat. He is a bit more vocal than you are when you are there, I have to say. Don't you think, Acting Speaker, that before the Victorian government start this petulant whining about not getting enough funding from the federal government, maybe, just maybe, they should get their own house in order first? Just maybe the federal government, unlike the state government, actually cares about getting value for taxpayer dollars. Maybe the federal government actually thinks that before they start shovelling money out to the Victorian government, the Victorian government should make sure that its major projects, its infrastructure projects, are actually run properly.

There is ample evidence that the state government is just completely unable to manage its major projects in any way, shape or form. Its infrastructure projects are so far over budget that they total about \$24 billion in overruns—\$24 billion that could be used to help our health system, to reduce our waiting lists, to help the 000 ESTA ambulance crisis. There are so many things that that money could have been used for, but instead the government have frittered it away, and when they find they have got nothing left in the till they turn around with their hand open to the federal government time and time again.

It may be that those opposite think that is just a rant from the coalition on the opposition benches, but the Victorian Auditor-General's Office has made these points time and time again—that this government just simply cannot handle money when it comes to major project delivery. In September just last year a VAGO report entitled *Major Projects Performance* in its opening comments says:

What we concluded

DTF and public sector entities' reporting to Parliament and the public about major projects' performance is not timely, relevant or sufficient.

What that is saying is that the government departments are just completely unable to demonstrate how their projects are being run. The report goes on to say:

DTF collects useful project data from entities and provides clear performance reports about some major projects to the government.

So DTF is reporting to the government, but:

DTF does not use this data to holistically report on major projects to the Parliament and the public.

The Auditor-General in this report went on to say that:

Public reporting on major projects is limited by ...

and there is a list of things:

- data presentation inconsistencies
- a lack of clarity about who is responsible for each project
- a lack of information about project's performance against their targets
- a lack of timely reporting
- a lack of reporting about expected benefits
- a lack of explanation of changes
- data errors—

and the list goes on—

- lack of sufficient disclosure or explanation of project details
- a lack of clarity about the type of investments
- missing major project investments—

which goes on to say that the budget papers do not fully disclose:

- some transport sector major projects worth more than \$100 million ...

Now, why would the federal government write out a cheque for projects that have no proper reporting around them, have no business case, data errors or a lack of explanation? Why do you think the state government should expect the federal government to shovel out money to them when they cannot even get their own house in order?

Another report from VAGO of August 2021, just last year again, is entitled *Major Infrastructure Program Delivery Capability*. In this report the Auditor-General concluded:

The audited agencies are not sufficiently strategic in planning for the material and human resources they need to deliver major government infrastructure projects. The consequence of this is that the risk of cost overruns and delays will be higher than it needs to be.

... there are significant gaps in the information they use ... and how they coordinate this work.

As a result, no agency ...

in the government

fully understands the construction industry and public sector's ability to deliver the government's pipeline ...

The ... agencies' advice to government does not consistently disclose the extent of these knowledge gaps.

Again, why would the federal government shovel money out to the state when the state is just full of knowledge gaps? I refer to *Integrated Transport Planning*, August 2021. Very quickly on this one, their conclusion from the transport plans is that:

The published plans and strategies ...

the Department of Transport

... identifies as forming the transport plan do not meet the requirements of the Act as they do not provide a comprehensive, integrated transport plan.

So even the Victorian legislation is not being adhered to by this government.

Let us have a look at the Suburban Rail Loop. There was a very good and informative article in the *Age* just on Monday by a professor of urban policy and director at the Centre for Urban Research at RMIT, Jago Dodson. Professor Dodson made some very interesting comments about why the federal government probably has not put any money up towards the Suburban Rail Loop. For those opposite who do not know, the Suburban Rail Loop's premise is to make sure that it connects disparate suburbs,

making sure that people do not have to go into the city. But in order to not have the requirement for people to go into the central hub there have to be employment precincts made in the outer areas.

There has been no work since the Suburban Rail Loop was first posited by the government on those employment precincts along the line of this proposed rail infrastructure project. The East Werribee employment precinct, which a former planning minister, the Leader of the Opposition, zoned, has had no work done on it in almost eight years—almost none. If you are going to put a major piece of infrastructure in place that is going to cost upwards of some say \$50 billion, some say \$100 billion—if the other projects that the government has been in charge of are anything to go by, we could be looking at close to a quarter of a trillion dollars by the time it gets delivered—and if the premise behind that infrastructure is making sure that we have employment zones so that people do not have to travel to the centre of Melbourne, then why has there been zero work done on that rezoning, making sure the employment precincts are there and stimulating work in those places? You have talked a lot about this yourself, Acting Speaker McGuire, when it comes to employment precincts within your electorate. Very, very little work, if any, has been done.

The professor went on to say that there are a whole range of processes around infrastructure planning. I will just quote from the document:

Infrastructure Australia expects a three-step process in infrastructure planning.

Professor Dodson went on to explain those three steps but basically pointed out that it is very difficult for the federal government to fund this project when those steps have not been adhered to or hardly at all.

On the issue of those infrastructure projects more broadly, the Victorian Auditor-General released a report today, *Government Advertising*, which details very much that the government is spending money on ‘government advertising’, and I put that in quotes because it has been clearly shown to be in contravention of the Public Administration Act 2004. The Premier today said that he made no apologies for promoting the need for federal infrastructure funding to come to this state. He should apologise for breaking the law. If you have not adhered to the act, if you have not adhered to Victorian legislation, you are breaking the law. I mean, you should apologise for that. I do not care how much you want to promote Victoria; you do not break the law to do so. It very much puts me in the mind of Graham Richardson’s tome *Whatever It Takes*. You cannot break the law, particularly if you are the government, no matter what your causes are. The ends do not justify the means. I have to say that it is astounding that the Premier would walk into this place, into the Parliament which is supposed to oversee the actions of the executive, and say that he does not care that he has broken the law and that he does not care what the Auditor-General says. He will probably do it all again, and I expect to see that as we move towards the federal election over the next few weeks.

In short, I just want to again point out the fact that Labor’s list of cost blowouts is enormous. We have had a \$10 billion blowout on the North East Link, a \$3.4 billion blowout on the Metro Tunnel, a \$3.3 billion blowout on the level crossing removals and a \$2.7 billion blowout on the West Gate Tunnel—that is going to go on forever; that is not going to be finished until 2028 and the cost overruns there will measure in the billions going forward. There is a whole list of big projects. Even little projects they cannot seem to manage. The youth prevention and recovery care centre promised for \$11.9 million has blown out by \$1 million. The youth justice precinct has blown out by \$2 million. Even little projects are not managed well by this government.

I make the point again to you, Acting Speaker McGuire, and to members in this house: if the state government actually want the federal government to take them seriously, then they need to get their house in order, start managing projects better and start managing those cost overruns. That is public money, which needs to be spent as if it is their own money. That public money is not being spent well. Get your house in order, I say to the Victorian government. Get your house in order, I say to the Minister for Transport Infrastructure and indeed to the Premier, and maybe, just maybe, the federal government will come to the party if you get your own house in order.

Mr DIMOPOULOS (Oakleigh) (15:49): It is a pleasure to speak on this take-motion on the federal budget. What the member for Warrandyte just completely glossed over was the idea that somehow it is money for the Victorian government to put in our own pockets. No, no—it is money for the Victorian community, for the Australian community. Also I have got to say, you could be forgiven for thinking that the member for Warrandyte is accurate in his statements. Just as an example, he is ascribing some purely extraordinary project management skills and fiduciary responsibility to the federal government—and somehow we are a lesser outfit. This is the same government that stuffed up almost every single station car park operation and commitment.

The Australian National Audit Office—that is not even some haphazard sort of backyard outfit—assessed the sports grants. Remember the sports grants? They noted 41 per cent of awarded grants were not endorsed by Sport Australia. Forty-one per cent were outside the professional advice, and I will get on to the professional advice and how the Liberal Party in this country ignores professional advice. Seventy per cent of those recommended were not awarded—not 10 or 20, 70—and 73 per cent of the final approved projects had not been recommended. That is the record of the government that the member for Warrandyte wants us to take a cue from in terms of investment. No thank you. I will tell you where we will take our cue from. We will take the cue from the Victorian community that re-elected us to fulfil a huge pipeline of infrastructure projects that create jobs, that are congestion busting and that create intergenerational reform on the transport network. That is the cue we are going to take.

As we know, and as other colleagues have said, it is beyond argument that the federal government's infrastructure spend has been absolutely geared away from Victoria. It does not matter how far you open the lens, whether you just count the last couple of years or you open it up to a five-year analysis; it is consistently under what the Victorian community deserves. In the 2020–21 financial year we received 18.3 per cent of commonwealth infrastructure funding, but we do not have 18.3 per cent of the Australian population—we have 26 per cent. That is a funding gap of \$745 million in one financial year. So we could say that the last budget, sure enough, may have had an opportunity to correct it. No, it did not. In the last budget we got 6 per cent of the forward infrastructure spending of this commonwealth government—6 per cent. It is disappointing but not surprising from the, as we have come to call him, Prime Minister for Sydney. Because to call him the Prime Minister for New South Wales, even, would be an affront to the people of Lismore and other communities, who refused to shake his hand, and the other communities who have been let down by his sluggish response to a range of their needs through natural disasters from floods to fires. It is not surprising from the Prime Minister for Sydney and his Treasurer, who may be from Victoria but, as other colleagues on this side have said, is not for Victoria.

Melbourne is set to be the largest city, and if you ask the Treasurer it is already the largest city. The Victorian Treasurer says the way that Sydney measures its population compared to the way Melbourne measures its population already makes Melbourne larger than Sydney. The way that both cities are measured right now, in seven years time we will be the largest city in the country. So we get 6 per cent of forward infrastructure spending.

Of six states we are the second-largest, and do you know what we are pegged with? We are pegged with Tasmania. I think the only thing Tasmania should be pegged on an equal basis with Victoria on is Senate spots, and even that I take umbrage with. Senate spots—12 senators for 500 000 people, 12 senators for 6.6 million people. I am not going to argue with the forefathers and mothers who wrote the constitution, but I will argue with this federal government. At 6 per cent we get about the same as Tasmania. There are 500 000 Tasmanians and 6.6 million Victorians. If we took 500 000 Victorians, do you know what that would represent? It would be about the size of Cardinia and Casey councils, in fact just under. Forget the other 77 councils in Victoria. The Morrison government has given funding for two councils out of 79, the equivalent of the whole of Tasmania, to us. On a per person basis Tasmania gets not just much greater Senate voting power but much greater infrastructure support from the Morrison government. When we say to the Treasurer, 'Why are you not giving us our fair share?', he says exactly what the member for Warrandyte said. They are singing from the same Liberal

Party song sheet: 'Stop being petulant'. He used that word, petulant. That is exactly the word they used against us.

On Tuesday, 12 July 2021, something really important happened. The Prime Minister for Sydney and his Treasurer announced an increase to the COVID emergency disaster payment—I am not sure if people remember that—as well as a jointly funded payment for businesses that could demonstrate a 30 per cent decline in turnover. That was in July last year, not the first year when it was broadly accepted. For weeks Victoria had been patiently asking for the same assistance. First, Victoria was ignored. Then we were told no. We were told no both publicly and privately. Then we were told by the Treasurer he was sick of our 'whingeing', as if Victoria is not part of this country. What changed on 12 July 2021? Do you know what changed? The COVID crisis had moved to Sydney. Suddenly there was funding available. Well into our part of the pandemic in Victoria, they did not have funding. They did not have it.

A lot of press releases followed for a range of things. For mental health, the federal government in this budget have committed approximately 13 per cent of the Victorian government's commitment, but their 13 per cent is not for us, it is for the whole country. So that is a really important point. You take our commitment for Victoria, you take 13 per cent of it only, and you apply to the entire country. That is how ridiculous their mental health spend is in the budget. Affordable housing, another topic in the budget—first you have to quibble with their definition of affordable housing. I do not know where they get it from, but it is not the affordable housing that we have come to know and respect on this side of the house. But say we accept the definition, about 35 per cent of what our government is spending just for Victoria, they are spending for the entire nation over six years—over six years!

The elephant in the room, though, as others have said on this side of house and the member for Warrandyte tried to be an apologist for the federal government on, is the infrastructure pipeline—you know, hospitals, schools, roads and transport. They are happy to fund car parks that Victorians will never use. They are happy to fund roads that Victorians will never drive on, because they are not in Victoria—in fact they are also happy to fund theoretical submarines that no-one will see for decades if we see them at all—but they are not happy to fund life-saving infrastructure in Victoria. Worse than anything, because we have come to expect that from the federal government, is exactly as the member for Yan Yean said: they are complicit in this chamber by their lack of calling it out. Where is your integrity? As the member for Yan Yean said, on a range of policy matters—on aged care, on infrastructure—where is your integrity? No, the apologists come out, 'Oh, if you could spend money better, they'd give it to you'. Really? That is the holdback, is it? But you never expect anything more from these people, either.

In fact, you know, all Australians who are not immediately of use to the federal Treasurer and to the Prime Minister are dispensable. We found out about Gladys and the text messages. She was no longer a requirement for the Prime Minister, so he completely disowned her publicly by white-anting her.

You know, the Prime Minister for Sydney is an absolute disappointment. Even when he holds the hose his instinct is to hand it on to somebody else—even when he does hold the hose.

Mr R Smith: On a point of order, Acting Speaker, I would have let this go, but it has been said a few times: Prime Minister for Sydney. The precedent in this house is to use correct titles.

Members interjecting.

Mr R Smith: We are using your time up, not mine. I don't care how long it goes for. It is the rules of the house, the precedents of the house. It should be pulled up.

Mr DIMOPOULOS: The members of this house, not the federal Parliament. *(Time expired)*

The ACTING SPEAKER (Mr McGuire): I will rule on the point of order. I just ask members to use correct titles.

Ms SHEED (Shepparton) (15:59): I rise to speak to make a contribution on the take-note motion from the Minister for Health. And while much has been said about—

Business interrupted under sessional orders.

Matters of public importance

OPPOSITION PERFORMANCE

The SPEAKER (16:01): I have accepted a statement from the member for Oakleigh proposing the following matter of public importance for discussion:

That this house notes the recent backflips from the Victorian Liberals on significant policy issues, including:

- (1) the mental health levy where the Leader of the Opposition categorically stated in February 2022 that the mental health levy would be gone if the Opposition won government; and
- (2) emissions reduction targets with the Liberals' track record of voting to gut the government's renewable energy legislation multiple times, including the Renewable Energy (Jobs and Investment) Bill 2017.

Mr DIMOPOULOS (Oakleigh) (16:02): It is a pleasure to lead the debate on the matter of public importance (MPI). We have developed an understanding of the common trend on the other side of this chamber, and that is that they do not listen to experts, they do not listen to professional advice and they ignore or are tone deaf to public sentiment, whether it be on climate change, the importance of mental health or a range of other policy priorities that Victorian people have. We know that good government is about listening and applying policy responses to the aspirations of the Victorian community that you seek to represent and not just doing it on a whim because it is politically expedient. Our platform is not ideological, it is practical. We respond to the needs of the community, and we do so judiciously and we do so methodically. That is the way and the approach of our government. They can backflip their way into our agenda, whether they do it on climate change or whether they do it on mental health. And we will take all comers, even latecomers, to this policy and public priority area, but let us call it for what it is: it is political expediency, as demonstrated by their backflip.

The contrast is our government, this side of the house: we did not just discover the importance of mental health and the lived experience of the Victorian community in the last two years, nor do we leech off victims or people who are living with mental health challenges, to bring them into the Parliament and use them as a political football. We have always believed in the importance of fixing the mental health system. We did not fight the Royal Commission into Victoria's Mental Health System's recommendations. From the beginning the Premier said we were accepting every single one of them. I take the house back: within the first 100 days of this term of our government we established a royal commission—within 100 days. The commission engaged in two years of detailed consultation—61 sessions, 21 locations across Victoria and 1600 stakeholders, the biggest public inquiry in Victoria's 160-year history. Can you just imagine—and we know on this side of the house—the community expectations and the permission, the social licence, that gives you to act, with that level and depth of engagement by the Victorian community?

I want to share a couple of stories, two or three of those 1600. Rick, a support worker, said, and this was published by the royal commission:

For me, at the point at which I had lost all hope and saw no future for myself, if a peer worker had said to me, 'actually I was in your shoes twenty years ago and I had no hope and I never thought I would have a job or a partner and I do have these things now', I think my recovery might have begun sooner.

That is exactly why stories like this prompted the royal commission to give us a recommendation about the importance of peer work—because of people like Rick and their lived experience. A mother shared her challenges with the commission. She said:

As a single mother who had to work full time to keep a roof over my girls' heads, navigating the service system has been so difficult. This has taken a huge emotional and financial toll on me as I have not been able to progress my career due to my caring requirements, which will severely impact the amount of super I have

to retire on. Disconnected, poorly promoted services with overly tight eligibility criteria meant that only some aspects of my girls' multiple and complex needs could be addressed.

Of course, that is the lived experience of many people. The last one I want to quote, who is also somebody who spoke at the launch, is Amelia Morris. She said in her contribution to the commission report:

One of the main problems I encountered with the mental health system was that when I asked for help, it felt like there was nothing there. The narrative around mental health seems to repeat the same message—'don't be afraid to ask for help'. The problem comes when you ask, there doesn't appear to be any answer. It's so heartbreaking when you finally work up the courage to voice the horrible things that you're experiencing, but there's nothing there to help you.

That was Amelia Morris. I tell those stories, colleagues, because I want us to remember how impactful that royal commission was and also what social licence it has. We found out there was a system that was unable to manage. Our workforce was overstretched. Our institutions were underfunded. We also learned the system was often culturally insensitive. If you did not fit into a mainstream box, you were not catered for in that system. There were many gaps that denied the basic dignity of many Victorians who experienced the system.

Unlike those opposite and those in Canberra, we took responsibility. We took responsibility to build a better system—and the response from the Liberal-National parties? I have never been so affronted by the response of the Shadow Minister for Mental Health and the other speakers on that day at the Royal Exhibition Building in Melbourne. It was an iconic sitting of the Victorian Parliament, where we were all in some sense, we thought, in bipartisan cooperation, and she got up there and she completely politicised it. I will quote from *Hansard*. She said:

I am also sorry that while we have waited years for government action to fix the known problems and gaping chasms in mental health, some of you—

talking to the people at the Royal Exhibition Building—

were needlessly harmed and traumatised.

She went on:

In my seven years as a parliamentarian there have been a plethora of government reports and inquiries into mental health, which have offered hundreds of recommendations to fix a mental health system in crisis ... It has been obvious for some time where the shortfalls in the system are, but government has failed to act.

Since 2018, she said:

... the reason for this failure to act has ironically been that the government was waiting for the royal commission's final report. This in itself has caused immense harm and trauma in our community and delayed any improvement to Victoria's mental health system ...

Fancy blaming the royal commission's time it takes to do a substantial report for us for harm caused by the system that when they were in power, prior to our government being elected in 2014, they did very little for. So not only did the shadow minister politicise it, she was actually factually inaccurate. But we have come to expect that. We have come to expect factual inaccuracies in what they say, but also we have come to expect shedding of responsibility. I remember the Prime Minister was quoted in an article. I think I have got the quote here, actually. Asked to reflect on his leadership during the pandemic, Morrison said:

... I've worn down the carpet on the side of my bed ...

praying for all those souls in the pandemic. So it would appear not even the poor Lord himself has avoided being the recipient of the Prime Minister's 'Here, take responsibility, because I can't'. It is the Lord's thing to fix. They have a similar approach here. Either they blame us or they blame somebody else in the system, in the workforce, in the Victorian community. But can I just tell you what was really affronting for me about the Shadow Minister for Mental Health? She had such a lack of knowledge of her own portfolio. On the day she was speaking—

The SPEAKER: Order! I realise the motion that has been put to the house as a matter of public importance reflects on the Victorian Liberals in terms of policy positions, but I ask the member not to reflect individually on members of this place.

Mr DIMOPOULOS: Thank you, Speaker. Our commitment to mental health, as I said at the beginning, predates the royal commission substantially. The member for Albert Park was the first Minister for Mental Health in the Andrews Labor government last term, and I was privileged to work with him. I was appointed to chair the mental health task force, an expert task force, for two years with 23 or 24 key leaders in the sector. We put together a 10-year mental health plan, and these are some of the examples of the investments: in the 2015–16 budget, just as an example, the year after we were elected, we were investing \$5.9 million in programs that promote the mental health and wellbeing of lesbian, gay, bisexual, transgender and intersex Victorians; investing \$4.4 million to ensure that 60 high-risk young people experiencing an eating disorder and their families would receive intensive treatment support; and investing in new intensive community treatment services for up to 500 additional older people—a range of commitments. That was 2015–16.

Moving on—I took a leaf out of my friend the Parliamentary Secretary to the Treasurer’s book, and I looked at the old budget documents. I thought, ‘Let’s compare a year which was well before the pandemic, well before the royal commission into mental health, just a normal year in an Andrews Labor government—if there is such a thing’. I chose 2017–18, so prior to the pandemic and prior to the royal commission. Our expenditure on mental health in the output summary of departmental objectives on page 228 of budget paper 3 was almost \$1.5 billion—\$1.4989 billion. Five years earlier, under the government of the Liberal Party, it was 36 per cent less—\$1.14 billion. So this is a really important thing for the chamber to note: prior to our biggest ever expenditure and commitment to mental health we were already 36 per cent above their investment. This was in 2017–18.

When the Shadow Minister for Mental Health came to the Exhibition Building and said we were waiting till 2018 for the royal commission’s report, (a) it was an affront and (b) it was false. No, we were not. We had spent billions in the preceding four years. But what happened was we did what I said at the beginning: we accepted the science. The experts, from Pat McGorry right through to Penny Armytage, Allan Fels and the entire panel of the royal commission, said that the system is broken and it needs to be fixed. We did not pretend we were just going to do a patch-up job by adding to that spending. What we did was we methodically went around to change the system, and what the opposition did at that point was they accused us of waiting for two years. I am sorry, but we were seeking expert advice. I know they do not believe in science. They do not believe in experts in any area, from climate change to mental health to virology and public health. They do not believe in it. They just do not.

The evidence of that in mental health was that criticism of us, but the bigger evidence was that they denied one of the key royal commission findings. They denied the funding source for the reforms. If you do not have a funding source for the reforms—a profound one raising around \$900 million a year—you do not have reforms. You do not have reforms, because always it will be, as the royal commission said, the poorer cousin of the physical health system. It will always be the poorer cousin. It will compete with roads funding, with schools funding, with a whole bunch of other things. They stood up on many occasions—and other colleagues will go through it—on the record. The shadow minister on November 2019 said:

We should put appropriate funding towards mental health, but that can be achieved without adding a new tax or levy.

She even said that at the day at the Exhibition Building. Many others have said that, from the Leader of the Opposition to others. They backflipped on that. They came in, and the backflip was so embarrassing. It lacked so much integrity. Do you know what I would appreciate in a backflip—‘Do you know what? We’ve now realised this is big. We can’t do it without an additional funding source’. Yes, blame the government for arranging things, but own it. No, no. David Davis in the other place came in and said, ‘Oh, no. We’ve always said—no, no, we didn’t’. So they tried to create a new reality,

rewrite history. I have got to say that the fundamental point about their backflip on this is they cannot be trusted with mental health. They cannot be trusted because of their expenditure when they had the Treasury benches compared to what we have spent—36 per cent less. They cannot be trusted because they denied the most important recommendation, in my view, the funding source for the reforms. They denied that. And they cannot be trusted because they have politicised and weaponised mental health during the last two years.

Their all of a sudden road to Damascus recognition of how important mental health is, well, they are about two years too late—if not four. That is why they cannot be trusted on mental health. As sure as night follows day, if they got into government in Victoria, they would cut mental health. I tell you why I know that—because of everything they have said and everything they have done. Past behaviour is the best predictor of future behaviour. Everything they have said and everything they have done is in their DNA. They will say they care, like Mary Wooldridge did when she was Minister for Mental Health in their previous government, but actions and budgets speak louder than words. And their budget is on full display here, as is ours, and that is pre pandemic and pre royal commission. Let us not even talk about the commitment on the royal commission—\$3.8 billion on top of the \$850 million that we funded the year before. So it is well in excess of \$4.6 billion. I commend the MPI to the house.

Mr R SMITH (Warrandyte) (16:17): I rise to speak on the MPI, and I think it really shows Labor's colours that this is a matter of public importance in their eyes—having a shot at the opposition—when they have chosen to put this ahead of the genuine issues that are important to Victorians. The opposition has been bringing in issues around 000 and health waiting lists for weeks and weeks and weeks, and if there is a member in this house that cannot feel for the circumstances that have been put in this chamber, then they do not deserve to be here, frankly. When we are putting those questions together, we put them together as a result of the emails we get, the calls we get, the texts we get, and gee, it is hard to put them into words for a question sometimes because some of the issues are pretty bad. Some of the issues, like the lady today that we spoke about who cannot chew and will not be able to for another three years; issues like having babies on the side of the road, which apparently is the peak of excellence in this state; issues like the young 10-year-old boy who had a brain tumour who could not get operated on. Those issues are matters of public importance.

If you read the papers and you see that 12 people have now died waiting for an ambulance, four of them children, that is an issue of public importance. When I move around my electorate, indeed when I move around the state, I hear people saying, 'You know, the level crossings are good, but gee, I wish I could have confidence that if I dial 000 someone is going to answer'. That is a matter of public importance. One hundred thousand people on a waiting list is a matter of public importance. Every single member in this house would have about 1000 people in their electorate who are on the waiting list. They are the ones you should be standing up here talking about.

So when I see a matter of public importance brought in by a government whose main objective is to have a shot at the opposition instead of thinking about what their community actually thinks is important, I just say, 'Shame on every single person in here'. I know that this has been brought in purely to boost morale: 'Let's have 2 hours where we can have a shot at the opposition'. I sit here in question time and I look when your Minister for Health gets up and makes excuses for the dozens and dozens and dozens—let me tell you, the well is bottomless. When I see the response, the complete lack of empathy from the health minister and the Premier, I cannot believe it myself. I look around the back benches and I see these glum faces, knowing that we are talking about people in Victoria who have been suffering in pain for years and years and it is not going to end for them under your government—under this Labor government. It is not going to end.

I see the glum faces and I understand why this MPI has been brought in—it is to lift morale. And at the end of this debate, when you have all had a shot at the opposition, not one more person will get off the hospital waiting list and not one more person can guarantee that when they dial 000 their call will be picked up. So well done to the Andrews government for an hour and a half or 2 hours of having a shot at the opposition. You have really achieved something. I am sure that is why you got voted in: to

have a shot at the opposition. Good luck to you. I suppose if it makes you feel any better, I am happy to play along with you for the time being.

Let us talk about the mental health levy. Let us talk about why mental health is so important. When you have been in this place for a little while, you know what actually happened rather than the imagined fantasies of the member for Oakleigh. If the member for Oakleigh can bring in one example of one mental health agency in government or outside of government that had a bad word to say about what Mary Wooldridge did for the mental health sector—I challenge any member to bring in a criticism because you might criticise so many other portfolios, but Mary Wooldridge did a fantastic job in that portfolio. It was not about ‘Well, we’ve spent more money than you’ve spent’, like he said; outcomes are more important. Outcomes are so much more important. Mary Wooldridge left that portfolio in a great state, there is no two ways about it, and I challenge anyone to bring in any evidence to the contrary—anyone.

The member for Albert Park was given the great honour of looking after that portfolio and broke it. The member for Oakleigh just said the agencies are underfunded. Whose fault is that? They were not underfunded under a Liberal-Nationals coalition government; they were underfunded by this government and that member. That member should have been removed when things started to crumble. There are not many ministers who get a royal commission called on them. There are not many ministers who, having taken a portfolio, actually have their own government declare the portfolio broken and declare a royal commission to fix it. There are not many ministers who can wear that, and as I have said in this house before, if it happened in the corporate sector you would be sacked. This guy was promoted in the middle of a pandemic to the health portfolio—can you believe it?

What this government has done, if we want to talk about mental health, to the mental health of so many Victorians, be they kids who were deprived of school, their sport and, can you believe it, playgrounds or business owners who had their businesses taken from them because this government would not let them open—600 000 sole traders alone, not even counting other small businesses that employ up to 10 or 20 people. The incidences of family violence—do you reckon that is going to affect mental health? Enormously. You know, I give credit to this government in terms of focusing on family violence, but the explosion in family violence after two years of lockdowns is something that could have been avoided. I want to share some comments from an article published in the *Herald Sun* on 29 March just to give a picture of where we are in this state after two years of government lockdowns:

Melbourne has been the most locked-down city in the world over the past two years, with its children spending the best part of nine months trapped inside their homes.

... the latest Coroner’s Court of Victoria data reveals 23 Victorian children under the age of 18 took their own lives ... while 78 between the ages of 18 and 24 suicided.

Tragically, this month, Mooroopna teen Sienna Ratila, aged just 13, died, after 10 previous suicide attempts.

Her stepmum, Roxanne, said that:

Siena’s depression had been “brushed off”, and the mental health system was “an absolute joke” ...

This government’s mental health system, an absolute joke, brushed off a 13-year-old girl who had already attempted suicide 10 times prior. The article goes on to say that Australian Psychological Society chair Dr Burgess said:

... a staggering 88 per cent of psychologists had reported an increased demand in services, equalling the previous record increase set in June 2021.

And more than a quarter of psychologists had reported more children and young people seeking help.

However, with 38 per cent of psychologists now unable to take on new clients because they were so busy—up from 25 per cent mid last year ... many kids were now at risk.

“We have the most understaffed mental health workforce in the country—

we have got the member for Oakleigh telling us what a great job you are doing on mental health—

... We need investment and strong leadership before it's too late ... we risk a lost generation if we don't act now ...

Psychologist Michael Carr-Gregg, who I think most members would know, said:

... school refusal clinics were filled to the brim around the state with students who were not ready or willing to head back to the classroom.

Meanwhile, in this state, as proud as you are about your mental health directions:

... thousands of vulnerable ... Victorians are being denied timely mental health care, with waiting times at headspace centres now stretching up to 60 days.

It's understood more than 560 young people are waiting for appointments at headspace centres in Melbourne's northwest alone, with the situation even worse in regional areas.

The mental health system in this state is broken—I can agree 100 per cent. It is this government that broke it, and it is this government that is moving far too slowly. The member for Oakleigh wanted to talk about the mental health levy. I will tell members very clearly what I believe and what my party believes. I believe the Minister for Health should have been removed from the mental health portfolio when it started falling apart. I believe that this government should have been focused on the impacts of lockdowns, not just COVID impacts but all impacts. As I said, closing schools, playgrounds and businesses had an enormous effect on people's wellbeing and mental health, and this government largely ignored it because COVID was more important.

I think that this government should have heeded the recommendations of the myriad of reports before the royal commission handed down its report. I am not debating for a moment whether that royal commission report was necessary—through the lens of the broken system under the Andrews government it was completely necessary. But there were many reports that said many of the same things which this government did not act on. I think that this government should have listened to the experts who said that mental health issues as a result of the lockdowns were going to present way, way before recent times. I raised them myself in this chamber in September 2020 when I had a briefing from Professor Ian Hickie from Sydney University, who informed me that the Victorian government did not want to talk to him.

I think this government should have managed their budget better so that there was money for mental health support. Again, the member for Oakleigh talked about \$900 million being needed. There is \$24 billion in cost overruns on your major infrastructure projects—24 years worth of mental health support. You should have managed your budget better, and if you had, the levy would not be needed. It is an on-budget cost. However, I never imagined that a Victorian government would take our debt from \$70 billion to over \$200 billion. As a proud Liberal, I am anti tax—the less the better as far as I am concerned. But when we made the comments that we made during the debate on the mental health report we never dreamed for a moment that this government would push this state into the sort of debt that it has, putting a debt around the neck of every one of our kids and our grandkids going into the future. We should not need to attack business, who are already on their knees, but this government has put us in so much debt and has destroyed the state finances to such a point that we have more debt than every other state and territory in this country combined. How did that happen? We all experienced COVID. Every state experienced COVID. Why has our debt gone from \$70 billion when you took government in 2014 to now \$200 billion? No wonder you cannot afford anything. No wonder you have to put your hand out to business. The then Leader of the Opposition—now Premier—looked down the camera and said, 'I make a promise to every Victoria that I won't add any new taxes'. No wonder you have now got 42 new and increased taxes, because you have wrecked the budget and you need to pay for stuff that is important. And it is just going to get worse and worse.

What I also believe is that when my leader says, 'No new taxes', that is what he will deliver. In the next six months I have no idea how many more taxes this government is going to put on because it seems to be one every couple of weeks. I do not how much more debt we are going to be in because we have gone up by \$50 billion since the last budget. I do not how much more debt we are going to

get into, I do not know how many more taxes are going to be there and I do not know how bad the budget is going to be. I seriously do not understand why this country is on this merry-go-round where every single Labor government in every jurisdiction leaves the books worse off than when they found them—every time. It is like their repayment plan is that the Liberals will get in every now and then. Every time they leave it worse. How is it possible that we have a bigger debt than every other state and territory in the country? It is bad management—it is just bad management—and you have got to own up to it. The member for Oakleigh said this government takes responsibility: take responsibility for a debt that is so far out of whack with the rest of the rest of the country it is just crazy.

You have a shot at us about having not supported your mental health levy, and now you have exacerbated the mental health problem to epidemic proportions because you would not listen to experts and you focused on one thing instead of getting advice from a whole range of different experts. You say you listen to the experts: you listened to a health expert, you did not listen to a mental health expert. You did not listen to the business groups, and I mention business groups because they represent the business owners whose mental health and wellbeing were exacerbated by the continual lockdowns. Worse than continual, they were just uncertain—a seven-day lockdown, 77 days. It was a drain on people's mental health and wellbeing, and you do not take responsibility for that. This government has never stood up and taken responsibility. You have stood up and thrown money at these issues—I take that. But even the mental health counsellors in schools are not going to be delivered for another year and a half. You cannot get up and say, when the kids are waiting 60 days for mental health support, 'But we've thrown lots of money at it'. Okay, but they need to see a psychologist now, not in a year and a half when the money kicks in.

I seriously cannot understand members in this chamber who have kids—whether they are their own or nephews, nieces, friends' or close friends'—who have seen the impact on the kids and never said anything, never stopped this government from making the decisions that they did. I just cannot understand why you would not be in your party room or around your cabinet table saying, 'Stop, the impact is too great'. And now, as the member for South Gippsland said, as we see the effects of COVID receding—and I am not for a moment saying that COVID is over; the impacts that we have all experienced are receding—you say, 'Okay, we're going to deal with those problems now, those problems that we caused to a large extent', but all you can do in this circumstance is come out with an MPI that says, 'Let's have a shot at the Liberals'. I did not make any of the restrictions. I did not cause any of these mental health issues.

I was standing at this table right here telling the government that these things were going to happen. But of course if you listen to these guys, we are all stupid over here, we have not got a clue—do not listen to us.

A member interjected.

Mr R SMITH: Exactly. How incredibly ignorant when I am talking about the mental health of children to get a comment like that.

Can I please, if you will indulge me, Speaker, thank you and the people in this chamber for giving me the courtesy of letting me speak in silence. These are important issues. This MPI is not. This government has a lot of problems. There are enormous problems, and my message is: the government needs to start fixing them.

Ms SETTLE (Buninyong) (16:32): I am pleased to rise to speak on this matter of public importance. I note that the member for Warrandyte does not believe that this is a matter of public importance. If I could just remind him, this is around the opposition's recent backflips on important policy issues. For me, on coming into this place one of the most important things that I was told from people on my side of the house was that we must stand by our word, we must do what we say, and to suggest that backflipping and changing of minds is not a matter of grave public importance I find pretty extraordinary. I think it is something that people in my community certainly have come to

understand about those on the other side. We have never been quite sure what the position has been throughout the entire pandemic; it has changed with the wind.

I would like to pay tribute to the wonderful member for Essendon for one small moment by quoting from a late Roman poet who went by the name Catullus. Now, Catullus in one of his poems talked about an incredibly fickle person in his opinion and said that their words should be written in the wind and running water. That analogy or that description really strikes home to me in terms of being able to believe what those on the other side say. It appears that so many times basically it changes according to what they perceive to be a way to win a vote. We see it again and again.

I was appalled last year to see members of the opposition going outside and commingling with anti-vaxxers because they thought at that point that it was a vote winner. What was extraordinary was what happened as public opinion turned against that position. There is that wonderful *Simpsons* meme where Homer just kind of retracts back into the hedge. We saw that happening on the other side of the house as they retracted their position because they realised that it was not going to be the vote winner that they had at first thought. It would seem those on the other side will again and again just say whatever they have to say to chase that vote—again, spouting in this place, where truth and honesty should really be our guiding principle. To have members on the other side spout conspiracy theories about the Premier—it is just extraordinary. We should all be beholden to truth and honesty in this place. We see from the other side words that are only important when they believe they can win a vote. You know, sometimes I laugh about it, sometimes it is amusing to watch them grapple as they do, but then sometimes it is well to remember the dreadful, dreadful impact that that kind of attitude can have.

I think there is no starker example than the awful, awful dog whistling that went on at the last election around the African gangs scandals, as they liked to say. They had this rhetoric. They saw it was a vote winner, and so they went with it. Then of course in a spectacular backflip now in the *Guardian*, just a couple of weeks ago, the Leader of the Opposition tried to tell us that he had never said it. Well, you know, what he did say was:

Every day we're seeing riots, we're seeing crime waves ... This is a government who is standing by and allowing Melbourne to become the Johannesburg of the South Pacific.

That is disgraceful. It was disgraceful then, and it is disgraceful now. Even more disgraceful, though, than those words is that he would try and backflip on that and tell us that he never ever said that, which is pretty extraordinary.

Ms Richards: He should apologise.

Ms SETTLE: He should have apologised. It would have been wonderful to see an apology to those communities. But instead he tries to pretend that it was never said. And yet when they went through, after the last election, their very own officials acknowledged in their post-election post-mortem that the focus on African gangs had backfired, with respondents to post-election market research identifying it as a cheap political tactic. Why did they not own up then and say sorry? To now try and pretend that he never said anything about it—so it is a matter of public importance that those on the other side feel able to say whatever they want to win a vote and then, if the winds go against them, to change it and imagine that the people out there in the electorates will not remember.

Part of the reason I think they are so able to backflip—and let us not forget, that is what this matter of importance is about; it is about backflipping—is because they stand for absolutely nothing. I have been a very, very proud member of the Labor Party for over 20 years, and I know that to all of us in the Labor Party what we stand for is very clear, it is very simple. We are here to protect working people's rights. We acknowledged a long time ago that health and education were the great ways to free people, and we have stood again and again and again as governments on those very principles, because we stand for something. I have to admit I was looking up the history of the Liberal Party, and the *Encyclopedia Britannica* describes the fact that the Liberal Party was formed solely as an opposition.

They did not form to stand for something; they formed to oppose the Labor movement. I think that is why backflipping becomes so easy for them, because there is not anything that they believe in.

As I said, for me being a member of the Labor Party has always been about creating a fairer society, and so of course when the Premier announced the Royal Commission into Victoria's Mental Health System I was incredibly proud that my government was going to do something about it. Straightaway those on the other side were baying. In 2018 the member for Lowan said that 'If Daniel Andrews is serious about doing more for mental health' he would have to start by finding more funding. Well, we did that. We went out and did that, and yet those on the other side have objected all along. They objected to the levy. They came to my home town, they came to Ballarat, and they stood up there at Federation University and they announced their mental health plan. They have come to it, as the member for Oakleigh said, rather late, it is true, but suddenly they have realised that mental health is an important issue in all of our electorates. So they came to Ballarat to announce some wonderful plan, a strange plan I will say, but in part of that reported to the Ballarat *Courier* it said:

Mr Guy did not reveal how much the proposals would cost or how the coalition intended to pay for them ...

'The final part of the costings on this will be released with our full mental health plan,' he said.

'That's coming in stages, so you'll see that when that's released in just over a month'.

Well, do you know what was extraordinary? What we got a month later was a complete and utter backflip. It was worthy of good old Nadia Comăneci. They completely changed their position and said that they now would support the levy.

But look, in the couple of minutes that I have got left, there is this wonderful program, *The Thick of It*. In the first episode of *The Thick of It* Hugh Abbot goes to a press conference and he keeps changing his position. He has been told he has to. He keeps changing his position. Anyway, in the final part of the show he basically says that in fact he did make an announcement during the press conference, it is just that the journalists missed out because they were not listening for it. When I heard about David Davis's position or the Leader of the Opposition's statement about the backflip on the levy, that was the first thing that came to mind. I could not believe that he said that they had changed their position via an unpublished letter to the *Age*. So they sent a letter. No-one published it, no-one knew about it, but that is all right, they definitely said it. I mean, really, it was straight out of *The Thick of It*. I think Malcolm would definitely, definitely have called that press conference an omnishambles.

What I find distressing in all of this is that we need to be able to trust people in politics, and we cannot trust the opinion on the other side. What we do know is that what is in their DNA is cuts. They have already committed to trying to repeal this. So this incredibly transformational piece of work that we have done around mental health is in danger. It will always be in danger when those on the other side seek to cut and take money out of this system. And I think it is important to tell the truth.

Mr SOUTHWICK (Caulfield) (16:42): Well, here we are, six months out from an election, and instead of having the government telling us all the things that they are going to do to help Victorians, all the things that they are going to do to fix the health crisis, all the things they are going to do to help our schools, all the things that they are going to do to fix the mental health crisis that Victorians have experienced during the longest lockdowns in the world, we have this government spending their time attacking the opposition. That clearly shows that the government has no plan to help Victorians—none whatsoever. The only plan they have is to attack the opposition because they do not care about Victorians and they do not care about fixing the mess that they have created—make no mistake, they have created it.

We have had the Minister for Health get up time and time again, and we have bowled up stories about people that have suffered, stories about people that cannot get a bed, that cannot get an ambulance, that cannot even get through on 000. And what does the health minister say? The health minister says, 'Well, you know what? We're suffering in this pandemic—once in 100 years. That's why we're in the mess we're in'. Well, does that apply to the mental health situation during this period of lockdowns

that have been tougher than every other place in the world? We have punished people. We have closed playgrounds. We have closed businesses. We have closed schools. And to the people that have tried to put their hand up and said, 'Help us', the government has just pushed them down and said, 'No. Suffer. This is what you've got to do. Take one for the team'.

We have all had people that have suffered contacting our offices. We have all had people that have called us saying their child will not come out of the bedroom because they have lost every bit of confidence they had. I have somebody that has contacted me now—self-harming. Tanya wrote about her 15-year-old daughter, who since Melbourne lockdowns has begun self-harming. According to her mother, she has made 16 suicide attempts. On many occasions she was hospitalised in the emergency department, waiting for days for a bed at a mental health hospital facility—waiting for days. Tanya claims that her daughter has been sent home repeatedly without being admitted to a suitable facility due to the shortage of beds. She is afraid for her daughter's life. That is what we are dealing with. This is not a joke. This is serious. These are life and death situations that this government has caused through lockdowns.

But this government trivialises that fact with 'Who's going to fund more? Who's going to stump up more money?'. Well, you know what? We will do whatever it takes to fix the mental health crisis. We have already heard the member for Warrandyte speak of the \$24 billion that has been blown in terms of budgets. With \$900 million needed to fix the mental health crisis, that is 24 years worth of mental health repair that could be done. But you know what? Even if the kitty is bare, the cupboard is bare and there is no money and we have to take a levy, we will take a levy. This is not something that the Liberals normally would do. We would not add another tax. We are the last ones that want to tax people more, but you know what? We have got to fix the mess that this lot have created—the mental health crisis that the Andrews Labor government created.

We will do whatever it takes. We are not last in the game. We have a plan. We have been talking about this in our plan. It includes no more lockdowns. It includes slashing the hospital waiting lists to fix Victoria's healthcare crisis. It includes, fairly and squarely in our six points, to fix the mental healthcare crisis. It includes keeping schools open. Our kids have been left behind. They have been left behind every other state. This is a catch-up period now for those kids that have been left behind because their schools have been closed. It includes keeping the cost of living down. This is all absolutely crucial to ensure that we support all those people that have suffered during lockdowns. Finally, it includes those businesses as well that have been closed down.

I was with some gym operators on the weekend talking about how for one out of the last two years they have been closed. The government during that time said, 'You know what? Don't go to gyms, because that's where you'll catch the virus'. Those gyms had 6 million visits, which they researched, and guess how many COVID cases they had out of 6 million visits in two months? Not a single case—not one case did the gym and fitness industry have. But do you know what the government said? They said, 'They're a small business; we'll punish them. Let's stand on them. Let's punish them'. That is why AUSactive and that is why Vic Active have come out and said, 'You know what? We can't deal with more lockdowns. We can't deal with more small business closures. We need certainty, we need confidence and we don't want to be punished by a government that does not care'.

I do want to spend a little bit of time on the second part of this matter of public importance, which talks about climate change, because we do care about climate change. We absolutely care about climate change. The government wants to play games with it—'If we have a go at the Liberals, well, you know, then we might look better than them'. Well, you know what? Most people in my electorate of Caulfield pretty much say 'Fix it'. We do not want to play politics with climate change. We want to race to the top—not to the bottom. We want to race to the top. We have got wind, we have got solar, we have got renewables. Our plan is to connect those up with a superhighway to ensure we can use those renewables. That is what our plan is—not to attack, not to criticise. Our plan is to connect up the renewables to ensure we reduce emissions. That is what our plan is. Our plan is to ensure more electric

vehicles get on the road—not to tax the electric vehicles to ensure we continue to have the lowest number of any other state in terms of electric vehicles.

Ms Connolly interjected.

Mr SOUTHWICK: You can laugh at the back—

Ms Connolly: I'm laughing.

Mr SOUTHWICK: but none of this is a laughing matter.

The SPEAKER: Order! The member for Tarnait will come to order, and the Deputy Leader of the Liberal Party will direct his comments through the Chair.

Mr SOUTHWICK: Thank you, Speaker. This is all quite serious, because climate change is important. Climate change is very important, and climate change should be treated with the seriousness that it deserves and the focus that it deserves. We should be working together to ensure we get the best deal for our planet. It is about not taxing. It is about ensuring that there are more renewables; it is about ensuring that there are things like solar through schools, which was one of the things that we planned last time, and we will again suggest we need to ensure we can use solar on public infrastructure; and it is about the private sector being able to be empowered to do more, and they will do more, because they come up with solutions.

Instead, what is this government doing? The latest little one that we have got is free fridges being delivered to small businesses. Now, what is happening with the free fridges is they are being plugged in for an hour and then being sold again—and we are all paying for those fridges—instead of being used to actually reduce emissions. Well, do you know what? Instead of just throwing money at things, let us come up with real solutions that change the game. Let us use innovative ways to change the game. We have got fantastic universities; let us get some renewable hubs and let us get the activities happening to a point where we can achieve those targets—because targets are words. Let us achieve the targets by having real action. Particularly at a state level we can actually empower people to do it. We can empower them with what cars they drive, what energy they use in their homes, what they do in terms of green space and what they do in terms of open space. You have heard me talk in this place many, many times about the built environment, or the overbuilt environment in electorates like mine—putting skyscrapers up in Elsternwick is not going to help when it comes to the environment. Let us get some more parks, some open space. Let us get some heritage protection. Let us look at what we can do as an overall strategy to ensure that our communities are protected, our environment is protected and we get the best deal for everybody, including and especially the planet.

I want to particularly give a shout-out to the Jewish Climate Network, who are doing some fantastic work with us. Also looking at the New South Wales Liberal government, the South Australian Liberals and the Tasmanian Liberals that have done some fantastic work on climate change and the environment, that is what we aspire to. That is where we can be. We can do it together, not divisively, not through fighting but actually in unity. This is an appalling MPI. The government should be focused six months out from an election on telling us what they are going to do for Victorians and how they are going to lift Victoria to where it once was, not attacking the opposition. That is why we will fix the mental health crisis, we will end lockdowns, we will help kids in terms of their education and schooling and we will also ensure the environment is something that we all protect and we all look out for.

Ms GREEN (Yan Yean) (16:52): It is probably inconvenient for the member for Caulfield to have me follow him, because he is just one of the members in this place who has just got form in terms of saying one thing and doing another and of complete misrepresentation. When you have been in this place for 20 years you actually see and hear quite a bit, and I can actually remember things. That might be uncomfortable for the member for Caulfield and it might be uncomfortable for other members, but some of us remember little porkies that have been told over the years.

I really want to commend the member for Oakleigh for the beginning of this matter of public importance (MPI), where he really outlined what the position of this government has been and what we have done around mental health. He took to task some of what the opposition has been saying, in particular that it has been said over time that we sat on our hands or we did not do anything until the Royal Commission into Victoria's Mental Health System was held—the complete undermining of a royal commission where people poured their hearts out in their experience as consumers, as workers and as carers. The member for Warrandyte and the member for Lowan have tried to say that we had a royal commission and it was somehow out of the blue. No, we actually went to an election saying that we believed there needed to be root-and-branch reform of our mental health system, and we said that we would do a royal commission and that we would talk to the community and talk to those who had experienced it. I know that might not be something that the opposition like doing, but we did it. I think that the member for Oakleigh called out exactly the fact that we did not do nothing during those two years of the royal commission—I do not believe it was two years actually; it was under two years—and that there were significant reforms and significant increases in funding.

The member for Oakleigh quoted a 35 per cent increase in funding towards mental health. What he called out was the weaponising of mental health by those on the other side. They are very good at diagnosing and describing a problem, but they have no cures and no solutions. They continue to politicise the pandemic, they weaponise mental health, but they actually have no solutions. All the way through they have said they would not support the funding—the key mechanism to deliver the mental health reforms that the community have embraced and voted us in because they trusted us to do it. They were not going to support the mechanism that would fund those very things.

In the take-note motion today they have talked about mental health, but we have not heard any one of them talk about how appalling the measly contribution from the federal government towards mental health is. We nailed our colours to the mast from the get-go. We said we would do the royal commission, and now we are implementing each recommendation step-by-step. Then out of the blue somehow, a few weeks ago, there was that press conference—during a funeral in fact—that the member for Lowan and Mr Davis in another place held. They seemed to be saying that they are now supporting the levy—'No, no, there hadn't been a change. No, we're supporting the levy'.

Just like we see with Scott Morrison when he says that he has not said something and then a journalist or a member of the community will find an exact quote where he has said that—they are taking that Canberra playbook, that Donald Trump playbook of arguing black is white, and then, 'Oh, no. I didn't say that'. It is like a child being caught telling a fib. There is no explanation for it, there is no excuse for it. You should be truthful to the community, and you should stick with what you have said you will do, and that is absolutely what we have done. You know, 'It's mental health. Well, we're not going to support the levy. Something needs to be done.' And the member for Lowan valorised Mary Wooldridge for her work during their time in government, when in fact in the electorate of Lowan that is when beds were actually cut. That is when acute beds were removed from Hamilton. We do not hear that from the member for Lowan. We saw her only recently ask a question in this place, a constituency question of the Minister for Agriculture when she was away with COVID—and unfortunately she has got it again a month later—about a particular business in her electorate and asking why had the minister not met with this business and why had the government not funded Australian Plant Proteins in Horsham. It turned out that the minister had met with them, had given funding and said to them that Regional Development Victoria officers were happy to meet with them in future. The thing is, you just cannot believe a word that they say.

Mr Wakeling: On a point of order, Speaker, and I appreciate it is a wideranging debate. But the member is clearly off topic, and I ask you to bring her back to the matter of public importance that is before the Parliament.

The SPEAKER: The member, I think, is referring to previous points that have been made in the debate. I do remind members to stick to the matter of public importance and to other matters that have been raised.

MATTERS OF PUBLIC IMPORTANCE

1374

Legislative Assembly

Wednesday, 6 April 2022

Ms GREEN: The MPI refers to—

Ms STALEY (Ripon) (16:59): I move:

That the business of the day be called on.

House divided on motion:

Ayes, 22

Battin, Mr
Blackwood, Mr
Britnell, Ms
Bull, Mr T
Guy, Mr
Hodgett, Mr
Kealy, Ms
McCurdy, Mr

McLeish, Ms
Morris, Mr
O'Brien, Mr D
O'Brien, Mr M
Riordan, Mr
Rowswell, Mr
Ryan, Ms

Smith, Mr R
Southwick, Mr
Staley, Ms
Vallence, Ms
Wakeling, Mr
Walsh, Mr
Wells, Mr

Noes, 43

Addison, Ms
Blandthorn, Ms
Brayne, Mr
Bull, Mr J
Carbines, Mr
Carroll, Mr
Cheeseman, Mr
Connolly, Ms
Couzens, Ms
Crugnale, Ms
Cupper, Ms
D'Ambrosio, Ms
Dimopoulos, Mr
Edbrooke, Mr
Edwards, Ms

Eren, Mr
Green, Ms
Halfpenny, Ms
Hall, Ms
Hennessy, Ms
Hibbins, Mr
Horne, Ms
Hutchins, Ms
Kennedy, Mr
Kilkenny, Ms
Maas, Mr
McGhie, Mr
McGuire, Mr
Merlino, Mr

Pallas, Mr
Read, Dr
Richards, Ms
Sandell, Ms
Scott, Mr
Settle, Ms
Sheed, Ms
Spence, Ms
Staikos, Mr
Suleyman, Ms
Tak, Mr
Taylor, Mr
Theophanous, Ms
Ward, Ms

Motion defeated.

Mr D O'BRIEN (Gippsland South) (17:07): I rise to speak on this matter of public importance. I really am quite perplexed that here we are, six months out from an election, we have got a crisis in our health service, a crisis in our ambulance service, a housing affordability crisis around the state and cost-of-living concerns right around the state, and the best most important thing that the government can come up with to talk about is what the opposition has done in changing its view to support something the government wanted it to do in the first place. It is quite extraordinary that government members are supporting this MPI and that they put it forward in the first place. Frankly the member for Oakleigh should be embarrassed to be putting forward this MPI. I think the government have forgotten that they are the government. It is the opposition's job to hold them to account—

Ms Britnell: Not the other way around.

Mr D O'BRIEN: and they are doing it the other way around, member for South-West Coast. That is exactly what they are doing.

Ms Vallence: They're getting used to it for December.

The DEPUTY SPEAKER: Order! There is too much audible conversation in the chamber. I am having trouble hearing the member for Gippsland South. If members want to have conversations, please take it outside the chamber.

Mr D O'BRIEN: Thank you, Deputy Speaker, and you will want to hear it, because it is going to be very good, I am sure. But the government seems to have forgotten its job is to govern, and at a time when we have got that many issues happening in this state, many of them caused by the government's

own incompetence, the government is putting up as the matter of public importance for the week what the opposition has done or has not done. It might even be understandable if we were still opposing something the government thinks is good policy, but it is actually alleging that we have changed to support what it wanted us to support in the first place. How disgraceful of us to do that.

Ms Britnell: Hang on, here comes a *Utopia* episode.

Mr D O'BRIEN: Thank you, member for South-West Coast. I was going to mention that. The member for Buninyong brought up *The Thick of It*. This government is more *Utopia* every day. We talk about some of the things that this government has messed up, and the mental health levy indeed is a classic example of the government needing to find more money because it has been like *Utopia* in the way it has wasted money, particularly on infrastructure, \$24 billion of cost overruns on its infrastructure. Just think how that would have gone if put towards the mental health system in this state.

I say again, at the moment we have got a significant health crisis, and every day in question time for the last couple of months the opposition has been standing up and giving examples of the absolute failures of the government when it comes to the health system, to the ambulance system and indeed to the mental health system. We have got housing affordability and availability as a huge problem right across the state. We have got cost-of-living issues, which are hurting Victorians, housing being one of them, and yet the government is worried about what we are doing. This is just astounding to me.

I want to pick up a couple of the comments made by those opposite, particularly the member for Buninyong and the member for Yan Yean, about backflips. Every member of Parliament changes their view on things. Every member of Parliament adapts to the situation. I think it was actually former Prime Minister Gillard—I think it is a Mark Twain quote—who said, ‘When the facts change, my view changes. What do you do, sir?’, or words to that effect. That is exactly what has happened with us with the mental health levy. We opposed it. We have opposed dozens of things in this Parliament where we do not agree with the government, but it does not necessarily mean that when we are in government we will overturn them, because things change. As the member for Warrandyte pointed out, the government’s astonishing waste of money, our huge deficit situation and our increasing debt situation make it impossible for the opposition in coming to government to wind back everything that we do not like that was brought in by the Labor Party.

Let us talk about some of those backflips. Remember the Premier said as opposition leader to Channel 7 the night before the election in 2014 that there would be no new or increased taxes, and he gave that guarantee to each and every Victorian. We have since had 42 new and increased taxes. That is a bit of a backflip. Remember the heroin injecting rooms? That was something that the government was not interested in touching until the Northcote by-election in 2017, and suddenly the government was under significant pressure from the Greens, and the government backflipped. Remember the east-west link in 2014? The opposition leader then said, ‘No, no, if the government has signed contracts, we won’t be tearing them up’, and he backflipped.

Mr R Smith: ‘Won’t cost a cent’.

Mr D O'BRIEN: ‘Won’t cost a cent. The contracts aren’t worth the paper they’re written on’. Here we are \$1.3 billion down the tube later—that is another backflip. Only recently the housing tax that the government was going to introduce in conjunction with planning changes, the reform of the planning system—no, backflipped, dumped, changed.

Mr R Smith interjected.

Mr D O'BRIEN: One that is close to my heart: this government said just a month before axing the—

Mr Dimopoulos interjected.

The DEPUTY SPEAKER: The member for Oakleigh and the member for Warrandyte, if you could stop yelling across the chamber.

Mr D O'BRIEN: Thank you, Deputy Speaker. I am always happy to pick up interjections. I would prefer if they were directed at me, though. There is an issue that is deeply serious, and there were people here in the Parliament today talking about the timber industry. We know the now Attorney-General told the industry only a month before the government axed the timber industry that it was sustainable. That was another instance of the government overturning things.

The issue of the mental health levy is simply a matter of perspective. It is a matter of political perspective, and we all agree and disagree in different ways on how governments should raise money, how they should spend money. It has never ceased to amaze me that the government have criticised us for not supporting a new tax, because they seem to think that the only way that fixing the mental health system can be done is by introducing a new tax. It just beggars belief. You can go through any one of the government's press releases in the last 24 hours—'New microscope revolutionises critical medical research', a \$31 million announcement by the Minister for Higher Education. We have got 'New health connections', 'Stepping close to the Metro Tunnel', 'Improving the air in our small business', a \$60 million fund for small business. Have any of these things been done through a new tax or levy? No.

Mr R Smith interjected.

Mr D O'BRIEN: That is right. I don't want to give the government ideas. These are funded through government revenue. If mental health is not a fundamental role of the state government to fund, then what is? When does the government start putting a levy on to fund the police or the education system or the health system? What a ridiculous notion, that we have to have a tax just to fund what is core business for any state government. That is where we fundamentally disagree, and I think everyone should acknowledge that. We should acknowledge that we will have disagreements. The reality is, though, now that the government has got the budget in such a parlous state, it is impossible for us if we come to government to overturn that mental health levy.

I want to mention climate change, because that is part of the member for Oakleigh's MPI. We need to do more on it, there is no question about that, but my issue with the question of climate change, particularly in energy, which is such a big focus, is how we manage the transition. And it is deeply personal for me and for most country members because it is country people that provide energy at the moment—whether it is through coal, or oil and gas in my electorate—and it is country people that overwhelmingly are bearing the burden of new developments. And when I say 'bearing the burden', it is often a burden because for many of them there are very few benefits to the local area of a new wind farm, for example.

The second thing I want to talk about on that, just briefly, is that the Minister for Energy, Environment and Climate Change consistently tells us that renewable energy is cheaper, and therefore I say: well, why does it need a subsidy? If it is cheaper than coal and any other energy source, why does it need a subsidy? We can question these issues and we can question policies, as we did in the previous term of government, and oppose bills. It does not mean we do not support action on climate change. And I carve out from that the debate on offshore wind farms. They are a new area, and, yes, the government will need to assist in those areas.

This ultimately is a sad MPI from an arrogant government that has forgotten that it is actually here to govern and solve the problems that affect the people of Victoria, not to waste the Parliament's time attacking the opposition.

Ms CONNOLLY (Tarnait) (17:17): It gives me a great deal of pleasure to rise to speak on this matter of public importance and follow the previous member in his contribution. It certainly has given me an opportunity to contain my fit of the giggles, which really kicked off in listening to the member for Caulfield try to talk seriously in this place about his passion for and commitment to delivering

action on climate change and investing and progressing renewable technology in this state—and his party's commitment. I am going to get to that a little bit later on because there is a person, a member of that party in the other place, who has made many, many comments—outrageous comments on record, which I am going to point to in just a moment—that are the exact opposite of what the member for Caulfield just said. So I am looking forward to getting to that, and I am very glad to have composed myself and stopped giggling at that type of contribution.

Now, I think about those opposite and their contributions today, and I see them here in the chamber; every time I am here in this place I see a party that does not know what it stands for in modern-day Victoria. It struggles, and the member for Caulfield just pointed out—although it does not make me feel any more reassured—that they now have a six-point plan to tell Victorians what they stand for.

I think that is a really interesting point to make and an interesting point to start with, because if you cast your mind back, say, around 50 years, Victoria surely was the jewel in the crown of the Liberal Party's electoral dominance. And as those opposite like to point out—and that is to no-one's shame on this side of the house—in the last 20 years we have seen the Victorian Labor Party do extremely well in this state. And just to keep the record straight, we cannot forget that one time we were out of power, where we only lost by two seats. It was not a complete and utter repudiation of Labor, unlike what those opposite suffered in 2018: the total rejection by the Victorian public of the then and now Leader of the Opposition, his coalition, the Liberal Party, their shallow policies, their lack of positive vision for the state of Victoria and—let us be honest, particularly out my way in the west—the gutter politics that unfolded when it came to the narrative around the African gang crisis in Victoria.

Victorians far and wide certainly had their brickbats out for the coalition in 2018. I remember that night in 2014 when Victorians voted us in quite well, actually. I am not sure about members here, but I do not think many of us were expecting the result. Victorians overwhelmingly put their faith in our government, the Andrews Labor government, and our vision for a fairer, stronger and more prosperous Victoria. That is important, because after all isn't that what governments should be striving to do, create a fairer, stronger, more prosperous society for us to raise our children and to live our lives in? Most certainly in coming weeks in this country Australians will decide if in fact the Prime Minister and the federal coalition government have delivered them that in what feels to me like an eternity of them in government.

It remains baffling to me that those opposite still cannot quite figure out what their competing vision to us is for this state. What is their vision? Maybe it is sitting in the six-point plan that they have now created. Let us be honest: they have had four years—or, if you think of it, really it is eight years that they have had—to think about this, to articulate a positive vision and future for Victorians and to let folks know who they are and what they stand for. After almost four years in this place there is one thing that I know above all else: they do not stand for all Victorians. They could not shout out one thing that they would do to create a more prosperous Victoria. For the past eight years all we have seen from them is backflip after backflip and a party that is utterly divided by ideology. You can see that today right here this afternoon with the member for Caulfield's contribution when just next door there is a member of his own party who believes the exact opposite. This side of the house might have disagreements, but we do not differ on ideology like that. We are not climate change deniers.

I briefly want to touch on mental health because I really want to get to renewable energy and the environment. When it comes to mental health it is reassuring, I will give them some credit, that those opposite support the recommendations of the Royal Commission into Victoria's Mental Health System as do we, even though they were adamant last year in their opposition to the mental health levy. They said no, on record. This is the party that loves to talk about debt and deficits, the one that always asks, 'How will you pay for this? How will you pay for that?'. They are the party that claims to know the cost of everything, but they are the party that knows the value of nothing. The value of this stuff still eludes them. It eludes them in this debate. So when we actually say, 'This is what we are going to spend on mental health: an unprecedented \$3.8 billion, not to mention the \$800 million from the year before' and then we say—and this is important, because this is about being able to deliver on

what you say you are going to do—‘This is how we are going to fund it’, they turn around and they say no. That in my mind means, and I can assure it means in the minds of many Victorians, ‘Yeah, we know the mental health system here in Victoria is broken, and we know the government needs to do something about it’, but what those opposite are saying is they are not actually serious about investing in the system to fix it from the ground up. They are not going to do it because they cannot work out how they are going to cost it, unlike this side of the house.

Let us be clear: the levy was imposed on very big businesses with payrolls of over \$10 million. It was not a hit to small and medium-sized businesses. If you are paying over \$10 million to workers, you are likely earning enough to afford the levy, so it is pretty funny when you have got the Leader of the Opposition and others who have been totally confused about their position on how to pay for this. They are not supporting a levy. They would repeal the levy. ‘No, we will not’, ‘Yes, we will’, ‘No, now we’re supporting it’. I think that is what their position is. It is confusing. Victorians do not believe it.

I really want to talk about the disaster they actually are when it comes to renewable energy and tackling climate change, making real change. It is impossible to know where to start, but if we go right back to the beginning, because the apple does not fall far from the tree, I would say the biggest issue for them are the Liberal Party of Australia and their mates in the National Party who have spent too many years, too many decades, telling Australians there is not an issue with climate change, it does not exist—climate change deniers.

But what I know, as do millions of Victorians and indeed Australians, is this: the actions that we take today on climate change are more important than ever. Here in Victoria alone, our climate has already warmed by 1.2 degrees Celsius since reliable records began in 2010. It is something that is being talked about across households at dinner tables. It is being taught in schools. Climate change is real. Governments need to do something about it. Tackling climate change is tough, and real change requires vision and commitment to deliver transformative policy change that is impactful and sustainable for generations to come, which is exactly what we have been doing for the past eight years and exactly what we will continue to do if re-elected this coming November.

But those opposite do not get it. They have had eight years to watch, listen, understand and even pivot—come up with a different position—but time and time again they stuff it up. You can see how they stuff it up when they have got people in their party, in that other place, who make comments like:

What we are seeing is one of the great cons the world is yet to see exposed. It is staggering. I will not stand by and let these people get away with it.

...

When we talk about the damage of climate change, the damage is not to the planet. The damage of climate change is those who are what is known as global warmists, who promote this nonsense ad nauseam, and the threat that they pose is to other human beings—to families.

He has also said:

What we need in this state, in my personal view, is another coal-fired power station. This is what we need in this state. We have got more coal than we can poke a stick at.

...

Let us get ahead and let us stop with all this nonsensical climate change—

(Time expired)

Dr READ (Brunswick) (17:27): It is interesting at this time of global conflict, climate emergency, floods, pandemic and so on that the government does actually feel it is a matter of public importance to have a chuckle at the Liberal Party changing their mind, and I take on board the comments of the member for Gippsland South, who referred to the benefits of changing your mind in the face of changing evidence.

However, it is a matter of public importance, but perhaps not for the reasons given by the government. Let us put ourselves in the shoes of a teenage climate striker. Let us put ourselves in the shoes instead, perhaps, of someone who spent the night on their roof in the Lismore floods waiting to be rescued and wondering if the floodwaters would completely submerge the house, and let us imagine how they would see this matter of public importance—because paragraph 2 refers to emissions reduction targets and renewable energy legislation. They would not ask necessarily whether we should be laughing at Liberal Party backflips. They would be asking whether these targets are big enough—is our emissions reduction target big enough?

The government's announced emissions reduction target is to reduce emissions by 45 to 50 per cent by 2030. That does not sound like they are hastening in an emergency. That does not sound like they really get the urgency that someone who has been sitting on their roof looking at rising floodwaters would feel. The renewable energy target is that 50 per cent of electricity should be generated from renewable energy by 2030—only 50 per cent. Last year we got to almost a third. We will get to 50 per cent well ahead of 2030. In other words, the government is essentially legislating for a target that is going to be achieved by business as usual. In an emergency we need to hurry. We need more from this government. So while the government are having a bit of a dig at the Libs—and fair enough—they are neglecting to ask themselves whether their own targets are adequate.

Imagine you are building a sandbag levee against floodwaters; the floodwaters are rising and you are laying down sandbags to keep them out. Should you be saying, 'We've put down more sandbags than the Liberal Party', or should you instead be saying, 'We're going to put down enough sandbags to keep the floodwaters out'? What we are up against here is not the Liberal Party; we are up against physics, we are up against the changing composition of the atmosphere, we are up against the fact that atmospheric CO₂ is well over 410 parts per million when it should be down around 350. When CO₂ lasts a century or more in the atmosphere, it is going to take a long time to turn this ship around. Rather than spend this afternoon of Parliament's time chuckling at Liberal Party gymnastics, we should be asking whether in fact we are leaping far enough to meet the challenge that has been put to us, and particularly this week with the latest report from the Intergovernmental Panel on Climate Change, commented on by the UN Secretary-General António Guterres yesterday, who said:

Climate activists are sometimes depicted as dangerous radicals. But, the truly dangerous radicals are the countries that are increasing the production of fossil fuels.

They are:

Investing in new fossil fuel infrastructure ...

and that is what he referred to as 'moral and economic madness'. I will just read that last bit again. He said:

Investing in new fossil fuels infrastructure is moral and economic madness.

So how are we going? How is this government progressing with ending fossil fuels or, alternatively, investing in new fossil fuel infrastructure? Well, we have just opened up Victoria for drilling for more methane, for more fossil gas, and drilling has commenced in the vicinity of the Twelve Apostles and other places. The Viva petroleum company plans to bring a massive gas import hub to Corio Bay. This is new fossil fuel infrastructure, referred to by the UN Secretary-General as 'moral and economic madness', that is happening in this state now. On the weekend 400 people in Geelong demonstrated against this new fossil fuel terminal in Corio Bay.

Just as significantly, we are connecting new homes, mainly on the periphery of Melbourne, to gas. Every day new properties are connected to methane gas and people are going shopping and buying cars that burn petrol or diesel fuel. A new stove or a new heater in a new home you would expect to last for 20 or 30 years to burn methane gas, but we cannot be burning methane gas in 20 or 30 years. A new car you would expect to last for 20 years, but we cannot be burning petrol or diesel in 20 years.

The person who spent the night on the roof in Lismore looking at the rising floodwaters might be a little sceptical of the Liberal Party's recent conversion to climate action, but they would at least say, 'Better late than never'. They would turn their attention to the present Victorian Labor government's failure to stop investing in new fossil fuel infrastructure in this state, both large-scale infrastructure like the new gas terminal in Corio Bay, like the drilling for gas, and the failure to close our massive brown-coal fired power stations in anything like the shortest time we can, with Yallourn slated to close in six years time and the Loy Yang A and B power stations sometime in the 2040s, while less polluting black-coal fired power stations are closing ahead of time in Australia. Why are the most polluting power stations being left open for so long? No-one really believes that the Loy Yang stations will stay open until the 2040s, but we need a timetable. The communities that depend on them and the workers that work there would like to see a timetable with an appropriate transition.

But equally important are the very large number of people buying petrol and diesel cars and hooking their homes up to gas, multiplied by millions of people, which account for a massive investment in future fossil fuel combustion in Victoria when we could be accelerating the electrification of transport and the electrification of domestic homes. Victoria burns about two-thirds of Australia's household gas. Most of that, about half of Australia's household gas consumption, goes into heaters, and most of the rest goes into hot water services. You can still cook with gas if you want to—that is only about 2 per cent—but if we can rapidly electrify household heating, improve household energy efficiency and insulation and rapidly reduce and eliminate household gas consumption, then we stand a chance of making an appropriate contribution to limiting global warming.

As a state that has profited from having one of the dirtiest electricity systems in the world for many decades, a state that has burnt billions of tonnes of brown coal, we have an obligation to lead and not to follow. Our total emissions reduction target of a lacklustre 45 to 50 per cent by 2030 needs to be at least 75 per cent or more to put us in a position to say that we are leading on climate change and to put us in a position to encourage other states to aim for a target of no more than 1.5 degrees of global warming, because the people who sat on their rooftops in those floods deserve no less. The people facing the future climate disaster in Victoria, whatever that will be—we know it is coming, we just do not know what it will be: a drought, a fire, who knows?—deserve nothing less.

Mr EDBROOKE (Frankston) (17:37): It gives me great pleasure to rise and speak on this matter of public importance this afternoon. I will be focusing most of my contribution on the mental health side of this matter and the recommendation of the Royal Commission into Victoria's Mental Health System that a levy should be created to cater for our broken mental health system to be fixed.

Of course we heard from the Parliamentary Secretary for Mental Health, the member for Oakleigh, a fantastic member of this house and a fantastic contributor that is not happy with the status quo. He talked a lot about the mental health royal commission, and there are a couple of pertinent points that I think we all need to think about—that is, that this government was elected on the basis that it promised that it would carry out a mental health royal commission, it would stick to the recommendations of that royal commission and it would fix this broken, busted mental health system. For the first time possibly in history we had a Premier that stood up and said, 'This system is broken, and it needs to be fixed. We will be accountable. We will do this', and the good people of Victoria voted for that government once again that promised to do that.

Getting into the nitty-gritty, though, 1600 people gave their time, relived their experience, repicked that scab and relived the trauma of their informed lived experience to make those recommendations. They are people we know. They are people that have lost people through suicide and through other unfortunate mental health related incidents. I stand here today just absolutely horrified that we have got people that can backflip on a levy or support the repeal of a levy—and we will get into those semantics later—basically because of an election that happened in South Australia. I will talk about that soon, but it is very important to clarify what the levy actually is and what the impacts of that levy are.

The levy revenue basically equates to \$3.7 billion over the next term of government to reconstruct our mental health system, which we have already started doing. We have already budgeted a hell of a lot of money to do that, and we are seeing the results of that even today with the announcement of the youth prevention and recovery care services, one of them being in Frankston—it is getting a redevelopment. These are amazing initiatives that again the royal commission did ask for. The levy is basically implemented as a payroll tax surcharge on wages paid in Victoria by businesses with national payrolls over \$10 million a year. In doing so, we are asking around 9000 businesses in Victoria, or essentially the largest 5 per cent of employers, to increase their contribution to funding government services so that all Victorians, including their families and their employees, can benefit from a mental health system that is reformed and actually works.

Now, think about that. The largest 5 per cent of employers in Victoria—who are they? And by no means am I saying that shareholders and stockholders should be put as second. By no means am I saying that these people do not employ huge amounts of people. That is why they have large revenues. But I just want to put on the record that some of these employers might be companies such as Woolworths or Coles, with \$39 billion of revenue. They could be Wesfarmers or BHP Billiton. I mean, the CEO of Coles rakes in \$4.5 million a year as well—just out of interest, I guess. They could be companies like CSL, which might gross revenue of \$7.9 billion a year, with a CEO that is paid \$7.5 million a year also. We are not talking about taxing small businesses. We are not talking about taxing large industry. We are talking about taxing the largest employers, and they are some of the examples. Basically you are looking at the ASX 200.

I stand here and I have heard the arguments about people not wanting to repeal the mental health levy now, and I stand here just frustrated because we have had people in this house during question time not so long ago talking very emotionally and almost in tears about an apparent rise in suicides, which has been wholly refuted by the *Age*. They stand in this house telling us that suicides are up because of COVID, which has been refuted, but at the same time will not back this in and will not back mental health reform so those people do not end up there. But they backflip when an election in another state indicates that health cuts are very unpopular and a government is turned.

I have been really interested in hearing some of the commentary from those opposite. I think they have been really confused. Victorians are going to judge that very harshly at the next election. They were heavily against the mental health levy. We had the opposition Shadow Minister for Mental Health say:

We should put appropriate funding towards mental health, but that can be achieved without adding a new tax or levy ...

We have had the Leader of the Opposition turn around and tell us that:

This is not Argentina under Perón ...

...

If you just simply believe that can be achieved by the government teat, that is short termism, and that is where we are at today. That is why I make some comments on this bill and again reiterate our need to cut taxes.

Then we had every member of the opposition in the lower house and the upper house actually vote against the mental health levy. Mr Davis said:

I say that is wrong. I say the government should have controlled its budget better, and in controlling its budget it should not have needed these new taxes.

Well, I mean, the simple answer is: let us just stop people having mental health issues. It seems very simple to them. But it is not; it is very complex, and that is why taxes and levies like this are required for things that stand out.

Now, the Leader of the Opposition also went on, I think it was, Ballarat news, and he said, 'I want to be open and transparent with Victorians'. The journo said, 'Can you categorically state that the mental health levy will be gone if you are elected?', and the Leader of the Opposition said, 'Yes'.

Then we had the South Australian election on 19 March, and on 21 March we had a press conference in which the shadow mental health minister said that it was simply not true that that was said:

We initially said we didn't support the tax ... The tax is now in place; it has been in place since January of this year. We've always said we'd support the ... royal commission's vision of what they want to achieve for Victoria.

That is quite a backflip. The journo said, 'Well, I do not think that is quite accurate'. The shadow minister said, 'Matthew said no new taxes. I am not aware he ever said that that levy would be scrapped'. The journalist actually had to correct the shadow mental health minister and said, 'I have said to Matthew Guy, "Can you categorically state that the mental health levy will be gone if you are elected?" and Matthew Guy said "Yes"'. Then we get onto this kind of argument where they are confusing themselves about supporting a levy or repealing it. The effect is essentially the same to Victorians who need mental health resources and need help.

But then we had this really strange kind of afternoon where in the morning that was said but in the afternoon apparently there was a letter that was written to the *Age*, which was not published but apparently announced that the opposition had changed their tack on this and they did not oppose the levy. I think they want this to go away, but it was quite disingenuous. It puts in play their lack of integrity, and it also shows that people cannot trust them.

I stand here today again just in awe of the fact that we have got people that can stand there and talk about mental health issues with such, I guess, emotion and determination. They know we have had a royal commission. They know 1600 people have had their say. They know it has been emotional. They know it has been raw. But they do not support the voices of those people, those people that are left behind, those people that had people that committed suicide, those people that have been worn down to the absolute nub by this system that does not work—that we have said, and promised the community, that we will fix.

They have ignored the recommendations of those voices. They have ignored a system that has been broken. And they still have the guts to stand up in question time and quote from those people while ignoring a long-term benefit that will save lives. Instead we are hearing about why Victorian kids wear masks in schools. Well, as it turns out, it is not just Victoria where kids wear masks in schools, and we might have to consider the mental health issues around that. You know, let us get serious. Why don't you just come out and start backing us? Tell us that you actually back the levy and you back it in instead of this flip-flop—'We don't support it. We don't want your new taxes. But somehow we expect magic to happen and people's mental health in Victoria to get better'. You cannot complain about something without backing a solution.

Mr WAKELING (Ferntree Gully) (17:47): I am actually pleased to stand here to talk about the government's matter of public importance (MPI). Here we are, the last quarter before the election—you know, six months out—with a government that should be standing up to the Victorian community articulating their vision, articulating their plans, articulating their focus on ensuring that Victorians recover and rebuild from the impact of six lockdowns, and we are not hearing anything from the government about what they want to do to rebuild this state. We are not hearing anything from the government about their plans to take this state forward, to make us number one again.

We have got an MPI which is focused on the opposition—an MPI that focuses on the opposition. So I welcome the opportunity to talk about the MPI, because it is an opportunity to talk about the opposition's plans, the fact that the opposition is focused on helping our state recover and rebuild from the impact of six lockdowns, because you have got to remember: six lockdowns impacted on Victorians, impacted on families, impacted on businesses and impacted on children. It did not just impact on them economically. It did not just impact on them socially. It significantly impacted on many Victorians with respect to their mental health, and we are seeing this played out across the state today. Governments can click their fingers and say, 'Businesses are now open. Schools are now open. People can go about their lives'. But you cannot click your fingers and make people's mental health

challenges disappear overnight, because families today in my community, across Melbourne, across regional Victoria and across rural Victoria are grappling with the impact of lockdowns.

When we talk about mental health we are talking about individuals, we are talking about children, we are talking about teenagers and we are talking about adults—self-harming, having to grapple with the impact of lockdowns and parents at their wits' end trying to help their children. I have families in my own community that have their children undertaking mental health plans. And can I just say Knox Headspace and the other mental health providers do a fantastic job, but they are there supporting families that are grappling with the ravages of mental ill health. We all know friends and family personally that are impacted. That is why I am pleased to be able to stand here and talk on this MPI about what the opposition's focus is, because we recognise that work needs to be done now. What we are focused on is ensuring that we would be providing an additional 2000 registered counsellors to immediately deliver mental health support in Victorian schools. I mean, it is needed now—2000 additional supporters.

Members interjecting.

Mr WAKELING: The opposition moved a private members bill—it is rude to take up interjections, Deputy Speaker—but it was rejected by the government. We want to engage in the largest recruitment drive to improve and increase our mental health workforce. That is what we are focused on. I thank the government, if anything, for this MPI because it gives me as a member of the opposition an opportunity to talk about our plan, because the government is not standing here with their MPI talking about their plan, they are talking about the opposition's plan and what the opposition stands for in the lead-up to this coming election.

We understand and we all appreciate the work of those who served on the Royal Commission into Victoria's Mental Health System and those who gave evidence. We thank those who gave evidence at the royal commission. Why was the royal commission needed? Of course it was needed because the system was broken. It was broken under this government. The government acknowledged themselves the system was broken. That is why they held a royal commission. They did not say the mental health system in Victoria is functioning properly under their watch; in fact they said the opposite. They said mental health services in our state managed by this government are broken, and they rightly held a royal commission to identify the solutions to fix the problems in the mental health system that was being managed by this government. That is why we had the royal commission. That is why people across the state gave evidence to the commissioners explaining how the system was broken, explaining the failure in the services and that their family members were not receiving the support that was needed. That is why the royal commission was held. That is why the government was forced to hold a royal commission, and the royal commission identified the failures and identified solutions.

That is exactly why we know that the pandemic has only made the situation worse in Victoria with respect to mental health, because we know that prior to the pandemic Victoria's mental health system was broken. We know that because the government themselves acknowledged it. If you have a broken system prior to a pandemic and then you shut down the state for the longest lockdown in the world, you stop families from undertaking social activities, you stop children playing sport, you stop children seeing their friends and you stop children going to playgrounds, then of course children will have increased experiences of mental ill health.

I talk to teachers and principals in my community, and I am sure everyone in this house, regardless of their politics, has engaged with educators in their own community, who are grappling with the impact of mental health in their own schools. They will tell you that so much more is needed to support children in our schools, who are grappling with the impacts of lockdowns, and that is why the opposition is focused on its plan to fix the mental health crisis by providing additional resources, by going out and sourcing 2000 additional staff with the biggest recruitment drive, because that is a plan, that is a vision.

What is the government's response here in this chamber? It is not to articulate their plan. We are not here debating the government's plan, we are here debating the opposition's plan. Again, this only demonstrates that you have a government that is not focused on what is needed at the moment. We have a crisis in our health system. We have over 100 000 people waiting for surgery, urgent surgery. We have a crisis in our 000 service. Victorians cannot get the health services they need. Victorians cannot get the ambulance service they need. In a modern society we have women giving birth on the side of the road because of the shutdown in our health system. That is the problem of this state. But instead of standing in this place debating those issues, the government standing up articulating its plans to fix those problems, we have a government that is focused on the opposition. Well, let me tell you one thing: we are focused on fixing the problem. We are focused on helping Victorians, because on this side of the house at least we are focused on helping those in need.

Ms KILKENNY (Carrum) (17:57): I think what this matter of public importance shows is that those opposite cannot be trusted on mental health funding. They cannot be trusted on renewable energy targets, tackling climate change or bringing in cheaper energy for Victorians. We know that those opposite have run a concerted, ideological campaign opposing Victoria's transition to renewable energy, based never on science but on their politics. Those opposite positively committed to retaining Victoria's ageing coal-burning power stations. They promised to implement policies to entrench coal in Victoria, and they promised to unequivocally scrap Victoria's renewable energy targets if they ever got into government. That was a promise before 2018.

So are we really expected to believe that the Leader of the Opposition says now that supporting a net zero emissions target is nothing new for the coalition? I think it is one thing to announce a backflip on policy. You explain to Victorians, 'We got it wrong. We now understand the science. We show humility and understanding'. But it is another thing altogether to say that they never held that view in the first place, that somehow it was we Victorians who got it wrong. Surely the Leader of the Opposition cannot be serious with this. We are yet to see any meaningful commitment or evidence of policy by those opposite, but what we do see is this: we see a party without direction heading towards the November election, a party that does not stand for anything, a party without values and a party fundamentally lacking in vision, in courage, in foresight, in commitment and in compassion. What we see is a party that is just political expediency. This mob will say anything to get a vote; they cannot be trusted and, thankfully, Victorians understand this.

The DEPUTY SPEAKER: The time has arrived for the joint sitting to fill the Senate vacancy and to elect a member of Parliament to the board of the Victorian Responsible Gambling Foundation.

Sitting suspended 6.00 pm until 6.08 pm.

Joint sitting of Parliament

SENATE VACANCY

VICTORIAN RESPONSIBLE GAMBLING FOUNDATION

The ACTING SPEAKER (Ms Settle) (18:08): I advise the house met today with the Legislative Council for the purpose of filling the Senate vacancy following the death of Senator Kimberley Kitching and that Jana Stewart was duly chosen and of electing a member of Parliament to the board of the Victorian Responsible Gambling Foundation and that David Morris MP was elected.

Motions**FEDERAL BUDGET****Debate resumed.**

Ms SHEED (Shepparton) (18:08): I am pleased to rise and resume after the 10 seconds I had just before the bells rang previously. In speaking about the federal budget there are a couple of things that I would like to say.

Firstly, I think there is disappointment in our regional areas in relation to the regional fund—the fact that the Shepparton bypass has been a project on the books for over 20 years, that governments have stood time after time out on the highway and promised that that connection from the Goulburn Valley Highway through to the New South Wales border at Tocumwal to complete what is a national highway system would occur, and to know that the Victorian government completed the business case over 12 months ago, that it has been sitting on the desk of the federal infrastructure minister, our Deputy Prime Minister, throughout that period. It is fair to say that people in my electorate expected an announcement on that 80 per cent funding that the federal budget could have delivered to see that major project go ahead. So it is disappointing to see that so much of the regional funding will be spent in northern Australia building dams, not for further irrigation in the south, where we are already developed, but further dams to provide water for further development of mines and a few corporate farming enterprises in regions of Queensland.

There is certainly disappointment across regional Victoria at the lack of funds that came out of that fund. But I want to specifically talk about health today, because the motion that has been put is in relation to the \$1.5 billion of COVID funding that is to finish in September this year. I have to say that as a regional MP, it is pretty clear to me and to most people I talk to that COVID is not over. Every day we are seeing COVID numbers reported of 10 000, 12 000, 15 000 people. We know that the real number in the community is probably triple that. We know that every day people, Victorians, are dying, and we know that the impact on our hospital system still remains very significant. I think it is realistic to say that that is not going to go away overnight. We cannot say that in September the impact of what has occurred over the last two years will have reduced and will have disappeared in terms of the way our hospital systems are now functioning and the incredible pressure that they have been put under.

Recruiting medical people—nurses, doctors—in regional areas is an enormous challenge. We are feeling that at Goulburn Valley Health, the major regional centre in my electorate, with over 80 doctors needing to be recruited and over 60 nurses needing to be recruited as well as a whole range of other hospital staff. Almost 10 per cent of the workforce at Goulburn Valley Health are not there, effectively, because of the challenges in recruiting them. I would just like to say that over the last two years the challenges that Goulburn Valley Health have faced in Shepparton have been enormous. We had more COVID outbreaks. We had additional shutdowns. We unfortunately for a regional area really copped it a lot more than others for a range of reasons. But our chief executive officer, Matt Sharp, and all our health workers across our region, even across our smaller hospitals—Nathalia, Cobram, Numurkah—did a fantastic job to care for the community, to look out for their needs and to ensure that a level of health care could be continued throughout that period, with a COVID ward set up especially in Shepparton, and that still exists.

To think that somehow this is all over is a huge mistake. I would like to refer to an article, a news piece that was on ABC regional radio just last week, warning of the crisis in our regional hospitals. They continue to be under enormous strain with the huge demand, especially in the north of the state, which is the area I know best. A code yellow internal emergency was declared at Albury Wodonga Health last week, and it is the second time that has happened in just a very short period—less than a month. A code yellow was declared last Monday at Northeast Health Wangaratta. Shepparton's Goulburn Valley Health has urged people to avoid its emergency department if they possibly can because of the excessive demand. They are encouraging people to go to their GPs, to use other services, even Nurse-on-Call.

Now, that is all very well, but we also have a drastic shortage of GPs in our region, and that is something that simply is not being sufficiently addressed by the federal government. In the town of Mooroopna there were two medical practices, Dr Chan's and the Mooroopna Medical Centre. Dr Chan by virtue of age and hard work has retired. He has sent a letter to all his patients saying that he is no longer there. There really is no-one for him to refer them to. There is no-one, as I understand it, taking over his practice—just another GP—in a town like Mooroopna, with a population of over 8000, left with one practice in the town.

That has major implications for our emergency departments, because when you do not have GPs providing that on-the-ground daytime service and after-hours service to the community, the only place left to go is your emergency department. I am told that it is not so much that we are seeing so many COVID patients right at the moment but that we are seeing the burden of illness that has developed over the last two years from people who have not been going to get the health care they need, perhaps been ignoring symptoms, not having tests that they would otherwise have had, perhaps not having those breast screens, not getting their diabetes management—a whole lot of things that people would have normally done as part of the course of their day-to-day life they were not doing. So the load now is huge, and the burden on our health services across the state—but I am talking specifically of our region—is also huge. When you cannot find the people to fill the positions, that can only get worse, and it bodes ill for the overall health of our community.

So to think that \$1.5 billion might be just slashed from the state of Victoria come September is really concerning to me, because if anything we need more. There is so much more to be done. It is all very well to say that we have the Department of Rural Health at Melbourne University and they are training doctors who may one day come back to the country, but let me tell you they do not even keep statistics on that. Occasionally a doctor trained in a rural area will go back to a rural area, but not very often. They are not coming back in hordes, I can tell you. They are not coming back, and no-one is addressing the shortage of that general practice primary health care across our regions.

Is it at a point now in country areas where expectant mothers need to take towels, scissors and a piece of string with them when they are making their way to a hospital? It is not good enough that services are not available for people in regional areas. The mental health services are underdone, and again staffing is a huge problem. Certainly in Shepparton we are hoping that stage 2 of the redevelopment of Goulburn Valley Health and its mental health services will be a high priority, as I hope will an early parenting centre. I see the Minister for Health at the table, and I cannot let that go by without mentioning it, because they are major projects to really attend to the health of our community.

It was an amazing time in some ways, prior to COVID, to see the investment that occurred in Shepparton with the development of stage 1, and our new hospital and new buildings are about to be opened very soon—a new emergency department, a new five-storey building on the site of the hospital. All these things will make a difference, but there is no doubt that the major issue now is about people. It is about finding the people to do the work within our hospital system, and that may be a call-out to older people who have retired, to people even coming back part time. But I say, 'Leave the money in the system, and put more in'.

Ms HALL (Footscray) (18:18): I will not say I am pleased to make a contribution to today's take-note motion on the federal budget, because it has been a not unsurprising but deeply disappointing budget for Victorians and for my community in Melbourne's west. The Prime Minister for Sydney likes to talk about what his job is and what his job is not. He does not hold a hose, and he likes to say, 'That's not my job'. Well, I feel like he has also concluded that investing in Melbourne's western suburbs is not in his position description either, because we could not be more irrelevant to the Prime Minister for Sydney. Sean Kelly's terrific biography of the Prime Minister notes that he went from a job in advertising to another job in advertising, and really that is what this federal budget is about. He is travelling around marginal seats in Queensland and New South Wales, a bit like that travelling salesman on *The Simpsons* selling the monorails in different towns.

But we have gotten nothing, really, in Victoria, and it is a pretty appalling situation. You only need to look at the difference in investment in a state like Tasmania compared to in Victoria and our populations, especially if you look at the population of Melbourne's western suburbs. The population of Tasmania at the 2016 census was around 510 000; in Melbourne's west it was 880 000. We have been beaten by every other state: New South Wales, Western Australia, Queensland and South Australia. Victoria secured only marginally more than Tasmania, and we have a larger population in my community out in Melbourne's west than they do in Tasmania. I know the member for Broadmeadows is very familiar with that as well.

Victorians are paying taxes to subsidise, essentially, election commitments and election announcements everywhere else in Australia, and it is a scandal. The people of the western suburbs feel rightfully betrayed by the Morrison government, and this failure of a budget has no vision for the western suburbs of Melbourne. On the eve of the last federal election we were promised a city deal, and it was literally on the eve of the last election. Over the last three years local councils and working groups have worked really tirelessly and in good faith to put together a list of projects that the federal government could support with the billions of dollars that they promised us as part of our city deal. We have not seen a cent, and it is disgraceful. In the south-east they have not seen a cent either in their promised city deal. Melbourne is the only capital city in Australia that has not secured a city deal. It is not because we do not have a million different projects that are worthy of funding—that will improve productivity, that will add to our community and that will create jobs. We have so many of these projects—projects that will transform transport in Melbourne's western suburbs.

But it is the Victorian Andrews Labor government that is doing all the heavy lifting with the investment in Melbourne's west. I am pleased that the Minister for Health is at the table because I have one of those investments in my community in Footscray—\$1.5 billion for the new Footscray Hospital. Of course we say this often because we are very proud of it: it is the largest capital investment in health in Victorian history. Coincidentally it is also the same amount of money that we have been robbed of by this budget in terms of health expenditure to tackle the pandemic—another disgraceful situation.

There have been delegations to Canberra, lots of meetings, lots of letter writing, saying, 'We've got all these great projects that you can spend your city deal money on in Melbourne's west', and there have been tumbleweeds blowing around. It is actually pretty rude. They promised something and then our community has done all of this work and we have not seen a cent. I know Anthony Albanese, and we need an Albanese Labor government in Melbourne's western suburbs. The western suburbs need someone. We deserve a prime minister who believes in us. We need a prime minister who understands us. He is someone who lives his values. He is someone who knows what it is like to rely on public housing and a decent safety net in life. Anthony Albanese as prime minister will make child care more affordable in my community. He will right wrongs in aged care. And he believes in the science of climate change—he is not carrying around a lump of coal, like a pet rock, as Prime Minister Morrison did.

He will provide the leadership that we need in Melbourne's west. He will invest in local jobs and support local jobs and making things again in Melbourne's western suburbs—manufacturing things in Melbourne's west. And when he came to Footscray at the last election, he got off the campaign bus and came up and introduced himself to all of the locals that had gathered there to meet him, and he told us that he had been on his way to Footscray listening to songs about Footscray. He wanted to get more of a sense of the place and our history and our culture, and he understands us because his electorate is very similar to my electorate of Footscray—where he represents Sydney's inner west. Then he came and spoke to us about cycling infrastructure that we needed. Can you imagine Prime Minister Morrison ever doing something like that? I would be absolutely shocked if he has ever been to Melbourne's western suburbs. I certainly do not remember him coming at all.

But it is not just the Andrews Labor government that is saying that Victorians are missing out. We know that there are many independent experts in the fields of transport or health who are appalled by the fact that we are being so spectacularly ripped off by the Morrison government. Marion Terrill the director of transport policy at the Grattan Institute said:

Victoria consistently misses out on federal transport spending. Of the funding we do get, the federal government is all too happy to play favourites with marginal seats.

And that is what we have seen in Melbourne's west. We need to get trucks off our local roads. We need that intermodal terminal built, and it should be the priority over Beveridge. It is this government's priority. We know that it stacks up, but Beveridge got more money because politically that is more suited to them—because he is all about politics and not about the research behind whether something stacks up or not.

When Deputy Prime Minister Barnaby Joyce allocated funding through his \$7.1 billion regional fund, the investment in Victoria of zero dollars was absolutely appalling and shameful. We could not have been treated with a more rude or dismissive response from the federal government. My message to people in my community is: 'You know what to do at the next federal election. Let's vote this mob out. They do not deserve to be in government'.

Mr BATTIN (Gembrook) (18:28): I note the member for Footscray said that the community of Footscray was robbed and have been robbed, and I feel sorry for those over in Footscray that they cannot call 000 and get an answer to actually report the robbery because 000 here in Victoria is continuing to fail. We have got so many crises here in Victoria with our health sector and with 000.

Ms Hall interjected.

Mr BATTIN: I note the member for Footscray gets a little bit excited. It is fine; you can get excited. However, you must note you have been in government for 19 of 23 years. The Labor Party in Victoria has been in government that long. When members of Parliament from the west start to complain and whinge that they get ignored by governments and those in the north turn around and talk about the funding they have missed out on—you have been in government for 19 of 23 years. At least the member for Broadmeadows will stand up and talk about the positives of his electorate. He talks about the strengths of his electorate, the things that they have delivered—and then they disendorse him.

Mr McGuire: You didn't have to go there.

Mr BATTIN: I didn't have to go there, member for Broadmeadows. But as I have said, I have got your back, because you should be staying here—some of those on the other side far from it. I know the member for Footscray did not nod her head then. She obviously thinks you should be gone. I will continue to say, though, it is so important—

Ms Hall: On a point of order, Acting Speaker, I would like the member to withdraw that comment. I am a strong supporter of the member for Broadmeadows, and I think that that is an appalling thing for him to suggest during the debate.

Mr BATTIN: On the point of order, Acting Speaker, I would strongly suggest, then, that you go back to your factions and ask them to re-endorse the member for Broadmeadows, who has done a great job here in Victoria, and continue to keep him here in the seat of Broadmeadows.

Mr Foley: On the point of order, Acting Speaker, clearly the issue raised by the honourable member for Gembrook has nothing whatsoever to do with the motion before the house. It deals with internal political party matters and should be ruled out of order, if indeed you do not take the honourable member for Footscray's suggestion that she has taken offence and ask the honourable member for Gembrook to withdraw.

The ACTING SPEAKER (Ms Settle): I ask that the member for Gembrook get back to the motion, please.

Mr BATTIN: Okay. I will go back to the motion. I will continue on that motion. What we were saying was the Labor government has been in government for 19 of 23 years. I note that so many on the other side have spoken about the inadequacies in funding in their own electorates. Yet you fail every step of the way to talk about the failures of Labor's investments, including major projects like

Koo Wee Rup Road in Pakenham, just outside my electorate. The Labor Party went on the front page of every one of our local papers to brag about what they were going to do and how they were going to deliver Koo Wee Rup Road and make it safer. Since then all we have seen is that when they went out to tender they got to contract stage, and the government withdrew their funding. They took away the funding that was there for Koo Wee Rup Road. Since that date three people have died—three people have died on that road. The Labor Party never once apologised to those families and never once spoke to those families about the concerns that they were raising about how we can best fix that road. All they did was put a sign out and reduce the speed on two separate occasions rather than fixing the problem. As we approach another election, as we get closer and closer to 26 November, what do we find? Instead of the Labor Party fixing the problem, they are coming out with another commitment. How can you trust the party that said they were going to fix it last time and did not?

We have seen from this government the failures when it comes to ESTA. To turn around and say ‘It was Kennett’ or ‘It was the four years you were in government’ proves how incompetent this government is here in this state. ESTA has failed now because the investments of this government did not direct them in the correct direction. They have put \$15 million into consultancies rather than employing new staff. Do not ask us; go and speak to the ESTA workers. Go and speak to the men and women who answer those phones and have to put up with the stress of having people who are dying at the moment whilst on hold here in the state. Listen to them because they are the ones that have filled surveys in and have told the government specifically, ‘If you want to work on the mental health and wellbeing of staff at ESTA, give us more staff. Don’t put the extra \$400 000 in a program for support; give us more staff’. And the government would not act on this. We have asked question after question in this house. We have raised it through the media, families went to the media. It was only when the political pressure got so hot that the government came out and acted and said, ‘We’re going to put 43 new staff on’. And even then those 43 staff, which were promised in 2021, still had not been delivered when we got to January and February 2022. So what have the government done? They have put it in contingency for going forward rather than actually funding the staff that are required for 000.

Then they came out with a new media release saying, ‘We’re now going to put more money into ESTA’. How can this government be trusted to fix the system that they have broken? How can this government ever be trusted to fix a system that has impacts not just here in Victoria but in every state in this country? When someone rings up, when they dial 000 and it goes through to Telstra, Telstra now are concerned that when they have to transfer it to Victoria they will be kept on hold for up to 15 minutes and therefore cannot take other calls to transfer from other states. Again, that is not us saying it. This is the Telstra operators now coming out and saying this. I say to the members opposite: imagine if you are sitting there and someone dials 000 and it is supposed to be passed off within 5 seconds; your job, your role, is to ensure that when it goes ‘Police, fire or ambulance?’ and ‘What state?’, it is transferred. I would hate to imagine what goes through the mind of a 000 call operator from Telstra when a caller goes, ‘Ambulance, Victoria’ and then they see some of the outcomes that have happened from that, including what happened on *60 Minutes*, where we saw a mother saying ‘Breathe, Alisha, breathe’.

If you want to talk about fixing the system and finding the ways to fix it, look at yourselves as a government. The Labor Party keep telling us in this place—every one of them gets up and talks about it—how proud they are of what they have delivered. Look at what you have done in this state, the failures that you have completed along the way. Now even the police are coming out and talking about the fact that the SAM, or the staff allocation model, was signed off by the Premier, and the government now want to walk away from it. The Premier’s argument for that is the SAM did not take into consideration COVID. Well, the SAM takes into consideration everything that is happening in this state with growth, with crime statistics, with allocation of staff, with where crime is moving to or from, with where it is reducing or increasing and with where extra staff are required to ensure they can respond.

We are going to see more and more cases coming out now where people are calling 000 for police and they are desperate. If you are calling in a code 1 or a code 2, that means you are a victim of or are

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witnessing something like an armed robbery. You want police there as quick as they can. Let me assure every member in this place: you have got a little alarm button in your office. If you press that, you want police there as quick as they can be because you do not press that as a joke. You press it because it is serious. You would expect it, and it would probably be delivered to each and every one of the members of Parliament here. There needs to be the same expectation and delivery of service for every person across Victoria, no matter where they live.

The Labor government promised a police station in Clyde, in Clyde North, and to date they still have not bought the block of land. They still have not signed off. They have allocated the land, but there is no transaction, there is no signing of a contract. There is no way you can finish that in the committed time you promised before the next election. And we are going to see again a lack of staffing down there. Now, the roadworks down there prevent Narre Warren and Cranbourne police stations getting there in a reasonable time, so that means people in Clyde North are stranded. Not only do they have their phone reception issues, not only are they concerned when they call 000 that they may not get through, they now have the added concern that Victoria Police may not be able to show up in the allocated time for something that is a code 1 or code 2. And the worst part about that is that they will never know in the community how long the police took, because this government has never spoken about how quickly a police officer should and does respond across our state.

There will be so much more to say on that as we go through the election, but for the government to come in here today with a motion to talk and bag the federal government—it is time they start looking at themselves instead of being so arrogant for a government that has been in power for so long.

Mr KENNEDY (Hawthorn) (18:38): I was going to begin with a text for today, but I really cannot let the member for Gembrook get too far away there. I just want to talk about elephants briefly—it is the concept of the elephant in the room. When I hear this talk about ‘You’ve been in government for 18 years of 22’, in my three years here that is a favourite theme on any topic you can think of that is quoted: ‘You’ve had 18 years and you haven’t done anything’. Whereas we have been so polite here that no-one has ever said how outrageous it is that the opposition has been the opposition for 18 years and that it needs to take a good hard look at itself and say, ‘What’s gone wrong? Why is it that we just can’t make any headway, either the Liberal Party or the National Party?’. It is outrageous, and I believe Victorians deserve better. Victorians deserve some good turnover at times. Not immediately—I am looking forward to the next term—but they do deserve a bit of this. So the elephant is the 18 years of absolute despair opposite and the need for a good hard look at themselves, as they say in circles. We might come back to that one, but I just found it very disappointing. And the member for Gembrook then was making this mock defence of the member for Broadmeadows and then hoeing into the member for Footscray, trying to make them enemies. That failed of course. And on we go.

However, let us move to the texts—my texts for today, as a good clergyman would say. Here is my first text. It comes from Mr Davis in the other place. He is normally the expert on gotchas. I sometimes call him, nicely, the Minister for Gotcha. Well, here he is:

... there are many things I disagree with the current state government ... but one of them that we are in full agreement on is that Victoria hasn’t had a fair deal on many of these national programs.

This is your man.

... Victorians have got to keep talking about this and we have got to keep putting our view ... the only way commonwealth authorities and other states will be moved is by jawboning them ... talking and talking and making our ... political point, that Victoria has done very, very poorly out of the commonwealth ...

As a Victorian—

that is a noble stance—

I’d say we’re getting a little bit sick of propping up all the other states, year after year after year ...

... Victoria has to get a fairer share, long haul, than we have had over many years ...

Well, can I just say on that comment, I think that one is actually fairly honest. You know, he is our person in this regard. Whereas the opposition will be saying, 'Oh, you didn't get it because you didn't ask nicely' or, paternalistically, 'We weren't sure that you'd use the money wisely. Look what you did with this particular thing or that particular thing', which we all know is rubbish of course. So I am right behind the member in the other place. Then we also have the member for Ripon, who said:

... I want to start by agreeing with the member for Lara that Victoria has been duded on GST receipts for many years. I note that Victoria has been a donor state since federation. It is about time WA understood that we have been a donor state to them since federation—

these are fighting words, my friends—

... and they should be sharing the wealth of their resources boom with the whole of the country.

And then finally from the leader, the current Leader of the Opposition, who said in response to the Minister for Transport Infrastructure pointing out Victoria is not getting its fair share, that now she 'wants more money' and 'grow the hell up'. That was the strength of his advice there. Let us think about this a bit more. As you know, I am from Hawthorn, and my local federal member is the senior Liberal, the Treasurer, who is a fine, pleasant man. I know him well. However, he is of course often called a VINO—a Victorian in name only. That is the nickname in Kooyong: VINO. When I compare some of the exes, like Ted Baillieu for example, if I could say, who is really interested in Victoria and a very, very formidable character, one of my predecessors in fact in Hawthorn, to this person—a nice person, but VINO nonetheless—there is no comparison.

So I wanted to just say that one of the things—I am just talking generally, I think; I have got all the other stuff here—that is difficult for me is the way the Prime Minister constantly tells people in the most selfish way, 'It's your money'. And he repeats this 'It's your money. It's your money' without a skerrick of a mention of the general good. What your money is being used for for the general good never gets mentioned. It is the most selfish sort of thing, and it appeals to otherwise good human beings who like to repeat that mantra 'It's your money. It's your money' without any thought of 'Well, how is that money going to be used?'—what particular projects, what particular issues and so on. I think it is a pity because all you do is just repeat that over and over, and suddenly you can become as selfish as anything.

In 2016 I was handing out how-to-vote cards in the federal election, and this fellow came up to me and said, 'I'm not going to vote for your people, because I think it's dreadful what you're saying about franking credits'. I said to him, 'Look, I'm retired'—as I was then in 2016—'I'm a self-funded retiree, and I could benefit—I would benefit'. But I said, 'I don't lose too much, and that's one of the issues, but I like to think it is going to a good cause. I might not choose submarines, for example, but I would choose social welfare'. I said to him, 'You lose a bit'—et cetera, et cetera—'but do you know what? I know you won't believe this, but we hear lots of these stories, don't we, on both sides, about "Many people say" or "Susan said" or "Stephanie did this" and all that sort of business'. He said, 'You know what, John? I'm going to vote for your people because I never thought of it that way'—that franking credits are there to serve some good apart from just trying to make life difficult for him.

So where is this leading? It is leading to the fact that this budget has given us, sorry to say, more of the same. I just have to maybe point out a couple of other things as well while I am on my feet. My own idea was, when I came into this place, to seek to have a society that is fair, productive and compassionate. We know that you cannot have any one of those commodities without the other, so it is no good being as fair as you like or as compassionate as you like if there is no productivity. We are not stupid—there has to be productivity; there is no doubt about that. What concerns me, though, is the notion that all that matters is productivity—trickle-down, that sort of stuff. It really does worry me, I must say, when people just ignore the fairness and the compassion. They might say they are all for that, but basically it is about productivity only. I have seen that in different aspects of that budget.

If I could come home in the last minute or so and refer to Hawthorn, just so that we do not get this idea that the Liberals are careful with money and we are wasteful with it, \$65 million worth of car parks—

four car parks—have been suddenly cancelled by Mr Frydenberg because that was not going to work for the election. So they have gone. The federal government offered \$260 million to remove the Glenferrie Road level crossing, but it was \$100 million short, with no idea as to where the other \$100 million would be. Six per cent of budget infrastructure is for Victoria, which has over 25 per cent of the population. It has \$25 million less GST money than New South Wales. I think you get the picture; I think you probably understand why I am quite cynical about any sort of defence.

Ms McLEISH (Eildon) (18:48): I guess it is not unexpected that we have this motion, an anti federal government motion, before us today. This is for a couple of reasons—because the government cannot resist the urge to Liberal bash at any opportunity but also because their legislative program is so light. They only have two bills for this week, and they have had to work out how they are going to fill it. So yes, we have got a federal budget, we have got a federal election around the corner, so what better opportunity is there to play politics in this place instead of getting on with the real issues that we need to deal with than to put the motion forward that they have today? What a stunt this is, but as I said, this is not unexpected. We certainly do not support this motion. The Labor government are always looking for somebody else to blame for their woes. They have got to learn how to fix their own messes, to do some planning ahead, to think of consequences and to work out what they will do next, rather than doing it on the fly.

With this motion that the Minister for Health has put forward, I am going to start with the second part. It is about the federals cutting all COVID-19 funding at the end of September, which is \$1.5 billion in Victoria alone. Why is this such a concern, unless we know that the Andrews Labor government wants to lock us down further beyond September? Well, we know where we stand on that, but I think Victorians, given that that is part of this motion, can look forward to more lockdowns and ongoing restrictions, because that is what this government is expecting. We stand completely differently on lockdowns. There should be no more lockdowns. Victoria suffered incredibly—incredibly more than any other state in this country. The funding for the COVID support will automatically continue if the national partnership agreement is extended, so what is the purpose of having that in there at all? There is none, except that it flags to us that the government is expecting ongoing lockdowns and restrictions.

I want to move on to some of the hospital funding. I do not want to rain on their parade, but again I think it is a case of not letting the truth get in the way of a good story, and again spin—spin, spin, spin. Just today we were reading, and this is a quote from the *Herald Sun*, that:

A spin machine army of 154 communications and public relations staff has been stationed across seven Andrews government transport agencies and projects.

So we have got spin being rolled out in every government department, and this is just one example that came up today. But who is it that pays for the spin? It is certainly not the Labor Party. Who pays for the spin? The taxpayers.

I am going to put a few facts on the table. The commonwealth has increased funding to Victorian hospitals by approximately double that which the Victorian government have provided to their own hospitals. Since 2012–13, the commonwealth funding to Victorian hospitals has grown substantially, by 112.7 per cent. Over the same period Victorian government funding for their own hospitals has increased by just 69.5 per cent. I mean, it is not quite double; it will be getting up there. But this is again a blatant misrepresentation of the truth. So we urge the Premier to get on and match the commonwealth funding—do not try and say that they are not doing it, get on and match it.

Of the \$1.5 billion in elective surgery catch-ups promised by the Andrews government, the federal government will fund 50 per cent—\$750 million—through the COVID national partnership agreement. So there is 50-50. Further, the Australian government has provided the Victorian government a prepayment—prepayment means payment in advance—of \$473 million for delayed activity they did not perform. Now, that is a very generous offer and made in good faith. But no, good faith is not good enough for this mob over here, they have to put in a motion that absolutely condemns the federal coalition. Now this money that was paid in good faith, this prepayment, was paid in

recognition that the activity would need to be caught up after COVID—and, boy, what a lot of catching up we have got to do in that area.

Total health investment across Australian governments is already 60 per cent commonwealth to 40 per cent state. And this week's budget increases hospital investment by \$10 billion and total health investment by \$34 billion. The government are very keen to misrepresent and use this as a political opportunity. We have also heard them crying about GST, and it was interesting, if they were listening to the federal Shadow Treasurer, Jim Chalmers, talking about how he is not even going to go near there, so these guys, I imagine, are just performing today to try and score some political points.

I am going to refer to the *Report on the 2020–21 Financial and Performance Outcomes*, which was also tabled yesterday. One of the comments on revenue is:

Similar to previous years, grant revenue contributed to 51% of the total revenue ...

Where does that grant revenue come from, I wonder. We know also, and it goes on, that:

Approximately 24% of Victoria's revenue is sourced from GST payments ...

Mind you, they have got a fair whack in their own taxes as well; a third of the revenue is from their own taxes. I am going to quote from 3.3.2 under 'Revenue and expenses' for the Department of Health, on page 32:

Actual grant revenue in 2020–21 was \$8.7 billion, 3.5% higher than the budgeted \$8.4 billion.

They got more, and how did the Department of Health explain this?

... because of the additional commonwealth contributions under the *National Partnership for the COVID-19 Response and the National Health Reform Agreement* ...

This was tabled yesterday—a Public Accounts and Estimates Committee report; this is not made up. So this government is absolutely full of spin, trying to create a story when there is not one. What they should be doing instead is tackling the desperate situation that they have created. Our health system was in crisis prior to COVID, and with COVID it has now been exacerbated. We have a 000 crisis. We know, just dreadfully, that phones are not answered always. That is an extremely traumatic situation for the person who is trying desperately to ring 000. In the main people are ringing 000 because they need to. These phones are not being answered, or they are being eventually answered. What happens as well is that when they are answered there is no ambulance available to dispatch. People are left with no alternatives. What do you do? Drive yourself to hospital? For some people that might not be so bad. For other people that is extremely traumatic, depending on the situation. An ambulance should be available when it is called.

I am going to give an example of an issue that came up in my electorate not long ago from a lady in country Victoria, in Alexandra, who has aggressive, advanced-stage ovarian cancer and is a type 1 diabetic. Her treatment has required many trips to Melbourne. She is a public patient—no private health cover. She was in excruciating pain one Saturday night. Her husband called an ambulance. It took an hour to arrive. While she was being transported to Monash hospital she vomited in the ambulance. On arrival at Monash she spent 12 hours on a gurney in a holding corridor in the emergency department. With no buzzer and unable to get anyone's attention, covered in dried vomit and with her blood sugar levels plummeting, Sharelle was forced to ring her husband for help. Her husband then had to ring reception at Monash, who had to then send somebody down to check on her. That is how she got attention. That is just not good enough. He was absolutely distraught. She was distraught. He was not there, but this is what had to happen, because the system is in such crisis.

We have ramping at hospitals around the state—at country hospitals. At Wangaratta there is loads of ramping. I hear about it every time, because when the ambulances from my electorate, from Mansfield, have to take someone to Wangaratta they will be caught in ramping. If the crew from Alexandra or Yea are at the Northern Hospital or at Maroondah Hospital, they might be unavailable. The situation is dire. It is absolutely extraordinary that it has come to this.

Now, we have great paramedics, we have great emergency department staff, but they can only do so much. I think the government instead of trying to play politics with cheap motions like this needs to be getting on and fixing this health crisis. The coalition certainly have a plan to recover and rebuild, but I do not see a similar plan from the Andrews Labor government.

Mr McGUIRE (Broadmeadows) (18:58): On the eve of the federal election I want to recall a contribution I made in the countdown to the last election more than three years ago, because the echo is revealing and relevant. We have the chance to turn adversity into opportunity, to create new industries and jobs for the future, to address housing affordability and to replace anxiety and fear with hope. This is the opportunity coming soon for Australian voters, and we need to make the change. The change is required because the Australian government has been captured by zealots. This is always the problem in politics. It has led to an era of hyperpartisanship and hyperfactionalism. It is not governing in the national interest but in its base political interest.

This has led to a time of real uncertainty for people. Forgetting must never trump remembering. The liberating principles of the Enlightenment are now confronting threats from increased inequality, the demise of trusted institutions, the rise of authoritarian leaders and the reversion to tribalism. This is the problem. These concerns are not just fears for the state, but they are concerns for families and anxieties for individuals. Political culture wars have merged with society's knowledge wars, and insanity like history is repeating. Poor people as always are most vulnerable. In trying to address what needs to happen the first thing is that this government, which has failed in its highest duty to actually build opportunity and to advance the nation in this way, needs to be voted out.

The SPEAKER: Order! I just might pause the member there because the time has come for me under sessional orders to interrupt business. The member will get the call the next time this matter is before the house.

Business interrupted under sessional orders.

Adjournment

The SPEAKER: The question is:

That the house now adjourns.

HERITAGE PROTECTIONS

Mr R SMITH (Warrandyte) (19:00): (6316) My adjournment matter today is for the Minister for Planning, and my request is that he meets with residents in the Sandringham electorate so he can gain a full understanding of their concerns regarding heritage issues. Last week I met a number of residents in Beaumaris at a meeting organised by the member for Sandringham to discuss Bayside council's plans—and by extension the Minister for Planning's plans—to heritage list around 100 properties in that area. This has caused all sorts of problems for those residents. They do not know what is going to happen. They do not know if they are going to get overlays on their residences. They do not know if it is going to restrict them from being able to do any necessary repairs or maintenance work. Overall, in meeting those residents they told me that it is a very confusing process and that they are in favour of choice. As a proud Liberal I am also in favour of choice. They want a voluntary system instead of a mandatory heritage-listing system.

The rights of property owners are being trampled on by this government, and I believe that the government should get a full understanding of what those impacts are going to be with the minister going out and speaking to these Beaumaris residents. They could take their issues to VCAT, but VCAT is too expensive for the average resident, and of course we have got a backlog in VCAT that is horrendously long, so that would just take too much time.

It should be acknowledged by the government that different suburbs have different standards for heritage listings. We cannot compare a 120-year-old Edwardian home to a 60-year-old modern design in Bayside. The people that have the most to lose are those residents who bought their homes without

knowing that there was going to be this whole heritage fight over them. The council has said that the residents should get heritage consultants. They are expensive, and the council has budgeted for 90 new heritage homes. They have got their own heritage consultants, and consequently 100 of the homes in the area have been identified by the council's heritage consultants.

Again, the residents are just very concerned that this is going to be an issue that is going to impact them into the longer term. The solution is to have a voluntary process. This was actually supported by the government in 2017 when the debate was had, and the government should respect the decision of that debate, which was to have that voluntary process. So again I say I would love to see the Minister for Planning go out to Beaumaris and meet those residents. He would get a great reception if he only took the time to understand what impact his and his government's direction is having on those residents.

PALM LAKE RESORT, TRUGANINA

Ms CONNOLLY (Tarneit) (19:02): (6317) My adjournment is for the Minister for Consumer Affairs, Gaming and Liquor Regulation, and the action I seek is that the minister join me out in Truganina to visit the Palm Lake Resort retirement village. Just before the end of last year I had the privilege of visiting the retirement village, and I have to say I was absolutely blown away by the very warm welcome that I received. The residents were all extremely excited to have an MP come and visit and talk to them directly about the issues that matter to them. Believe me, they were ready to talk about local issues with pens and paper ready to go.

In all seriousness it was actually a very good discussion about some of the things that our government is doing in the Tarneit community, and in particular there is a lot happening when it comes to our seniors. I want to give a particular shout-out to Neil Nicholas, a resident at the retirement village who graciously reached out to me—thank you, Neil—and my team, invited us down and took us on a tour to see some of the great things that were happening down there at the retirement village. I know he and the other residents would be very keen to meet the minister and talk with her about the work our government is doing in regard to carers and seniors.

CASEY WARRIORS RUGBY LEAGUE CLUB

Ms RICHARDS (Cranbourne) (19:04): (6318) My adjournment this evening is for the Minister for Employment in the other place, and the action I seek from the minister is for her to visit the Casey Warriors Rugby League Club in Cranbourne alongside Jobs Victoria. Casey Warriors is one of the beloved rugby league clubs in Cranbourne, and they do so much for the whole south-east. The Warriors are committed to supporting their members in accessing safe and secure well-paid apprenticeships and jobs. On Saturday I visited the club and heard about their leadership's passion for the players and their families. I had a long conversation with the leadership about inclusion, and I was really impressed, particularly with the way that they work so hard together. Arana, Danielle and Susie really wanted to talk a lot about what they are doing and the importance of the players and their families. The future is bright, it is wrapped in purple and it comes in the form of these formidable Warriors. The support of the minister and Jobs Victoria in employment preparation, such as with CVs, resumes, interviews and general enterprise skills, would be welcomed, and I am looking forward to inviting the minister and having her visit.

SERVICETON LEVEL CROSSING UPGRADE

Ms KEALY (Lowan) (19:05): (6319) My adjournment matter is for the Minister for Transport Infrastructure, and the action I seek is for the promised Serviceton level crossing upgrades to commence immediately so this dangerous crossing is finally made safe for the Serviceton and district community. This is a matter that I have raised on many occasions in this place. There is very poor line of sight on that Serviceton North Road—a very controversially named road, and there are efforts to try and change the name of the road at the moment, which is causing a lot of conflict in the local community, but it is on this road and across the railway crossing at Serviceton.

This is somewhere where there have been accidents in the past. There have been many near misses because you simply cannot see up and down the line. There are a lot of things that impede the line of sight, and so it has been great—we heard back in October 2019 that the Victorian government would upgrade this level crossing and make it safe; however, in the past three years we have not seen any action take place. We have not seen anything apart from last year when locals noted that there was a bound wheel of coiled wire dropped at that site. I thought, ‘Here we go. It’ll finally happen. We’re going to get our upgrade’, but since then there has been absolutely nothing. My office has tried to seek information through the Australian Rail Track Corporation and through the Department of Transport with no response, and I know the local Serviceton community are amazing. The progress association do a great job. They have been trying to seek some updates as well over what is happening, but most importantly they just want works to commence.

We know that this is an important road. There are not many people that live in Serviceton, but it is an important road to make safe. We have got the Serviceton railway station, which is of course a historic station. It was built on where they thought the border was between Victoria and South Australia. I took a tour through it recently. There are even jail cells in the bottom of the railway station. It is a beautiful building, and I encourage anyone who is ever in the far west of Victoria to take that detour off the highway and have a look at the Serviceton railway station.

They also have some funding in there to do some art on their silos. It will not be on the main solos—there are problems with the powerlines. It will be on the side silos. And there is also an issue now where there is asbestos in the soil, so we need a clean-up there as well—so a few hiccups when it comes to doing these works in Serviceton. But my appeal to the Minister for Transport Infrastructure is: please commence the works immediately to make sure this Serviceton level crossing is made safe sooner rather than later.

SICK PAY GUARANTEE

Mr McGuire (Broadmeadows) (19:07): (6320) My adjournment request is to the Minister for Workplace Safety. The action I seek is for the minister to provide an update on how the state government’s sick pay guarantee will benefit many workers and families in the state district of Broadmeadows. The Andrews government’s recently announced Victorian sick pay guarantee will mean Victorians who work in casual and other insecure jobs will no longer be forced to choose between a day’s pay and looking after their health or the health of their loved ones. It is an Australian first, this scheme. It offers \$245.6 million, and it will transform casual and contract work in Victoria by providing vulnerable workers the safety net they need to take time off when they are sick or need to care for their loved ones—and there could be no better time than in a time of pandemic.

In Victoria one in five casual and contract employees work more than one job to earn a living, many without access to sick or carers pay. Workers are now able to register for the two-year pilot program fully funded by the Victorian government. Eligible casual and contract workers in certain occupations will receive up to five days a year of sick or carers pay at the national minimum wage. Occupations included in the first phase are hospitality workers, food trade workers and preparation assistants such as chefs and kitchen hands, supermarket and supply chain workers, retail and sales assistants, aged and disability care workers, cleaners, laundry workers and security guards. We have many of these kinds of jobs and workers in Broadmeadows. It has a high reliance on casual and insecure work, so this is a landmark offer from the Victorian government. It is necessary and needed, and I think it will be of high value to people. It will also have the extra benefit of trying to stop the spread of the pandemic, and I think this is of real value. We will see how the pilot goes and how it can be extended in the future.

MORNINGTON PENINSULA PLANNING SCHEME

Mr MORRIS (Mornington) (19:09): (6321) I raise a matter this evening for the Minister for Planning, and the action I am seeking from the minister is that he expedite the approval of amendment C270 to the Mornington Peninsula planning scheme. Amendment C270—there is a lot of history here—has recently been exhibited, and exhibition closes on Friday. Normally there would be a very long process from then until the amendment is approved, but I stood up in this house more than two years ago, in February 2020, and asked the minister to expedite the exhibition of the scheme. Two years on, it finally got on exhibition in February of this year.

Since then I have raised the issue on at least three occasions. The reason I have done that is that this is critical for the future protection of the green wedge on the Mornington Peninsula. The amendment itself deals with a number of sites that are outside the urban growth boundary but are not currently protected by green wedge provisions. One is particularly sensitive and is one I have mentioned on many occasions in this place, and that is an application for a retirement village outside the urban growth boundary in Mount Eliza. The first application was knocked back by VCAT. It is now the subject of a Supreme Court appeal. The second application is currently on exhibition and closes on Friday.

Just to give the house a sense of the scale of this development outside the urban growth boundary, land that is supposed to be protected, its total footprint is 14 963 square metres. There is the addition of three wings to the existing historic mansion, two four-storey and one three-storey; three freestanding four-storey buildings; two freestanding three-storey buildings; 246 car spaces; and a place of worship. So it is a very, very significant development in a totally inappropriate place.

Further down the road we have another application that is not affected by this planning scheme amendment but which seeks to turn an existing nursing home into a much, much larger retirement village with a significant footprint. Again and again we are seeing these sorts of applications. In part it is a function of the value of the land—I understand that—but either we are serious as a Parliament and as a state about protecting this area or we are not. I do urge the minister, as a first step in beefing up the protections for the green wedge, to get on with C270 and truncate the process period to the extent that he can, and let us get it approved.

CHISHOLM TAFE, FRANKSTON CAMPUS

Mr EDBROOKE (Frankston) (19:12): (6322) My adjournment matter is for the Minister for Training and Skills, and the action I seek is for the minister to make a date for the sod turn for the fantastic stage 2 of the Chisholm TAFE redevelopment in Frankston. Frankston Chisholm is already the flagship TAFE in the south-east, but this will make it even more of an educational hub in Frankston, the education electorate.

CREATIVE INDUSTRIES SECTOR

Mr HIBBINS (Pahran) (19:13): (6323) My adjournment matter is for the Minister for Creative Industries, and the action I seek is for the minister to financially support artists to set up spaces and studios, including in Prahran and the Chapel Street precinct, to help revive our community. The creative industries are so important to the character and vibrancy of Prahran, and there is so much potential for the arts and for artists to play a leading role in reviving our community after the past two years. What many in the creative industries tell me is that they are having difficulty finding affordable, secure spaces or studios. There is a massive opportunity for the government to provide grants or subsidies to artists to lease vacant shopfronts, commercial spaces for studios, creative hubs, artwork displays or performance spaces. This would bring artists and creatives to our community and bring vibrancy back to places like Chapel Street and right across our community. The creative industries have a proven ability to transform communities, streets and spaces for the better, particularly after a crisis. I urge the government to seize this moment, as we are in a period of economic transition and economic recovery, to financially support artists, revive our activity centres and revitalise our community.

NEPEAN ELECTORATE TOURISM

Mr BRAYNE (Nepean) (19:14): (6324) My adjournment matter is for the Minister for Tourism, Sport and Major Events, and the action I seek is for the minister to update my community on how the Victorian travel voucher scheme will benefit and support small businesses in my community in Nepean. The Mornington Peninsula is the best place that people can visit in Victoria. As such, many small businesses in my community are involved in the tourism industry or rely on tourism to support their businesses. The \$200 million business stimulus package that was recently announced by the Victorian government has gone a long way to getting people back out there to once again enjoy the best food and experiences that Victoria has to offer, and the Victorian travel voucher scheme is just another example of how this government is helping people across our state to support our small businesses, which have been doing it tough during the pandemic. Can the minister explain how these vouchers work and how businesses in the tourism industry in my electorate of Nepean can benefit from this important scheme?

O'SHEA ROAD EXTENSION, BERWICK

Mr BATTIN (Gembrook) (19:15): (6325) My adjournment tonight is for the Minister for Transport Infrastructure, and I am talking about the O'Shea Road extension, which is happening between Soldiers Road and the freeway in Berwick. Where the extension has gone through there has been communication that has gone back to the community about what is happening in that area, but some people are saying they were not informed of specific items. I am going to ask the minister to come out and discuss it with the group of families who will be impacted by this. One of the major impacts, which has already been raised by the community, is around the height of the road compared to their back fences, where the tyres of the cars going past will be at the level of the back fence. And we have raised an issue in relation to the sound when you are travelling through there, and the minister is yet to come back to us on that one.

However, the new one that has come through, which has just been seen, is that a concrete pad has gone in and one of the neighbours has asked what that pad is for, and they are putting in a sewer tower. Directly behind people's houses there will be a sewer tower, because there is sewage that runs underneath the ground through that area, one of the major sewer drains that runs through near O'Shea Road. This is a 12-metre tower—a 12-metre tower directly behind residents' houses in Kingsmere—that was on no plans, that was never revealed to the community, that was in no community consultation and that has never been discussed. The first thing they got was a letter to say that they will have a tower in the rear of their yards for the sewer, which will be there permanently. They then went forward and asked for more information and had some documents sent out, and it was not until the colour brochure was sent out—with the lovely, pretty pictures—that in the middle of those pretty pictures for the first time they have seen this huge, black tower, right in the middle of the backyard of one of these families.

It is simply not good enough that they have not had the consultation with that family. This will have odours coming out of it at a 12-metre height, which they say will disperse and go up into the atmosphere. It is not something that is normally directly behind residential houses, and the community there want to know why they were not consulted. They are happy to meet with the minister, whether it is out there or in Parliament, to discuss it. But the minister needs to explain why this was never, ever raised in any of the consultation processes or in any direct mail given to those families—and they are going to have this sewer pipe in their backyard.

RESPONSES

Ms HORNE (Williamstown—Minister for Ports and Freight, Minister for Consumer Affairs, Gaming and Liquor Regulation, Minister for Fishing and Boating) (19:18): I would be absolutely delighted to go out to the Palm Lake Resort retirement village and talk to the residents there with my good friend the member for Tarneit—of course we have done a power of work in relation to looking at the Retirement Villages Act 1986—and talk through the issues that concern them and see how we can adopt that into government policy.

ADJOURNMENT

Wednesday, 6 April 2022

Legislative Assembly

1399

The member for Warrandyte raised a matter for the Minister for Planning, as did the member for Mornington—and I would like to congratulate him on his appointment to the Victorian Responsible Gambling Foundation board. I look forward to his contribution there. The member for Broadmeadows raised a matter for the Minister for Workplace Safety, the member for Cranbourne raised a matter for the Minister for Employment, the member for Lowan as well as the member for Gembrook raised matters for the Minister for Transport Infrastructure, the member for Frankston raised a matter for the Minister for Training and Skills, the member for Prahran raised a matter for the Minister for Creative Industries and the member for Nepean raised a matter for the Minister for Tourism, Sport and Major Events, and I will refer them accordingly.

The SPEAKER: The house now stands adjourned.

House adjourned 7.19 pm.

Joint sitting of Parliament**SENATE VACANCY****VICTORIAN RESPONSIBLE GAMBLING FOUNDATION**

Members of both houses met in Assembly chamber at 6.03 pm.

The CHAIR (Hon. N Elasmarr): Before we proceed, I remind everyone, including visitors in the gallery, that you may not take photos. I invite proposals from members for the appointment of a person to hold the vacant place in the Senate. I call the Premier.

Mr ANDREWS (Mulgrave—Premier): I propose:

That Ms Jana Stewart hold the place in the Senate rendered vacant by the death of Senator Kimberley Kitching.

She is willing to accept the nomination. In order to satisfy the joint sitting as to the requirements of section 15 of the commonwealth constitution, I also advise that I am in possession of advice from the state secretary of the Victorian branch of the Australian Labor Party that Ms Jana Stewart is the selection of the Australian Labor Party, the party previously represented in the Senate by Senator Kimberley Kitching.

The CHAIR: Who seconds the proposal?

Mr GUY (Bulleen—Leader of the Opposition): I second the proposal.

The CHAIR: Are there any further proposals? As only one person has been proposed, I declare that Ms Jana Stewart has been chosen to hold the place in the Senate rendered vacant by the death of Senator Kimberley Kitching.

We now move to the election of a member of Parliament to the board of the Victorian Responsible Gambling Foundation. I now invite proposals from members with regard to the member of Parliament to be elected to the board of the Victorian Responsible Gambling Foundation. I call the Premier.

Mr ANDREWS (Mulgrave—Premier): I propose:

That Mr David Morris be elected to the board of the Victorian Responsible Gambling Foundation.

He is willing to accept the nomination.

The CHAIR: Who seconds the proposal?

Mr GUY (Bulleen—Leader of the Opposition): I second the proposal.

The CHAIR: Are there any further proposals? As there is only one member proposed, I declare that Mr David Morris is elected to the board of the Victorian Responsible Gambling Foundation.

I now declare the joint sitting closed.

Proceedings terminated 6.05 pm.