



Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Thursday 19 June 2025

Office-holders of the Legislative Assembly

60th Parliament

Speaker

Maree Edwards

Deputy Speaker

Matt Fregon

Acting Speakers

Juliana Addison, Jordan Crugnale, Daniela De Martino, Paul Edbrooke,
Wayne Farnham, Paul Hamer, Lauren Kathage, Nathan Lambert, Alison Marchant,
Paul Mercurio, John Mullahy, Kim O’Keeffe, Meng Heang Tak, Jackson Taylor and Iwan Walters

Leader of the Parliamentary Labor Party and Premier

Jacinta Allan (from 27 September 2023)

Daniel Andrews (to 27 September 2023)

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

Ben Carroll (from 28 September 2023)

Jacinta Allan (to 27 September 2023)

Leader of the Parliamentary Liberal Party and Leader of the Opposition

Jess Wilson (from 18 November 2025)

Brad Battin (from 27 December 2024 to 18 November 2025)

John Pesutto (to 27 December 2024)

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

Sam Groth (from 27 December 2024)

David Southwick (to 27 December 2024)

Leader of the Nationals

Danny O’Brien (from 26 November 2024)

Peter Walsh (to 26 November 2024)

Deputy Leader of the Nationals

Emma Kealy

Leader of the House

Mary-Anne Thomas

Manager of Opposition Business

James Newbury (from 13 October 2025)

Bridget Vallence (from 7 January 2025 to 13 October 2025)

James Newbury (to 7 January 2025)

Members of the Legislative Assembly

60th Parliament

Member	District	Party	Member	District	Party
Addison, Juliana	Wendouree	ALP	Lister, John ⁷	Werribee	ALP
Allan, Jacinta	Bendigo East	ALP	Maas, Gary	Narre Warren South	ALP
Andrews, Daniel ¹	Mulgrave	ALP	McCurdy, Tim	Ovens Valley	Nat
Battin, Brad	Berwick	Lib	McGhie, Steve	Melton	ALP
Benham, Jade	Mildura	Nat	McLeish, Cindy	Eildon	Lib
Britnell, Roma	South-West Coast	Lib	Marchant, Alison	Bellarine	ALP
Brooks, Colin	Bundoora	ALP	Matthews-Ward, Kathleen	Broadmeadows	ALP
Bull, Josh	Sunbury	ALP	Mercurio, Paul	Hastings	ALP
Bull, Tim	Gippsland East	Nat	Mullahy, John	Glen Waverley	ALP
Cameron, Martin	Morwell	Nat	Newbury, James	Brighton	Lib
Carbines, Anthony	Ivanhoe	ALP	O'Brien, Danny	Gippsland South	Nat
Carroll, Ben	Niddrie	ALP	O'Brien, Michael	Malvern	Lib
Cheeseman, Darren ²	South Barwon	Ind	O'Keeffe, Kim	Shepparton	Nat
Cianflone, Anthony	Pascoe Vale	ALP	Pallas, Tim ⁸	Werribee	ALP
Cleland, Annabelle	Euroa	Nat	Pearson, Danny	Essendon	ALP
Connolly, Sarah	Laverton	ALP	Pesutto, John	Hawthorn	Lib
Couzens, Christine	Geelong	ALP	Read, Tim	Brunswick	Greens
Crewther, Chris	Mornington	Lib	Richards, Pauline	Cranbourne	ALP
Crugnale, Jordan	Bass	ALP	Richardson, Tim	Mordialloc	ALP
D'Ambrosio, Liliana	Mill Park	ALP	Riordan, Richard	Polwarth	Lib
De Martino, Daniela	Monbulk	ALP	Rowswell, Brad	Sandringham	Lib
de Vietri, Gabrielle	Richmond	Greens	Sandell, Ellen	Melbourne	Greens
Dimopoulos, Steve	Oakleigh	ALP	Settle, Michaela	Eureka	ALP
Edbrooke, Paul	Frankston	ALP	Smith, Ryan ⁹	Warrandyte	Lib
Edwards, Maree	Bendigo West	ALP	Southwick, David	Caulfield	Lib
Famham, Wayne	Narracan	Lib	Spence, Ros	Kalkallo	ALP
Foster, Eden ³	Mulgrave	ALP	Staikos, Nick	Bentleigh	ALP
Fowles, Will ⁴	Ringwood	Ind	Suleyman, Natalie	St Albans	ALP
Fregon, Matt	Ashwood	ALP	Tak, Meng Heang	Clarinda	ALP
George, Ella	Lara	ALP	Taylor, Jackson	Bayswater	ALP
Grigorovitch, Luba	Kororoit	ALP	Taylor, Nina	Albert Park	ALP
Groth, Sam	Nepean	Lib	Theophanous, Kat	Northcote	ALP
Guy, Matthew	Bulleen	Lib	Thomas, Mary-Anne	Macedon	ALP
Halfpenny, Bronwyn	Thomastown	ALP	Tilley, Bill	Benambra	Lib
Hall, Katie	Footscray	ALP	Vallence, Bridget	Evelyn	Lib
Hamer, Paul	Box Hill	ALP	Vulin, Emma	Pakenham	ALP
Haylett, Martha	Ripon	ALP	Walsh, Peter	Murray Plains	Nat
Hibbins, Sam ^{5,6}	Prahran	Ind	Walters, Iwan	Greenvale	ALP
Hilakari, Mathew	Point Cook	ALP	Ward, Vicki	Eltham	ALP
Hodgett, David	Croydon	Lib	Wells, Kim	Rowville	Lib
Horne, Melissa	Williamstown	ALP	Werner, Nicole ¹⁰	Warrandyte	Lib
Hutchins, Natalie	Sydenham	ALP	Westaway, Rachel ¹¹	Prahran	Lib
Kathage, Lauren	Yan Yean	ALP	Wight, Dylan	Tarneit	ALP
Kealy, Emma	Lowan	Nat	Williams, Gabrielle	Dandenong	ALP
Kilkenny, Sonya	Carrum	ALP	Wilson, Belinda	Narre Warren North	ALP
Lambert, Nathan	Preston	ALP	Wilson, Jess	Kew	Lib

¹ Resigned 27 September 2023

² ALP until 29 April 2024

³ Sworn in 6 February 2024

⁴ ALP until 5 August 2023

⁵ Greens until 1 November 2024

⁶ Resigned 23 November 2024

⁷ Sworn in 4 March 2025

⁸ Resigned 6 January 2025

⁹ Resigned 7 July 2023

¹⁰ Sworn in 3 October 2023

¹¹ Sworn in 4 March 2025

Party abbreviations

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

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Thursday 19 June 2025

The DEPUTY SPEAKER (Matt Fregon) took the chair at 9:32 am, read the prayer and made an acknowledgement of country.

Business of the house

Notices of motion and orders of the day

The DEPUTY SPEAKER (09:33): General business, notices of motion 1 to 4, 65 and 66 and orders of the day 7 and 8, will be removed from the notice paper unless members wishing their matter to remain advise the Clerk in writing before 2 pm today.

Petitions

Drought

Annabelle CLEELAND (Euroa) presented a petition bearing 6413 signatures:

Issue:

This petition of residents in Victoria draws to the attention of the Legislative Assembly the persistent dry conditions farmers are facing across North-East Victoria, and the impact this is having on their livelihoods, their ability to produce food, and their mental health.

Action:

The petitioners therefore request that the Legislative Assembly declares a drought in North-East Victoria, including the Benalla, Strathbogie, Mitchell, Greater Bendigo, Greater Shepparton, Campaspe, Alpine, Wangaratta, and Mansfield council areas – ensuring that support and funding opportunities are made available to farmers in these regions.

Ordered that petition be considered tomorrow on motion of Jade Benham.

Documents

Department of Health

Victorian Government Response to the Community Visitors Annual Report 2023–24

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (09:34): I table, by leave, the government response to the community visitors report 2023–24.

Department of Premier and Cabinet

Victorian Government Aboriginal Affairs Report 2024

Natalie HUTCHINS (Sydenham – Minister for Government Services, Minister for Treaty and First Peoples, Minister for Prevention of Family Violence, Minister for Women) (09:35): I table, by leave, the *Victorian Government Aboriginal Affairs Report 2024*, domain 1 to 6 data tables and 2024 Closing the Gap tables.

Documents

Incorporated list as follows:

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT – The Clerk tabled:

Auditor-General:

HealthShare Victoria Procurement – Ordered to be published

Results of 2024 Audits: TAFEs and Universities – Ordered to be published

Independent Broad-based Anti-corruption Commission:

Report to the Minister for Police under s 70O of the *Sex Offenders Registration Act 2004*

Report to the Minister for Police under s 174B of the *Firearms Act 1996* – Ordered to published
Integrity Oversight Victoria – Annual Plan 2025–26 – Ordered to be published
Interpretation of Legislation Act 1984 – Notice under s 32(3)(a)(iii) in relation to Statutory Rule 40
(*Gazette 313, 18 June 2025*)
Multicultural Victoria Act 2011 – Victorian Government report on Multicultural Affairs 2023–24
Parliamentary Budget Office – Operational Plan 2025–26
Subordinate Legislation Act 1994 – Documents under s 15 in relation to Statutory Rules 46, 47 and 49
Queen Elizabeth Centre (QEC) – Report 2023–24.

Bills

Justice Legislation Amendment (Miscellaneous) Bill 2025

Royal assent

The DEPUTY SPEAKER (09:36): I inform the house that the Governor has given royal assent to the Justice Legislation Amendment (Miscellaneous) Bill 2025.

Business of the house

Adjournment

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (09:37): I move:

That the house, at its rising, adjourns until 29 July 2025.

Motion agreed to.

Members statements

Capel Sound open space

Sam GROTH (Nepean) (09:37): I rise again to speak on behalf of the residents of Capel Sound and their campaign to preserve the green open space at Allambi Avenue. Back in 2022, as the then candidate for Nepean, I met with locals who were deeply committed to protecting the public land behind the Seawinds Community Hub, and together we fought to ensure this land was not lost to overdevelopment. I was pleased when the Mornington Peninsula shire ultimately resolved to leave the land untouched. But the work is not over, and just recently I visited the site with now councillor Cam Williams, the federal member for Flinders Zoe McKenzie, local residents, staff from Eastbourne Primary and other community groups. We discussed the current zoning of the site and our shared determination to keep this space accessible, natural and protected for future generations. I urge the Mornington Peninsula shire to explore every possible avenue to secure the land as designated parkland. Residents deserve a real say in planning decisions that affect the character of their communities, but sadly, the Allan Labor government continues to strip away local input to planning matters using the housing crisis, which it has failed, over the last 10 years as cover. I will continue to stand with the residents of Capel Sound to defend their neighbourhood and the green spaces that they value.

Smith Family

Ben CARROLL (Niddrie – Minister for Education, Minister for WorkSafe and the TAC) (09:39): Poverty should not stop a child's learning, and education is the most powerful change agent. It is why I am so proud that the Allan Labor government has invested \$6 million to support the Smith Family. The Smith Family are providing vital resources to make sure young people living in poverty get access to an education. It is hard to believe, but there are some families and some young people out there who grow up without textbooks and other learning resources that we all take for granted. That is why I was very pleased to be able to announce \$6 million from the Allan Labor government to break down those barriers to make sure every child gets the opportunity to live their best life and a life of purpose.

I was out with the hardworking member for St Albans at St Albans East Primary School recently to meet with Trinh and her son Kieran, a grade 3 student who is getting all the vital support that he needs to get all that potential through education. But more than that too, I met with alumna Jade – a great story. She grew up with family difficulties, illness and financial strain, but with the Smith Family she has gone on to higher education. That is what it is also about: going on to education and making your mark in this world. People like Jade are then giving back and being mentors and leaders for the next generation coming through, just like Kieran. Thank you to the Smith Family. Keep up the great work.

Bundalaguah Primary School

Tim BULL (Gippsland East) (09:40): It is a pleasure to follow the Minister for Education, because the Bundalaguah Primary School was recently granted \$425,000 to build a new toilet block – \$425,000. I have got a mate who got a quote on a three-bedroom home last week for cheaper than what it will cost to build that toilet block. Nevertheless the school have been told – cop this – that due to budget constraints they cannot rebuild the new toilet. They are going to have to have a renovation. It cannot be done for \$425,000. Minister, for that price we should have a digital TV in there, split-system air conditioning and gold fittings. It is absolutely ridiculous. The school was given two options. They chose to have a new toilet block. The other one is open to the air. There are birds flying in, and the wind nearly blows the kids off the toilet seats. Minister, it is absolutely shocking. On top of that, the school has now been asked to chip in \$20,000 of its own money to get this over the line. The minister needs to start reining in these costs. Minister, please get the toilet block built. We want a new one. Make sure you rein in those costs, because if you are looking to save a dollar, these toilet blocks in schools are a great place for you to start.

Monika Janinski

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (09:42): Today I rise to honour Monika Janinski, a remarkable advocate for social justice and animal welfare. I first met Monika on 26 April 2024, when she reached out to my office as a local constituent. She requested a meeting to discuss the Animal Care and Protection Bill, which was open for community consultation. I agreed to meet her, and she arrived at my office well prepared, presenting herself as an articulate, very intelligent and passionate young woman, and that is exactly who she was. Her dedication to achieving positive change was evident from our first meeting. Monika and I maintained frequent contact, and she later joined the Australian Labor Party. Her motivation was clear: she wanted to develop better policies for animal welfare and care, as well as for the community she lived in. Monika's commitment to these causes was unwavering, and she worked tirelessly to make a difference.

Tragically, Monika passed away on 9 April 2025 at the young age of 28. She was fortunate to have been supported by her mother Gordana, her sister Natalie, her husband Robert and her best friend Srujana. Monika's passing is a profound loss to all who knew her and to the causes she championed. Monika's legacy as a passionate advocate and a compassionate individual will not be forgotten, nor will her friendship and care for all who were fortunate to know her. She truly brought light into everyone's life. Her contributions to social justice and animal welfare will have an enduring impact on our community. Vale, Monika Janinski.

North East Link

Matthew GUY (Bulleen) (09:44): I rise to raise concerns of my community in and around Bulleen and Doncaster, particularly in relation to the attitude of the government and the North East Link Authority over many issues that have come from the North East Link construction in relation to tree removal, open space loss, car parking and the moving of water pumps, which are now being placed near residents' homes. Residents are constantly telling me – I had a number of appointments last week again telling me – that the government is just not listening. There is no point in having customer feedback with authorities if the government has no intention of listening to either the Manningham City Council or residents in my constituency about the issues that they have been raising. This comes

down to the attitude of the government and the behaviour of the government of the day. I simply say this: do not get sick in Victoria today, because if you call an ambulance, it is unlikely to show up. Do not report a crime in Victoria, because if you report a crime, the police are under-resourced and will not turn up. Do not drive your car in Victoria, because you are going to hit a pothole and do your front end. And for God's sake, do not start a business in Victoria, because the greediest, laziest government in Australia is going to tax you out of business and use the whole of the government of the state as simply an employment agency for them and their disgusting mates.

Karen Van Donkelaar

Colin BROOKS (Bundoora – Minister for Industry and Advanced Manufacturing, Minister for Creative Industries) (09:45): I rise today to acknowledge an outstanding local volunteer, Karen Van Donkelaar, who over the last 30 years has shown an incredible dedication to helping others. Karen's drive for helping others comes from a deeply personal and horrible childhood experience of abuse and hardships that inspired a lifelong mission to help others feel safe, seen and supported. Karen was a founding member of the Diamond Valley Foodshare in 1992. She helped build this organisation that continues to support hundreds of families doing it tough. She has served as secretary, acting president and volunteer coordinator and still shows up regularly to lend a hand whenever it is needed. She has also given her time to Meals on Wheels in Greensborough, delivering meals, friendship and compassion to some of our most isolated residents. Karen also served on the Watsonia Primary School council from 1987 to 1994, fostering a supportive and community-based school environment. Driven by her own experiences, Karen has also contributed to reform efforts to better protect vulnerable children with the Department of Justice and Community Safety, and she was actively engaged in the support of the Children Legislation Amendment Bill 2019. She also successfully campaigned to change a street name in her home town that honoured a priest who had ignored revelations by children experiencing child abuse and who was complicit in relocating paedophile priests. On behalf of my local community, I want to thank Karen for making our community a better place. She is a quiet powerhouse of kindness, strength and resilience.

Bayspeak

James NEWBURY (Brighton) (09:47): Bayspeak is a Rotary-led youth public speaking competition for Bayside secondary school students. Students speak about their chosen issues, like the role of women in society and the impact of growing up with certain characteristics. The recent competition marked the fifth successful year for the event. Congratulations to the finalists and to Rotary for their leadership, including Arthur Hubbard for organising the event.

Simon Marks OAM

James NEWBURY (Brighton) (09:47): Simon Marks is an exceptional leader in Bayside. For over 40 years, he has volunteered in scouting. Though Simon has held significant roles, including as an honorary commissioner in Scouts Victoria, he has always been committed locally to seeing young people succeed and learn. Congratulations to Simon on his recent awarding of the Medal of the Order of Australia for service to youth.

Gardenvale Primary School

James NEWBURY (Brighton) (09:47): Gardenvale Primary School's mascot theme this year is 'Be Safe and Thrive in 25!' The much-loved mascot HERRRBY is based on the values of honesty, empathy, respect, resilience, responsibility and being yourself. With the assistance of teachers Bridget Cooper and Tyler Trevaskis, HERRRBY has featured in a Hollywood-grade video promoting local road safety. Congratulations to the school for sharing this important message.

Bayley House

James NEWBURY (Brighton) (09:48): For nearly 75 years Bayley House has created opportunities that empower young people to thrive. Bayley House is a Bayside-based not-for-profit

organisation that provides exceptional support for people with an intellectual disability. Because the national disability insurance scheme leaves the organisation short, I ask our community to get behind the Bayley House appeal this year and cover the shortfall. Get behind Bayley!

Carrum Girl Guides

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning) (09:48): It was a real pleasure to join the Carrum Girl Guides recently to celebrate three incredible young women – Orla Carrigy, Niamh Cornell and Ruth Littler – who have achieved the highest honour in Girl Guides, the Queen’s Guide Award. Their years of service, leadership and dedication to our community are inspiring. To Orla, Niamh and Ruth: congratulations, you have earned this through sheer hard work, perseverance and passion. You are role models, and we are so proud of you. Thanks also to Girl Guides Victoria and especially Jan Withers for their incredible support.

Rowellyn Preschool

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning) (09:49): I had a fantastic visit to Rowellyn Preschool in Carrum Downs, where free kinder for every three- and four-year-old is changing lives. It was great to see the upgrades funded through the Allan Labor government’s Building Blocks grants. Thank you to Nikki, Amy, Leanne and the whole team for giving our littlest locals the best start in life.

MenSay

Sonya KILKENNY (Carrum – Attorney-General, Minister for Planning) (09:49): A huge shout-out to MenSay, a local mental health support group for men, built from the ground up by Bernie Liversidge, Dean Soma, Sean Abraham, Andrew Yarnton and many others. Every Monday at Belvedere Community Centre they offer support, connection and community. Right now they are collecting socks and beanies for people in need this winter, with donations going to Community Support Frankston. Please drop into my office with a warm item, new socks or new beanies and help us support this absolutely brilliant cause. A huge thankyou to Bernie, Dean, Sean, Andrew and everyone at MenSay – you are making an incredible difference.

Motor neurone disease

Kim O’KEEFFE (Shepparton) (09:50): I want to acknowledge a fantastic event on Monday, Parliament’s first Big Freeze. It was so great to see all members coming together to support our member for Pakenham. What an amazing event and result, raising over an incredible \$54,000 for MND research. Emma should be really proud of the incredible amount raised and also raising MND awareness. You are such an inspiration, Em. It was a freezing day, and well done to those that got dunked.

I have a very close friend, Maxine, who is also fighting the beast, and we did a walk a few weeks ago, with over 40 attending, to support Maxine and to raise MND awareness. We raised close to \$2000. Also, a shout-out to Maxine’s husband Damien for his amazing love, care and support. Maxine also has a caring community behind her. Maxine has written a book sharing her MND journey in hope that it will create a better understanding of MND and also the challenges she and her loved ones face. The title of her book is *No I Am Not Drunk*, and it is soon to be released. Maxine and Emma are also in touch, which I know has been a real support to Maxine. These two incredible women are making such a difference during such challenging circumstances.

I attended the 11th Big Freeze at the MCG. It was incredible to see a sea of MND beanies and very touching to see Neale Daniher and his family on the oval, waving to the thousands in the crowd. Neale had the biggest smile on his face, and Emma and her daughter were also there. Neale and his family have done an incredible job raising millions of dollars for MND research. What an absolute legend.

Yoorrook Justice Commission

Natalie HUTCHINS (Sydenham – Minister for Government Services, Minister for Treaty and First Peoples, Minister for Prevention of Family Violence, Minister for Women) (09:51): I rise to thank the Yoorrook Justice Commission – its workforce, its commissioners – for concluding their work on the longest royal commission that has been conducted in this state over four years and to thank all of those individuals who made submissions during that time. It takes a lot of bravery for someone to come forward and tell the story of their family and of themselves in regard to dispossession, trauma and the effects of colonisation. The commission itself has painted a picture of strength, resilience and resistance of First Peoples and unbroken connection to culture and to country.

The commission's investigations have also highlighted the deep and structural inequalities that persist in our state. First Peoples have shared powerful truths and pasts, ongoing dispossession, racism and exclusion. These experiences have caused profound harm and continue to have a significant impact on First Peoples' health and wellbeing and their social and economic opportunities. Only by knowing and accepting these truths can we move forward as a society. This is the writing of unrecognised history and is so significant. The handing over of the final report is a fantastic part of Victoria's future.

Black Rock Life Saving Club

Brad ROWSWELL (Sandringham) (09:53): Last weekend I had the pleasure of attending the Black Rock Life Saving Club AGM and awards night. It was a fantastic opportunity to celebrate the dedicated volunteers who keep our beaches and communities safe. I was honoured to present club legend Nicola Harrop with the Victoria award for her outstanding contribution to the club. Nicola has done it all, from patrol vice-captain to president, coach, mentor, fundraiser and more. Her leadership and dedication across every level of the club is truly unmatched. Congratulations to Nicola and everyone who was presented with an award.

Peterson Street Reserve

Brad ROWSWELL (Sandringham) (09:53): After years of fighting alongside the community, I am proud that we have finally secured funding to upgrade the change rooms at Peterson reserve in Highett. This reserve is home to the Hampton Hammers, the Highett West Cricket Club and the East Sandringham juniors, and for too long their change rooms have just not been kept up to scratch; in fact the entire clubrooms have not been kept up to scratch. This has not been an easy fight. I remember when Bayside council once funded a sculpture of oranges instead of investing in much-needed facilities at Peterson reserve, and locals were rightly frustrated. Many in our community feel that Highett has been overlooked. I want Highett residents to know that I will keep fighting for them at every single opportunity. I also want to thank the newly elected federal member for Goldstein Tim Wilson, who pledged \$3 million at the last election to these new change rooms.

St Bede's College

Brad ROWSWELL (Sandringham) (09:54): Finally, as someone who once played Jean Valjean in a St Bede's College production of *Les Mis*, I encourage everyone to get along to the St Bede's College's production of *Treasure Island* between 25 and 28 June.

Altona Primary School

Melissa HORNE (Williamstown – Minister for Ports and Freight, Minister for Roads and Road Safety, Minister for Health Infrastructure) (09:54): Tomorrow is going to be awesome because tomorrow Altona Primary School students will be able to enjoy their modernised and upgraded playground, with an investment of \$1.2 million by this government into the amenities that they need. I cannot wait to be able to cut the ribbon and see those kids celebrate the opening of their new playground.

DSV Stadium

Melissa HORNE (Williamstown – Minister for Ports and Freight, Minister for Roads and Road Safety, Minister for Health Infrastructure) (09:55): Also last week, I was at the home of the mighty Williamstown Seagulls football club for the opening of the new facilities at DSV Stadium, supported by a contribution of \$1 million from this government, plus \$500,000 from the federal government. It was great to see my colleague Tim Watts there as well. I would also like to pay tribute to the outgoing CEO Ashley Baker, who has been transformative at that club.

Williamstown Literary Festival

Melissa HORNE (Williamstown – Minister for Ports and Freight, Minister for Roads and Road Safety, Minister for Health Infrastructure) (09:55): This weekend we have also got the Williamstown Literary Festival going on. This is the 10th year of it this weekend, and on Saturday I will be presenting the Young Adas award. This award was started 10 years ago by Mary and Kevin Mack of Documents on Call, and it encourages writers between 14 and 18 years old in the western suburbs to submit a short story. There were 44 entrants this year from 27 different schools, and I really look forward to meeting some of these kids.

Williamstown electorate office work experience students

Melissa HORNE (Williamstown – Minister for Ports and Freight, Minister for Roads and Road Safety, Minister for Health Infrastructure) (09:56): Finally, I would like to acknowledge the work experience students who have been assisting my team this week. We have got Tandi from Mac.Robertson Girls' High School, and Nayimah and Audrey from Williamstown High. Thank you so much for coming in today.

Housing

Ellen SANDELL (Melbourne) (09:56): The Victorian Labor government is giving huge tax discounts – handouts – to the ultrawealthy to buy luxury penthouse apartments. Let me explain. About a year ago the property development lobby came to Labor and said, 'We're having a bit of a hard time selling our off-the-plan new apartments, so could you cut us a break by giving people stamp duty concessions when they buy new apartments?' Labor said yes, but they made it uncapped. They sold it to the public as a way for affordable housing to be built, for young people to get into the market. But the thing is the evidence is now in, and actually most – the majority – of these tax discounts and handouts are going to the ultrawealthy to buy very, very expensive multimillion-dollar apartments.

Take the example of an apartment in Armadale, a \$20 million luxury penthouse apartment. That purchaser saved \$1.1 million in stamp duty because of Labor's changes. The real estate agent said that person would have bought the property anyway, but the \$1.1 million was a nice sweetener. Imagine how many homelessness services could have been funded with that \$1.1 million. It is outrageous and in fact just unethical that the Labor government here in Victoria is giving tax handouts to the ultrawealthy to buy penthouse apartments when we are in a cost-of-living and housing crisis. We have apartments in Prahran that are being advertised with 'Come and buy these apartments; you'll save \$400,000 in stamp duty.' This is not okay.

Men's sheds

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (09:57): Last week was Men's Health Week, a time to focus on the health and wellbeing of men in our communities and to encourage conversations about health, connection and support. Across my electorate men's sheds play a critical role in supporting men's wellbeing, in Daylesford, Lancefield, Gisborne and Woodend, while I have been proud to support new sheds in Romsey, Kyneton and Trentham. I know how important men's sheds are, and that is why I am continuing to advocate to help get Riddells Creek Men's Shed back up and running in a new home.

Men's sheds are so much more than workshops; they are places of belonging. Whether it is building a bench or a bee hotel, restoring furniture or having a cuppa and a chat, these activities provide purpose, routine and the opportunity to connect. Sheds are a lifeline that help prevent isolation and encourage early conversations with men about their health. Many local men's sheds are engaging the next generation through young shedders programs, offering young men the chance to learn practical skills, gain confidence and build intergenerational connections. These programs help break down the stigma around men's mental health by encouraging young men to talk, listen and support one another in a safe and inclusive environment. I thank every member, volunteer and committee right across our network of local sheds for creating such welcoming spaces. Your dedication and community spirit support so many.

Woodend netball courts

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (09:59): What a joy to open two new netball courts in Woodend on Saturday, supported by almost \$1 million from our government and the tireless work of local legends – (*Time expired*)

A Girls' Day Out

Wayne FARNHAM (Narracan) (09:59): I am pleased to rise today to talk about my community of Narracan and the wonderful, wonderful work that A Girls' Day Out have done this year. They held a fundraiser this year with over 700 attendees and raised over a whopping \$158,000 for cancer research, particularly around breast cancer and supporting breast cancer patients in my local area. In the eight years since they have been going they have raised more than \$620,000. It is an amazing effort, and I would like to congratulate the organising committee for running an absolutely fantastic day.

Tyson Bale memorial game

Wayne FARNHAM (Narracan) (10:00): Another event in my area is for the Tyson Bale Memorial Fund. It is a football game that we have every year between the Warragul Dusties and Buln Buln. Tyson Bale was a young man in my electorate that suicided in the depths of COVID, and these two clubs along with Mindfull Aus get together to have this annual fundraiser. They have been doing it every year now, and this year they raised nearly \$6000. That money goes to mental health awareness in sporting clubs. So to my community and to both A Girls' Day Out and Mindfull Aus: well done – great job.

Kalkallo electorate school leaders

Ros SPENCE (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (10:00): It was terrific to recently meet with our newest school principals, who will guide the education of students in the growing Kalkallo electorate. Anthony Oldmeadow has been appointed principal of the interim-named Lockerbie secondary school in Kalkallo. This school will be a welcome addition to the Kalkallo community, providing secondary education much closer to home. Anthony has held several leadership roles in government schools, including in the north. While in these roles, he has had a strong focus on improving teaching and learning, and he is passionate about supporting students to grow and for staff to excel in a united team. It was terrific to hear Anthony's plans for building an inclusive and innovative school where all students can thrive and reach their full potential. Lindsey Delooze has been appointed as principal of interim-named Lockerbie specialist school and brings a wealth of experience to this important role. With 20 years experience in education, Lindsey began her teaching career in the UK, focusing on students with additional needs. Since moving to Melbourne in 2015 she has held leadership positions in both primary and specialist schools. Lindsey is dedicated to celebrating the identity of every student and is committed to creating an inclusive school at the heart of our booming Kalkallo community. It was terrific to hear from Lindsey about her vision and her excitement to provide a fulfilling education for our students with additional

needs. Both principals are very excited to finalise their schools. I wish them well, particularly in welcoming their first students in term 1 2026.

Kevin Quinn

Natalie SULEYMAN (St Albans – Minister for Veterans, Minister for Small Business and Employment, Minister for Youth) (10:02): I want to thank Kevin Quinn for his service to the Catholic Regional College St Albans community, having recently retired as assistant principal. Just a brief note: Kevin started teaching in 1980, which means 45 years of service to Catholic education and schools. His work and mentorship to students has been very important. He was a strong advocate, together with his students, for free public transport for young people and for building lifelong learners and leaders through his commitment and dedication for all students at CRC St Albans. We will miss you, Kevin. Thank you very much for your support, wisdom and service to the school community. Enjoy your retirement.

Holy Eucharist Primary School

Natalie SULEYMAN (St Albans – Minister for Veterans, Minister for Small Business and Employment, Minister for Youth) (10:03): On another matter, today is the 50th anniversary of the Holy Eucharist Primary School in St Albans. From humble beginnings, Holy Eucharist has grown over the 50 years, providing great education and of course giving our children a great start. That is why we have been proud to back them and work in partnership with the school. Last year we provided \$2 million in funding for the new rebuild and then a further \$1.4 million to build a brand new state-of-the-art school building. Congratulations to principal Michael Bonnici, a former student himself, and to all the teaching staff at Holy Eucharist for their achievements.

Banyule Youth Summit

Vicki WARD (Eltham – Minister for Emergency Services, Minister for Natural Disaster Recovery, Minister for Equality) (10:03): I congratulate and thank every young person who attended Banyule council's youth summit for their extraordinary work and contributions. These young people are energetic, articulate and caring. They want a world in which all people are respected and treated fairly, they want to be listened to and they want to be able to access opportunities. Equality for these young people is not negotiable. Cultural safety matters to them.

Importantly, we learned of the determination young people have in wanting to be connected to not just each other but to the wider community. They sought ongoing educational opportunities regarding alcohol and illicit drug use. They wanted meaningful and worthwhile employment. It is important to them, and they hope to see opportunities like volunteer programs to help develop employment experience. They seek social engagement, including sports but also film, wellbeing and other activities, and they want stronger engagement with First Nations on culture and history. They want stronger access to information to be supported in finding the resources they need. We also heard about their support for the wellbeing and welfare hubs that are being developed in schools across our community.

Access to green spaces matters to these young people, and they want greater diversity when it comes to outdoor activities. They know there are positive actions underway in responding to climate change, but they want to know more. Fast fashion is anathema to this group, and they want greater promotion of op shops and clothing swaps. Having the skills to address microaggressions and ignorance is something these young people wish to develop and strengthen, and they want support in strengthening their self-advocacy.

Livingstone Primary School

John MULLAHY (Glen Waverley) (10:05): It was great to catch up with principal Jaimie Clarke of Livingstone Primary School. We had a valuable discussion about the school's successes and

challenges and how we can work together to address them. I am fortunate to have dedicated principals like Jaimie. It is a big part of why my schools are the best in Victoria.

Whitehorse United Soccer Club

John MULLAHY (Glen Waverley) (10:05): On Saturday I attended Whitehorse United Soccer Club's ladies afternoon tea, raising funds for Thursday Girls support group and held in memory of beloved club member Janine Callinan. Thank you to vice-president Amanda Armstrong and junior coordinator Kim Marrone for making it a massive success.

Sky Garden

John MULLAHY (Glen Waverley) (10:05): I would like to thank Geraldine Low, Tony Denison and the committee for again organising Sky Garden's Biggest Morning Tea, raising funds for cancer research. A heartfelt thankyou to them for bringing the community together for such an important cause.

Vermont Secondary College

John MULLAHY (Glen Waverley) (10:05): I was honoured to attend the opening of Vermont Secondary College's new gym, a state-of-the-art facility that will benefit both the school and the wider community. Thank you to principal Tony Jacobs, and a special shout-out to vice-principal Mike Stevens. Recently recognised by the Department of Education for 50 years of service, Mike has been at Vermont Secondary College since 1979. His unwavering commitment and relentless advocacy were instrumental in seeing this project through from vision to reality.

Jack Rozinszky OAM

John MULLAHY (Glen Waverley) (10:06): Congratulations to local Mr Jack Rozinszky on receiving the Medal of the Order of Australia for his service to taekwondo. As founder in 1963 of the Melbourne Taekwondo Centre, Jack has spent over 60 years growing the sport across Victoria and Australia. Through his leadership he has mentored generations in discipline, confidence and community spirit. Congratulations, Mr Jack Rozinszky OAM.

Hallam Recreation Reserve

Belinda WILSON (Narre Warren North) (10:06): I have great pride in standing here today as a parent who understands the importance of local sporting clubs to their communities. A sense of belonging and being part of a team is bigger than oneself, and it really embodies what community sport is all about. That is exactly why I was really honoured to attend the Hallam Recreation Reserve great opening, with the new pavilion extension facility upgrade. This includes refurbished change rooms – both girls and boys change rooms – a new community room, a meeting room, a kitchen, of course a new bar and new accessible public amenities. The new facilities are a game changer for the Hallam community, providing a perfect venue for training, local development programs and of course competitions. The rooms are also open to other sports and community groups to gather, meet and develop local programs. The next generation of athletes, both male and female, will have the best facilities to support them moving forward. I would like to extend my really special thanks to the amazing Jack, president of Hallam Football Netball Club, to John Hammond, president of the Hallam Kalora Park Cricket Club, and all the other committee members for all the work that they do to ensure players have the amenities that they deserve. A huge shout-out to Jack, who had 13 goals on the weekend, and a big congratulations to Chooka on 200 games.

Bills

National Electricity (Victoria) Amendment (VicGrid Stage 2 Reform) Bill 2025

Statement of compatibility

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (10:09): In accordance with the Charter of Human

Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the National Electricity (Victoria) Amendment (VicGrid Stage 2 Reform) Bill 2025:

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 National Electricity (Victoria) Amendment (VicGrid Stage 2 Reform) Bill 2025 (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 main purposes of the Bill are:

- to amend the *National Electricity (Victoria) Act 2005* (**NEVA**) by:
 - making further provision in relation to the operation and governance of the statutory body corporate VicGrid (**VicGrid**);
 - transferring the functions and powers of the CEO VicGrid under the Act to VicGrid;
 - modifying the *National Electricity (Victoria) Law* (**National Law**), the *National Electricity (Victoria) Regulations* (**Regulations**), as they apply as laws of Victoria, and the *National Electricity Rules* (**Rules**), as they have the force of law in Victoria, so that VicGrid is conferred the Victorian declared network functions under that Law and the Regulations and Rules;
 - transferring certain functions of AEMO under Orders in Council under the Act to VicGrid;
 - providing for the issue of grid impact authorities or REZ scheme authorities by VicGrid to certain persons wishing to establish connections to the Victorian declared transmission system for generating systems and integrated resource systems or making changes to existing facilities connected to the Victorian declared transmission system;
 - providing for VicGrid to establish and maintain the REZ Community Energy Fund and the Traditional Owners Fund under which supports and benefits will be provided to Victorian communities and traditional owners;
 - providing for reviews of the community benefits framework;
 - transferring certain property, rights and liabilities of the State relating to the CEO VicGrid functions and powers to VicGrid; and
 - transferring certain property, rights and liabilities of the Australian Energy Market Operator (**AEMO**) relating to its Victorian declared network functions to VicGrid;
- to amend the *Electricity Industry Act 2000* (**EI Act**) by:
 - exempting VicGrid from the requirement to hold a licence under that Act to transmit electricity;
 - providing for the acquisition of easements in gross by electricity corporations;
 - introducing a new compliance and enforcement regime that provides additional land entry powers to facilitate the exercise of existing land access and works powers under that Act; and
- to amend *Electricity Industry (Residual Provisions) Act 1993* to repeal a provision relating to the acquisition of easements in gross by electricity corporations.

Human rights issues

The Bill may limit the following human rights: privacy (s 13(a)); freedom of expression (s 15(2)); property (s 20); fair hearing (s 24(1)); and protection against self-incrimination (s 25(2)(k)).

The Bill also promotes a range of human rights under the Charter. This includes promoting First Nations cultural rights (s 19(2)) by establishing the Traditional Owners Fund to confer benefits to Traditional Owners impacted by the construction and operation of system infrastructure, and by requiring grid impact authority holders and REZ authority holders to consult and engage with Traditional Owners. By preserving existing protections in the National Law, such as the protected information provisions, the Bill provides safeguards against the disclosure of personal information, thus promoting the right to privacy (s 13(a)). Finally, the overarching objective of the Bill is to support Victoria's renewable energy transition and investment in the transmission network, aimed at alleviating the effects of climate change, which promote the right to life (s 9).

Therefore, to the extent that the Bill limits any Charter rights, such limits are reasonable and justifiable in accordance with section 7(2) of the Charter.

Protected information provisions

Division 1 of Part 2 of the Bill inserts new section 16ZS into the NEVA, which modifies the application of Div 6 of Part 5 of the National Law. This Division sets out a regime for the use and disclosure of 'protected information'. New section 16ZS of the NEVA inserts new subsection 54(1a) into the National Law, which provides that VicGrid must take all reasonable measures to ensure it does not make unauthorised use or disclosure of protected information. This new provision also expands the definition of protected information to include any information that has been given to VicGrid in confidence, or in connection with the performance of a REZ planning function; a landholder payment function; or a statutory function and is prescribed to be confidential information. Accordingly, the effect of the above amendments is to extend the application of this confidentiality regime to include VicGrid.

New section 16ZS of the NEVA modifies the operation of section 54A of the National Law, providing that VicGrid is only authorised to disclose protected information in accordance with Subdivision 2 of Div 6 or the Rules or Regulations. As such, protected information may only be disclosed in specified circumstances and to specified recipients. For example, with the prior written consent of the person from whom the information was obtained (amended s 54B), where disclosure is required or permitted by law or to specified regulatory and integrity bodies, e.g., the Australian Energy Regulator (amended s 54C), for the purposes of court and tribunal proceedings (amended s 54D), or if necessary for the safety, reliability, or security of electricity supply or the national electricity system (inserted s 54G(2a)(a), or if necessary for the proper operation of the market (inserted s 54G(2a)(b)). Additionally, VicGrid may impose conditions in relation to protected information disclosed to specified regulatory and integrity bodies under amended section 54C. Further, after the restricted period has expired, amended section 54H provides that the disclosure of protected information is only authorised if doing so outweighs any detriment to the person who has given it or from whom that person received it.

Additionally, amended section 54E of the National Law requires the omission of protected information from any disclosed documents that would otherwise contain such information. Similarly, amended section 54F precludes VicGrid from disclosing protected information if the report identifies or names an individual, or contains information that enables an individual to be identified.

Further, Division 2 of Part 2 of the Bill inserts new sections 55A and 55B into the NEVA, which authorise VicGrid to withhold protected information from the Treasurer and Minister and from biannual reports and prescribed financial statements subject to certain exemptions (amended ss 55A(3), 55B(3) and 55C(3)), thereby overriding the requirements that would otherwise apply to the VicGrid board as a State business corporation under sections 53, 55(1) and 55(2) of the *State Owned Enterprise Act 1992*. New section 55H additionally provides that a document that contains protected information within the meaning of the National Law is an exempt document for the purposes of section 38 of the *Freedom of Information Act 1982*.

Freedom of expression and privacy

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. The right to freedom of expression in section 15 of the Charter has been interpreted as encompassing a right to access information in the possession of government bodies, at least where an individual seeks information in which they have a legitimate interest or on a subject engaging the public interest.

However, section 15(3) provides that the right 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.

Section 13(a) of the Charter provides that a person has the right not to have their privacy unlawfully or arbitrarily interfered with. This is a very broad right protecting a number of personal matters, relevantly a person's informational privacy. Where personal information is collected, the right extends to providing the person with control over that information, including how the information is used. 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.

These amendments may engage the right to freedom of expression under section 15(2) of the Charter by limiting a person's right to access information about matters of a public interest. They may also engage the right to privacy under section 13(a) of the Charter by authorising the disclosure of personal information. However, the obligation to maintain the confidentiality of protected information already exists in relation to the performance of the declared network functions in Victoria such that the Bill effectively transfers this obligation from AEMO to VicGrid.

Further, these provisions balance the public interest with the need to maintain the confidentiality of protected information. For example, amended section 54G of the National Law permits disclosure only where necessary for the safety, reliability or security of electricity supply and the proper operation of the market, while amended section 54H authorises the disclosure of protected information only if doing so outweighs any detriment to the discloser. Further, amended section 54C ensures that regulatory and other bodies with a legitimate interest can access and use information that is connected with the performance of their functions or the exercise of their powers. By maintaining the imposition of strict limits on the disclosure of protected information these amendments strike an appropriate balance between important objectives such as the protection of the safety and privacy of individuals, and the regulation and operation of the electricity system. I, therefore, consider that any interference with privacy is proportionate to the above legitimate purposes such that these amendments go no further than necessary to achieve them.

While the restrictions upon the ability to access information in the possession of VicGrid imposes limits on the right to freedom of expression, these limits are reasonably necessary to protect the confidentiality of information and the privacy of individuals whose personal information is disclosed to VicGrid as well as the security, effective operation and regulation of the electricity market in Victoria. For example, the disclosure of information obtained for the purpose of REZ planning, which many include sensitive decisions concerning land use and Traditional Owner cultural heritage information, would affect VicGrid's ability to deliver its functions by undermining stakeholders' willingness to provide sensitive information and VicGrid's ability to obtain such information in the future. It is, therefore, necessary to extend the scope of the secrecy provisions to VicGrid's REZ planning functions. As such, these provisions promote the rights to privacy and reputation under s 13. Given these important objectives, I consider that any limitations imposed on this right are either within the internal limits of section 15(3) or are reasonably justified and proportionate in accordance with section 7(2) of the Charter.

Information gathering powers

Division 1 of Part 2 of the Bill inserts new Part 3A into the NEVA, which modifies the application of the National Law in Victoria. Specifically, new section 16ZR extends the application of the existing information gathering powers of AEMO in Div 5 of Part 5 of the National Law. In so doing, it empowers VicGrid to make general market information orders or serve market information notices that respectively require information from persons of a class specified in the order, or the person to whom the notice is addressed, if VicGrid considers it reasonably necessary for the exercise of a relevant function (amended s 53, National Law). Further, failure to comply with such order or notice is punishable by a civil penalty (amended s 53C(3)–(4), National Law). Additionally, under new section 68A of the NEVA, the knowing provision of false or misleading information in purported compliance with a market information order or notice is also subject to a criminal penalty.

Right to protection 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.

To the extent that the mandatory disclosure of prescribed market information is potentially incriminating, these amendments may engage the right in section 25(2)(k) of the Charter. However, these powers are subject to the existing exceptions in section 53C(6) of the National Law, where a person cannot be required to disclose information that is the subject of legal professional privilege, would incriminate the person or make them liable to a criminal penalty. Further, before making a general market information order or serving a market information notice, VicGrid must give the relevant persons an opportunity to make written representations about whether VicGrid should make the order or serve the notice, which it must consider before making a final decision (amended ss 53A and 53B, National Law). Therefore, the Bill preserves the existing protections against self-incrimination as far as possible.

To the extent that the protection against self-incrimination is abrogated in circumstances by these compulsive powers and penalty provisions, I consider that any limitation to the right under s 25(2)(k) is justified having regard to the purposes of the information gathering powers. For these reasons, I consider the Bill is compatible with section 25(2)(k) of the Charter.

Review of information disclosure decisions

Division 1 of Part 2 of the Bill inserts new section 16ZX into the NEVA, which amends the definition of 'information disclosure decision' in section 71A of the National Law, to include a decision to disclose information made by VicGrid under section 54H, other than a decision to disclose information given to VicGrid in connection with the performance of a REZ planning function or a landholder payment function.

As persons aggrieved by an information disclosure decision are otherwise entitled under the National Law to apply to the Australian Competition Tribunal for merits review of this decision, the effect of this amendment is to provide no access to merits review for disclosure decisions relating to REZ planning and landholder payment functions. Accordingly, this amendment may be relevant to the fair hearing right.

Fair hearing

Section 24(1) of the Charter relevantly provides that 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 decision makers 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. While recognising the broad scope of s 24(1), the term 'proceeding' and 'party' suggest that s 24(1) was intended to apply only to decision-makers who conduct proceedings with parties. As the administrative decisions at issue here do not involve the conduct of proceedings with parties, there is a question as to whether the right to a fair hearing is engaged.

In any event, if a broad reading of s 24(1) is adopted and it is understood that the fair hearing right is engaged by this Bill, this right would nonetheless not be limited. The right to a fair hearing is concerned with the procedural fairness of a decision and 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. The entire decision-making process, including reviews and appeals, must be examined in order to determine whether the right is limited. In the context where merits review is not provided, an administrative decision-making procedure may still be compatible with fair hearing if the procedure is consistent with affording natural justice, and judicial review is available to ensure the decision was lawfully made.

I am satisfied that the fair hearing right is not limited, because VicGrid's decision to disclose protected information under amended section 54H of the National Law provides affected persons with initial and further disclosure notices, which inform of VicGrid's intention to disclose the information, specify the nature of the intended disclosure and state VicGrid's reasons for doing so. Additionally, amended section 54H affords affected persons with a reasonable opportunity to make representations against the disclosure in response to the notices.

Accordingly, the exclusion of merits review under the Bill will not interfere with the right to a fair hearing, because the opportunities to be heard under the National Law are preserved, ensuring that, overall, interested parties will have access to a fair process. Further, all information disclosure decisions made by VicGrid will remain subject to judicial review (existing section 70 of the National Law). As such, I conclude that the fair hearing rights in section 24(1) of the Charter are not limited by the provisions referred to above.

Immunities

Division 2 of Part 2 of the Bill inserts new section 55E(1) into the NEVA, which provides immunity from civil monetary liability to VicGrid and its officers or employees for an act or omission in the purported or actual performance or exercise of any of VicGrid's functions or powers, unless the act or omission was done or made in bad faith or through negligence.

New section 55F of the NEVA further provides that VicGrid or its officers or employees do not incur any civil monetary liability for any partial or total failure to supply electricity unless the failure is due to an act or omission done or made in bad faith or through negligence. New section 55G similarly provides that VicGrid, its officers, employees or agents incur no civil monetary liability for loss or damage suffered in consequence of the use of computer software to operate the national electricity market.

Further, new section 55E(2) limits the quantum of civil monetary liability for an act or omission done or made negligently in relation to the exercise of any of VicGrid's functions or powers, to the prescribed amount. The regulations may prescribe the maximum liability amount

Insofar as a cause of action may be considered 'property' within the meaning of section 20 of the Charter, these provisions may engage the right. However, as the National Law already exempts AEMO from liability for acts and omissions done or made in good faith and without negligence, and provides AEMO with limited liability in respect of negligent actions, the effect of these provisions is to extend existing immunities to VicGrid, such that they do not remove existing legal rights (ie those rights were removed by a previous enactment).

Additionally, the immunity provisions are drafted in clear and precise terms, are publicly accessible, and does not operate arbitrarily. As such, any deprivation occasioned by these provisions will be 'in accordance with law'.

Further, any deprivation of a cause of action is reasonably necessary to achieve the important objective of ensuring that AEMO and VicGrid's officers and employees can effectively perform their functions and exercise their powers without the threat of significant personal repercussions. The scope of the immunity is

also limited to good faith actions and does not extend to include negligence – such that it is proportionate to the legitimate aim sought. Additionally, these immunity provisions may be varied or excluded by agreement (new sections 55E(3) and 55F(2)–(3)). As such, there are no less restrictive means of achieving the Bill’s objectives. Accordingly, the relevant immunity is, in my view, appropriately granted.

The limited liability provision for negligent actions (new s 55E(2)) could also be considered to deprive a person of property through the imposition of quantum limits. However, any such deprivation will also be ‘in accordance with law’ and will therefore not limit the Charter right to property. That is, any interference with the property right will be governed by a clear and publicly accessible process set out in the Bill and regulations. Further, this provision strikes an appropriate balance between the need to provide just compensation for harm and to safeguard the financial viability of VicGrid, such that it is appropriately tailored and the least restrictive means to achieve the legitimate aim sought. Exposure to these types of liability will make VicGrid’s statutory functions very difficult, or prohibitively costly, to perform. The cost of electricity outages can range from hundreds of millions to billions of dollars depending on their duration. If a utility was liable for the consequences of even a minor event, this could result in insolvency and the instability of the national electricity grid.

These provisions do not place new or additional burden on consumers or take away rights. The National Electricity (Victoria) Law already exempts AEMO from liability for acts and omissions done or made in good faith and without negligence, and provides AEMO with limited liability in respect of negligent actions, the effect of these provisions is to extend existing immunities to VicGrid, such that they do not remove existing legal rights (ie those rights were removed by a previous enactment).

Finally, in prescribing the quantum of the limit on damages, the Minister will need to certify a Human Rights Certificate on the compatibility with Charter rights of the amount decided upon. For these reasons, I consider that new section 55D does not engage the right in section 20.

Grid impact authorities and REZ scheme authorities

Division 6 of Part 2 of the Bill inserts new Division 2A into the NEVA, which establishes a scheme for the issue by VicGrid of grid impact authorities, which will be required by persons, known as Connection Applicants, who wish to establish a connection from their generating system or integrated resource system to the declared transmission system if:

- the connection is outside a REZ; or
- within a REZ and their system is a technology type not specified as eligible in a REZ scheme declaration; or
- within a REZ and the system is part of a facility that is predominantly located outside a REZ.

Grid impact authorities will also be required by generators or Integrated Resource Providers that wish to carry out a system change to a generating system or integrated resource system they own, operate or control if:

- the system is part of a facility connected to the declared transmission system outside a REZ; or
- the system is part of an eligible facility connected to the declared transmission system within a REZ.

Importantly, Division 6 of Part 2 of the Bill inserts new s 33F into the NEVA, which allows VicGrid to revoke a grid impact authority if it is of the view that the grid impact authority holder has not complied with a condition to which the grid impact pass authority is subject.

Further, Division 6 of Part 2 of the Bill also inserts new Division 2C into the NEVA, which sets out the framework for the issue of REZ scheme authorities by VicGrid. These authorities will be required by Connection Applicants who wish to connect an eligible generating system or eligible integrated resource system to the declared transmission system in a REZ and by Generators or Integrated Resource Providers who wish to carry out a system change to an eligible facility within a REZ. New Division 2C includes new section 33Q which enables VicGrid to revoke a REZ scheme authority if VicGrid is of the view that the REZ scheme authority holder has not complied with a condition to which the REZ scheme authority is subject.

Finally, Division 6 of Part 2 inserts new section 33S into the NEVA, which provides that a REZ scheme authority cannot be transferred without VicGrid consent. It then inserts new section 33T which steps out the process for a REZ scheme authority holder to apply for VicGrid to consent to the transfer of their REZ scheme authority to another person, and the process for VicGrid to approve or deny the transfer application. Under new section 33T(3), in making a decision, VicGrid must have regard to any matters that are prescribed, and under new section 33T(4), VicGrid must refuse to consent to a transfer of the REZ scheme authority to another person if it is satisfied that the transfer would not be in the public interest.

Both grid impact authority and REZ scheme authority applications must be accompanied by a consultation and engagement plan relating to a process for consultation with impacted communities and traditional owners.

The consultation and engagement plan may be approved by VicGrid in granting the authority, and it is then a condition of the authority that these plans be complied with, including the implementation of a complaint handling system and dispute resolution process (new ss 33A(2)(b) and (3), 33B(3), 33C(1)(b), 33K(3) and (4), 33L(3), and 33N(1)(b)). Accordingly, the Bill promotes First Nations cultural rights, which are protected by s 19(2) of the Charter.

Fair hearing

In relation to decisions to issue or renew a licence, unless a decision determines existing rights, it is understood the fair hearing right is unlikely to apply. Accordingly, VicGrid's power to revoke a grid impact authority or REZ scheme authority (the **authorities**) – which are similar to a licence – in new sections 33F and 33Q, revokes an existing interest and therefore could engage the right to fair hearing.

The Bill applies various procedural fairness safeguards to a decision to revoke an authority, including the requirement that notice of the proposed decision be provided to the authority holder, which must include the grounds for the proposed revocation (new ss 33F(2)(a) and 33Q(2)(a)), and also invite the authority holder to make written submissions as to why the authority should not be revoked (new ss 33F(2)(b) and 33Q(2)(b)). VicGrid must take into account any submissions made in making its decision regarding revocation (new ss 33F(3) and 33Q(3)). Once the decision to revoke has been made, VicGrid will then be required to give reasons to the authority holder as to why it is revoking the authority (new ss 33F(5)(a) and 33Q(5)(a)) and provide notice as to when the revocation will take effect (new ss 33F(5)(b) and 33Q(5)(b)). The authority holder has a right of judicial review of the lawfulness of the decision.

In view of above safeguards, and the fact that the ability to revoke an authority due to a failure to comply with its conditions is an important regulatory function, I do not consider that the fair hearing right has been limited.

I am therefore of the view that these amendments, and in particular new sections 33F and 33Q, are compatible with the right to fair hearing under the Charter.

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

The restriction on the transfer of REZ scheme authorities provided by new sections 33S and 33T, such that VicGrid may refuse to consent to a transfer, may engage the right to property under section 20 of the Charter.

While the definition of 'property' has not been extensively considered by Victorian courts, the concept may incorporate statutory rights that have the characteristics of traditional property, including transferability, as well as non-traditional rights such as licences. Accordingly, a REZ scheme authority, akin to a type of licence to connect a generating system or integrated resource system to the declared transmission system in a REZ, and which has economic value, may constitute property for the purposes of section 20 of the Charter, when the scope of the right is interpreted broadly.

For property rights to be limited, any interference must constitute a deprivation of property. International jurisprudence indicates that a deprivation of property will extend to include a substantial restriction on a person's use or enjoyment of their property, which may include a restriction on a person's ability to dispose of or transfer their property. Assuming that a broad interpretation of 'deprivation of property' is accepted by the courts, the restriction on the transfer of a REZ scheme authority may in fact constitute a deprivation of property.

However, any such deprivation would be in 'accordance with law' and therefore not constitute a limit on property rights under the Charter. New section 33S of the NEVA is clearly drafted and accessible, such that it enables Victorians to regulate their conduct in accordance with the provision. Accordingly, I am satisfied that new section 33S and does not limit the property right under section 20 of the Charter.

Transfer of property, rights and liabilities

Division 10 of Part 2 of the Bill, which inserts Parts 10 and 11 into the NEVA, provides that all property, rights and liabilities of the Crown or AEMO, wherever located, which are specified under an allocation statement, vest in VicGrid in accordance with the statement. The transfer of these property rights are to remain subject to any encumbrances in effect at the time of transfer (Divisions 2 and 3 of Part 10). Similarly, these Divisions provide that all property, rights and liabilities of AEMO that relate to AEMO's Victorian network functions, which are specified under an allocation statement, vest in VicGrid in accordance with the statement.

Further, VicGrid is substituted for the Crown in any proceedings pending or existing in any court, tribunal or arbitration to which the Crown was a party and that relate to former Crown property (Division 2 of Part 10, NEVA.) Similarly, VicGrid is substituted in any proceedings pending or existing in any court or tribunal to

which the CEO VicGrid or the Administrative Office of VicGrid were a party (Division 2 of Part 10, NEVA). VicGrid is also substituted in any proceedings pending or existing in any court, tribunal or by a dispute resolution panel to which AEMO was a party, or in any court, tribunal or arbitration to which AEMO was a party and that relate to former AEMO property (Division 3 of Part 10, NEVA). Additionally, VicGrid is liable for any criminal fine in respect of any offence of which AEMO was a convicted and committed in the performance of a Victorian network function, and any civil penalty in respect of a breach or contravention of a civil penalty provision by AEMO in performing a Victorian network function, as specified under an allocation statement (Division 3 of Part 10, NEVA). Division 10 of Part 2 of the Bill also inserts a new definition, which defines property to mean ‘any legal or equitable estate or interest (whether present or future and whether vested or contingent) in real or personal property of any description’; liabilities to mean ‘all liabilities, duties and obligations, whether actual, contingent or prospective’; and rights to mean ‘all rights, powers, privileges and immunities, whether actual, contingent or prospective’.

Right to property

The transfer of any of the Crown’s property, rights and liabilities to VicGrid is relevant to the property rights of natural persons who hold an interest in the property or liability transferred. However, the transfer will not limit the property rights of persons holding the interest as they are not being deprived of their interest. Rather, the property or liability is transferred from the Crown to a statutory body without altering the substantive content of that property right or liability.

Insofar as a cause of action in relation to any potential liability held by the Crown may be considered ‘property’ within the meaning of section 20 of the Charter, the Bill may engage this right. However, in my opinion, the Bill does not effect a deprivation of property as it does not extinguish any cause of action which a person may have against the Crown, CEO VicGrid or the Administrative Office of VicGrid. Rather, liability is transferred to VicGrid.

Finally, even if the Bill could be considered to deprive a person of property, any such deprivation would be ‘in accordance with law’ and will therefore not limit the Charter right to property. In particular, the new provisions of the NEVA dealing with the transfer of property, rights and liabilities from the Crown to VicGrid, as outlined above, are drafted in clear and precise terms, and are sufficiently accessible to allows persons to regulate their own conduct in relation to them. Accordingly, the Bill to transfer the property to VicGrid does not limit this Charter right.

Acquisition of easements in gross

Right to property

As above, for the purposes of section 20 of the Charter, ‘property’ includes all real property interests recognised under the general law. An easement is a real property interest, and any acquisition of an easement will therefore interfere with the property right of persons whose interest in land is affected. Division 2 of Part 3 of the Bill amends the EI Act to recognise easements in gross acquired by an electricity corporation even though there is no land vested in the corporation. Part 4 of the Bill repeals the equivalent provision from the *Electricity Industry (Residual Provisions) Act 1993* and principally re-enacts the substance of that provision into the EI Act. This amendment is not a limitation on the property right in the Charter because it is a process under the EI Act in relation to acquisition of easements which is logical and rational. The amendments does not provide an additional new powers to acquire easements as it is already covered by section 86 of the EI Act, therefore the right in section 20 of the Charter is not limited.

New land entry powers

Division 3 of Part 3 of the Bill inserts new Division 3 into Part 5 of the EI Act, which grants land access powers to authorised officers for the purposes of facilitating access for electricity corporations to enter land and undertake functions under existing section 93(1). The Division introduces a new compliance and enforcement regime that enables authorised officers, accompanied by officers of electricity corporations to enter private land without owner or occupier consent. These powers provide a hierarchy of options that scale in the extent of their interference with rights:

- at the lower end of the scale are further statutory powers of entry (new subdivision 3, specifically new s 93BC);
- at the higher end are entry powers that can only be exercised pursuant to a court order (new subdivision 4, specifically new s 93BG).

Further statutory powers of entry

New section 93BC provides authorised officers with the power to enter any land for the purposes of exercising, or facilitating the exercise by another person, of the land entry and works powers under existing section 93(1). Section 93(1) authorises entry onto land to undertake works (e.g., make surveys, construct any

works, or place any structure or equipment). Thus, whilst the new powers do not of themselves authorise the conduct of works, they enable their use in a broader range of circumstances, if authorised under section 93(1) of the EI Act.

Powers of entry in accordance with court order

New section 93BH provides that an authorised officer may apply to the Magistrates' Court for an entry order for various grounds, including that entry to the land in accordance with sections 93 or 93BC, or the exercise of a power under section 93 in respect of that land, has previously been refused, hindered, delayed or obstructed. The Magistrates' Court may grant an entry order if satisfied on the evidence, that there are reasonable grounds for making the order (new s 93BJ(1)).

An order issued under new section 93BJ authorises the named authorised officer to use reasonable force to gain entry if it is reasonably necessary to do so, including to remove any obstruction. Under new sections 93BG and 93BM, owners and occupiers of the land subject to such an order, and every other person, are prohibited from obstructing, hindering or delaying the entry of the authorised officer and any person (who belongs to a class) specified in the order, or any authorised activities undertaken pursuant to the authorised entry. The order also empowers authorised officers to give a warning or direction if they reasonably believe that a person is hindering, obstructing or delaying their entry onto land (new s 93BP). Therefore, the Bill introduces a number of new offences to facilitate entry and the undertaking of the section 93 functions.

Powers under both entry authorities

If authorised to enter land under sections 93BC or 93BG, an authorised officer may direct any person who is on that land to state their name and address and provide evidence of their ownership or right of occupation, if the officer believes the person is committing, or has committed, a specified offence (new s 93BO). Further, if a person states a name and address in response to this direction that an authorised officer suspects on reasonable grounds to be false, the officer may direct the person to produce evidence of their name or address. Non compliance with both provisions, without reasonable excuse, is an offence. These powers engage the privacy right in section 13(a) and the right to freedom of expression in section 15(2) (by compelling a person to impart information).

Works powers

Division 1 of Part 3 includes VicGrid into the definition of an electricity corporation for the purposes of Part 5 of the EI Act. Division 4 of Part 3 of the Bill amends the EI Act to temporarily confer works powers on the CEO VicGrid or their authorised representative. The effect of these amendments are to extend to CEO VicGrid (for the interim between Royal Assent and the transfer of functions from CEO VicGrid to VicGrid), and VicGrid thereafter, existing powers of electricity corporations to enter land and undertake works under section 93(1) of the EI Act.

Right to privacy and freedom of expression

Section 13 of the Charter provides that a person has the right to not have their privacy, family, home or correspondence 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.

- 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. To the extent that the compulsive power to require an owner or occupier's name, address and proof of ownership or right to occupancy under section 93BO requires a person to provide personal information, this may interfere with the person's right to privacy in section 13(a) of the Charter. This provision also engages the right to freedom of expression in section 15(2) of the Charter, by compelling a person to impart information.
- However, in my view, any interference with these rights would not be arbitrary or unlawful. This is because establishing a person's identity is an essential pre-requisite to the proper and lawful discharge of enforcement powers and as such, the Bill serves the legitimate purpose of ensuring that authorised officers are able to enforce offences provided for under the Bill. It is common regulatory power for authorised officers exercising entry powers to require basic information establishing identity, ownership or occupancy. Further, this provision is subject to safeguards, namely the reasonable excuse exception (new s 93BO(2) and (5)). Therefore, I consider that these powers are proportionate to give effect to the legitimate purpose of the Bill so as to be compatible with sections 13(a) or 15(2) of the Charter.

Further, a person's 'home' includes a person's place of residence. Therefore, entry onto private land may, depending on the type and use of the private property, constitute an interference with the privacy of home.

As entry powers will be restricted to entry onto land rather than residential premises or buildings (new s 93BC(2)), there is generally a lesser expectation of privacy. While the nature of interference may be less severe than an entry into a person's private residence (e.g., inside their home), the conduct of any works on private land will increase the extent of the interference. For example, entry onto private land for the purpose of constructing infrastructure is likely to amount to a deprivation of an occupier's right to exercise autonomy over their property. Works may also limit an occupant's quiet enjoyment of their home owing to the temporary establishment and storage of plant, machinery, equipment, or temporary structures on their land, and to nuisances such as noise from the operation of such plant, machinery or equipment.

This being so, any interference with a property owner's privacy of home occasioned by this Bill is lawful and not arbitrary as it is authorised by legislation and subject to various statutory limitations. The power to enter land under new section 93BC is subject to a range of procedural safeguards, including obligations of authorised officers to take all reasonable steps to ensure that the entry onto the land is no more disruptive than is reasonably necessary and that they, and any person who accompanies them under section 93BC(3), does not remain on the land for longer than is reasonably necessary, having regard to the purpose of the entry (new section 93BF). Further, new section 93BC(2) prohibits entry onto land contrary to the conditions of the authorisation, or entry into residential premises or buildings.

Moreover, the new statutory powers of entry are subject to strict written notice requirements: the entity that owns or occupies the land must be provided with at least 30 business days' and 48 hours' notice of the entry in accordance with the permitted methods specified in new section 93BRA (new s 93BD), and immediately upon entering the land, the authorised officer must take all reasonable steps to ensure that the apparent owner or occupier of that land is given a copy of the notice (new s 93BLA(1)(b)-(2)).

Applications for entry orders are subject to the independent supervision and determination of the Magistrates' Court based on rules of evidence, which may make an order subject to any conditions it considers appropriate (new s 93BJ(3)), such as specifying time and duration restrictions when entry is permitted (new s 93BJ(2)(f) and 93BJ(3)).

Further safeguards also apply to entry under the authority of an entry order, such as the requirements (with limited exceptions) that the authorised officer make all reasonable efforts to serve a notice of an entry order application in accordance with section 93BH, and if granted, a copy of the order on the owner or occupier of the land, as soon as practicable after applying for an entry order (s 93BHA(1)) or the entry order is made (new s 93BK(1)), and if attempted service is unsuccessful, the authorised officer must cause a copy of the application and entry order to be affixed to, or in a conspicuous place near, an entrance to the land (new ss 93BHA(4) and 93BK(3)). New sections 93BHB and 93BHC further provide that an owner or occupier may object to an entry order application and the Magistrates' Court may extend or abridge the time within which an objection may be made. An authorised officer must also take all reasonable steps to ensure that the apparent owner or occupier of that land is given a copy of the notice immediately upon entering the land (new s 93BLA(1)(b)-(2)). If an entry order is granted, the order must not permit entry earlier than 7 days from the order date (new s 93BJ(3)(b)). The Magistrates' Court may hear and determine an application even if a person who objects does not appear at the hearing of the application, if the court is satisfied that it is in the interests of justice to do so (new s 93BJ(7)).

Immediately on entering the land under the new statutory powers or an entry order, an authorised officer must take all reasonable steps to ensure entry is announced to the owner or occupier (new s 93BLA(2)). Authorised officers are also required to carry and produce for inspection an identification card on request (new s 93BN).

Given the various safeguards outlined above, I consider that the new entry powers are appropriately tailored to reflect the source of the authority to enter land, with the most significant powers (authorising the reasonable use of force to gain entry) being reserved to circumstances where a magistrate has granted an order.

While both tiers of entry powers occasion an interference with privacy, these powers are necessary to facilitate important objectives, being the need to access land to undertake Cultural Heritage Mapping investigations and critical environmental effects assessments, for the purposes of expeditiously developing electricity infrastructure and delivering transmission projects. Delivery of these transmission projects is crucial to enable Victoria to connect generators to the grid by 2030 in accordance with national renewable energy targets. Accordingly, these amendments facilitate an electricity corporation's right to access land under section 93 of that Act, over landowners and third parties who seek to hinder or obstruct access. Accordingly, the interference with a property owner or occupier's right to privacy has a legitimate purpose.

As such, any interference with a person's privacy or home occasioned by these amendments is authorised by legislation that is precise and appropriately circumscribed and proportionate to the legitimate aims sought by those provisions, such that they are lawful and not capable of being exercised arbitrarily. Further, the obligations imposed on authorised officers entering onto private land operate to minimise any interference on the property owner's rights, thus constituting the least restrictive means reasonably available to achieve the

Bill's purpose. Although the powers involve some interference with the privacy of the residents and occupier(s) of the premises, I consider that the amendments compatible with the right to privacy in section 13 of the Charter.

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. A deprivation of property will not be limited to situations of forced transfer or extinguishment of title or ownership but will extend to any substantial restriction on a person's exclusive possession, use or enjoyment of their property. The powers to enter land for the purpose of carrying out investigations, surveys and works on private land are likely to interfere with the property rights of persons who are by this activity deprived of the exclusive possession, use and enjoyment of their land.

However, the right to property will only be limited where a person is deprived of property 'other than in accordance with the law'. For a deprivation of property to be 'in accordance with the law', the law must be publicly accessible, clear and certain, and must not operate arbitrarily. In this instance, the interference will not be arbitrary, but governed by a clear and accessible process set out in the Bill and subject to reasonable conditions. For example, the powers are subject to strict notice requirements (new ss 93BD, 93BE and 93BK). Other limits and conditions apply to entry powers such as the requirement not to remain on the land for longer than is reasonably necessary, having regard to the purpose of the entry (section 93BF(2)), thus ensuring that the interference with a person's property is the least restrictive possible whilst also enabling the necessary functions to be carried out.

Additionally, when exercising works powers under section 93(1), the CEO VicGrid or their authorised representative must do as little damage as possible and must, if required, make full compensation to the owner of, and all parties with an interest in, the land for any damage sustained by them in consequence of the exercise of the powers (amended s 93(2) EI Act). The CEO VicGrid or their authorised representative will also be subject to safety duties in relation to works on or in the immediate vicinity of rail infrastructure or rolling stock and the obligation to notify owners or occupiers of land of that land (amended ss 93A and 93B EI Act). VicGrid, as an electricity corporation, will also need to comply with these requirements.

Further, in relation to powers of entry under new section 93BC, the extensive safeguards outlined above demonstrate that any deprivation of property that occurs as a result of the new provisions inserted by the Bill is not arbitrary and will be in accordance with the law. I therefore consider that these clauses are compatible with the right to property.

Fair hearing

Section 24(1) of the Charter, explained above, is relevantly is also engaged in relation to the power of the Magistrates' Court to grant an entry order if satisfied on the evidence, that there are reasonable grounds for making the order (new s 93BJ(1)). I am satisfied that the fair hearing right is not limited. There are appropriate procedures and safeguards. Applications for entry orders are subject to the independent supervision and determination of the Magistrates' Court based on rules of evidence, which may make an order subject to any conditions it considers appropriate (new s 93BJ(3)). Owners or occupiers of the land must be notified of the application and may object to the application, which affords procedural fairness (new sections 93BHA and 93BHB). The court must be satisfied that there are reasonable grounds for making the order (new section 93BJ(1)). The Magistrate's Court decision is subject to any appeal or judicial review. Following the making of the order, there are requirements about maximum duration of the order, giving of notice and service, which affords further procedural fairness (new sections 93BJ(3), 93BJ(6) and 93BK). As such, I conclude that the fair hearing rights in section 24(1) of the Charter are not limited by the provisions referred to above.

Presumption of innocence and right against self-incrimination – 'reasonable excuse' offence provisions

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.

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.

The Bill introduces offence provisions that contain 'reverse onus' elements:

- Obscure, damage or destroy a copy of an application affixed (section 93BHA and 93BK)

- Authorised officer may direct person to identify themselves including if the officer suspects on reasonable grounds that the name or address or evidence of ownership or occupation of the land is false (section 93BO)
- Authorised activities must not be hindered, obstructed or delayed (section 93BM).

These provisions support the enforcement of entry powers in the Bill in a necessary, reasonable and proportionate way. By creating ‘reasonable excuse’ exceptions, these offences in the Bill place an evidential burden on the accused, in that it requires the accused to raise evidence as to a reasonable excuse. 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.

The provisions in the Bill support the integrity of the entry powers or orders enforcement process including notification, identification of persons who may be subject of an entry power or order for the legitimate purpose of supporting the exercise of powers and functions under section 93 of the EI Act to undertake works (e.g., make surveys, construct any works, or place any structure or equipment). To permit the obstruction, hindrance, and false information or the refusal to co-operate with lawful requests of the authorised officer enforcing a power or court order, and to allow a person to escape sanction for doing so, would fundamentally undermine the enforcement of the scheme.

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. For these reasons, I consider the Bill is compatible with section 25(1) and section 25(2)(k) of the Charter. To the extent that that any limitation is imposed on the right in section 25(2)(k), any such limitation is reasonable and justified under section 7(2) of the Charter for the reasons above.

Hon Lily D’Ambrosio
Minister for Energy and Resources

Second reading

Lily D’AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (10:09): 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 Victorian Government is committed to managing the transition of the energy sector to achieve net-zero emissions by 2045 while ensuring the reliable supply of energy to Victorian consumers. Achievement of this goal, however, requires significant investment in the transmission network to connect and transport that new generation to Victorians.

This Bill amends the *National Electricity (Victoria) Act 2005*, the *National Electricity (Victoria) Law*, the *National Electricity (Victoria) Regulations*, the *Electricity Industry Act 2000* and the *Electricity Industry (Residual Provisions) Act 1993*.

VicGrid, has been established as a State body under the *State Owned Enterprises Act 1992* and will transition to a State Business Corporation.

The Bill provides for the following:

Declared Network Functions Transferred

The transfer of functions and powers of the CEO VicGrid under the *National Electricity (Victoria) Act 2005* to the statutory body corporate, VicGrid.

The modification of the *National Electricity (Victoria) Law* and the *National Electricity (Victoria) Regulations*, as they apply as laws of Victoria, and the *National Electricity Rules* as they have the force of law in Victoria, so that the statutory body corporate VicGrid is conferred the declared network functions for Victoria under that Law, those Regulations and Rules.

To transfer certain functions of the Australian Energy Market Operator under Order in Council to the statutory body corporate VicGrid.

Access Regime

The establishment of new physical access arrangements in the State through the issue of a Renewable Energy Zone scheme authorities and grid impact authorities by the statutory body corporate VicGrid, to control access

to the declared shared network and minimise constraints on generating systems and integrated resource systems within a renewable energy zone.

Community benefits

The establishment of a framework for the funding and payment of benefits to landholders, local communities and Traditional Owners impacted by new transmission, renewable generation and battery storage infrastructure.

Other amendments

To transfer certain property, rights and liabilities from the State relating to the CEO VicGrid, the Australian Market Energy Operator and its subsidiary, Transmission Company Victoria Pty Ltd, to the statutory body corporate VicGrid.

The Bill also amends the *Electricity Industry Act 2000* and the *Electricity Industry (Residual Provisions) Act 1993* to provide for:

Enforcement of access to land

An exemption for the statutory body corporate VicGrid from the requirement to hold a licence to transmit under the *Electricity Industry Act 2000*.

Establishment of a new power for authorised officers to enter land to facilitate works by an electricity corporation, including a power to service infringement notices.

The acquisition of easements in gross by electricity corporations.

I commend the Bill to the house.

Roma BRITNELL (South-West Coast) (10:10): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 3 July.

Local Jobs First Amendment Bill 2025

Statement of compatibility

Colin BROOKS (Bundoora – Minister for Industry and Advanced Manufacturing, Minister for Creative Industries) (10:11): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Local Jobs First Amendment Bill 2025:

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 Local Jobs First Amendment Bill 2025 (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 purposes of this Bill are to:

- clarify the obligations of suppliers and agencies under the Local Jobs First scheme;
- provide additional enforcement powers for the Local Jobs First Commissioner (the Commissioner);
- introduce new civil penalties and other consequences for non-compliance with the Local Jobs First scheme;
- provide for additional Local Jobs First Policy (the Policy) objectives; and
- clarify references to the Local Jobs First Policy and associated obligations and guidelines.

The Bill does this by amending the *Local Jobs First Act 2003* (the Act).

The amendments in this Bill will primarily affect corporations, rather than persons (as defined in the Charter). However, to the extent that they may affect the rights of persons, I discuss the relevant human rights issues below.

Human rights issues

The following human rights are relevant to the Bill: privacy (s 13(a)); reputation (s 13(b)); freedom of expression (s 15); fair hearing (s 24); and property (s 20).

Site inspections by the Commissioner

Clause 11 of the Bill inserts sections 18A to 18F into the Act, which provide new and additional compliance powers for the Commissioner including in relation to investigations by the Commissioner, the provision of written reports to the Minister, site inspections and certain powers of the Commissioner during site inspections.

Section 18A permits the Commissioner to investigate any matter relating to the performance of its functions or the exercise of its powers under the Act. The Commissioner may investigate a matter under this provision on its own initiative, at the direction of the Minister or in response to a complaint (new s 18A(2)). The Commissioner may also refuse to investigate a complaint in certain circumstances and if the complaint was received in writing, it must give written notice to that person of the refusal (new ss 18A(3) and 18A(4)).

New section 18C provides the Commissioner with the power to conduct site inspections by issuing an inspection notice in writing (Inspection Notice). Inspection Notices may be issued to the person who is subject to an investigation by the Commissioner or the owner or occupier of a place or premise where a search is considered necessary. The site inspection power applies if the Commissioner believes on reasonable grounds that entry and inspection of a place or premises by the Commissioner is necessary to determine whether a person has failed or is likely to fail to comply with Local Jobs First (which includes the Act, the regulations and the Policy) or a Local Industry Development Plan and entry and inspection are necessary for the purposes of an investigation by the Commissioner.

An Inspection Notice must set out the Commissioner's intention to enter, the purpose and reason for the proposed entry and inspection, the address, time and day (which must be not less than three business days after the person receives the Inspection Notice), any information or document that the person must provide to the Commissioner during the proposed entry and inspection and any prescribed information (new s 18C(3)).

A person who receives an Inspection Notice can request an alternative time or refuse the proposed entry and inspection, this must be done in writing and they must set out the relevant grounds in each case (new s 18C(5)). The Commissioner must then determine whether the request or refusal is made on reasonable grounds (new s 18C(6)).

The recipient of an Inspection Notice must take all reasonable steps to facilitate the Commissioner's entry and inspection and to provide any information that the Inspection Notice requires to be provided to the Commissioner during the inspection (new s 18C(7)). These obligations do not apply if the person has made a request or refusal in respect of the Inspection Notice and the Commissioner has either not made a determination in relation to a request or refusal or the Commissioner has concluded it is made on reasonable grounds. A person who fails to comply with an Inspection Notice may be liable for a civil penalty order.

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 exercise of the site inspection power may interfere with the privacy of an individual in some cases, however, any such interference will be lawful and not arbitrary (s 13(a) of the Charter). The site inspection power is necessary to support the Commissioner's existing information gathering and compliance activities so it can effectively carry out its monitoring and compliance function. The new site inspection power will allow the Commissioner to obtain information that it is not readily able to obtain using the existing powers in the Act.

The site inspection power is appropriately tailored to the objective. The power must be exercised with clear notice at a reasonable time and only for the specific purposes of an investigation by the Commissioner. In most cases it will be exercised in respect of commercial places or premises as opposed to residential premises, and therefore is likely to involve a lesser impact on privacy. The Bill provides a mechanism for the person to request an alternative time or refuse the entry or inspection on reasonable grounds. The Policy only relates to persons voluntarily involved in government contracts and high value construction projects, is reasonably confined and serves a proper purpose. Accordingly, I consider that these provisions are compatible with the right to privacy under the Charter because any limitation on privacy is not arbitrary, in that it is reasonable and justified in the circumstances.

Powers of the Commissioner during a site inspection

Clause 11 of the Bill adds section 18D which provides a range of powers that the Commissioner may exercise during a site inspection for the purposes of the investigation in which the relevant Inspection Notice was issued. These powers include examining or inspecting documents, taking photographs or making audio or visual recordings, making copies of or taking extracts from documents, requesting the assistance of any

person, requesting a person at the place or premises answer questions or produce a document located at the premises that is in their possession or control (new s 18D).

Right to privacy and freedom of expression

These powers engage the right to privacy in s 13(a) of the Charter, which protects against unlawful and arbitrary interferences with a person's privacy, family, home or correspondence. Section 15 of the Charter also protects a person's right to freedom of expression, which has been interpreted to include a right not to impart information. This right may be subject to lawful restrictions reasonably necessary for the protection of public order (s 15(3) of the Charter).

While these powers may involve some interference with a person's right to privacy and expression, they are necessary to ensure that the Commissioner can investigate failures to comply with Local Jobs First or a Local Industry Development Plan or to investigate complaints regarding the same. The powers are limited to being used during a site inspection at the specified place or premises that is the subject of that site inspection. The places or premises subject to site inspections will generally be places of business and therefore areas where there is a limited expectation of privacy. Furthermore, individuals and businesses that will be issued Inspection Notices will be limited to those connected with projects to which the Act and Policy apply. Where such individuals and businesses are not suppliers that have directly entered into contracts with an agency, they will be subcontractors that have entered into contracts with suppliers to support the delivery of projects to which the Act and Policy apply. Accordingly, I consider that the interference is neither unlawful nor arbitrary and is therefore compatible with the right to privacy in section 13 of the Charter. I also consider it compatible with the right to freedom of expression because the limitation of this right is lawful and reasonably necessary for the protection of public order.

Civil penalties

The existing Act provides the Commissioner with powers to issue a notice of non-compliance (Compliance Notice) and in certain circumstances determine that a person has failed to comply with an information notice, the Policy or a Local Industry Development Plan.

Clause 12 of the Bill inserts the failure to comply with an Inspection Notice as an additional basis for the Commissioner to issue a Compliance Notice under s 26 of the Act. Failure to comply with an Inspection Notice includes but is not limited to failing to take all reasonable steps to facilitate the Commissioner's entry and inspection of a place or premises in accordance with the Inspection Notice or to provide information or a document to the Commissioner in accordance with the Inspection Notice (new s 26(1)(ab)).

A determination of non-compliance by the Commissioner attracts various potential consequences.

Section 28 of the Act is amended by cl 13 of the Bill to allow the Commissioner to seek a civil penalty in circumstances where it has determined that a person has failed to comply with an information notice or an Inspection Notice (Compliance Determination). Alternatively in these instances, the Commissioner may recommend that the Minister issue an Adverse Publicity Notice (new s 28(3A)). Before determining to make a recommendation to the Minister that the Minister issue an Adverse Publicity Notice or an application for a civil penalty, the Commissioner must consider whether compliance with Local Jobs First would be better promoted or encouraged by the issue of an Adverse Publicity Notice or the making of a civil penalty order (new s 28(3B)). Clause 18 of the Bill adds section 30A which creates a civil action for failure to comply with a civil penalty requirement which is where the Commissioner has made a Compliance Determination that a person has failed to comply with an information notice or an Inspection Notice. If the Commissioner recommends that the Minister issue an Adverse Publicity Notice, then the person does not contravene a civil penalty provision, and therefore, the Commissioner cannot issue civil penalty proceedings against that person (new s 30A(2)). Clause 18 also adds section 30B which provides that the Commissioner may apply to a court for a civil penalty order in relation to a person's contravention of a civil penalty requirement.

Criminal process rights

Civil penalties may engage the criminal process rights under the Charter where the penalty is of such a magnitude that a court may consider that it involves truly penal consequences. In my view, the civil penalties in this instance, for a failure to comply with an information notice or an Inspection Notice, would not be considered as being in effect criminal penalties. Further, punishment is not a relevant consideration for the Commissioner in determining whether to seek a civil penalty or recommend an Adverse Publicity Notice.

The civil penalty provisions apply to persons involved in projects covered by the Policy under the Act, including Local Jobs First applicable projects in rural and regional areas with a budget of \$1 million or more, or Local Jobs First applicable projects with a budget of \$3 million or more located partially or wholly outside of rural and regional Victoria; they will have limited application to general public life and will apply primarily to corporations, rather than individuals. A civil penalty order will be enforceable as a judgment debt, a person

will not be liable to be imprisoned for a failure to discharge the debt. Accordingly, I do not consider that the criminal process rights under the Charter are engaged by the civil penalty provisions.

Adverse Publicity Notice

The Bill extends the existing Adverse Publicity Notice regime to instances where a person has failed to comply with an Inspection Notice.

An Adverse Publicity Notice may give rise to the identification of individuals and thereby impact negatively upon the reputation of those individuals. However, for similar reasons as set out in previous Statements of Compatibility in relation to previous amendments to the Act, I consider that any interference with the right to privacy and reputation resulting from these provisions will be neither unlawful nor arbitrary. This is because the adverse publicity notice scheme is clearly set out and only enlivened in specific circumstances relating to non-compliance. An affected person is afforded procedural fairness to respond to a recommendation that an Adverse Publicity Notice be issued. In my view, it remains appropriate that the scheme provides a power to name persons and detail their failure to comply with inspection powers, as it serves the purposes of promoting accountability and transparency of a person's non-compliance with requirements that reflect important public policy.

Deprioritisation regime

Clause 19 of the Bill adds Part 2A of the Act which provides a regime to enable the deprioritisation of a person who has previously failed to comply with their commitments in their Local Industry Development Plan in relation to future government tenders. The deprioritisation regime is intended to ensure that appropriate consideration is given to a potential supplier's past performance on applicable projects in the weighting of a supplier's commitments to Local Jobs First on future applicable projects. New section 11H provides that the Minister may issue guidelines relating to the deprioritisation of suppliers, including in relation to the processes or procedures required, the matters to be considered in making a decision under Part 2A and the weight to be given to those factors. Under Part 2A the Commissioner may issue a deprioritisation notice in relation to a supplier if the supplier does not submit a completion report within 90 days after practical completion of the project or if a supplier fails to comply with any commitment made by the supplier that is specified in the Local Industry Development Plan for the project (new s 11C).

New section 11C includes the matters that the Commissioner must take into account in issuing a deprioritisation notice and the requirements of such a notice. Part 2A also outlines the process of the deprioritisation regime including the requirement for the Commissioner to provide a notice of intention and the process by which the supplier may seek review of the decision to issue the deprioritisation notice. If a deprioritisation notice is confirmed on review, or the supplier does not apply for review within the prescribed period, then the Commissioner must make a deprioritisation determination.

New section 11G provides that the Commissioner is to maintain a register of suppliers in respect of whom deprioritisation determinations are made and any prescribed information, which the Commissioner may disclose to prescribed persons.

Fair Hearing

Section 24(1) of the Charter relevantly provides that 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 decision makers 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. While recognising the broad scope of s 24(1), the term 'proceeding' and 'party' suggest that s 24(1) was intended to apply only to decision-makers who conduct proceedings with parties. The deprioritisation regime does not involve applications to a court.

The right may also be limited 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. If a broad reading of s 24(1) is adopted and it is understood that the fair hearing right is engaged by this Bill more broadly, this right would nevertheless not be limited. In the context where merits review is not provided, an administrative decision-making procedure may still be compatible with fair hearing if the procedure is consistent with affording natural justice, and judicial review is available to ensure the decision was lawfully made.

To the degree that being issued with a deprioritisation notice affects a legal right or interest so as to engage the right to fair hearing, I am satisfied that the right is not limited because the process outlined in the Bill affords procedural fairness to the person the subject of a deprioritisation notice before they are subject to a deprioritisation determination, including an opportunity to seek internal review.

Deprioritisation notices may only be issued by the Commissioner in specified circumstances. The Commissioner may issue a notice of intention to issue a deprioritisation notice in writing to the supplier before issuing the proposed notice in circumstances where the supplier does not submit a completion report within 90 days after practical completion of the project. A supplier who receives a deprioritisation notice may seek internal review. It is only if the Commissioner confirms a notice or the supplier does not seek review of the deprioritisation notice that the Commissioner must make a deprioritisation determination. The regime provides a reasonable opportunity for the supplier to be heard prior to the Commissioner making any deprioritisation determination. Further, these decisions of the Commissioner will be subject to judicial review. Consequently, the fair hearing rights in section 24(1) of the Charter are not limited by the deprioritisation regime.

Right to privacy and reputation

The deprioritisation regime may engage the right to privacy under s 13(a) of the Charter by authorising the inclusion of the details of certain suppliers on a deprioritisation register if a deprioritisation determination has been made in respect of that supplier. The Bill provides that the information on the deprioritisation register may be disclosed by the Commissioner to any prescribed persons in accordance with the regulations. It is likely that suppliers impacted by this regime will be corporations rather than individuals, and so it is not anticipated that personal information will frequently be included on the register. It is also not intended that the information on the deprioritisation register will be publicly available. The purpose of the register is to deprioritise a supplier who has previously failed to comply with commitments in the Local Industry Development Plan in relation to future government tenders. It is not intended to have any wider application and will only apply to persons involved in government contracts on projects subject to the Act, who have voluntarily chosen to tender for and enter into contracts to which these obligations and consequences apply. To the limited extent that the register impacts the privacy of individuals, the limitation on privacy is not arbitrary, is reasonable and justified in the circumstances.

The regime may also limit the right to reputation under s 13(b) of the Charter. Section 13(b) of the Charter relevantly provides that a person has the right not to have their reputation unlawfully attacked. An 'attack' on reputation will be lawful if it is permitted by a precise and appropriately circumscribed law. As previously outlined, the deprioritisation regime will be prescribed in the Act, is precise, targeted and confined to the specific circumstances of the Act and the Policy. It only impacts persons who have entered into contracts to which these obligations apply. Further, the provisions will primarily apply to corporations, rather than individuals. Any interference with the right to reputation will be neither unlawful nor arbitrary.

State Liability

The Bill adds section 11I which provides that the State and the Commissioner are not liable in any way for any loss, damage or injury resulting directly, indirectly from or arising out of the Bill or the confirmation of a deprioritisation notice or the making of a deprioritisation determination.

It is intended that the immunity in s 11I(a) will extend to any actions carried out under the new provisions added to the Act by this Bill. The scope of the immunity is limited in that it only applies to actions carried out by the Commissioner under these new sections. The Commissioner, as a creature of statute, exercises confined powers described by the Act.

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.

Insofar as a cause of action may be considered 'property' within the meaning of section 20 of the Charter, section 11I in clause 19 may engage the right. However, even if these immunity provisions could be considered to deprive a person of property, any such deprivation will be 'in accordance with law' and will therefore not limit the Charter right to property. Any deprivation of a cause of action is reasonably necessary to achieve the important objective of ensuring that the Commissioner can effectively perform their functions without assuming legal or financial risk, in particular, the Commissioner's functions to confirm or make a deprioritisation notice, which may affect a person's commercial interests in relation to their capacity to be awarded future Government tenders or contracts (new s 11I(b)). It serves the objectives of the Act and the Policy by ensuring that suppliers who do not comply with the requirements of the Act or Local Industry Development Plans can be deprioritised from future government tenders without repercussions against the State. As such, there are no less restrictive means of achieving the Bill's objectives of providing additional enforcement powers to the Commissioner.

The immunity in s 11I(a) also supports the objectives of the Act and prevents a potential perverse outcome which would arise where suppliers who have not complied with the requirements of the Act, or the commitments made in their Local Industry Development Plan, could pursue the Commissioner for consequences arising from action taken by the Commissioner in response to the non-compliance. The Bill strengthens the powers and functions of the Commissioner in relation to compliance and enforcement which supports the objectives of the Local Jobs First scheme. The immunity in s 11I(a) is reasonably necessary to achieve the objectives of ensuring that the Commissioner can effectively perform their functions and exercise their powers without assuming legal or financial risk in the event that a supplier's commercial interests are adversely impacted by any compliance or enforcement action taken by the Commissioner in relation to that supplier.

Accordingly, the relevant State liability provision is, in my view, appropriately granted.

Hon. Colin Brooks, MP
Minister for Industry and Advanced Manufacturing

Second reading

Colin BROOKS (Bundoora – Minister for Industry and Advanced Manufacturing, Minister for Creative Industries) (10:11): 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 Local Jobs First Act (the Act) is Australia's longest-standing industry participation legislation and has been supporting Victorian businesses and workers for over 20 years. Since 2014, Local Jobs First has been applied to 3,185 projects worth over \$197 billion in government investment, ensuring that Victorian businesses, workers, apprentices, trainees and cadets benefit from Victorian Government procurement. Additionally, Local Jobs First local content requirements have been set on 382 Strategic Projects, supporting more than 60,000 jobs, and enabling local companies to compete for both large and small government contracts on Victoria's largest projects.

Since its introduction in 2016 the Major Projects Skills Guarantee has been applied to 480 projects worth over \$176 billion and supported 19,179 apprentices, trainees and cadets secure employment on Victoria's largest construction projects.

It has been 7 years since the Act was last amended, establishing the role of the Local Jobs First Commissioner (the Commissioner) and bringing the Major Projects Skills Guarantee under the legislation.

Today I am introducing a Bill to deliver on our commitment to strengthen the Act to ensure it continues to maximise opportunities for local jobs and businesses, supporting a stronger workforce, local industry and the Victorian economy.

In summary the Bill will:

- clarify and strengthen mechanisms that support compliance with, and enforcement of, Local Industry Development Plan commitments
- provide the Local Jobs First Commissioner with additional investigation and reporting powers, including a power to conduct site inspections with notice
- introduce stronger consequences for non-compliance with Local Industry Development Plans and the Act, including a deprioritisation scheme, civil penalties for non-compliance with the Commissioner's information gathering powers including the new site inspection power, and contingent payment mechanisms for agencies to include in appropriate contracts
- clarify and strengthen existing policies and procedures under the Act and incorporate additional Local Jobs First objectives, and
- explicitly allow the Minister responsible for the Act to set requirements to use a specified amount of locally produced uniform and personal protective equipment on Strategic Projects.

This Bill acquits the government's 2022 election commitment and ensures that Local Jobs First is fit-for-purpose and meets contemporary expectations.

Enforcement of Local Industry Development Plan commitments

To strengthen compliance with commitments to local content and jobs, the Bill clarifies that suppliers must meet the commitments made in their Local Industry Development Plans, not just the requirements set by the

Minister or the Act. The Bill also clarifies that suppliers must comply with those commitments in an aggregate sense, rather than the individual line items stated in the Local Industry Development Plans.

This change will elevate the importance of commitments made by suppliers in their Local Industry Development Plans in relation to local content, job outcomes, any requirements specified by the Minister under the Act, and the Major Projects Skills Guarantee, if applicable.

The amendments will provide greater clarity in relation to supplier obligations and support the strengthened compliance and enforcement measures introduced by the Bill.

Expanded Commissioner powers and functions

The Commissioner was established in 2018 and is responsible for advocating for the Local Jobs First Policy and facilitating greater involvement from local businesses, workers, apprentices, trainees, and cadets. The Commissioner is also responsible for overseeing systemic and project-level compliance with the Local Jobs First Policy by both agencies and suppliers.

Since the establishment of the Commissioner, the Victorian economy and government spending on projects has changed, both in the number of major infrastructure projects under delivery, and the availability and participation of local businesses and workers in the supply chains for major projects.

This Bill introduces new powers and functions for the Commissioner, including additional investigation and reporting powers, a new power to conduct site inspections with notice, and an explicit role to provide advice and support to contracting parties in the resolution of non-compliance issues.

These changes expand on the Commissioner's critical role in advocating on behalf of local businesses, workers, apprentices, trainees and cadets on government procurement matters and ensuring that suppliers uphold their local content and job commitments.

Investigations and reporting functions

The government committed to formalising the Commissioner's role to conduct investigations and produce reports on compliance.

The Bill gives the Commissioner an explicit function to conduct investigations and the ability to receive and investigate complaints.

Currently the only specific Commissioner reporting mechanism in the Act is section 31, which requires the Commissioner to submit an annual report to the Minister responsible about the performance of functions and exercise of powers by the Commissioner during the financial year.

The Bill strengthens and clarifies the Commissioner's reporting functions by creating a function for the Commissioner to report to the Minister at any time on any matter in relation to the Act, the regulations, the Local Jobs First Policy, Local Industry Development Plans, including the Commissioner's functions or powers. This will greatly improve the effectiveness of the Commissioner's investigatory role and the ability of the Commissioner to highlight compliance concerns to the Minister.

Further, the Bill provides the Commissioner with a power to make non-binding recommendations to agencies on how to address specific or systemic compliance issues, supporting a more graduated approach to resolving issues in relation to non-compliance.

These new functions complement the Commissioner's existing compliance functions and will strengthen the process for identifying potential compliance breaches.

Function to facilitate resolution of non-compliance issues

The Bill introduces a function for the Commissioner to provide advice and support to contracting parties, if both parties consent, in relation to potential and actual non-compliance with the Act, regulations, Local Jobs First Policy or a Local Industry Development Plan.

This facilitation function will clarify the Commissioner's role in providing expert advice to contracting parties and support the resolution of issues more quickly, preventatively address non-compliance, and potentially limit the need for agencies and suppliers to invoke costly dispute resolution clauses in their contracts.

Site inspection powers

The government publicly committed to introducing the ability for the Commissioner to conduct site inspections to support its role in investigating Local Jobs First compliance.

The Bill introduces a new power for the Commissioner to conduct site inspections, with notice, if the Commissioner considers it reasonably necessary to investigate an actual or potential failure to comply with the Act, the regulations, the Local Jobs First Policy, or a Local Industry Development Plan.

This power will support the Commissioner to obtain information or evidence that cannot be readily obtained through their existing information-gathering powers, such as conducting a visual inspection of materials, equipment and structures, as well as obtaining information from the supplier on site.

This site inspection power, in conjunction with the Commissioner's expanded investigatory and reporting functions, ensures that the Commissioner is equipped to identify compliance concerns during project delivery, assist with the rectification of any issues and better informs any potential enforcement actions.

Consequences for non-compliance

The government committed to introducing new penalties for the Commissioner to use where non-compliance will lead to suppliers being de-prioritised for future government tenders or financial penalties for non-compliance.

The Bill includes significant reforms designed to disincentivise Local Jobs First non-compliance and ensures that suppliers are held to account to deliver on their local content and job commitments, ensuring the best outcomes for local workers and businesses.

Deprioritisation scheme

The Bill establishes a deprioritisation scheme based on the Commissioner's determination of supplier non-compliance with the fulfilment of aggregate Local Industry Development Plan commitments after a project reaches practical completion.

The scheme will commence on 1 July 2026 and will only apply to new Local Jobs First projects where the solicitation documents or agreements are released after that date.

The process has been designed to ensure procedural fairness for suppliers and that they are not unduly penalised for factors outside of their control.

When a project reaches practical completion, the Commissioner may issue a deprioritisation notice to a supplier if the supplier does not submit a completion report within 90 days of practical completion, or the completion report indicates that the supplier did not achieve one or more of its aggregate Local Industry Development Plan commitments.

Suppliers will have the option to seek a review of a deprioritisation notice, outlining reasons or mitigating factors to explain why they were not able to submit the completion report or fulfil their aggregate Local Industry Development Plan commitments.

The Commissioner will consider this explanation, and if the deprioritisation notice is confirmed, a deprioritisation determination will be provided to the supplier in writing. This determination will result in the supplier being placed on a register established and maintained by the Commissioner. If a supplier is subject to a deprioritisation determination, it will impact the 20% Local Jobs First weighting applied in the evaluation of any future tenders by that supplier for Local Jobs First-applicable projects.

The administrative and operational processes to support the deprioritisation scheme, including how a supplier's tender will be evaluated if they are subject to a deprioritisation determination, will be prescribed by regulations.

The scheme will disincentivise non-compliance with Local Jobs First requirements by strengthening the Local Jobs First compliance framework and establishing a mechanism to ensure that a supplier's poor past performance on Local Jobs First-applicable projects is taken into account on future tenders.

Civil penalty scheme

The Commissioner currently has limited ability to penalise suppliers for non-compliance with the Commissioner's information gathering powers.

The Bill introduces a civil penalty regime to enable the Commissioner to apply to a court for a civil penalty order in relation to a supplier's non-compliance with an information notice issued under section 24 of the Act or a site inspection notice.

This amendment will incentivise supplier compliance with information requests and the facilitation of site inspections by the Commissioner.

Contingent payments

The government committed to introducing a requirement that suppliers 'fulfil local content commitments before receiving the final payment of the contract'.

The Bill introduces a requirement for agencies to include a contingent payment mechanism in Local Jobs First contracts linked to the fulfilment of Local Jobs First deliverables, unless it is not practicable or appropriate to do so. This requirement will preserve agencies' flexibility to manage the drafting of payment

mechanisms linked to Local Jobs First deliverables in the project contract, while retaining the discretion to determine where the contingent payment mechanism is appropriate.

This will strengthen the compliance measures available to agencies to ensure Local Jobs First deliverables and supplier non-compliance can be appropriately managed.

Miscellaneous amendments

The Bill includes amendments designed to address stakeholder feedback, improve and optimise the overall operation of the Act, and ensure it is fit for purpose moving forward.

The Bill promotes consistency with other Victorian procurement policies, with ‘value for money’ being defined under the Act. It also introduces non-contestability and emergency procurement exemptions to the application of Local Jobs First to reduce the administrative burden on agencies and suppliers.

The Bill clarifies and strengthens agencies’ obligations in relation to Local Jobs First monitoring and reporting. Additionally, the Bill strengthens agency obligations under the Act by assigning administrative responsibility for the performance of an agency’s functions, duties and obligations to the relevant ‘accountable officer’ of the agency.

The Bill introduces an explicit requirement for suppliers to follow the significant diversion process set out in either the regulations or the Local Jobs First Policy.

This will ensure suppliers investigate local alternatives before considering the need to access an international supplier when significant changes to the local sourcing of goods, materials or labour are proposed.

Additional Local Jobs First objectives have been included in the Bill to promote stronger alignment with our economic development goals. This will mean that, in developing the Local Jobs First Policy under section 5 of the Act, the government must have regard to:

- providing equitable opportunity for the participation of Aboriginal businesses on Local Jobs First projects to reflect government’s commitment to working alongside First Peoples to deliver reforms that respect, recognise and empower their participation in, and contribution to, Victoria’s economy.
- encouraging the participation of small and medium-sized enterprises based in regional areas in Local Jobs First projects.
- encouraging the use of local content at each stage of Local Jobs First projects.
- promoting the use of Australian Standards on Local Jobs First projects.
- ensuring that the processes and mechanisms for tenders and procurements are structured and designed to provide fair and reasonable opportunities for local industry participation.

Importantly and to acquit the government’s commitment to support jobs and businesses in the local Textile, Clothing and Footwear industry, the Bill introduces an explicit provision allowing the Minister to set requirements to use a specified amount of locally manufactured uniforms and PPE on Strategic Projects.

The Bill includes specific transitional provisions in relation to the deprioritisation scheme to ensure that this scheme will not apply to existing Local Jobs First applicable projects that are already underway. In relation to other reforms, the Bill includes a power to make regulations dealing with transitional arrangements to clarify the application of amendments in the Bill to Local Jobs First applicable projects which will be at different stages of development when provisions of the Bill commence.

Conclusion

Local Jobs First plays a significant role in supporting Victorian businesses and workers by leveraging government spending to provide opportunities for local businesses to create jobs and grow our economy.

From construction to manufacturing to professional services, Local Jobs First ensures that our investments benefit Victorian businesses and workers.

This Bill builds on the strong foundations established in Victoria over 20 years ago and ensures that Local Jobs First continues to be Australia’s flagship industry participation policy.

I commend the Bill to the house.

Roma BRITNELL (South-West Coast) (10:11): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 3 July.

Domestic Building Contracts Amendment Bill 2025

Statement of compatibility

Nick STAIKOS (Bentleigh – Minister for Consumer Affairs, Minister for Local Government) (10:13): In accordance with the Charter of Human Rights and Responsibilities Act 2006, I table a statement of compatibility in relation to the Domestic Building Contracts Amendment Bill 2025:

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 Domestic Building Contracts Amendment Bill 2025 (the Bill).

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

Overview

The purpose of the Bill is to amend the *Domestic Building Contracts Act 1995* (Domestic Building Contracts Act), the *Building Act 1993* (Building Act) the *Australian Consumer Law and Fair Trading Act 2012* (ACLFTA) and the *Building Legislation Amendment (Buyer Protections) Act 2025* to improve consumer protections in relation to domestic building contracts and transfer certain functions of the Director of Consumer Affairs Victoria (Director CAV) to the Victorian Building Authority (VBA) as well as resolve minor technical, regulatory and consequential matters as appropriate.

In particular, the Bill will amend the Domestic Building Contracts Act to implement the following reforms:

- extend current contract content requirements to apply to all domestic building contracts;
- improve the rights of building owners to withdraw from or end a major domestic building contract,
- exempting certain rights and requirements in the Act from applying to domestic building contracts between developers and builders,
- implement a consistent variation process across all major domestic building contracts,
- prescribe deposit limits, progress payment stages and progress payment limits to be prescribed in regulations, with any payments for work completed subject to a general proportionality requirement for all MDBC and any exemptions,
- allow cost escalation clauses in domestic building contracts with additional consumer protections,
- modernise the statutory warranties in the Act so they are consistent in expression with the consumer guarantees under the Australian Consumer Law,
- ensure that dispute resolution orders are easier to issue and more effective in the resolution of disputes,
- the transfer of functions of the Director CAV under the Domestic Building Contracts Act to the VBA, which enable the VBA to carry out education, provide information and advice, undertake compliance and enforcement functions and exercise powers in relation to the operation or potential contravention of the Act and regulations, and
- other minor miscellaneous matters.

Human Rights Issues

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

- Recognition and equality before the law (section 8)
- Freedom from forced work (section 11)
- Privacy (section 13)
- Freedom of expression (section 15)
- Cultural rights (section 19)
- Property rights (section 20)
- Fair hearing (section 24)
- Rights in criminal proceedings (section 25)

Recognition and equality before the law (section 8)

Section 8 of the Charter provides that every person has the right to enjoy their human rights without discrimination, is equal before the law, is entitled to the equal protection of the law without discrimination and has the right to equal and effective protection against discrimination.

The term 'discrimination' referred to in section 8(3) of the Charter is defined as: discrimination (within the meaning of the *Equal Opportunity Act 2010*) on the basis of an attribute set out in section 6 of that Act.

Removal of gendered language

The Bill promotes the right to recognition and equality before the law by amending the Domestic Building Contracts Act to replace gendered terms within that Act with references to responsible office holders. The amendments have been made in accordance with contemporary drafting practices and promote the right to recognition and equality before the law under the Charter by ensuring that the language of the statute does not discriminate against a person's gender identity, a protected attribute set out in section 6 of the *Equal Opportunity Act 2010*.

Contracts are written in English and readily legible

Clause 9 of the Bill inserts new section 7A(b) into the Domestic Building Contracts Act which creates an offence for a builder to enter into a domestic building contract unless the contract is written in English and readily legible. Clause 17 of the Bill substitutes section 37 of the Domestic Building Contracts Act to also require that agreed variations to plans or specifications set out in a major domestic building contract are written in English and readily legible. The purpose of these clauses is to provide greater consumer protection by creating a clearer and more accessible record of contractual agreements for domestic building work made between parties.

The introduction of these clauses may engage the right to equality before the law due to the requirement that a domestic building contract and any variation to plans or specifications set out in a major domestic building contract must be written in English and be readily legible. The requirement for a contract to be written in English does not remove the ability for a translation of a contract to be prepared to ensure accessibility for the parties involved in the contract. To the extent that the Bill may limit the right to recognition and equality before the law, the limitation is reasonable and justifiable. The Bill ensures that parties to a domestic building contract are afforded greater consumer protections by promoting greater understanding for parties of the contracts entered as well as improving accessibility and readability of contracts. The legal system of Australia has its roots in English origins that underpins the interpretation of contracts in the courts. Requiring contracts to be written in English and readily legible ensures that the terms of the contract are clearly identifiable and that contractual disputes can be resolved understanding the full intended context and meaning of the contract.

Builder's enforcement of contractual rights and entitlements

Clause 15(3) of the Bill may limit the right to equality before the law by substituting section 31(2) of the Domestic Building Contracts Act to provide that where a major domestic building contract has not been signed by the parties, the builder has no contractual rights or entitlements under the contract, while the contractual rights and entitlements of the building owner may be enforced by the building owner. The builder may recover money from a building owner where the Victorian Civil and Administrative Tribunal (VCAT) is satisfied that there are exceptional circumstances and that it would not be unfair for the builder to obtain the money. The purpose of this clause is to ensure that consumers who make a verbal or unsigned agreement for domestic building work that exceeds the major domestic building contract threshold are not placed in an unjust position due to that agreement. This includes ensuring that consumers have access to statutory warranties regardless of how the contract is entered into.

To the extent that the Bill may limit the right to equality before the law by restricting a builder from accessing their contractual rights or entitlements under a major domestic building contract that is not signed by the parties, I am of the view that the clause is precise and appropriately prescribed, is not arbitrary and is in accordance with the law. A builder will otherwise have the right to access their rights and entitlements under a contract where it is clear from signature that both parties have agreed to the terms of the contract. The clause promotes consumer protections by protecting potentially vulnerable building owners from non-performance of an agreed major domestic building contract. The clause encourages agreements for domestic building work that exceeds the major domestic building contract threshold to be transparent and clear to the parties involved by discouraging verbal or unsigned written major domestic building contracts.

Accordingly, I consider that these clauses under the Bill are compatible with the right to recognition and equality before the law under section 8 of the Charter.

Freedom from forced work (section 11)

Section 11 of the Charter provides that a person must not be made to perform forced work or compulsory labour. 'Forced or compulsory labour' relevantly does not include work or service that forms part of normal civil obligations. While the Charter does not define 'normal civil obligations', comparative case law has considered that to qualify as a normal civil obligation, the work or service required must be provided for by law, must be imposed for a legitimate purpose, must not be exceptional and must not have any punitive purpose or effect (*Faure v Australia* (Human Rights Committee Communication No 1036/2001)). This has extended to obligations to undertake work in order to maintain compliance with regulatory standards.

Injunction or order requiring the carrying out of work

Clause 52 of the Bill may engage the right to freedom from forced work by inserting section 68ZE into the Domestic Building Contracts Act that allows the court to, upon application and where the statutory tests are satisfied, grant an injunction that requires a person to carry out building work, plumbing work or other work. Clause 52 of the Bill may engage the right to freedom from forced work by inserting section 68ZB(4) into the Domestic Building Contracts Act empowering a court to, where a person has not complied with a term of an undertaking, make an order directing a person to carry out building work, protection work (work required to protect an adjoining property from potential damage) or plumbing work in relation to the term of the undertaking.

Clause 38(3) of the Bill may engage the right to freedom from forced work by inserting section 49C(1)(bb) into the Domestic Building Contracts Act to provide that a dispute resolution order may require a builder to refund a building owner where there have been significant delays to the commencement or completion of domestic building work under the contract.

I am of the view that work required under an order or injunction to complete or rectify works would form part of a normal civil obligation, and as such, would not constitute a limit on this right. An order requiring the carrying out of works is provided for in accordance with the law as introduced in this Bill and is confined in its impact, including that a builder or developer can only be compelled to complete building work as opposed to being required to commence an entirely new building project. The Bill protects builders by requiring that the court may only issue an injunction where the court is satisfied that the person has engaged or is proposing to engage in conduct including the contravention of a provision of the Act or regulations. These provisions together work to ensure that the court order scheme will not operate arbitrarily.

Further, an order is imposed for the legitimate non-punitive purpose of ensuring that builders and developers deliver buildings of an appropriate standard, ultimately protecting both the health and safety of any persons who enter the building, as well as guarding against any financial loss which may be incurred by purchasers of a defective building.

Accordingly, I consider that these clauses under the Bill are compatible with the right to freedom from forced work under section 11 of the Charter.

Privacy (section 13)

Section 13 of the Charter provides that a person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with and the right not to have their reputation unlawfully attacked.

Providing of name and address

Clause 7 of the Bill engages the right to privacy by inserting new section 31(3)(c) into the Domestic Building Contracts Act that restricts a builder from entering into a domestic building contract with a developer unless, where a registered building practitioner has entered into the contract on behalf of a partnership, the contract states the names and addresses of each member of the partnership as well as the registration numbers of registered building practitioners in the partnership. Further, Clause 9 of the Bill engages the right to privacy by inserting new section 7A into the Domestic Building Contracts Act that restricts a builder from entering a domestic building contract unless the names and addresses of all parties are included in the contract. Currently, section 31(1)(e) of the Domestic Building Contracts Act requires a major domestic building contract to include each party's name and address. The Bill extends this requirement to all domestic building contracts covered by the Act.

Clause 52 of the Bill engages the right to privacy by inserting section 68ZD into the Domestic Building Contracts Act, which requires the register of undertakings maintained by the VBA to include names and addresses of the persons who gave the undertaking. This mirrors existing powers under the ACLFTA requiring the Director to maintain a register of undertakings given relating to contraventions under the Domestic Building Contracts Act and is part of the integration of the VBA's functions.

To the extent that the right to privacy is engaged, I consider that each clause in relation to providing a person's name and address is precise and appropriately prescribed, is not arbitrary and is permitted by law through the Bill. Although clauses 7, 9 and 52 of the Bill regulate the sharing or storing of personal information, the clauses require names and addresses to provide greater consumer protections for all domestic building contracts. Clauses 7 and 9 of the Bill ensure that parties to an agreed domestic building contract are clearly documented, while clause 52 ensures that the VBA can continue to appropriately monitor the use of and compliance with notices of undertakings. Further, the requirement to provide names and addresses do not require public disclosure and therefore the clauses of the Bill are not arbitrary in their application.

Powers of entry

Clause 52 of the Bill engages the right to privacy by inserting new section 68F of the Domestic Building Contracts Act to provide an authorised person with the power of entry for the purposes of determining whether the Act or regulations are being complied with. An authorised person who exercises their powers of entry may undertake an inspection of the building or land, take photographs or sketches and require a person to provide documents relating to work to the extent reasonably necessary to determine compliance with the Act or regulations. An authorised person may make copies or take extracts of documents provided. The powers of entry also include powers for the authorised person to seize or take a sample of a thing.

Clause 52 of the Bill engages the right to privacy by inserting new 68K of the Domestic Building Contracts Act which allow an authorised person who has been issued with a search warrant under section 68J(2) of the Act to enter a particular building or land and enact powers including inspection and seizure of property. A magistrate may issue a search warrant where the magistrate is satisfied on reasonable grounds that the building or land contains or will contain in the next 72 hours evidence of a contravention of the Act or regulations or that digital or electronic evidence of a contravention of the Act or regulation is accessible from that building or land.

To the extent that the right to privacy is engaged, I consider that each clause in relation to the power of entry is precise and appropriately prescribed, is not arbitrary and is permitted by law through the Bill. The powers of entry under the new Division 3 of Part 5A of the Bill are targeted to ensuring compliance with the Act and regulations and are appropriately circumscribed. The Bill provides appropriate safeguards to the exercise of the entry powers through the requirement for an authorised person to notify a person of an intended use of entry and search powers for monitoring purposes and obtain permission of the building or landowner on a residential property for entry at an agreed time, unless an exemption applies. The Bill also requires a search warrant to be issued by a magistrate to enter a building or land where an authorised person suspects on reasonable grounds that evidence of a contravention of the Act or regulations may be at the building or land. I consider these powers to be proportionate to the legitimate aim of ensuring that requirements for domestic building under the Act are being complied with.

Power to request information

Clause 32 of the Bill engages the right to privacy by amending section 48F(1) of the Domestic Building Contracts Act to expand the powers of an assessor to require production of documents or information as is reasonably necessary upon entry to a building site to include for the purpose of making a determination of whether damage was caused in the carrying out of the work or by the work of the builder. The purpose of the clause is to provide an assessor with adequate access to information to determine whether damage to a building site was caused in carrying out of work, or by the work, of the builder engaged in the domestic building contract.

Clause 52 of the Bill engages the right to privacy by inserting section 68B into the Domestic Building Contracts Act which provides the power for an authorised officer to notify a person in writing that they require information or documents where the authorised person has reasonable grounds to suspect that an offence has been committed under the Acts or regulations. The authorised person can also require a person to provide information or documents as part of the authorised person's determination on whether the Act or regulations are being complied with. The authorised person may take copies or extracts of any documents produced and also retain possession of the document provided for the purposes of this Division.

Clause 52 of the Bill engages the right to privacy by introducing section 68C into the Domestic Building Contracts Act to allow an authorised person, where they reasonably believe that a person has contravened the Act or regulations, to apply to the Magistrates' Court for an order that requires a person to, in relation to the alleged contravention, any questions or supply information or produce specified documents or documents of a particular class. If the order under section 68C is made, the authorised may inspect documents, make copies or extracts of documents, seize and secure documents.

To the extent that the powers to request information engages the right to privacy, the acquisition of information will be lawful and not undertaken in arbitrary circumstances. The power to request and obtain

information serves the legitimate purpose of ensuring that requirements in relation to the requirements under the act in relation to domestic building work, including the standard of those work, are being complied with.

Confidentiality and information sharing

Clause 67 of the Bill engages the right to privacy by substituting section 52I of the Domestic Building Contracts Act to allow a conciliation officer, an assessor or employees of the VBA who are assisting members of the Domestic Building Dispute Resolution Victoria (DBDRV) to carry out their functions under Part 4 of the Domestic Building Contracts Act to disclose information in the circumstances listed in the Bill.

Clause 52 of the Bill engages the right to privacy by inserting section 68X into the Domestic Building Contracts Act to create an offence for an authorised person to give any person information in the exercising of their powers as an authorised person. The Bill only allows an authorised person to provide information in specified circumstances, including to carry out their functions under the Act or in administration or enforcement of the Act and where an authorised person is permitted or required to provide information under any other Act. Information can also be provided in relation to legal proceedings under the Act or with the consent of the Minister.

Clause 52 of the Bill engages the right to privacy by inserting section 68ZS of the Domestic Building Contracts Act to allow the VBA to enter into an information sharing arrangement with a relevant agency, as defined for the purposes of the clause, to share or exchange information. The VBA and a relevant agency are authorised to request and receive information held by the other party and disclose information to the other party, subject to the requirement that the information exchanged is reasonably necessary to assist in the performance of the VBA's functions under this Act or the functions of the relevant agency. Information that is shared between relevant parties may include personal or sensitive information subject to the restrictions on the sharing of information included in the Bill.

The intent of the new confidentiality and information sharing provisions is to enable information sharing within 'DBDRV', meaning those persons constituting the DBDRV, as well as staff of the VBA that assist those persons pursuant to the VBA's new function to that effect. The provisions ensure that the DBDRV continue to be able to carry out their functions under the Domestic Building Contracts Act and also allows staff of the VBA assisting DBDRV to effectively support them in carrying out their functions. Confidentiality provisions in the Domestic Building Contracts Act will continue to apply to DBDRV and staff of the VBA under this Bill.

To the extent that the Bill engages the right to privacy by allowing information sharing between specified entities, it is my view that the confidentiality and information sharing clauses in the Bill are appropriately circumscribed so as not to authorise any arbitrary interferences with privacy. I consider that the confidentiality and information sharing clauses of the Bill serve the legitimate purpose of ensuring that the DBDRV and staff of the VBA are able to carry out their functions, duties or powers under the Domestic Building Contracts Act and allow the Act to operate effectively to regulate domestic building contracts. The purposes for which information can be shared under an agreement or arrangement are prescribed narrowly in the Bill and confidentiality provisions will apply to parties to ensure that information is shared only as necessary for carrying out the functions and powers of the Domestic Building Contracts Act. Information that is shared between parties will not be made public.

Accordingly, I consider that these provisions under the Bill are compatible with the right to privacy under section 13 of the Charter.

Cultural rights (section 19)

Section 19 of the Charter protects the cultural rights of all persons with a particular cultural, religious, racial or linguistic background, and acknowledges that Aboriginal persons hold distinct cultural rights that should be protected.

Clause 9 of the Bill may engage with cultural rights by inserting new section 7A into the Domestic Building Contracts Act which restricts a builder from entering into a domestic building contract unless the contract conforms to a number of requirements listed in clause 9, including that the contract is written in English and readily legible. Clause 17 of the Bill substitutes section 37 of the Domestic Building Contracts Act to also require variations to plans or specifications set out in a major domestic building contract to be written in English and readily legible. Currently, section 31(1)(m) of the Domestic Building Contracts Act requires that a major domestic building contract be in English and readily legible, the Bill extends this requirement to all domestic building contracts covered by the Act. The purpose of these clauses is to provide greater consumer protection by creating a clearer and more accessible record of contractual agreements for domestic building work made between parties.

To the extent that the Bill may limit cultural rights, the limitation is reasonable and justifiable. The Bill ensures that parties to a domestic building contract are afforded greater consumer protections by promoting greater

understanding for parties of the contracts entered as well as improving accessibility and readability of contracts. The legal system of Australia has its roots in English origins that underpins the interpretation of contracts in the courts. Requiring contracts to be written in English and readily legible ensures that the terms of the contract are clearly identifiable and that contractual disputes can be resolved understanding the full intended context and meaning of the contract.

Accordingly, I consider that these provisions under the Bill are compatible with cultural rights under section 19 of the Charter.

Property rights (section 20)

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely.

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

Powers of entry including seizure powers

Clause 52 of the Bill engages and may limit a person’s right not be deprived of property by introducing new powers of entry for authorised persons by inserting Division 3 of Part 5A into the Domestic Building Contracts Act. Under new section 68F of the Domestic Building Contracts Act, an authorised person may enter a building or land for the purposes of carrying out an inspection authorised by the Act or regulations; however, they must obtain written consent of the building or land occupier unless an exception applies. An authorised person who exercises their powers of entry may undertake an inspection of the building or land, take photographs or sketches and require a person to provide documents relating to work to the extent reasonably necessary to determine compliance with the Domestic Building Contracts Act or regulations made under that Act. An authorised person may make copies or take extracts of documents provided. The powers of entry also include powers for the authorised person to seize or take a sample of a thing.

Clause 52 of the Bill introduces section 68J into the Domestic Building Contracts Act to allow an authorised person to apply to a magistrate to issue a search warrant for a particular building or land where the authorised person suspects on reasonable grounds that the building or land contains or will contain in the next 72 hours evidence of a contravention of the Act or regulations or that digital or electronic evidence of a contravention of the Act or regulation is accessible from that building or land.

The powers of entry in this Bill engage and may limit a person’s right not be deprived of their property, by permitting access and allowing for powers of seizure of private property by authorised persons. However, I consider that these powers are compatible with the right to privacy and reputation because the powers of entry under the new Division 3 of Part 5A of the Bill are targeted to ensuring compliance with the Domestic Building Contracts Act and are appropriately circumscribed. The Bill provides appropriate safeguards to the exercise of the entry powers through the requirement for an authorised person to notify a person of an intended use of entry and search powers for monitoring purposes and obtain permission of the building or landowner on a residential property for entry at an agreed time, unless an exemption applies. The Bill also requires a search warrant to be issued by a magistrate in order to enter a building or land where an authorised person suspects on reasonable grounds that evidence of a contravention of the Act or regulations may be at the building or land and items can only be seized under the search warrant. I consider these powers to be proportionate to the legitimate aim of ensuring that requirements for domestic building under the Domestic Building Contracts Act are being complied with.

Requirements for the payment of money

Clause 38 of the Bill engages the right to not be deprived of property by amending section 49C(1) of the Domestic Building Contracts Act to expand the circumstances where a dispute resolution order can require the builder to pay an amount of money to the building owner or a building owner is required to pay an amount of money to the builder.

The Bill expands the circumstances where a dispute resolution order can require the builder to pay an amount of money to the building owner for the following situations:

- To rectify defective building work;

- To rectify any damage caused in the carrying out of the domestic building work or by any defective domestic building work;
- To refund an amount of money paid by the building owner to the builder if the builder accepted payment without obtaining insurance as required under the Building Act or there have been significant delays in the commencement or completion of domestic building work under a contract;
- To refund an amount of money paid by the building owner to the builder where it is found that the builder had no claim or entitlement to the money under the domestic building contract.

The Bill expands the circumstances where a dispute resolution order can require a building owner to pay an amount of money to the builder for the following situations:

- On rectification of defective building work by the builder;
- On rectification by the builder of damage caused in the process of undertaking domestic building work under the domestic building contract or caused by defective building work;
- For a claim or entitlement arising under the domestic building contract.

To the extent that clause 38 of the Bill engages the right not to be deprived of property by expanding the situations in relation to domestic building work where a dispute resolution order can require the transfer of money, it is my view that the clause in relation to dispute resolution orders is appropriately prescribed, is not arbitrary and is in accordance with the law through the Bill. A dispute resolution order may only be issued if the requirements listed under section 49 of the Domestic Building Contracts Act have been satisfied. Further, the order must clearly state what the order requires of a builder or building owner and parties may apply to VCAT for a review of the decision to issue or amend a dispute resolution order consistent with section 63 of the Domestic Building Contracts Act. I consider these powers to be proportionate to the legitimate aim of resolving domestic building work disputes and ensuring that parties are fairly remunerated for works connected to a domestic building contract.

Limits on money recoverable by a builder

Clause 23 of the Bill may limit the right to property by substituting section 11(1) of the Domestic Building Contracts Act to impose a limit on the deposit that can be sought by a builder for a domestic building contract to not be more than an amount prescribed in regulations. The intention of this clause is to enshrine consumer protections for upfront payments for domestic building contracts.

Clause 25 of the Bill may limit the right to property by substituting section 40(1) of the Domestic Building Contracts Act to enforce limits on the progress payments a builder may recover under a contract specified at section 40(2) of the Act. Further, clause 25 may limit the right to property by substituting section 40(4) of the Domestic Building Contracts Act to enforce limits on the amount a builder may recover for completed building work under building contracts not specified in the Bill.

This may limit the right to property by restricting the money a builder may receive up front or for performance of completed work throughout the lifetime of the domestic building contract. I consider that any such limitation to the right to property would be reasonable, justified and for a legitimate purpose as restrictions on amounts of payments under a domestic building contract ensure that building owners cannot be required to provide disproportionate remuneration compared to the work that has been undertaken by the builder for building work agreed to under a domestic building contract.

Cost escalation clauses

Clause 11(2) of the Bill may limit the right to property by substituting section 15(2) of the Domestic Building Contracts Act to create an offence for a builder to enter a contract that includes a cost escalation clause if the contract price is either less than 1 million dollars or a higher amount prescribed in regulations. A maximum penalty of 100 penalty units applies to the contravention of the offence. The clause also substitutes section 15(2) of the Domestic Building Contracts Act to create an offence where a builder imposes a cost increase under the contract of more than 5 per cent of the total contract price or an amount prescribed in the regulations. A maximum penalty of 100 penalty units applies to the contravention of the offence. Further clause 11(2) of the Bill substitutes section 15(3) of the Domestic Building Contracts Act to restrict a builder from recovering any money under a cost escalation clause unless the builder has complied with section 15 of the Act.

The framework for cost escalation clauses introduced by the Bill clarifies the existing governance of cost escalation clauses and the ability for builders to request the price of a contract be increased due to circumstances outside of their control. The Bill seeks to balance the needs of builders who may encounter increased costs in the process of undertaking work under a domestic building contract with protections for consumers who may be at risk of financial harm as a result of additional payments beyond the initial agreed terms of the contract.

To the extent that the right to property is engaged, I am of the view that the clause in relation to cost escalation clauses is precise and appropriately prescribed, is not arbitrary and in accordance with the law. Clause 11(2) of the Bill operates to provide both a clearly defined scope for builders to recover increased costs in relation to works outside of their control and also protect consumers from unreasonable unforeseen financial impacts as a result of a domestic building contract. The Bill provides appropriate consumer protections by including an implied statutory warranty that a builder will calculate a cost increase with reasonable care and skill. Further, a copy of any invoice, receipt or document prescribed in the regulations that is provided to a builder that forms the basis of the builder seeking an increase in costs must be provided to the building owner. I consider the cost escalation clause to be proportionate to the legitimate aim of ensuring builders can retrieve reasonable costs to them for completing works under a domestic building contract and ensuring building owners cannot be subject to unreasonable additional costs.

Enforcement of contractual rights and entitlements

Clause 15(3) of the Bill may limit the right to property by substituting section 31(2) of the Domestic Building Contracts Act to provide that where a major domestic building contract has not been signed by the parties, the builder has no contractual rights or entitlements under the contract, while the contractual rights and entitlements of the building owner may be enforced by the building owner. The builder may recover money from a builder owner where the Victorian Civil and Administrative Tribunal (VCAT) is satisfied that there are exceptional circumstances and that it would not be unfair for the builder to obtain the money.

To the extent that the Bill may limit the right to property by restricting a builder from accessing their contractual rights or entitlements under a major domestic building contract that has not been signed by the parties to the contract, I am of the view that the clause is precise and appropriately prescribed, is not arbitrary and in accordance with the law. A builder will otherwise have the right to access their rights and entitlements on a contract where it is clear from signature that both parties have agreed to the terms of the contract. The clause promotes consumer protection by protecting potentially vulnerable building owners from non-performance of an agreed contract. The clause encourages agreements for domestic building work that exceeds the major domestic building contract threshold to be transparent and clear to the parties involved by discouraging verbal or unsigned written major domestic building contracts.

Clause 17 of the Bill may limit the right to property by substituting section 37(4) of the Domestic Building Contracts Act to provide that a builder will be unable to recover money in respect of the domestic building work given effect by the variation if the prescribed information that is required to be included in a variation agreement under section 37(2) of the Domestic Building Contracts Act is not included in the variation agreement. A builder may not recover money in respect to a variation agreement that does not comply with section 37(2) of the Domestic Building Contracts Act unless VCAT is satisfied of exceptional circumstances or that the builder would experience significant or exceptional hardship and that it would not be unfair to the building owner for the builder to recover money for the work undertaken.

To the extent that the Bill may limit the right to property by restricting a builder's right to financial compensation for works undertaken under a variation to plans and specifications set out in a major domestic building contract, I am of the view that the clause is precise and appropriately prescribed, is not arbitrary and in accordance with the law. The situations where a builder may recover money in respect to work undertaken as part of a variation to plans or specifications set out in a major domestic building contract is clearly outlined in the Bill and builders who comply with requirements in the Bill for variation contracts will be able to recover money for works undertaken by them. Further, the Bill provides consumer protections by ensuring that building owners are able to enforce their rights and obligations under verbal and written agreements for domestic building work.

Termination of domestic building contract

Clause 16 of the Bill may engage the right to property by substituting section 34(4) of the Domestic Building Contracts Act to expand the ground on which a building owner may end a major domestic building contract within 5 days of the contract being signed without penalty by removing the restriction against a building owner receiving independent advice from an Australian legal practitioner about the contract before the contract is entered into.

To the extent that the clause may engage a builder's right to property by depriving them of rights under a major domestic building contract in expanded situations, I view that the right is not limited by the clause. The situations in which a building owner may withdraw from a major domestic building contract with a builder will be clearly outlined in accordance with a publicly accessible law and the amendment is confined to ensuring building owners have extra consumer protections in relation to their property by being able to seek professional legal advice on any contract they may intend to act on.

Clause 19(2) of the Bill may limit the right to property by substituting section 41(1) of the Domestic Building Contracts Act to allow a building owner to end a major domestic building contract without being required to

determine whether a builder could have reasonably foreseen the reason for the blow out in cost or time taken to complete the works in a major domestic building contract. The intention of the clause is to remove a barrier to building owners exercising their statutory right to terminate a major domestic building contract.

To the extent that the Bill limits the right to property by creating a broader right to a building owner to terminate the rights of the parties under a major domestic building contract, I am of the view that the clause is precise and appropriately prescribed, is not arbitrary and in accordance with the law. The purpose of the clause of the Bill is to strengthen consumer protections, and the Bill otherwise clearly prescribes the requirements for terminating a major domestic building contract.

Court orders

Clause 52 of the Bill may limit the right to property by inserting section 68ZK into the Domestic Building Contracts Act which allows a court to make an order that it consider fair in any proceedings or contravention of the Act. The orders available to the court under this clause includes voiding the whole or part of a contract, render provisions of the contract non enforceable, vary a contract, order redress for money or property transferred through the contract.

To the extent that the Bill limits the right to property by allowing the court to void, vary or render a contract unenforceable, I am of the view that the clause in relation to court orders are precise and appropriately prescribed, is not arbitrary and in accordance with the law. An order under clause 52 can only be made by a court where an accused has been found to have contravened a provision against the Act and another person has suffered loss or damage as a result of the contravention. An order can only be made in accordance with the law as prescribed in the Bill.

Clause 52 of the Bill may limit the right to property by inserting section 68ZJ into the Domestic Building Contracts Act to allow the court in the course of certain proceedings against a person to order that a person is prohibited from the payment of money or transferring of property, with the clause introducing an offence for not complying with the order of the court.

To the extent that the Bill limits the right to property by allowing the court to prohibit the transfer of money or property, I am of the view that the clauses are precise and appropriately prescribed, are not arbitrary and in accordance with the law. An order to deny the transfer of money or property is restricted to proceedings for an offence against the Domestic Building Contracts Act which have been brought before a court and where an accused can put their case before the court. The Bill ensures that there is appropriate judicial oversight before any limitation of property rights occur and protects the interests of justice by ensuring that the courts are not obstructed from issuing appropriate remedies for contraventions of the Domestic Building Contracts Act.

Accordingly, I consider that these provisions under the Bill are compatible with the right to property under section 20 of the Charter.

Fair hearing (section 24)

Section 24(1) of the Charter provides that a person charged with a criminal offence or, who is a party to a civil proceeding has the right to have the proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

The term 'civil proceeding' in section 24(1) has been interpreted as encompassing proceedings that are determinative of private rights and interests in a broad sense, including some administrative proceedings. It is well recognised that judicial determination of a person's civil rights and liabilities is a crucial element of the fair hearing right. This right will be engaged where a person is prevented from having their civil rights or liabilities in a proceeding considered by a court. However, this right does not prevent the State from amending the substantive law to alter the content of those civil rights.

Applications for injunctions may be made ex parte

Clause 52 which inserts new Part 5A into the Domestic Building Contracts Act, may limit the right a fair hearing by inserting new section 68ZE(3) into the Act. The clause provides for a court to grant an injunction restraining a person from engaging in conduct, based on an application made ex parte. The conduct that may be restrained includes a contravention of a provision of the Domestic Building Contracts Act or regulations made under that Act, or of a notice, direction, order or determination issued or made under that Act or regulations, as well as attempts to contravene, procuring the contravention and conspiring to contravene that Act or regulations.

This may limit the right to a fair hearing, because the person subject to the injunction will not have an opportunity to respond to the application for the injunction. I consider that any such limitation of the right to a fair hearing would be reasonable, justified and for a legitimate purpose, as an application for an injunction on an ex parte basis may be necessary to ensure that action is taken to prevent, minimise or remedy any material risks to consumers and builders alike that the contravention may cause.

Accordingly, to the extent that the Bill limits the right to a fair hearing under section 24(1) of the Charter, I am satisfied that any limitations are justified on the basis that they are reasonable and have a legitimate purpose. I am therefore satisfied that the right to a fair hearing is not limited by this provision.

Rights in criminal proceedings (section 25)

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 proven guilty according to law. The High Court has described this right as incorporating the fundamental requirement that ‘the prosecution in a criminal case has the burden of proving guilt’, that is, that a conviction can follow only where every element of an offence has been proved by the prosecution beyond reasonable doubt.

Clause 52 of the Bill introduces a new section 68ZB into the Domestic Building Contracts Act, which provides that where a body corporate has been found by a court to have failed to have complied with an undertaking, any officer who permitted or authorised the failure is also found to have failed to comply with the undertaking and may be subject to an order from the court.

While this clause may engage the right to be presumed innocent, this offence does not limit the right because a body corporate may only act through its officers and employees and therefore acts attributed to the body corporate can also be attributed to those officers or employees. The Bill clearly sets out the mental elements where a person may be found guilty of an offence and also confines the scope of the clause to persons who knowingly authorised or permitted the offence, which ensures only higher level members of the body corporate can be found guilty under the clause.

Minimum guarantees in criminal proceedings

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.

Clause 52 of the Bill may limit the protection against self-incrimination by inserting section 68V(2) into the Domestic Building Contracts Act which does not excuse a person from refusing or failing to provide documents required under the proposed Division 4 of Part 5A of the Domestic Building Contracts Act if the document or information would tend to self-incriminate. Proposed section 68V(3) of the Bill does not excuse a person from refusing or failing to provide information required under section 68U of the Domestic Building Contracts Act if the document or information would tend to self-incriminate.

While Clause 52 of the Bill may limit the protection against self-incrimination to the extent that the Bill does not excuse a person from disclosing information that may incriminate them, I am of the opinion that any limitation is reasonable and justified under the Charter. The protection against self-incrimination operates as part of a comprehensive framework in relation to powers of requiring information and documents for authorised persons exercising their right of entry under the proposed Division 4 of Part 5A of the Domestic Building Contracts Act and includes a reasonable excuse protection at section 68V(1) of the Domestic Building Contracts Act for a person requested to provide information requested under the Division where that information would tend to self-incriminate. Any limitation of the protection against self-incrimination is justified to ensure that an authorised person can effectively monitor compliance with and investigate potential contraventions of the Act and regulations.

Further, I note that 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 request for information. In particular, this assists the argument that there is a weaker level of engagement with the right against self-incrimination for section 68V(2) of the Domestic Building Contracts Act to be inserted by the Bill.

Accordingly, I consider that these provisions under the Bill are compatible with the rights in criminal proceedings under section 25 of the Charter.

I consider that the Bill is compatible with the Charter because it does not limit any rights under the Charter or, to the extent that the Bill may limit any rights under the Charter, the limitations are not arbitrary and are reasonable and justified.

The Hon Nick Staikos MP

Minister for Consumer Affairs

Second reading

Nick STAIKOS (Bentleigh – Minister for Consumer Affairs, Minister for Local Government)
(10:13): 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:

For many families, their home is the single largest investment they will make in their lifetimes – it is the foundation of their future. That’s why it is critical that the regulatory framework for domestic building contracts be clear, effective and modernised to protect the interests of consumers and meet the needs of a dynamic building industry that continues to innovate and adopt new construction methods, including modern methods of construction, to deliver more housing for Victorians.

Following the collapse of Porter Davis Homes, the Government committed to a review of the *Domestic Building Contracts Act 1995* (the Act) to ensure it was fit for purpose and to strengthen protections for building owners while supporting the needs of the building industry.

Informed by the outcomes of the review, this Bill will better protect Victorians building or renovating their homes by amending the Act to:

- a) strengthen requirements and protections for domestic building contracts and major domestic building contracts (MDBC),
- b) authorise deposit limits, progress payment stages and progress payment limits to be prescribed in regulations, with any payments for work completed subject to a general proportionality requirement for all MDBC and any exemptions,
- c) support contract flexibility by allowing the use of cost escalation clauses in Victoria for MDBC with a contract price of \$1 million or higher, with a 5 per cent ceiling on price increases and additional consumer protections,
- d) omit the development of plans and specifications and bills of quantity from the definition of ‘domestic building work’ so that agreements for such work can be entered into by builders and building owners outside of the framework of the Act,
- e) provide for the transfer of compliance monitoring and enforcement functions from the Director Consumer Affairs Victoria to the Victorian Building Authority,
- f) make a range of additional reforms to the clarify contractual requirements and strengthen consumer protections across the Act, and
- g) make other minor amendments to the *Australian Consumer Law and Fair Trading Act 2012* (ACLFTA), the *Building Act 1993* (Building Act), and the *Building Legislation Amendment (Buyer Protections) Act 2025* (Buyer Protections Act).

Contemporary and flexible Payment Timing requirements

The rules around when and how builders get paid under a MDBC have not been updated since 1995 and have fallen out of step with changes in industry practice. To enable a contemporary payment framework to be established, the Bill will amend the Act to insert a new regulatory head of power that will enable regulations to prescribe deposit limits, progress payment stages and limits specific to different types of contracts. This will provide government with the flexibility to update payment requirements to respond to differing circumstances, such as the extent to which a build utilises modern methods of construction, and to adjust requirements as building methods continue to evolve.

To prevent consumers being charged for work that has not been completed, amendments carried by the Bill also provide that a builder will not be permitted to demand or receive any amount or instalment of the contract price that is not directly related to the progress of work actually completed under the contract.

Balanced reforms to enable use of Cost Escalation Clauses with strong consumer protections

Building materials, labour costs and uncertainty around supply of materials have increased for the building industry in recent years. In response, builders have advocated for the ability to use cost escalation clauses to enable the price of a MDBC to be increased to reflect unexpected increases in the costs of materials or labour as well as unforeseen delays. However, these clauses can pose a significant financial risk to consumers, who are not well placed to anticipate or wear the impacts of changes in market supply and pricing.

To address these concerns, the Bill takes a balanced approach by allowing cost escalation clauses to be used but only in contracts where the contract price is \$1 million or more and in conjunction with new strict consumer protections. In addition, cost escalation clauses must not be used to increase the price of a contract by more than five per cent in total. A builder who breaches either of these requirements will commit an offence and be subject to a penalty.

For a cost escalation clause to be valid, a warning notice must be given by the builder to the building owner before the contract is entered into explaining the effect of the clause, and the building owner must place their signature, seal or initials next to the clause in the contract.

Builders will also be required to warrant that any increased costs are calculated with due care and skill, considering all reasonable information, and to provide the building owner with a copy of any invoice, receipt, or other prescribed document that evidences the increased cost.

A builder who fails to comply with any of these requirements will not be entitled to recover any money using a cost escalation clause.

Reforms to facilitate preliminary works and agreements

Some building projects require substantial work to be undertaken to enable a builder and building owner to understand the work that will be required and agree on the detail of what will be built prior to entering a domestic building contract.

Some of these preliminary works, such as architectural designs or soil testing, have rightly been excluded from the definition of domestic building work and are not subject to the protections under the Act. Many of those preliminary works remain subject to other standards for their proper completion and may also be subject to the consumer guarantees provided under the Australian Consumer Law (Victoria).

However, the preparation of plans and specifications and bills of quantity are currently caught by the definition of domestic building work under the Act. This means that, unlike other Australian jurisdictions, builders cannot enter into an agreement to undertake these preparatory works without following all the requirements of the Act.

The Bill will align Victoria's laws with other jurisdictions by removing the preparation of plans, specifications and bills of quantity from the definition of domestic building work, and the scope of the Act.

The reforms in the Bill will ensure that physical work completed under a MDBC continues to remain insurable and that existing requirements under section 31 of the Act will operate to require plans and specifications to be provided as part of, and incorporated into, any MDBC. Existing warranties at section 8 of the Act will also require builders to carry out domestic building work in accordance with its relevant plans and specifications.

Additional Reforms to clarify contractual requirements and strengthen consumer protections

The Bill will also make a range of additional reforms to the clarify contractual requirements and strengthen protections across the Act. Amendments carried by the Bill will:

- a) clarify that if a building owner and builder enter multiple domestic building contracts that could be the subject of a single contract (which would be a MDBC), they are to be taken together to be a single MDBC. This clarification addresses the practice of 'contract splitting' engaged in by some builders, including Porter Davis Homes, to avoid MDBC protections,
- b) extend requirements that currently only apply to a MDBC to all domestic building contracts to provide clarity on the rights, responsibilities, and expectations of all parties and reduce misunderstandings and disputes. Key reforms include that all contracts are to be in writing and legible, state the name and address of the contracting parties, describe the work to be carried out, and include the price and date of the contract,
- c) enable building owners to end contracts under the Act if the agreed completion time for the work blows out by more than 50 per cent or the contract price increases by more than 15 per cent, without being required to determine whether the builder could have reasonably foreseen the cost increase,
- d) extend access to statutory warranties to building owners under contracts that are verbal, unsigned, or where the work is poorly defined in a written contract,
- e) provide a single, clear contract variation process for MDBC, regardless of whether a variation is initiated by a building owner or a builder. Exemptions will apply for circumstances that require an urgent variation (for example, where there may be a hazard to health and safety or a risk of damage to a property if the variation were not made),
- f) enable consumer protection information products to be published in the Government Gazette by the VBA which will allow these products to be updated more easily over time to reflect new information or changing market conditions,

- g) remove consumer protections designed and intended for private homeowners from commercial arrangements between developers and builders,
- h) modernise the statutory warranties in the Act so they are consistent in expression with the consumer guarantees under the Australian Consumer Law,
- i) support the Building Reform Program by transferring the powers and functions of the Director Consumer Affairs Victoria to the VBA as a key step in the establishment of the Building and Plumbing Commission as a single integrated building regulator in Victoria,
- j) improve the effectiveness of the Dispute Resolution Order framework to provide greater clarity for consumers and builders,
- k) update the confidentiality and information sharing provisions in the Act and in the Building Act to support the operation of the dispute resolution functions to be transferred to the VBA; and
- l) establish new regulatory heads of power to enable regulations to be made under the Act and the Building Act to give effect to the reforms in the Bill.

This Bill will deliver a modern fit for purpose regulatory framework for domestic building contracts in Victoria to give consumers greater confidence and security when building or renovating their homes. The Bill also supports growth and innovation in the building industry by flexibility to respond as construction methods continue to adapt and evolve to new building technologies.

Importantly, the reforms in the Bill are about fairness, lifting standards and making sure that Victorians can enter into domestic building contracts with confidence.

I commend the Bill to the house.

Roma BRITNELL (South-West Coast) (10:13): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 3 July.

Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025

Second reading

Debate resumed on motion of Melissa Horne:

That this bill be now read a second time.

Roma BRITNELL (South-West Coast) (10:14): I rise to speak on the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025, and in doing so I want to thank my colleagues the Shadow Minister for Roads and Road Safety and Leader of the Nationals Danny O'Brien and the Shadow Minister for Police and Corrections David Southwick, as aspects of the bill fall under their portfolios. I note at the outset that the opposition, the Liberals and Nationals, will not be opposing this bill. Whilst we support some elements, such as addressing safety risks to workers through regulating the mooring service providers, we do have many areas of concern, which I will detail. This is actually an omnibus bill covering eight acts in relation to marine safety and operational, administrative and regulatory processes governing roads and ports. Red flags from the Liberal–Nationals point of view include new powers to give the government the ability to stop the clock on applications to the Department of Transport and Planning for important works which could impact housing development and the potential for blatant revenue raising through new fees and charges.

This Labor government has recklessly blown taxpayers hard-earned money over 10 years of project blowouts through sheer incompetence and has racked up a debt that future generations of Victorians will be saddled with. They are desperate to get their hands on every dollar in revenue from fees and taxes that they can find. Meanwhile health and education services have deteriorated and the lack of repair of Victorian roads is a disgrace. Elements of this bill are less about improving efficiencies and more about giving the government more time to do less and charge more for already existing services. Victoria is in the grip of a housing crisis, a cost-of-living crisis and a debt crisis, and instead of cutting red tape this government is adding to it. Instead of delivering efficient infrastructure, they are tying it

up in new approval processes, and instead of demonstrating a commitment to transparency, they are shuffling investigative powers between acts. I would like to note that, true to form, we have seen in so many pieces of legislation by this government they have introduced and tried to ram through, they did not consult with the industry or stakeholders on any aspect of this bill.

This bill amends the Road Safety Act 1986 to enable additional prescribed persons to collect blood and urine samples, empowers Victoria Police employees to issue infringement notices and prosecute drivers for certain offences if authorised by the Chief Commissioner of Police, provides for the refunding of traffic infringement penalties relating to fees or costs where an infringement notice is cancelled, extends the time limit for commencing proceedings for certain offences, and makes other miscellaneous amendments to that act. It amends the Road Management Act 2004 to enable responsible road authorities to be prescribed for certain road infrastructure and amends the provisions relating to consent-for-works applications. It amends the Port Management Act 1995 to clarify provisions relating to the appointment of port managers and to expand the functions of port managers. It makes further provisions for the management of abandoned things in relation to ports and establishes a scheme for the licensing of mooring service providers. It amends the Marine Safety Act 2010 to clarify provisions relating to the management of abandoned things and clarifies a liability provision relating to harbourmasters. It amends the Marine (Drug, Alcohol and Pollution Control) Act 1988 to enable additional prescribed persons to collect blood and urine samples in relation to marine pollution incidents. It amends the Transport (Compliance and Miscellaneous) Act 1983 and the Transport (Safety Schemes Compliance and Enforcement) Act 2014 to relocate the investigation powers of the chief investigator, transport safety, from one act to another and the Transport Integration Act 2010, and it amends other acts to update department references and makes other miscellaneous amendments.

According to the minister, the bill before the house improves safety, achieves operational and administrative efficiencies and improves the effectiveness of transport laws. We would have no concerns were that the only case. However, under this Labor government, which has a chronic inability to manage money, reduce red tape or improve efficiencies at all, it is worth closer examination. Road safety performance in Victoria has deteriorated, and the number of people still dying and injured on our roads is shocking. Under this government police resources are stretched past breaking point. We therefore agree that provisions allowing additional professionals to be prescribed as approved health professionals for the purpose of collecting blood and urine samples for alcohol- or drug-impaired drivers are sensible. However, under this government health services and professionals are also stretched past breaking point. We do not know where these additional health professionals will come from or if the additional requirements of them will be at the cost of other important health services.

Other amendments will empower Victoria Police employees to issue infringement notices and prosecute drivers for certain offences if authorised by the chief commissioner, ostensibly freeing up sworn police for frontline duties. The Allan Labor government has decimated police resources, and the depth of Victoria's police crisis was revealed at a recent Public Accounts and Estimates Committee hearing. There are 1100 police vacancies and over 700 officers injured and on workers compensation, and 300 senior officers are expected to retire early – and there was no additional funding in this year's budget for the police academy. Labor have failed to invest the resources needed to train and retain officers, so they are now looking to Victoria Police employees to fulfil a role that was previously a duty of only the sworn. The Police Association Victoria is concerned that the issuing of penalty notices is a police power and uses the police discretion to determine whether an offence has occurred, particularly in relation to seatbelt and mobile phone offences. For that reason their preference is that the position remains sworn. They suggest that their hundreds of members that are injured could return to work in positions like this. Of course the government has failed to consult the police association or explore that option. Other police matters in the bill provide for increasing the time period under which the police can initiate proceedings for summary offences related to hit-and-run incidents from 12 months to two years, which we support. Indictable offences are unchanged; there is no limit.

On the Road Management Act 2004, this bill's proposed amendments to deemed consent for works on roads are red flags for delaying important works and increasing costs. Effectively, the government is giving itself and councils more time to deal with work applications on and around roads. Under the amendments in this bill it could stop the clock on applications for works, and it would remove deemed consent for some applications where consent is automatically granted after a period of time. Deemed consent currently allows projects to proceed after a set time if the road authority has failed to respond. According to the government, this is about risk mitigation, ensuring safety and avoiding potential infrastructure damage by following a clear and detailed process. But it is far more likely that this is just a legislative change to ease the pressure on the Department of Transport and Planning, which in the process will potentially add time and therefore costs to important works. These important works may include roadworks, utility relocations and similar works, often involving property developments and housing. This Labor government has already failed to deliver on its own target of building 80,000 new homes each year, with Victorians continuing to be locked out of the housing market and access to affordable homes.

Meanwhile every major transport infrastructure project of this government has had major cost blowouts and delays, with the Melbourne Metro Tunnel cost blowout so massive that the Minister for Transport Infrastructure refused to reveal the true cost to the Victorian taxpayer during the recent budget estimates hearing. Year on year under this government we have seen \$14 billion wasted on project cost blowouts and overruns. Meanwhile Victorians are being forced to foot the bill for this Labor government's incompetence. In the midst of a housing crisis the government is introducing more red tape and increasing costs from these delays.

The Urban Development Institute of Australia opposes these changes. The Victorian Transport Association is also opposed to these changes. Developers and local councils are worried that these new powers will lead to cost blowouts, construction delays and bureaucratic gridlock, especially in growth areas, where infrastructure must move quickly. No-one denies the importance of safety or quality assurance, but when the government cannot provide a single example in the bill briefing or as a follow-up to that justifying these legislative changes, it is clear that this is about departmental convenience, not public interest.

Amendments to the Port Management Act 1995 include a range of provisions aimed at regulating mooring service providers, clarifying port management powers and establishing clearer processes for dealing with abandoned vessels. The licensing scheme for mooring service providers is to be run by Ports Victoria and is supported by stakeholders. Mooring is actually a very high-risk activity. It carries significant safety risks for operators, and less than best practice can lead to vessel and infrastructure damage and port disruption. The bill makes it an offence to provide mooring services without a licence, and licensing will ensure providers meet a minimum safety standard and have training requirements and incident reporting obligations. That said, the bill includes provisions for the government to set prescribed fees for this licensing and their renewal into the future. While there was no response to our questioning – again, during the bill briefing or follow-up – they claim this is not about revenue raising, but they have no prescribed fee set yet. Let us not forget that Labor have a very long history of introducing taxes – more than 60 new taxes in the past decade – despite, remember, promising no new taxes.

Their recent hike to port fees is a case in point. The government introduced their fee increase under the guise of revamping Station Pier, when it was really just another revenue grab for their mounting debt. They ignored the dire cruise industry warnings about hiking port fees, and the cruise industry stayed away as a result. In a spectacular own goal, the projected drop in visitations at Station Pier over the next four years will be costing the government's tax intake from cruise ships about \$9.8 million – nearly \$10 million. Total ship visits are estimated to drop by 22 per cent – with turnaround passenger capacity to plummet 72 per cent and overall passenger capacity to shrink by 30 per cent – with Victoria set to lose an estimated \$130 million as a result, a devastating setback for the Victorian tourism industry and economy. So we will wait and see, when the mooring service provider licence fee is

inevitably announced, how much a licence will cost and the estimated revenue the government hopes to receive. Licensing for safety is reasonable; licensing for revenue raising is not.

There are also provisions in this bill allowing port managers to provide a port service such as technical advisory or maintenance services outside the port lands or water, and it clarifies they can charge a commercial fee for use of assets and services provided. Again the government claims this is about cost recovery, not revenue raising. However, with the debt they have racked up projected to hit nearly \$200 billion by 2028, which will be \$28.9 million in interest every day having to be paid by Victorians, we know this government is looking for every opportunity to hike up fees and charges.

The issue of abandoned vessels has long needed attention, so port stakeholders told me they support the reforms for abandoned vessels, a problem that has plagued the industry for years. And I know of many ports – Port Fairy, Portland – where this has been a problem. The progress has long been unclear and it should have been addressed well before now. The bill provides a framework for identifying ownership, arranging removal and recovering costs. That is a positive step.

If the Minister for Ports and Freight wanted real efficiencies and gains for Victorians, Victorian businesses and industry and the Victorian economy, instead of tinkering around the edges she should have turned her mind to addressing the monumental failures in her portfolio, such as getting freight off road and onto rail. The promised port rail shuttle network has failed to materialise, and now the government has revised the estimated completion date to a far-off quarter 4 in 2029–30. Their stated expectation of the port rail shuttle is to move 30 per cent of Melbourne's metropolitan containers by 2050, yet the proportion of containers moved by rail instead of truck is currently around only 6 per cent. That has gone down an enormous amount since we were in government in 2014 to now only 6 per cent.

The minister is silent on what the delay to the port rail shuttle network means and has kept the industry in the dark on what, if any, progress they can expect. Importers have been paying a levy now for four years to the tune of millions of dollars for the port rail transformation project, and still we do not have a rail shuttle. The Port of Melbourne estimates the number of trucks visiting the port each day could rise to 34,000 trucks by 2050, and their dock with the greatest container growth, Webb Dock, has no rail access. A surge in trucks servicing the Port of Melbourne could undermine any benefit from the West Gate Tunnel for inner west residents, who are already literally sick from living with the current pollution.

In a cost-of-living crisis this government's failure to plan and to deliver efficient port services and freight networks has increased the cost of goods and hindered economic growth. Of the western intermodal freight terminal, the WIFT, the Premier is quoted as saying Melbourne's west needed the facility immediately and it had to be the first cab off the rank. That is what she said. Why then has the government backflipped and quietly shelved this project? The answer is because they have blown billions on incompetent management of major infrastructure projects and cannot fund the project they said was on the doorstep of nearly 50 per cent of existing interstate rail freight customers, providing access to hundreds of warehousing and logistics businesses in Melbourne's outer west, and they have already paid \$400 million towards the WIFT with no result. We have no idea whether that \$400 million is recoverable for any future plans or has gone down the gurgler.

Over to the Port of Hastings now: there is a two-year blowout, a delay, on the Victorian renewable energy terminal. Following the federal Labor government's rejection of the Allan Labor government's proposal for the Victorian renewable energy terminal at the port, the government quietly announced that they are now actively assessing the role of other Victorian and Australian deepwater ports, and as a result wind farm construction projects may go interstate. They cannot even manage to meet their own legislated renewable energy targets as a result.

Back to the bill: there are further provisions under the Marine Safety Act 2010 and the Marine (Drug, Alcohol and Pollution Control) Act 1988 which address the management of abandoned vessels on

inland waters, clarify liability issues relating to harbourmasters and relocate pollution response responsibilities between the Department of Transport and Planning and Crown landholders, depending on the source of contamination. The bill removes the Victorian specific liability limits so the owner of a tanker is liable to pay for oil spills to align with internationally agreed liability limits and standards. This will enable Commonwealth law to apply in Victoria's waters and provide for spills inside or outside state waters. This is a positive move in responding to marine pollution. Other amendments enable additional qualified persons to collect samples in marine drink- or drug-driving situations, similar to the road safety amendments.

The bill makes technical but significant amendments by relocating investigative powers of the chief investigator, transport safety, from the Transport (Compliance and Miscellaneous) Act 1983 to the Transport (Safety Schemes Compliance and Enforcement) Act 2014. This relocation appears administrative, but the real issue lies in how the government continues to shield certain sensitive information from being accessed under freedom of information. Under section 85, documents obtained during investigation cannot be disclosed, raising concerns about transparency and accountability. While the CITS plays a no-fault root cause analysis role, we must ensure these powers are not abused or used to cover up government or operator failings. It is a delicate balance between investigation, integrity and the public's right to know.

I want to put on the record that I took the time to consult widely in preparing for my contribution on this bill, and I spoke with the ports of Geelong, Portland and Melbourne, Glenelg and Moyne shires, the Great Ocean Road authority, Gippsland Ports and Shipping Australia and reached out to the Maritime Union of Australia, LW Marine Services, the Police Association Victoria, who my colleagues spoke with, the Victorian Transport Association and the Urban Development Institute of Australia, and we reached out to the Property Council of Australia. I would like to thank them for their time in providing their concerns and feedback.

There are some sensible and long-overdue reforms in this bill, such as regulating port mooring services and improving the abandoned vessel process, but as usual under this government there are hidden areas that are cause for greater concern that really do have serious real-world consequences. The new powers to stop the clock on roadworks applications, which could impact critical housing and property development, and the potential for blatant revenue generation through new fees and charges are among our concerns.

However, what is most critical in this new bill, the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025, is what it fails to address, which is the serious attempt to improve road safety and the efficiency of Victoria's ports by this tired and lazy government, so it is worth focusing on the missed opportunity that this bill presented the Minister for Roads and Road Safety. The minister has failed to seize the opportunity to address the appalling and worsening state of regional roads, particularly in south-west Victoria. The government cannot continue to ignore their responsibility to put proper funding and resources into fixing and maintaining rural roads in the state of Victoria. The statistics from the Transport Accident Commission are stark. This year we have seen a tragic increase in road deaths in rural and regional areas. These statistics, the people we have lost – friends, family, brothers, sisters, mothers – are up 23 per cent on last year, a 23 per cent increase in lives lost. These are the very roads that this government continues to neglect. And it is not just a safety issue, it is a matter of equity and common sense to maintain all roads. This horrific statistic of a 23 per cent increase in fatalities on rural roads should be cause for deep concern and a wake-up call to the Allan Labor government to stop claiming they are investing in rural roads and to urgently get on and fix the roads properly.

The Victorian Farmers Federation has expressed, more than once, serious concern about the rising number of road fatalities in regional Victoria, particularly highlighting the poor condition of regional roads as a major contributing factor. Why is the government silent on this contributing factor? Is it that they do not want to admit that their inaction for the past decade leaves them complicit in regional road deaths? Remember, regional road deaths are up 23 per cent this year compared to last year. In the

electorate of South-West Coast the conditions are nothing short of dangerous. Road shoulders drop off by over a foot in many places. It is just so confronting. Sometimes the choice makes driving so unsafe. The choice is between a head-on collision and falling off the left shoulder of the road into the gravel, and it is really hard to get control back when you are in the gravel. White line markings are either faded or non-existent. Advanced driving aids in modern cars rely on markings to help drivers navigate the roads, and they do not exist. Forget trying to use any of those safety mechanisms on our country roads. We often do not have enough bitumen remaining for two lanes of traffic, hence having to veer onto the shoulder and drop down dangerously into the gravel where the shoulder drops away when another car approaches. These are the conditions that we face in regional Victoria. In metropolitan Melbourne you might see a traffic hazard sign ahead, and that usually indicates a breakdown or roadworks. In regional areas the road traffic hazard signs indicate that the road itself is hazardous.

The government love to boast – and I heard it again this week in the chamber – that they are pouring money into Victorian roads, but when you look at the budget papers and when you drive on the roads, the figures just do not stack up. It is as though the members opposite are handed talking points and they have never stepped foot on the bitumen outside the metropolitan tram tracks. In south-west Victoria work has been undertaken on the Princes Highway recently, just outside of Warrnambool, but the new surface ends abruptly, and right beside it lies cracked, broken asphalt – on Victoria's highway 1, a most important freight and commuter route. Contractors on the ground tell me they are forced to build roads to substandard specifications, dictated by the government, even when they know the surface will fall apart within months. And it does, often within weeks. It is beyond belief that this government still blames floods from two years ago rather than accepting responsibility for its own inaction. The south-west of Victoria is in the grip of the most severe drought on record. This is not about capability, it is about priorities and accountability. Other states, like South Australia, build stronger roads with fewer people. The technology exists, but here in Victoria we build roads that crumble quickly, with no proper oversight and no consequences for poor-quality outcomes.

Recently the Allan Labor government announced that children under the age of 18 get free public transport – not helpful to regional Victoria because, unfortunately, there is precious little public transport in regional and rural Victoria. Parents have to drive their children everywhere on these appalling, unsafe roads. This bill could have been an opportunity to address rural road safety, to embed proper funding, to lift standards and to stop the waste, but instead we see another opportunity squandered and more regional lives put at risk. Victorians in the regions are fed up. This government has to do better. We cannot see another year, next year, with more lives lost. It is a disgrace that this year 23 per cent more people in rural Victoria have died on our roads than last year. This government is pouring money into metropolitan Melbourne concrete tunnels, and the metropolitan road fatalities have dropped by 7 per cent, which is a good thing. But in the interim, by ignoring Victorian rural roads, the fatalities increase, and by 23 per cent on last year – someone's mother, someone's brother, someone's loved one. It cannot continue. The roads are a disgrace. This was a missed opportunity by the Minister for Roads and Road Safety to address a massive crisis that is really crippling south-west Victoria and regional Victoria. Families are frightened to be on our roads.

Bronwyn HALFPENNY (Thomastown) (10:42): I rise with great pleasure to make a contribution to the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. I think at the outset I would like to say that the Allan Labor government is deeply concerned about road safety and the terrible loss of lives and serious injuries that we have seen. In fact that is why this is quite a hefty piece of legislation. It makes substantial changes to various acts, and the whole purpose of it, when it comes to road safety, is to make our roads safer for those that travel on them or use them in other ways.

I think it is pretty insulting to have from the opposition this sort of allegation that the Allan Labor government does not care about people and is not doing what it can to ensure that people stay safe. You would have thought something like road safety would be a bipartisan issue that we could work

together on. But instead of using this opportunity to perhaps put up some solutions or constructive criticism, it is just the old political whingeing and creating of division – this idea about metropolitan versus regional Victorians, which is constantly talked about. It is almost like Trump: if you say it often enough, then people will believe that it is true. This is the legislation that we are looking at. Of course you cannot fix everything all of a sudden in one bill. But the idea is that we will continue to do whatever we can as a government to ensure that our roads are safe and that all road users, vulnerable road users as well as drivers of vehicles, are safe. We also acknowledge the situation at the moment where there have been some terrible accidents and fatalities on our roads. Of course this has been a worldwide phenomenon; it has not just been in Victoria and in other states around Australia but also throughout many Western countries.

To get back to the bill, this is, as I said, quite a hefty bill. It is making amendments to no less than eight acts. In the space of 10 minutes I will not be able to go through them all in the detail that the opposition was able to, so I will just look at the amendments that are being made to the Road Safety Act 1986, the Road Management Act 2004, Transport Integration Act 2010 and the Transport (Compliance and Miscellaneous) Act 1983 and talk a little bit about them and the purpose of this legislative change.

As the Parliamentary Secretary for Roads, I know a key focus has been on road safety, particularly as it relates to vulnerable road users. Vulnerable road users are defined as those that use our road network but are not protected by a vehicle shell, which therefore places them in a position to be more exposed to the risks and dangers of the road network. Vulnerable users, as outlined by the national road safety strategy, are cyclists, motorcyclists, pedestrians, children under the age of seven and the elderly. According to the national road safety strategy, which Liberal governments past and present have been involved in as well, vulnerable road users comprise 33 per cent of total road casualties. Throughout my time in this role I have looked at various ways to reduce the risk of harm for our most vulnerable road users, such as school crossing safety assessments – this is a big issue around schools, both regional and metropolitan; the role that booster seats can play for children over the age of seven – children in both regional and metropolitan areas; and ways that the Commonwealth can use the black spot program. This bill takes key steps in addressing the risk posed to our vulnerable users as well as those who are behind the wheel. It also makes vital reforms in the road safety space through expanding the length of time Victoria Police can investigate a crash that involves a minor injury, providing more options for Victoria Police to be able to obtain a blood sample for drugs and alcohol and streamlining the infringement process for road safety cameras. Even one life lost is too many, and we are enforcing and making sure there are strong penalties for things such as being under the influence of drugs or alcohol, which we know massively increase the dangers on our roads to both drivers and others.

When it comes to the police and some of the additional powers in this bill – and not just powers but also resources – there are probably two main things here. They expand the timeframe for when police can investigate a minor crash. If there is a car crash and somebody is killed or seriously injured and the person fails to stop and render assistance, this is an indictable offence and there is no time limit for when police can lay charges on the alleged perpetrator. But under the current law if the victim suffers only minor injuries, it is only a summary offence and therefore the police have a maximum of only 12 months in which to fulfil their investigation and lay charges. The act of a hit-and-run – whether it causes a minor injury or a serious injury or fatality – ought to be treated in a much stronger way. The mere fact of leaving the scene without rendering assistance is just unthinkable, really, and there ought to be the strongest possible laws to stop it or as punishment. It is also important that, due to the lack of ability to recruit new police at a time when there is a considerable number of retirements, this legislation talks about expanding who it is that can collect a blood sample for drink and drug driving. At the moment, a police officer or a limited group of health practitioners are required to do that, but this legislation will provide that particular Victoria Police staff are also able to do that. That then frees up our uniformed police to be out there on the beat making sure that our streets are safe and that as Victorians we are being protected by them.

These are creative ways of dealing with the problems that we have, using legislation from a minister that is really deeply thinking about these issues and looking at ways we can assist, whether it comes to resourcing or whether it comes to making the jobs of our frontline personnel such as police easier and more streamlined and giving them the support that we can to ensure that they can continue to do their job without obstacles and problems to deal with as they go along.

There is also the improving of responsibility for management of road infrastructure, and I know the opposition speaker talked a bit about this and how this is some sort of grab for power by the state. But if you talk to any Victorian – and I talk to many residents in the electorate of Thomastown – people really want to know who is responsible for what. This is about making it clear when it comes to particular requirements when it comes to maintenance of our roads that there is actually a very clear and defined process and way of ensuring that we know exactly who is responsible. That then means that the issue can be fixed and the problem can be addressed much quicker, because under the Road Management Act there is a breakdown of responsibility for road infrastructure between the state government and 79 different local government councils. We know, for example, that the state government is responsible for 23,000 kilometres of the road network in Victoria, but it has shared responsibility also with council, whether it is a bridge, a state road or a residential road. These shared responsibilities can be difficult, and that needs to be addressed.

Danny O'BRIEN (Gippsland South) (10:52): I am pleased to rise to speak on the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025 and join with my colleague the member for South-West Coast in presenting the opposition's position on this bill, which goes across both the ports and freight and roads and road safety portfolios. I will leave the port aspects of this bill to the member for South-West Coast, who has already outlined her views and our views on that, and will focus more particularly on the road aspects of it and road safety aspects of it.

There are a number of amendments, and it is an omnibus bill that goes to a number of issues. Indeed the first parts, amendments to the Road Safety Act 1986, are really a matter for the Minister for Police and the Shadow Minister for Police and Corrections. There are three main issues there. The bill increases the period under which police can initiate proceedings for a summary offence related to a hit-and-run incident from 12 months to two years to give police more time to conclude investigations into those hit-and-run incidents that are of a more minor nature. I note indictable offences where a person is killed or seriously injured are unchanged by this legislation; there is no limit on the statute of limitations in that respect.

The bill allows for additional professionals to be approved for taking blood samples in the case of drink- and drug-driving cases, which is an attempt to make it easier for police to process those people who are recorded as drinking and driving or taking drugs and driving, and also provides for the Chief Commissioner of Police to authorise unsworn Victoria Police employees to sign off on infringement notices for offences detected by road safety cameras. The intent is to free up sworn officers from this rather administrative task, and while we do not oppose this in principle or in practice, we do note the comments of the Police Association Victoria, who have indicated that they would prefer that this continued to be undertaken by sworn officers. In fact there are some 800 currently on WorkCover leave, and many of those could potentially be used to do those desk jobs where they may be able to return to work and do lighter duties such as something like this.

There are other aspects, though: the Road Management Act 2004 amendments. The first is that the bill expands the regulation-making powers so that regulations can specify the responsible road authority for certain types of infrastructure that form part of the road, and the example given in the second-reading speech is of a bridge that goes over a railway line. The road that the bridge forms part of may in fact be a local council road, but in certain circumstances it might be more appropriate that VicTrack maintain that particular bridge given it forms part of their infrastructure. Again, we have no issue with that.

I often get, as the shadow minister for roads and indeed as a local member, questions about how there is an issue with roads because no-one knows who owns them and all levels of government handball to

each other. It is actually quite straightforward more often than not, other than in some of the circumstances I just outlined. We know that Victoria has 23,000 kilometres of road that it is responsible for. I will get the figure wrong, but I think it is 180,000-odd kilometres of road that local councils are responsible for, and the federal government is not responsible for any roads. They do fund many of our highways and freeways in conjunction with the state government, but they are not federal government roads. In broad terms it is quite clear who is responsible for our roads. Indeed VicRoads has a map that you can look at, and you can zoom in on certain areas to be clear as to whether it is a road managed by the Department of Transport and Planning and VicRoads or whether it is a local council road. But that regulation-making power will be appropriate in circumstances. There are sometimes fuzzy areas, particularly when it comes to highways through towns, whether in the suburbs or in regional Victoria, where there is a dividing line effectively as the gutter of the road – council on one side, VicRoads on the other – and this regulation-making power will give some flexibility to make clear who is responsible for certain infrastructure around the roads.

The area that we do have some concern about, though, in this legislation is the reforms for the consent-for-works process. There is a process under the Road Management Act to get consent for works on roads from the appropriate road authority. This is in respect of virtually anything. If it is a utility having to dig up a road to address a sewer or a gas main or underground power cables, they need to go to the road authority, whether that is VicRoads or local council or others, including toll road operators, to get consent for those works. But there are plenty of other examples as well. There are developers who might be developing a new housing estate or a commercial or industrial estate that need to put in an intersection, and as a result they will need approval to work on the road to build that intersection into the new estate, for example. What the government is doing under this legislation is allowing road authorities to stop the clock on applications for consent. For example, if they ask the applicant to put in more information, they stop the clock on the timing of how long they have got.

There is also what is called ‘deemed consent’ in particular, and this legislation removes deemed consent in relation to freeways. That is, if you make an application and the authority does not provide a response within the requisite time, whether it is 30 days or whatever it might be, you have consent – consent is deemed to have been given. This amendment removes that, and I am very concerned about this provision. In the bill briefing with the government and in questions that we provided, there has been no evidence given of why this change is needed. It seems to us on this side that it is simply a mechanism for the department to say, ‘Look, stuff’s too hard. We want to just keep pushing it off.’ That is a concern for us in many aspects if it means that improvements to or maintenance of roads might be delayed but more particularly if it holds up activities that are crucial to our roads, or more particularly to other developments near our roads. Most particularly at the moment this is housing developments.

We have sought advice from a number of agencies, including the Victorian Transport Association and the Urban Development Institute of Australia, and they have raised concerns about exactly that – that this would be more red tape, making things more difficult and slowing things down. That is exactly what we want to avoid happening. As a result, we will be looking to move an amendment to this particular clause when it comes up in the other place to knock it out, because we do not think there is any justification for it. Looking at the Road Management Act, there is already quite a clear process for consent to be applied for and for safety and the protection of infrastructure to be maintained under the existing processes in that act. We do not think that this is justified, and indeed not only that, we think it actually will slow down development, particularly when it comes to housing, and that is a concern at this time. So we will move an amendment in the other place to that effect and ensure that this is not just creating more red tape unnecessarily.

I think the broader question of the roads is one that we have had a lot to say about. Despite the government’s claims about record funding, what we are actually seeing is less activity on our roads – less actual fixing of the roads. In respect of the area of major patching that the government’s own performance measures show, we are seeing a 93 per cent reduction in what they are planning to do.

They actually did not meet their targets last year. They missed them by 50 per cent in getting major patching done. Instead of saying, 'We'll go back next year and do more,' they are actually doing less. So it is going from a million square metres to 70,000 square metres. The government will say, 'That's because we've fixed all the roads after the floods, and now we're going back to doing rehabilitation and resurfacing.' If you go across to the next page in the performance measures, the reality is that those targets are also reducing. The government has barely made 3 million square metres when four or five years ago they were doing 15 million square metres of roadworks. That is a disgrace, and it is why our roads are in such an appalling position.

Katie HALL (Footscray) (11:02): I am delighted to rise and contribute on the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. I note that the opposition are not opposing this, and I would like to acknowledge the Leader of the National Party, who could speak about roads underwater. We have heard many contributions from the Leader of the National Party about roads. I always try and make a contribution to bills that relate to the port, given my electorate is perhaps the most adversely impacted by the operations of the port, and any reforms we can make to improve the port's operations I think are a very good thing.

This omnibus bill contains amendments to a range of transport legislation. The reforms in this bill represent a continuous focus on identifying areas where our road safety framework can be improved. These improvements enhance enforcement and support processes to better detect drivers who are doing the wrong thing, and of course better detection of road safety offences also provides general deterrence from doing the wrong thing. In my community in particular we often deal with issues of truck drivers who are doing the wrong thing. I was very pleased that in last year's budget we were able to provide approximately \$10 million to support the rollout of enforcement cameras that will improve the effectiveness of the truck bans that are coming in; we are creating no-truck zones on six local thoroughfares in Melbourne's inner west. This of course will complement the West Gate Tunnel Project when it opens, and that is certainly going to be a very exciting development for my community.

The bill provides Victoria Police with an additional 12 months to bring proceedings against a driver who is alleged to have committed a hit-and-run offence that has resulted in a minor injury or property damage. Under the Road Safety Act 1986 it is an offence for a driver to fail to stop and render assistance after a traffic accident where a person has been injured or property has been damaged. More serious hit-and-run offences where a person has been killed or seriously injured are indictable offences with significant penalties. Indictable offences have no limit on how long after an alleged offence charges can be laid. However, if an alleged hit-and-run incident has resulted in minor injuries, the offence is a summary offence, with only a 12-month period after the incident for Victoria Police to commence proceedings. This has proven difficult in some circumstances, because it can take considerable time to identify the person who was driving the vehicle at the time and to locate them. The reform in this bill will increase this time period from 12 to 24 months, to increase the likelihood that the alleged offender can be identified, located and prosecuted.

The bill also makes changes to the way road safety infringements are issued. Road safety cameras are a really important component in the regulatory toolkit for detecting road safety offences. I often have constituents approaching my office wanting more road safety cameras at particular locations. Road safety cameras are now used to detect and enforce a range of offences, including speeding, red light, seatbelt and distracted driving offences, such as using a mobile phone whilst driving. I think it has been a couple of years now since we introduced that reform. As the range of offences has expanded, so has the volume of infringements being detected by the cameras. These infringements currently need to be issued by sworn police officers. This bill will amend the Road Safety Act to allow for most offences detected by road safety cameras to be issued by specially authorised Victoria Police employees. These changes allow for a more effective use of resources, namely time and personnel – critical resources in any organisation, but particularly within our police force.

It is important to note that these changes are not just about revenue raising, as suggested by those opposite, but rather about protecting motorists. I know that the cycling community locally in the inner

west often raises concerns about people using their mobile phones while driving, and these changes are about ensuring everyone on and around our roads is better protected, including cyclists, pedestrians, families and schoolchildren. I remember when I, back in the day, worked in the Victoria Police media unit and the all-too-frequent car-versus-pedestrian or cyclist issues that would be called in. It is quite shocking.

This bill would allow for regulations as well to specify additional health professionals who are allowed to take blood and urine samples, to expand VicPol's ability to detect drivers who are under the influence of alcohol or other drugs. Driving while impaired by alcohol or drugs is a major contributing factor to the road toll in Victoria. In fact illicit drug and alcohol impairment are two of the five top causes of serious crashes on Victorian roads. While detecting these offences in a range of circumstances, most commonly in roadside testing, a blood sample must be obtained after an initial detection has taken place, and presently this can only be performed by a registered medical practitioner or an approved health professional, which includes nurses or other people approved by the Victorian Institute of Forensic Medicine. These samples must be obtained within 3 hours of the person driving the vehicle. If the right person is not available at the right time and place, the evidence and the ability to hold someone accountable for putting the community in harm's way is lost. What amounts to administrative protocols should not offer an easy out for people who get behind the wheel while they are intoxicated.

The amendment in this bill will allow for additional approved health professionals to be prescribed in regulations. Victoria Police will be able to utilise the 2000-plus collection clinics across Victoria when seeking a qualified health professional to take a blood sample. With so many clinics across Victoria, this reduces travel time to a collection site and supports drug impairment assessment processes being completed within the prescribed 3-hour time limit. This means more flexibility, faster response and better support for police. Having access to additional health professionals will improve VicPol's ability to detect drink- and drug-driving offences whilst ensuring that our medical practitioners can focus their efforts where they are needed most. Changes to both infringements and impairment testing will ensure that frontline workers can focus on their primary role of keeping Victorians safe.

This bill will also change the way roads are managed and who manages them. Changes to the Road Management Act 2004 expand a regulation-making power to increase flexibility in assigning management and maintenance responsibilities to the most appropriate authority. Whilst these are unlikely to make the headlines, I am sure every member in this place has spent a lot of time speaking to constituents about roads that are council-managed, and I am sure many a council officer has had the same conversation with residents about state-managed roads. I commend the bill to the house.

Matthew GUY (Bulleen) (11:12): I rise to make some comments on the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025 and note the opposition is not opposing this bill. I note that as an omnibus bill it does cover around half-a-dozen other bills in relation to marine safety, road safety, ports and a whole range of other issues, which I will make some comments on as we go through. As I said, the opposition does not oppose the bill. There are a number of points in there that are quite commonsense, and we understand the necessity to bring them into legislative framework. There are some issues, obviously, that do give us some concern, particularly around changes to the Road Management Act 2004 and some issues in relation to further empowering public servants to issue fines. But of course, as I said, the opposition will not oppose the bill ultimately, and we respect the right to get on with some of the points in this omnibus legislation.

Victoria is, as we know, in the grip of a housing crisis. We do hear that, and we do know that. We can all debate about why and all the rest, but the last thing I think any of us want to do is make it harder to approve homes or to get homes through a planning process at this point in time. I think that it is very important that we do everything we can. The government say they want to speed up the process, and I certainly do and my colleagues on this side of the house certainly do too. One of the things I do note from this bill – and I will just put this on the record from the start – is the changes to the Road Management Act. A lot of concerns have been raised by the UDIA – the Urban Development Institute

of Australia – and the Victorian Transport Association (VTA), who have opposed those changes. They are very, very concerned that it will add to the time of outer urban developments being approved. I know from my own ministerial experience that some of the biggest delays in getting precinct structure plans or development approvals through will not be through necessarily the planning process. They will come through the processes of having some of the statutory authorities get back to you or have their part of that process ticked off and agreed to and then, particularly in the nature of VicRoads, going back for a second time after things have been approved to say, ‘We’ve changed the designs of roundabouts,’ et cetera. The developer has then got to go back and alter it all again when it has been approved and it has gone through.

There is a risk that some of the changes to the Road Management Act in this bill might add further red tape to those processes and the ability to get some of those planning scheme amendments approved and underway. That is, as I said, realistic and real. We raise those concerns and put them on the record because from our point of view we do need to make sure that while there are appropriate levels of compliance in relation to the construction of intersections, be they roundabouts or signalised, this does not come needlessly at the expense of getting development approvals through the system and ultimately people in homes, because I know we all want to do that. Everyone says it and we all mean it. We want Victorians to be able to buy their first home or whatever it may be and to get into a home, and if we are holding up developments on the basis of statutory authorities and adding to that red tape, obviously that is going to be diminishing our ability to do that.

The UDIA have stated that they have concerns that these risks will introduce delays and inefficiencies into development delivery, particularly in growth areas, where coordinating road authorities may be under-resourced or slow to respond. That is the crux of my point too. Some of the authorities – particularly water, although it is not in this bill, not for discussion, but water authorities at the top of the list, and then obviously the road authorities are next – are I would not say under-resourced but I would say in many cases slower to respond, because they do not see that the housing issue is on their priority list, understandably. But of course it is for government, for all of us, so the concept of these changes could in fact lead to the undesired circumstance of further delays to the approval process. The VTA have also said it could be used to delay roadworks, and they were very worried, in the conversations with both the member for South-West Coast and others on our side, that these amendments, while minor, could in fact delay roadworks. Anecdotal discussions with planners and developers indicate this kind of red tape is what they are facing as part of the problem in terms of getting through the development approval process and bringing more housing to market. While we, as I said, do not oppose the bill, we raise those points on record, and we will be watching to make sure that an omnibus bill like this, which is not meant to be divisive, does not cause unnecessary delays, something that we obviously did not intend or want to be the case.

I do note that the bill does have a clear focus on logistics and freight logistics in many ways, talking about marine and access to ports. There has been a lot of discussion and debate about this I think in Victoria, particularly for the last 20-odd years, since the Brumby government brought down *Melbourne 2030*, which was their initial vision for the broader metropolitan area. The Napthine government brought down *Plan Melbourne*. The Andrews government then tweaked *Plan Melbourne*. What Melbourne does have is access to both the Port of Hastings and the Port of Melbourne, and I remember the Labor Party talking up Bay West, for instance, as another option, along with the Port of Geelong. We have got a number of ports around the greater Port Phillip Bay area. The most important thing on that is that they have to be interconnected by rail. Road cannot move the freight that is coming off ships – it just cannot. I think we all acknowledge that the Port of Hastings is very limited on that front, and probably the members of Parliament in that area would acknowledge that too, because standard gauge rail access would be impossible nowadays. Certainly along the Frankston line that is impossible, and of course on the south-eastern line it is impossible. The weight-to-bogie ratio would be too heavy for sky rail, for instance, and while the concept of sky rail to remove level crossings is much debated, the end game of removing the level crossings is a good thing.

The issue we have is that those stations have been conducted not as island platforms but as side platforms, so you have got the two tracks running in the middle and the two stations on the outside. So running a third or a fourth track would require massive land acquisition around the outside. I understand that was simply done for architectural reasons, and you cannot change things. I would have thought running them as island platforms would have been more efficient and also meant that in the future if you needed to run a standard gauge line toward the south-east to access, say, the Port of Hastings, or freight services or even express passenger services for suburban or regional services down to Gippsland, that would be able to be put in place. Unfortunately, it would be a much, much more expensive process now. I understand also some of those construction mechanisms around sky rail – as you will see, the walls on the sky rail constructions would not be strong enough if some of the larger freight trains, hypothetically, derailed up on one of those. This is just a matter of rail safety planning. They have not been built with that in mind.

The point is that Victoria does in the Port Phillip Bay basin area have access to those three, potentially four, port locations, which should put us at an advantage over things like Port Botany in Sydney or Brisbane's TradeCoast or potentially even in the future the Port of Darwin, because we do have the access to deep water. We have the access close to the city with the Port of Melbourne. We should be better using the Port of Geelong. What that says to me – while it is not necessarily part of this bill, it is an omnibus bill including ports and roads legislation and looking at freight and logistics planning for the future – is that the ability to plan the Port Phillip Bay basin region between the Greater Geelong area and the Greater Melbourne metropolitan area as Victoria's trade capital certainly does exist.

I note, and I know the member for South-West Coast has raised this a number of times, that the number of charges in relation to the Port of Melbourne which have risen under the current government has seen a number of some of those bigger vessels head to the Port of Botany, which I think at one stage surpassed the Port of Melbourne as the greater container-handling port, although that does fluctuate. We have to remain competitive, and our port has got to remain competitive. Just taxing for the sake of taxing – we will take two steps back if we simply put tax on some of the bigger ships coming in and think that it is a great revenue raiser. We have got to remain competitive. Our port is a massive employer, particularly for the inner western suburbs of Melbourne. It is a massive asset for Melbourne, the Port of Melbourne, and we need to preserve its ability to be competitive around Australia as much as we can. I think that is something that certainly should surpass whoever is in government, just like our airport. They are massive assets which we need to optimise for our economic future. We do not oppose this bill.

John LISTER (Werribee) (11:22): Thank you to the member for Bulleen for his meditations on this omnibus bill. In particular, I will go to some of the concerns raised not just by the member for Bulleen but by the member for Gippsland South around clauses 21 and 22 of the bill, which I think are particularly important for my growing community in Wyndham. Around 400,000 people call Wyndham home, with a significant number of people who rely on their vehicles for work and to help move themselves and their growing families, and we need to ensure our roads are getting them there safely. This legislation covers a range of matters, but most significantly to the community I represent it goes to road maintenance and safety.

There are two pieces of legislation in particular that this bill seeks to amend that I will focus on, the Road Management Act 2004 and the Road Safety Act 1986. This is why, from the very first days of my candidacy for this place, I was a strong advocate for more local roads to bust local congestion. We are delivering the ring-road project in Wyndham, from our current works on Ison Road, building an alternative connection to draw traffic away from Ballan Road, which I will get to in a moment and which is very important for this bill, to a new freeway interchange to fix the traffic in the emergency lane on the Princes Freeway and our new bridge, which will unlock a new route between Wyndham Vale and Tarneit.

However, the work that this government has to do is not just about concrete, asphalt and rebar. It is also about how we manage our network. Those opposite have raised some concerns with those two

clauses I mentioned, clauses 21 and 22 of the bill, which go to some of the provisions around the coordinating authorities and private developers, in the case that I want to speak to. They said that no evidence had been given that this was an important thing that we need to do. I will give the member for Gippsland South, who said that, an example which came up just last week in my electorate. They have foreshadowed that they will try and knock out these two clauses in the other place, and I hope the special envoy or whatever they are for the western suburbs in the other place listens to my contribution, because I think this is particularly important given the amount of emails that I am sure they would have received as well.

Last week I saw firsthand and was contacted by many residents about works by a private developer which interface with our main connector road in Manor Lakes, Ballan Road. Within minutes of being sent images of trucks and cars being stuck in a soft edge left unmarked by contractors for the private developers, I called the minister's office to have this investigated by the department and their external works team. I have made it clear to the community that where a developer has the privilege of taking part of our state road network to complete works that will benefit their company – and of course future residents, which we love to welcome to our community – it cannot be to the detriment of other road users. That is why it is timely to see these changes in this bill, and I want to use it to send a clear message to council and private developers in these circumstances.

The changes in clauses 21 and 22 of the bill will strengthen the process by which a developer, council or other works or infrastructure manager applies for consent to conduct works on a public road. It does this by providing coordinating road authorities with a better process for requesting additional information and limiting the circumstances in which deemed or automatic consent can occur. I still think it is pretty shocking that you can just wait for the clock to tick over and, if you have not had a response, go right ahead, set your roadworks up and inconvenience most of our community without having that oversight. I still think that is pretty rich. To put it briefly, the department will have more power to review plans, and developers will not just get an automatic green light.

There are some more details in this. In the case of a developer wanting to build an access road onto an existing public road, which we saw in the circumstances last week in my community, the changes in this bill will remove that deemed consent. This will mean that the coordinating road authority has more time to properly consider the application and request additional information if this is required, particularly around that interface with the arterial road. The changes in these clauses do not change the process by which a developer would request access to a freeway, but the amendments in clause 22 strengthen the process for applying for and receiving written consent in relation to conducting works on roads, which is particularly important for the circumstances I described in Wyndham last week. This means that there is more oversight and control over works from a safety, traffic management and road network integration perspective before these works commence.

I had residents coming to me the moment they saw the barriers going up along Ballan Road at this private development. We went straight to the minister's office and raised those concerns, but of course deemed consent was there and they could go ahead, and lo and behold, we had trucks stuck in the soft edge that they had left unmarked and unlit at night. I think that was pretty abhorrent. I want to thank the minister and her office for their support for our community and their excellent advice in the matter that I have described. It is no secret that I am not private developers' friend. My community expects us to put in place clear expectations that these private companies uphold their part of what is a social contract with our entire community when it comes to accessing our arterial roads, which help us get around our community.

I now want to turn to changes made in the Road Safety Act. As a road crash rescue operator at the Werribee fire brigade, I have seen firsthand the impact road trauma has on our community. There are a few really important changes that this bill makes to the Road Safety Act, particularly around the time Victoria Police has for proceedings around hit-and-run offences, which I have seen a fair few of now. When someone is killed or seriously injured in a hit-and-run, it will become an indictable offence, with no time limit for police to lay those charges. I think it is pretty disappointing, and it would be

pretty harrowing for the family and those first responders involved to think that there is a ticking clock in those circumstances and there will not necessarily be justice for what has happened on our roads.

When a person suffers only minor injuries, it is classed as a summary offence, and that comes with a 12-month deadline for police to start proceedings. I understand it is important to have that deadline in some circumstances so that we have access to justice and the person who may be guilty of that offence gets their day in court as quickly as possible. However, it is simply not enough time in a lot of cases. It can take months to put that evidence together, identify the vehicle involved in some cases, particularly with stolen vehicles, and work out who was behind the wheel. That is why this bill matters. It matters to first responders in my community, and it matters to those people who use our road network in Wyndham. We are doubling that timeframe from 12 to 24 months so police have a fair shot at making sure those offenders can be held to account.

I was also reflecting the other day with some of my comrades at the fire brigade on the way that our speed camera network works, the speed at which infringements get turned around and the need to introduce a little bit more efficiency when it comes to issuing those infringement notices. It is important to have a process for issuing infringement notices, but what is also important is that those people who have been detected as doing the wrong thing on our roads by these automatic systems find out as soon as possible. You find out immediately when highway patrol pulls you over and tells you what you have done wrong – it is immediate; with the lights and sirens you know you have done something wrong. It should not take weeks or months –

A member interjected.

John LISTER: Not from me. It should not be weeks or months later. If someone has been through a red-light camera in our community, they may not find that out. So introducing more people with good oversight around that process who are able to issue those offences means that we can get those infringement notices out quicker and people can correct that behaviour sooner.

A member interjected.

John LISTER: I will take up the member's interjection. When it comes to 'money through the door' from these automatic systems, there is a really set, transparent process for how that money is spent, and it is spent on purchasing vehicles that road crash rescue operators can train on to hone their skills on our road network. It goes towards other initiatives from the TAC in our community, including education campaigns, and other things like our automatic signs that we have up to tell people to slow down on particular roads.

The money from those fines does go back to road safety. However, we also need to make sure that these automatic systems are addressing behaviour. By expanding the number of people who can issue those infringements, we therefore get them out quicker and we get them out into the hands of the people who have done the wrong thing sooner. We do not necessarily disagree on the whole bill, but the party opposite, which talks about community safety and wanting to make sure people get their consequences sooner, drums on all the time and posts Facebook posts all the time and all sorts of other drama, you would think would want people to know that they have done the wrong thing so they can correct their behaviour sooner.

I do want to return to what I said earlier in my contribution. This work is not just about concrete and rebar and asphalt on the ground, this work is about how we manage the network and keep Victorians safe. I, in conclusion, commend this bill to the house and wish it a speedy passage through the upper house as well.

Cindy McLEISH (Eildon) (11:32): I rise to make a contribution on the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. As we have heard from multiple speakers, this is an omnibus bill covering two key portfolios, ports and freight and roads and road safety. It is interesting that they are brought in the one bill – possibly it is because it is the one minister. The bill

contains amendments to multiple acts. With regard to ports we have got the Port Management Act 1995, the Marine Safety Act 2010 and the Marine (Drug, Alcohol and Pollution Control) Act 1988, and with the roads component we have got the Road Safety Act 1986 and the Road Management Act 2004 as well.

I am going to start with comments around the ports. Interestingly, and fairly typically, there was not any consultation done around the changes here with the industry. I know the shadow minister did lots of consultation on this and was able to report back that they had not been consulted but also that the changes were not particularly controversial. The introduction of a licensing scheme to regulate mooring service providers is in fact something that people looked at as quite positive. It is pretty big work when you are mooring some very large vessels. It is heavy, it is dangerous and it can be high pressure. At the minute there are not really great controls in place, so something needs to be done, and this is looked at quite favourably. So greater control of activities around mooring services is something good.

At the moment with the mooring services, there is not a prescribed fee, but the bill actually makes reference to 'any prescribed fee', so that indicates, certainly to us, that there are perhaps plans that there may be a fee introduced. If this is a revenue-raising initiative, well, that may be money that they can use to fix Station Pier, for example. If anyone here has visited Station Pier, they would know that it does need significant work. I always advise caution with the introduction of some of these types of fees, because sometimes the consequences are not what you had hoped. We have got a great example here that in November of 2023 the government increased the port fees at Station Pier by 15 per cent to fund the maintenance of the pier. We see this as a typical thing with the government, even with the Emergency Services and Volunteers Fund: 'We don't have enough out of general revenue' – which we should have – 'so let's start putting fees and charges on all sorts of things to raise that little bit of extra money.' We saw it with the mental health levy as well being imposed on businesses.

This increase of the port fees by 15 per cent down at Station Pier was supposed to help with maintenance. Well, it has had the absolute opposite effect, because what we have seen is rerouting of the major vessels by Cunard and Princess, so we have actually lost business; we have lost revenue. What it means is Melbourne is going to miss out on 113 cruise ship visits between 2025 and 2028, and in the tourism sector this is significant. What it also means is it is blowing a \$27.8 million hole in the tourism economy. Further, the Parliamentary Budget Office – so this is not us talking – did some work around this, and it projects that the drop in cruise ship visits will cut state revenue by \$9.8 million, coming on for the next few years. It is really quite extraordinary. The small change with increasing port fees has actually backfired. The government should have funded the maintenance down there and modernised the port, because it does not look as though you are entering a fabulous city, which Melbourne certainly is. And with this there are the site occupation charges and the tourism expenditure. I do hope the government have these sorts of consequences in mind each time they introduce new fees and charges.

With regard to the roads changes, the amendments here are fairly non-controversial. Some of them make sense. There are some around the collection of blood samples from those who are drink or drug driving. What happens currently – you will have the breath test or the saliva test, and if you are over the limits then you need to go off to the emergency departments, and the emergency departments are pretty well overloaded, I would say, at the minute. The amendments here also see additional professionals to be approved for taking blood samples, so you do not need to go do that. I do also note that we have such workforce shortages that this might be difficult, because we know also that we need to obtain these samples within 3 hours.

There are some changes to hit-and-run, with the statute of limitations going up from 12 months to two years, and the Chief Commissioner of Police can sign off for non-sworn officers to be able to issue infringement notices. This would be in relation to road safety cameras. We know that the Police Association Victoria would much rather see this function remain with the sworn officers, and we know that that can be very difficult. Sworn officers: we have a lot of vacancies in positions and a lot of

people off on WorkCover, and the police force is under a great deal of pressure. I think that even though the police association are not in love with this, it perhaps can help things move along a little bit quicker and make things a little bit more efficient.

There are reforms for consent works, which are a little bit more problematic. The government are giving themselves or perhaps councils more time to deal with works applications on and around roads. These can be roadworks, such as intersection upgrades or roundabouts. It might be utilities. You might have relocation of underground lines or gas mains or water authority sewerage connections. A lot of these would be associated with housing developments, and we know that there is a huge backlog of housing being brought on line at the moment in some areas. There is quite a lot in the south-east that has been waiting for the Minister for Planning to get on with and make some approvals. What these amendments do is stop the clock on applications for works and remove deemed consent for some applications where consent is automatically granted after a period of time.

The government said this was about risk mitigation, ensuring safety and avoiding potential infrastructure damage by following a clear and detailed process. 'Clear and detailed process' also rings some alarm bells at times. Yes, you have got to dot your i's and cross your t's, but this could lead to additional red tape. And what does that additional red tape mean – we know it can mean cost overruns and people spending a lot of time filling in forms and shuffling paper. On the other hand, though, the legislative change could ease the pressure on the Department of Transport and Planning and in the process potentially – this is the red tape – add time and costs. The minister's office were unable to provide examples of why this is needed and what has prompted the amendments. We also had the department there, who were unable to help us there.

Just while I am on roads matters, I want to bring up the issue of road traffic counters. I find it really quite extraordinary that when I put some questions on notice in about traffic volumes in particular areas, I found that no traffic surveys had been conducted in the last five years on the Eltham-Yarra Glen Road between Watsons Creek and Yarra Glen, and also on the Melba Highway between Dixons Creek and the big intersection of the Healesville-Kinglake Road. That is really quite extraordinary, because there are some incredible roadworks that have been planned, certainly on the Melba Highway. It was shut for a period, but it was such a debacle that they had to reopen it and reschedule and change the nature of how they are doing the works to later this year. But we do have an impending closure of the Eltham-Yarra Glen Road for a couple of weeks, which is going to cause a lot of difficulty, and I thought that it would make a lot of sense for the government and the department to understand the volumes of traffic that use those roads, because I see the volumes of traffic and I am not quite sure that we have had the due diligence done in that area. Strangely, though, since I put my questions on notice in I have seen road counters all over the place.

We have also had questions on notice that have been put to the department about damage to cars from potholes. People have hit potholes, damaged their cars, busted rims and wrecked the front end of their cars. We know that there are a lot of people that have had their applications dismissed and that the government does have a very big backlog there. One of the answers was:

A road authority is only liable to pay compensation if it has not met its obligations ...

I think they have not met their obligations.

Nina TAYLOR (Albert Park) (11:42): I am very pleased to be able to speak on this important omnibus bill that is making amendments to a suite of acts. I will just pick up on a couple of points that have been raised by the opposition in the chamber. Firstly, just to be absolutely clear, we did consult far and wide when it came to local port amendments and the introduction of mooring licences. Who knew – everyone from local port managers, mooring service providers and shipping lines to stevedores supported these changes.

Further, we did not jack up the cruise shipping fees; we simply updated an out-of-date fee schedule. The last time we updated the fees was in 2021, so when we updated them in 2024 the \$3.50 increase

per passenger for cruise ships was below CPI for that period, just to be crystal clear on that. If we are going to compare with other states in Australia with regard to cruise shipping, Melbourne's cruise shipping fees are less than Sydney's; Sydney's are 40 per cent more. Funny how they did not mention that; I am shocked that they did not mention that. It might be relevant. Maybe it is relevant in this context to have a little bit of perspective before we go sledging out our own ports et cetera. But that is who the opposition are; they just sledge and never mind the details. I think we need to have a bit of perspective when we are speaking to such important matters.

I should further say that there is important maintenance work to be done at Station Pier. It must be undertaken. I am not sure if those opposite do not see that as necessary or otherwise – I was a little bit confused about the comments that were being made in that regard – but certainly for the resilience of that pier and for the important service, so to speak, that it provides in terms of cruise ships coming in and out, we need it to be safe, resilient and supported into the future.

Coming to aspects of the bill, there are many important pragmatic changes. I want to zone in on to start with, now that I have acquitted some of the concerns of the opposition, a continued focus on identifying areas where our road safety regulatory framework can be adjusted to improve enforcement and supporting processes in order to better detect drivers who are doing the wrong thing. Better detection of road safety offences also provides greater deterrence for those doing the wrong thing. I must say that so many people in my electorate are so passionate about road safety.

Cindy McLeish interjected.

Nina TAYLOR: I do not know what you are talking about, but anyway, I do not get complaints about red light cameras or speed cameras. It is the opposite. They are always wanting more. I am speaking very broadly, but if I look at the themes, it is about people slowing down and having measures to slow down people, particularly with regard to pedestrians. They are very passionate about this. They never mention revenue raising, because their paramount concern is about the safety of locals, and I share that concern and am happy to advocate on that. Certainly I have got commitments for a number of really important road safety or pedestrian safety upgrades in my area that are being designed as we speak, and I think it reflects well on them that they do not have, broadly, that cynical attitude to these important measures that can help control bad driving or reckless driving; they actually back them in.

What I think is really important is the timeframe that is allowed when we are looking at hit-and-run offences. I will make a qualification. We know that the more serious hit-and-run offences where a person has been killed or seriously injured are indictable offences with significant penalties, and indictable offences have no limit on how long after an alleged offence charges can be laid. However, if the alleged hit-and-run incident has only resulted in minor injuries, the offence is a summary offence, with only a 12-month period after that incident for Victoria Police to commence proceedings. We can see inherently there is a vulnerability in that space in terms of the police having sufficient time to track down the driver who was involved in the incident. This has proven difficult for police because, it goes without saying, it can take a considerable amount of time to identify who was driving the vehicle at the time and to locate them. The reform in this bill will increase this time period to commence proceedings for alleged hit-and-run incidents resulting in minor injuries from 12 to 24 months to increase the likelihood that the alleged offenders can be identified, located and prosecuted. I think this is a really commonsense and welcome reform.

What has been spoken to – and I want to reiterate this because I think this is also a very important and pragmatic change – is allowing regulations to specify additional health professionals who are able to take blood and urine samples to expand Victoria Police's ability to detect drink- and drug-impaired drivers. The imperative for this is that driving while impaired by alcohol or drugs is, sadly, a major contributing factor to the road toll and serious injuries in Victoria. When detecting these offences, in a range of circumstances a blood sample must be obtained. This can only be done by a registered medical practitioner or an approved health professional, which includes nurses and other persons approved by the Victorian Institute of Forensic Medicine. These samples must be obtained within

3 hours of the person driving the vehicle. The amendment in this bill will allow for additional approved health professionals to be prescribed in regulations. Having access to additional health professionals will improve Victoria Police's ability to detect drink- and drug-driving offences. Looking at that unfortunate linkage with the road toll, we can see that this is an important and pragmatic step forward to enhance their capacity to detect these kinds of offences.

The bill will also allow for specially authorised Victoria Police employees to issue infringements for some offences detected by road safety cameras, freeing up sworn officers for other duties. We know that road safety cameras are an important component in this regulatory toolkit for detecting road safety offences, and I am frequently advocating for more; I want more in my electorate because I know that people in my electorate want them as well, and I am glad they do. Road safety cameras are now used to detect and enforce a range of offences, including speeding, red lights, seatbelt and distracted driving offences such as using the mobile while driving. As the range of offences has expanded, so has the volume of infringements being detected by these cameras. These infringements currently need to be issued by sworn police officers, so the bill will amend the Road Safety Act 1986 to allow for most offences detected by road safety cameras to be issued by specially authorised Victoria Police employees. This will free up sworn Victoria Police officers for other duties. If we think of the spectrum of matters, whether we are talking about road safety or whether we are talking about attending to family violence and so many other matters that police have to deal with, we can see that providing an important avenue to be able to allocate this task to persons who can undertake the task appropriately certainly is a very sensible reform.

These changes to enforcement practices and requirements in the Road Safety Act will support the enforcement of road safety offences, so it will make it, pragmatically speaking, harder for drivers who do the wrong thing, provide a stronger deterrent effect and contribute to improved road safety outcomes. I think we can all see the inherent benefits of that. Without sliding into cynicism, this bill is fundamentally about road safety, keeping Victorians as safe as possible on our roads. I hope that that is the vein in which it is taken, as opposed to just defaulting to revenue or other aspects of this, because fundamentally, if you do not speed, you are not going to get a fine. There are choices that drivers can make too. Nobody is being forced to speed. I think there is that sense of self-responsibility that all drivers certainly should adopt. I am not saying that to tell other people; I have to obviously adhere to this myself when driving as well.

I am also pleased about some changes to the Marine Safety Act 2010, noting that the seat of Albert Park of course has the beautiful Port Phillip Bay, and so water safety in this regard actually has a deeper aspect in terms of keeping workers safe around mooring et cetera. But I do not have time to speak to that, so I will commend the bill to the house.

Tim BULL (Gippsland East) (11:53): It is a pleasure to rise to make a few comments on the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. As we have heard, this bill amends a number of acts. It is an omnibus bill in relation to safety, operational, administrative and regulatory processes governing roads and ports. As our lead speaker pointed out when she made her contribution, this is a bill that we will not be opposing. But I find it to have some little bit of irony, I guess is probably the right term, in that we have got a roads and ports bill here before us when these are two areas that need an enormous level of attention and investment in the state of Victoria. I will not talk for too long on this, but there are a couple of points before I sit down that I would like to make.

Others have said enough about the situation of our roads here in this state, and I will just make the point, because one member on the other side – I think it was the member for Thomastown – mentioned the fact that we are always whinging about the roads on this side of the chamber. I will just make the point on that that the reason we are often raising the issue of roads in this place is because – and I can speak for my electorate of Gippsland East – we have got a regular stream of people, like truck drivers, other freight company drivers, bus drivers and people who use the roads regularly always coming into our offices saying, 'Can you get into this in Parliament? The roads are the worst I've ever seen them.'

So if the member for Thomastown has any queries about why we keep raising that, it is the increasing weight of complaint that we are getting from our constituents.

Without investment, and in fact with cuts and reductions, there is no other outcome possible but for them to get worse. There is just no other outcome that can occur if you are removing the effort that should be being put into our roads and repairing them. The reason that we have this situation is, by the government's own budget papers, that we are staring down the face of a \$192 billion debt and interest repayments of over \$28 million a day. That means there is then pressure to fund the things that need to be funded, and that is what we are seeing. The member for Gippsland South in his contribution made the very important point that while it is argued that there is a small incremental increase in roads funding, the reality of it is that the targets that have been set for the amount of road repaired, the square metres, have reduced. I do not know how we are ever going to get on top of this roads problem when they are worsening and in the budget papers it says we are going to treat less area than we have in the most recent couple of years. There is only one possible outcome from that, and that is that our roads get worse.

I want to talk about our ports. Not every member in this chamber has ports in their electorate, but I have got a couple. Our ports are in a situation –

Michael O'Brien interjected.

Tim BULL: None in Malvern, that is right, but you can have one of mine, member for Malvern. We have this situation where our ports are becoming increasingly used by not only commercial vessels but also recreational vessels. In Lakes Entrance at the moment there is currently a burgeoning broadbill fishery off the coast. It is attracting an enormous amount of boaties to our area to access this fishery. The point I want to make is that boating infrastructure and the maintenance of it, the navigation aids and the like, are just as important as maintaining our road network. In some of our ports around the state – and I can speak to the ones in my electorate – we have navigation aids that are in great need of maintenance and in great need of replacement. As someone who does a bit of boating on the lakes, particularly a bit of boating at night, I can assure you that you are very, very dependent on having these navigation aids, especially when there is a little bit of fog about on the water. Our boating infrastructure needs maintenance across the board. We must make sure it is the responsibility of the government of the day to provide the funds to make sure that our boaters are kept just as safe as those who are using our roads. This bill does such things.

I will not repeat everything that previous speakers have said, but the bill increases the period under which police can initiate proceedings for a summary offence related to hit-and-run incidents from 12 months to two years. We support that. That is a good move. If that is going to help people be held more accountable for the crimes they commit, that is a good move. It allows for additional professionals to be approved for taking blood samples in the case of drink-driving or drug-driving offences. We support that too. That is a good move – holding people accountable who are doing the wrong thing. It makes further provision for the management of abandoned things in relevant ports, another matter that we support. We have had a few of these abandoned vessels left around the Gippsland Lakes at certain times, where the owners are quite happy to forfeit their vessel but do not have the money available to them to be able to do that appropriately. There is nothing more unsightly than if you are holidaying in a certain area and you have abandoned vessels that have been left half-sunk, or sometimes fully sunk, putting a blight on what would otherwise be a very, very picturesque outlook. There is more to this bill than that, of course, as other speakers have mentioned, but there are three points in there that, when reading through the different clauses and criteria, I thought were very, very important.

I will conclude my contribution shortly, but I just want to say that whilst those issues I have outlined are important, the real issues that exist with our roads and our ports generally relate to underfunding. I repeat the point that it is incumbent on the government of the day to address these matters and make sure our roads and our waterways are safe for motorists and are safe for the boating fraternity. It is

Parliament's job to keep Victorians safe, and that is why we need additional investment in those areas. We are not opposing this bill – this bill has some good things in it, there is no doubt about that – but we need to tackle the real issues relating to these two areas. In making that point I conclude my contribution.

Nathan LAMBERT (Preston) (12:00): I also rise in support of the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025, particularly clauses 1 through to 20. I will defer to the remarks earlier by the member for Werribee and others on clauses 21 and 22 and the member for Footscray and others on the later clauses.

Those who have listened to my members statements may know that I have referred recently to two serious incidents that have taken place at the Northland shopping centre. Unfortunately, yesterday there was a third serious incident. Police approached a man in the eastern car park – which is quite narrow, as people who use it know – and that man was in a stolen car. He successfully evaded police by driving the stolen car in through the doors of the actual shopping centre and driving through the shopping centre, terrifying workers and shoppers, and then exiting out on the eastern side near Kmart. I do not want to make light of that very serious incident at Northland yesterday, but for those of a certain vintage who have seen *The Blues Brothers* movie, it was unfortunately literally that thing: a person drove a car through a crowded shopping centre. Given that the bill in front of us does address police enforcement powers with respect to road safety, I thought I would just take this opportunity to thank the police for their efforts in relation to that incident. I am pleased to report to the house they have actually made an arrest this morning and will no doubt be laying charges under the road safety rules and I imagine the Crimes Act 1958.

As I have mentioned before in this place, my father is an engineer and he has worked on a lot of road safety incidents, and I suppose over the years I have become used to listening to his matter-of-fact way of describing what happens when a vehicle hits another vehicle or hits a cyclist or a pedestrian or a truck. There is a very cold law of physics, $K=\frac{1}{2}mv^2$, which basically means that you really do not want to get hit by something that is heavy and you certainly do not want to get hit by something that is moving quickly, and even if you have crumple zones and other things that can dissipate that energy, those forces are inhuman and the results are traumatic. Of course it is our first responders, particularly our paramedics, who have to deal initially with that, and then it is our ED medical professionals and those in intensive care.

I would like to note that Austin Hospital, which provides emergency care and intensive care to Preston and our area, has recently had a tragic loss of one of their key members, Professor Rinaldo Bellomo, who I did not know personally but I understand was a beloved figure within that ICU team. He had come to Australia from Italy. Acting Speaker De Martino, as you may appreciate, many people do that and make a great contribution to our society, and he had certainly done so, not only as a clinician in our area but as one of the world's leading medical researchers in intensive care. For those who know that research world well, he had an h-index of I believe 201, which is quite extraordinary. That is almost Nobel laureate territory. I will not do a full eulogy here – that has happened appropriately with his colleagues – but I would just like to quote the European Society of Intensive Care Medicine, who issued a statement describing Professor Bellomo as 'a towering figure in the fields of intensive care medicine' and saying:

... the global intensive care community have lost a giant. He leaves behind his beloved wife and daughter, and many grieving hearts around the world.

I would just like to place on record our gratitude for his work in the Preston area, and our thoughts are with his colleagues, his friends and his family. I am sure if Professor Bellomo could be here he would say, as medical professionals always do, that prevention is much better than cure when it comes to severe trauma, and of course part 2 of the bill in front of us and indeed part 3 are part of this government's important and ongoing reforming work to prevent and minimise road trauma.

I know when I speak to locals in Preston and Reservoir they are very grateful for the minister's industriousness and her ongoing reform of the Road Safety Act 1986, which we have in front of us, and the rules and the technical documents that are empowered by that act. I speak to her and her team often, as she knows, about Road Safety Act related issues. Certainly we often speak about a challenge we have in parts of Preston, but particularly in Reservoir, where we have a lot of roads that are only 6.5 metres wide, relatively narrow roads. These days, with a lot of townhouses and so forth, there are cars parked on both sides of those roads, and surprisingly to me, they are still zoned at 50 kilometres per hour. I have raised previously in the house that there perhaps is a case – and I know the minister has given this consideration – that they should be automatically reduced to 40 kilometres per hour in circumstances where it is clearly not possible for two vehicles to pass each other safely or in fact to pass each other at all because the gap is too narrow for two vehicles.

I understand Darebin council are currently looking to potentially reduce High Street to 30 kilometres per hour in some places. I do think that is a matter for them. There is certainly some merit in that. We do, sadly, still get a lot of pedestrian incidents in that part of central Preston. But I would say to them, were Darebin council here, that it would be unusual to have those streets down to 30 kilometres per hour while some of those other streets I have just described are still 50 kilometres per hour. That discrepancy would not quite make sense. Similarly, when we think about the speed zoning policy, which of course falls under the Road Safety Act and the Road Management Act 2004, I have spoken to the minister – and I know the member for Pascoe Vale has also done so – about how our speed zones operate in busy shopping strips. I think particularly of the shops along Plenty Road near Tyler Street. We have just had tram stop 52, the northern one, reinstated there, and we are very grateful to the Minister for Transport Infrastructure for that. But we will speak further to the minister about whether that can come down to 50 kilometres an hour along that strip.

Another issue that locals do raise is shared-use path crossings, where bike paths cross over a road and where the bikes have right of way. I think they are really important pieces of infrastructure. We are going to need more of them. But you will know, Acting Speaker, that everyone is quite familiar with the standard format for a zebra crossing. Often it has flashing lights. We know what it looks like; people know what to look for. But of course cyclists have to dismount at zebra crossings, and that means we cannot use them for shared use paths. And we do not have a national standard for shared use paths. I know the minister and her team are having a think about how we can address that particular issue, and we are grateful for it. I do think there has to be a little bit of a quid pro quo there. I absolutely support the right of cyclists to have the right of way, but a cyclist travelling at 50 kilometres per hour is very difficult for a driver to pick up. I think there may have to also be some rule about cyclists – and as a regular cyclist I would support this – slowing to 15 kilometres per hour or something that does allow cars to have the visibility, given that bikes of course move much faster than pedestrians. Similarly, I have previously raised the issue of semimountable kerbs at the Bell Street bridge in this house. I am slightly disappointed that I remain the only person in the history of the house to talk about semimountable kerbs, but I will just reiterate my previous comments on that.

Finally, if I can, another issue that comes up locally is 'Keep clear' zones, and there is currently advice in the *Manual of Uniform Traffic Control Devices* that they should be used very sparingly, because apparently road users are meant to understand that you are not allowed to block any cross intersection, including those that are not signalised. But my certain feeling driving around, and I think most people would agree, is in fact most Victorians do not understand that that is how road rule 170 works. In fact in many parts of Preston and Reservoir people block those intersections, and the effect is that people cannot get out of local streets and often cannot perform manoeuvres that would be in everyone's interests and would be in the interest of road safety. So we have chatted to the minister's team about just whether we can be a bit more liberal in our application of 'Keep clear' zones, which actually provide a very important function. We would love to see some where Cuthbert Road meets Cheddar Road, and particularly on Bell Street at Newcastle Street and Hotham Street, where they would really help out local residents.

The bill in front of us also amends the Road Management Act, which as the member for Footscray alluded to is a very important act that sets up the system by which we know who has responsibility for various roads. As she touched on, many of us deal with those issues where council and the state government have joint responsibility for an intersection. I know for us at the intersection of Broadway and Boldrewood Parade there is a large double-lane roundabout there with five separate roads coming into it. You certainly would not design that intersection that way were you to do so today. We continue to talk to the minister and indeed to the Minister for Housing and Building about how we solve that particular issue, noting that there is some government-owned housing land to the north and it may be necessary to use a little bit of that land to ultimately fix that intersection in the long run. Were the member for Pascoe Vale here, he would have liked me to touch on issues related to Murray Road just east of Elizabeth Street, which is technically his electorate but which certainly affects people in the electorate of Preston. We would love to see that road eventually head back to just one lane. We thank Cate Hall, who is a local advocate down there.

I will return to where I started by thanking police and our medical professionals, including the late Professor Rinaldo Bellomo, for all the work they do to help people with road safety. We are trying to help them today with this bill, which will improve road safety in Victoria.

Richard RIORDAN (Polwarth) (12:10): I rise this afternoon to speak to the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. The wonderful seat of Polwarth of course can expect to be affected by this bill somewhat more than others because not only do we have the state's worst roads but we also have three pretty neglected ports managed by this government. This government has in recent times handed the management of those ports not over to specialist port authorities or people that have expertise and experience in ports but to this government's new administrative incarnation, called the Great Ocean Road Coast and Parks Authority. I thought I would spend a bit of time this morning just going through the fact that the ports legislation component of this bill today is designed to obviously free up and oversee the better management and running of ongoing concerns around ports, such as abandoned vessels, how to deal with pollution and oil spills and so on. These are quite admirable traits of the bill, I guess, and the opposition will not be opposing them. But I raise the point that for those issues to really warrant solving and good discussion, we need to make sure that the ports that we have are running to their best ability.

I will start with the port of Lorne. The port of Lorne is not renowned these days for its bustling fishing industry and other things, as it was for many, many decades, with the famous coota boats out on the pier at Lorne. But today of course it is a very important area for the community as a base of tourism. Riddle me this: how do you have a situation where a government of the day no longer allows you to wash a boat in a port or does not allow you to clean and process the fish that you catch when you come ashore at the port of Lorne? That seems a bit strange, because if you do not do it at the port and you do not do it at sea, where else would you be expected to do it, particularly in the township of Lorne? What we find ourselves in at the moment is quite a heated community debate, because the federal government back in 2018 promised many millions of dollars for the redevelopment of Point Grey and the Lorne Pier precinct. This government in its wisdom has handed it to a body that has very little marine and/or fishing expertise, understanding and experience and has actually gone to great lengths, spending an estimated \$1 million to \$2 million perhaps on planning and other administrative expenses, to come up with the notion that it is no longer environmentally friendly to wash a boat or skin a fish or deal with those issues at the port itself. If a government is so bereft of imagination and capacity to facilitate what anyone would deem pretty standard activities at a port, one wonders how much else it may have gotten right in this ports legislation.

It is important that the government, in looking at the best outcomes for its ports, actually goes back to the drawing board and talks to the Lorne aquatic club and to those that have a passion for the fishing industry, who are still in plentiful supply in the township of Lorne. They could actually sit down with those people and work constructively with them to ensure that when they spend many millions of dollars on a much-needed physical upgrade of the precinct around the Lorne Pier, the port of Lorne,

they in fact make sure that the port provides the most basic of services for not only the benefit of the users of the port but also the ongoing safety and viability of the port. It is also interesting to note that in the government's oversight of this redevelopment they have also made the interesting decision to completely demolish most of the fishing heritage and port heritage of the area and offer, as a replacement, a temporary and much smaller coffee kiosk. Once again I would say that the Lorne community is very proud of its long fishing heritage. In fact in the community itself there are many iconic images and pictures of the fishing heritage of Lorne, and they are quite keen to see that heritage preserved. While we encourage and support the development of a modern and functional public marine area, it is also important that the history of that area is preserved and protected where possible. So that is the first port.

The second port of course is even more complicated. The port of Apollo Bay is probably the most significant piece of port harbour infrastructure that exists along Victoria's south-west coast, excluding of course the much bigger Port of Portland. Nonetheless between Port Phillip Heads and Warrnambool and through to Portland there is not a lot of safe refuge for marine craft, so the port of Apollo Bay provides a very important piece of civic and community infrastructure. That port has been, quite frankly, messed around with endlessly by government for the last 10 years. The Colac Otway shire had carriage of the port and management of the port until last year, and in that time the municipality had spent in the order of \$1.5 million to \$2 million planning for the future of the port, with detailed plans about how to keep the port open and keep the port viable and how that port could be redeveloped and worked upon, using, once again, support from then Morrison government in 2018. The money has been with the state since that time.

You would think it was a bit of a no-brainer to have a local management authority working with the local community and the local users of the port to come up with a plan, and a plan they did come up with that had general support from the community. Step in the now Allan government, and they said, 'No, we don't want the council running this anymore. We're going to hand it all over to our new agency, the Great Ocean Road Coast and Parks Authority, which has no ports experience, expertise or understanding. We're going to give it to them to run.' The very first thing that the Great Ocean Road Coast and Parks Authority did was put the \$1.5 million to \$2 million worth of community research into how best to manage the port in the bin. They promptly put it in the bin, and they said to the world, 'Let's spend another \$2 million to redo this plan, but we'll do it through our new lens.' I ask you: why on earth would they decide that they could redevelop the port through a lens other than the lens that had been developed by the local community? It would be my assessment that it was a decision of this government that they would no longer allow and encourage an active, thriving, busy commercial fishing port in Apollo Bay, an industry that has been successfully operating for a very, very long time in that area, and instead that they would do their darnedest to downgrade its usefulness, downgrade its facilities and downgrade its services, first of all, through apportioning much of the funding that had been allocated for physical works back to writing more reports that had already been done. That was their first grave mistake. The second grave mistake is they have spent a lot of time disagreeing with the input and advice from those who actively commercially use the port.

The reason it is important, both in Lorne and in Apollo Bay, to have viable and active ports is because when they generate a revenue and an income it returns to these smaller coastal communities and can then be reinvested into maintaining ports, because ports are essentially a very expensive piece of public infrastructure to maintain well. They are highly susceptible to coastal influences and of course the very corrosive sea and salt air, which always makes maintenance a very tough gig.

In the minute or so I have left I will touch on the port of Port Campbell, the third of my ports, which is suffering the same consequences as the other two ports have – a government that has handed the management of them over to an agency that has little or no expertise in the ports field and, in so doing, refuses again to listen to the local community and users of the port. One of the ongoing issues for the port of Port Campbell has been the state of the jetty facility there. It has an upper and a lower deck. Little maintenance issues such as the safety of the ladder or the safety of the surface of the jetty itself

as to whether people can or cannot stand on it are pretty basic understandings that any good marine manager needs to keep an eye on, plan for and manage into the future. It is disappointing that this government has allowed this to happen to these three really important ports that not only provide a huge visitor attraction to these three coastal towns but also provide potentially important places of refuge at times of wild seas and other marine catastrophes that might happen at the time. The fact that we are not keeping them as functional, active and safe as we can belies the fact that this government, even though it has brought this legislation in on ports, has not put enough into port safety.

Jordan CRUGNALE (Bass) (12:20): I rise to speak to the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. This bill is a comprehensive, reform-oriented step forward for our state, enhancing safety, boosting administrative efficiency and ensuring that the governance of our roads and ports reflects the standards expected by all Victorians. At its core this bill aims to modernise and strengthen key areas of our transport and infrastructure framework. It does so by refining enforcement processes, reducing risks at commercial ports, improving road management procedures, strengthening local port operations and enhancing the investigative capacity of our transport safety authorities.

Let me begin with a matter of utmost importance, which is road safety. The Victorian government has long recognised that safe roads save lives. I would like to share some important figures that highlight the impact of road trauma across our community based on the latest data from the Transport Accident Commission. Over the four years between November 2020 and November 2024 there have been 1680 TAC claims involving hospitalisations across the three LGAs that make up the Bass electorate. They are not just numbers, they represent individuals in our community whose lives have been disrupted, families affected and in some cases long roads to recovery. 1528 of those hospital stays lasted 14 days or less; 152 required hospitalisation longer than 14 days. These extended hospital stays often reflect the severity of the incidents and the long-term consequences for victims and their families. This data serves as a powerful reminder of why road safety continues to be a top priority for our region, and it calls for targeted investment in prevention, whether that is through better infrastructure, stronger community education or ongoing support for those recovering from trauma.

This bill continues our unwavering commitment to making our roads safer for everyone, particularly by addressing enforcement issues that have challenged frontline officers and investigators. One of the key reforms in the bill is an amendment to the Road Safety Act 1986 that doubles the current timeframe in which Victoria Police can initiate proceedings for certain hit-and-run offences. Where these offences involve minor injuries, proceedings must currently be commenced within 12 months. This can often prove insufficient, especially when investigations are complex and involve difficulty in identifying the driver. This bill will extend that period from 12 months to 24 months, giving police more time to bring offenders to justice. It is a measured and fair reform that balances the rights of all parties while strengthening community trust in the road safety system.

In addition, the bill expands the list of professionals who may be prescribed as authorised persons to collect blood samples for drug and alcohol testing. Presently only registered medical practitioners and specific health professionals can carry out this task, and there are often delays in accessing those personnel, particularly in regional areas or in time-sensitive circumstances. By widening the scope of eligible professionals, we make it easier for police to enforce our drug and alcohol driving laws, which are critical to lowering road trauma.

Further, the bill allows for authorised Victoria Police employees, not just sworn officers, to issue infringement notices for offences detected by road safety cameras. This includes offences such as speeding and red-light violations, seatbelt breaches and mobile phone use. This reform frees up the time of sworn officers for more urgent enforcement and community engagement duties while ensuring camera-detected offences are addressed promptly and efficiently.

If we turn our attention to ports, the gateway of commerce, logistics and international trade, this bill takes decisive action to introduce regulatory oversight of mooring services at commercial ports.

Mooring and unmooring are physically demanding and potentially dangerous processes that involve high-tension ropes and require close coordination with vessel operators. Port practices in this space not only endanger lives but also threaten vessels, port infrastructure and continuity of operations. To manage these risks, the bill establishes a licensing scheme regime for mooring service providers administered by Ports Victoria. Operators will be required to meet strict standards in relation to staff training, equipment, incident reporting and emergency preparedness. A licence will be valid for five years and may be suspended or cancelled if safety standards are breached. These changes bring mooring services into alignment with the existing framework for towage services and ensure our ports remain efficient and safe places to work. The bill also gives Ports Victoria the authority to issue a mooring services determination, setting out obligations on service providers at a port-specific level. This includes operational standards, record keeping and incident response protocols, helping avoid disruptions like vessel breakaways, which could shut down an entire port. This is forward-thinking risk-based regulation in action.

On our roads the bill delivers needed updates to the Road Management Act 2004, including expanding the regulatory power to allow for more flexible assignment of responsibilities for certain types of infrastructure. For example, some municipal road bridges that cross rail lines are currently the responsibility of local councils, though they may more appropriately fall under VicTrack or Transport for Victoria. This bill allows regulations to be tailored to such cases, making road ownership and maintenance more logical and sustainable. The bill also reforms the process of applying for consent to carry out works on public roads. It tightens up requirements around the information that must be submitted, eliminates deemed consent for high-risk applications and introduces a stop-the-clock mechanism. This will allow coordinating road authorities to pause a decision period while waiting for additional information, thus preventing unsafe or inadequately planned works from going ahead by default.

Moving to local ports, this bill strengthens the operation and administration of Victoria's local ports, which play an essential role in regional communities and economic activity. It clarifies that local port managers may provide technical and advisory services not only outside their local area but also within their own, including to councils and other government bodies. Importantly, the bill authorises the minister to permit local port managers to charge fees for services and facilities on either a cost-recovery or a commercial basis. This added flexibility will allow financial sustainability without removing the capacity to respond compassionately during emergencies or for community benefit. The bill improves procedures for managing and removing abandoned vessels in ports and waterways – vessels that pose environmental, navigational or aesthetic problems – and clearly sets out the steps required to determine abandonment, locate owners and dispose of such items in a timely and lawful way. Equivalent amendments are made to the Marine Safety Act 2010 to ensure consistency across all Victorian waters.

The bill also clarifies the role of the Secretary of the Department of Transport and Planning in responding to marine pollution. It confirms that the secretary is responsible for dealing with the pollution from maritime sources while supporting other agencies in handling incidents from inland sources. The bill also repeals an outdated liability cap in the Marine (Drug, Alcohol and Pollution Control) Act 1988, aligning Victorian law with internationally agreed limits and ensuring we are not unfairly burdened in the event of an oil spill.

Taken together, the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025 represents a strengthening and well-considered package of reforms, responds to community and industry feedback, corrects legislative gaps and, most importantly, lays a safer, smarter and more efficient foundation for the future of transport in Victoria. It is a bill built on collaboration with Victoria Police, the Department of Justice and Community Safety, Ports Victoria, local governments and the chief investigator. It reflects both technical expertise and policy ambition. I commend the Minister for Roads and Road Safety, the department and her office for this bill. It honours our responsibility to govern with foresight, compassion and rigour. I commend the bill to the house.

Chris CREWTHER (Mornington) (12:30): I rise today to speak on the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. This is a wideranging omnibus bill that touches on everything from mooring safety at commercial ports to administrative reforms in transport governance. I first want to look at the road safety enforcement elements. In particular, this bill amends the Road Safety Act 1986 to (1) increase the time available to prosecute lower level ‘fail to stop and render assistance’ offences from 12 to 24 months, a logical step that will support proper investigations, (2) enable a broader group of approved health professionals to collect blood samples in drug-driving cases, helping Victoria Police overcome access challenges in rural or understaffed areas, and (3) allow authorised police employees, not just sworn officers, to issue infringements based on road safety camera detections, which should ease pressure on frontline police.

On paper, these are constructive reforms. However, no legislative amendment can substitute for meaningful action on the ground. We are suffering a crisis on Victoria’s roads, particularly in our regions, and that includes the Mornington Peninsula. Road safety in Victoria is deteriorating from Mallacoota to Mornington to Mildura and from Orbost to Ararat and elsewhere. Lives are being lost because of dangerous driving, crumbling roads and policy neglect. The fact that this Labor government is allowing our debt situation to go up to \$194 billion in a few years time, which is \$29 million in interest a day and which is \$1.2 million in interest an hour, is not helping us to invest the necessary funds we need to into our roads, and indeed we have seen cuts in this area over time.

This year alone over 80 people have been killed on regional Victorian roads. That is more than 60 per cent of the total road toll, despite regional Victorians making up less than a quarter of our population. The fatalities are horrifying, but they are not isolated; they are part of a wider trend. We need to look after our regional Victorians, who do make up a disproportionate amount of our road toll, including my family, who are still in Horsham in western Victoria, which is where I grew up, and so many other Victorians in our regions. The data actually backs this up as well. Dangerous driving offences have surged, with more than 300 cases in the last year. According to Victoria Police, speeding, distraction and fatigue are some of the most persistent causes of fatal crashes.

And let us not forget drugs. A major study published in 2024 by Dr Jennifer Schumann and her colleagues at Monash University analysing a decade of crash data in Victoria revealed some deeply troubling facts. Methamphetamine is now the most common drug detected in fatal road crashes, present in over 15 per cent of fatalities between 2015 and 2019. In motorcycle fatalities it was detected in a staggering 28 per cent of cases. THC, the active component in cannabis, is also rising rapidly, especially among injured drivers. These trends are not abating, they are accelerating.

Of course let us not forget the deteriorating roads, including potholes and more in my electorate and elsewhere. Budget cuts have led to a sharp decline in road maintenance, with resurfacing spending falling from over \$200 million to \$37.5 million. This has resulted in only 422,000 square metres of regional roads being rehabilitated or resurfaced in 2023–24, compared to 9 million the previous year. What is clear is that this Labor government is more concerned with headlines than results. Year after year Labor ministers announce a regional roads blitz, yet the department’s own performance data shows maintenance work has plummeted. Meanwhile, families like the Bartletts in East Gippsland were nearly killed on crumbling bitumen when a 16-year-old learner driver rolled the family car three times because the edge of a regional road collapsed under her tyre. That was not just bad luck, that was a failure, and it is on this Labor government.

We also have to look at, say, Forest Drive in my electorate in Mount Martha, which has now finally been fixed, despite the many injuries and deaths we have had there over the years, with funds that were allocated many years ago from the former federal coalition government to fully fix this project. But it was not helped by the state government delaying this project multiple times, meaning that Zoe McKenzie and I had to put so much pressure on to get the state Labor government to deliver the project using the funds that were already sitting there, committed by the former federal coalition government. Now we are in a similar situation with Uralla Road in Mount Martha and its intersection with Nepean Highway. Similar to Forest Drive, it has seen injuries and deaths over the years. The work is already

fully funded as well, by the former federal coalition government, so the state government does not have to put any more money towards it, but the state government needs to deliver it. We are calling upon the state government to deliver this project as soon as possible, because we cannot see more injuries and deaths at that location as well.

Back to the bill, the amendments related to the Road Safety Act are largely uncontroversial. The reforms to consent for works on roads are more problematic. Basically, the Labor government has given itself and councils more time to deal with works applications on and around roads. It can stop the clock on applications for works and remove deemed consent for some applications where consent is automatically granted after a period of time. The Labor government says that this is about risk mitigation and ensuring safety and that potential infrastructure damage will be avoided following a clear and detailed process. On the other hand, it appears to be a legislative change to ease the pressure on the Department of Transport and Planning and in the process potentially add time and therefore cost to important works. These works may include roadworks, utility relocations and similar works, often involving property developments and housing. The minister's office and department could provide no examples of why this is needed and what has prompted the amendments. This is yet another example of red tape, with which this government is obsessed, whether in roadworks, utility activity or even private development requiring road access such as new intersections or the provision of gas and water sewerage connections to housing developments.

The Victorian Transport Association, I note, is opposed to this change, noting it could be used to delay roadworks. The Urban Development Institute of Australia, also opposed, notes that it risks introducing delays and inefficiencies into development delivery, especially in growth areas where coordinating road authorities may be under-resourced or slow to respond. This is why the Liberals and Nationals have introduced a sensible amendment in the Legislative Council to knock out these clauses.

Lastly, I want to look at the port management amendments. On the subject of ports the bill introduces welcome reforms, particularly the introduction of a licensing scheme for mooring service providers. The mooring and unmooring of vessels are high-risk operations, and until now the lack of regulation has left safety infrastructure and operational standards in the legal grey area. I note that there was a sunken yacht near Mornington Pier just recently, in the last week, which will have to be retrieved – linking into all these issues. So these changes are long overdue. The bill also strengthens the management of abandoned vessels – again, a reasonable measure given the growing number of derelict boats left in our waterways – and it clarifies that port authorities can charge commercial rates for services inside and outside port waters. While we support cost recovery where appropriate, we will be watching closely to ensure that this does not become just another cash grab from this Labor government dressed up as reform.

Let us take a moment to step back, though, because the real issue here is not just port management, it is port performance. I want to take a moment to talk about the government's renewable energy terminal at the Port of Hastings. Let us be clear: the Port of Hastings offshore wind hub has now been delayed by two years. Instead of delivering power by 2028, it may not be ready now until 2030. Because of that delay, there is now real concern that Victoria will miss its own legislative target of 2 gigawatts of offshore wind by 2032. The delay could now mean that the first offshore turbines are assembled elsewhere – Bell Bay, Geelong or even Port Kembla in New South Wales. That could mean jobs lost, economic opportunity lost and credibility lost. While the bill before us talks about managing mooring operations and regulating abandoned vessels, it is worth asking: how is any of that going to matter if we cannot even get the port projects we need delivered on time, on budget and on an environmentally sound footing?

I will mention, lastly, that I was involved, as the CEO of Mildura Development Corporation many years ago, in the Murray Basin rail project, which I note saw so many cost blowouts and more while also being reduced in scope. This would have seen real competition between our ports, but it has not been delivered properly. That is something that should be invested in more, but instead we are working on projects like the Suburban Rail – *(Time expired)*

Ella GEORGE (Lara) (12:40): I rise today to speak on the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025, and I would like to acknowledge the Minister for Roads and Road Safety and Minister for Ports and Freight and her team for the tremendous work that they have done across this portfolio, particularly with this legislation and the important reforms that it will introduce. We have heard that this bill is wideranging, and it shows our government's commitment to improving road, port and safety outcomes right across Victoria. It will do a range of things, including enhancing road safety through improved enforcement measures, mitigating known worker safety risks and ensuring reliability at commercial ports by regulating mooring services. It will streamline road infrastructure management and simplify roadwork consent processes, refine the legislation governing local port operations and responses to marine pollution, clarify laws regarding the chief investigator, transport safety, to facilitate effective safety incident investigations and advance the administration and regulation of the transport sector with additional enhancements to transport laws.

This bill is an important piece of legislation that further demonstrates our government's commitment to improving road safety outcomes right across Victoria. In my electorate of Lara we are certainly benefiting from the state government's contributions and commitments to road safety and ensuring that road infrastructure is upgraded to meet the needs of growing communities. Prior to the 2022 state election I was proud to stand with my predecessor, the previous member for Lara John Eren, and announce that the Labor government had committed funds to improve the Six Ways intersection in Lara. This is a \$16 million investment by the Victorian government, and it will include works to improve safety, capacity and traffic flow at this busy intersection, which is getting busier every single day as more and more young families move into new estates throughout Lara. This commitment to improving road safety and infrastructure is so important to the residents of Lara as the community continues to grow.

In addition, last year we saw the construction of a pedestrian crossing on Forest Road in Lara opposite the wonderful Lara Lake Primary School, a very big and busy school. This pedestrian crossing is essential to supporting the safety of students as they travel in and out of school. This was funded thanks to the pedestrian and safer schools program, one of the many programs this government has supported to improve road and pedestrian safety. This bill will continue this important work in improving road and pedestrian safety. It will deliver improved outcomes for our road safety regulatory framework, and it will also ensure that Victoria Police have what they need to do their job in strengthening road safety.

An important step in strengthening road safety outcomes will be in the additional 12 months that this bill provides Victoria Police to bring proceedings against a driver who is alleged to have committed a hit-and-run offence. It is unfortunate that we even need to have legislation like this, but unfortunately not everyone stops and helps when they have an accident. When a person is involved in an accident and suffers minor injuries, this is classified as a summary offence. Currently, this means that Victoria Police have 12 months to start proceedings. Victoria Police have told us that this is not enough time in some cases, as it takes time to piece together what happened and to identify the person involved. This is especially the case in hit-and-run cases where the driver flees the scene. This bill will double that timeframe so that justice can be done and Victoria Police have the appropriate time to hold offenders to account.

This bill also gives Victoria Police the flexibility to access one of over 2000 collection clinics when they are seeking a qualified health professional to take a blood sample. This is important because we know that two of the top five causes of serious accidents in Victoria are drink and drug driving. Currently, if Victoria Police members suspect that someone is impaired, they require a blood or urine test to confirm it, and this must be done within 3 hours of the person driving. But only a select group of health professionals can do these tests. By expanding who can collect these samples, we are providing Victoria Police the greater flexibility that they need to ensure that they can meet the timelines and not be burdened with extra travel times. This bill will also make amendments to ensure that specifically authorised Victoria Police employees, not just sworn officers, can issue infringement

notices for most offences detected by road safety cameras. This greater flexibility is a sensible step and supports Victoria Police, resulting in safer roads for everyone.

I would like to take a moment to thank the members of Victoria Police, who work so hard in serving and protecting the community. I know that in the Lara electorate and across the wider Geelong community we have the most incredible, dedicated members safeguarding our community. Just recently I had the chance to catch up with the team from Lara police station, and it was great to hear about how their team goes above and beyond for their community. When I visited, the team had recently concluded a lengthy search and rescue operation in and around the You Yangs, and a number of members had worked overtime and come in on their days off to help with this, and for that I thank them. They have a real passion and connection to the people in Lara. I want to thank Senior Sergeant Lorie Stein and all the members of Lara police station for the work that they do and for the commitment that they show our community.

This bill will also improve the processes for managing road infrastructure. It expands the regulation-making powers in the act to allow us to assign road maintenance and management responsibilities to the authority best suited to reduce red tape, cut delays and make sure that the right authority, whether it is the state or local government, is responsible for road infrastructure. This bill improves the process for consent to conduct roadworks on our roads. Currently, once an application for works is submitted, the responsible road authority has a designated time limit to approve or reject it. If there is no response within the timeframe, the application is closed and considered deemed consent, allowing the works to proceed, but this means that applications are often rejected if they do not have enough information, which creates a financial and a time burden. This change will ensure that there is enough time to request more information and prevent delays caused by a rejected application. It will also mean that there will be some types of works that cannot be approved by deemed consent, and this will be the case for freeways and other large projects where safety risks are high. These changes will mean that all works on public roads are done properly and safely.

I would like to speak to the changes that this bill will introduce regarding maritime safety. It is incredibly important that we ensure that safety is a focus in our busy ports. For over 180 years the Port of Geelong has been a key part of the local Geelong community, and I am proud that it calls the northern suburbs of Geelong home. The Geelong port manages a wide variety of trades that total over 46 million tonnes of cargo, worth more than \$10 billion each year, and as the economy in regional Victoria continues to expand the Port of Geelong is key to our region's import and export trade and future opportunities. In recent years we have seen the *Spirit of Tasmania* call Geelong home, which brings more ferry crossings into Corio Bay and takes thousands of passengers, cars and trucks between Tasmania and Victoria each year. That is why the amendments in this bill are so important, as we need to ensure that our ports are as safe and reliable as possible. We know that mooring operations are essential to the functioning of a port's operations, and this bill will allow Ports Victoria to implement a mooring licence scheme. This will ensure that only qualified providers can operate in our commercial ports. Commercial ports are busy industrial areas, and safety needs to be the utmost priority.

This bill will also enhance the tools available to our port and waterway managers to deal with abandoned vessels and other items that pose safety and environmental threats. Abandoned ships can lead to serious safety hazards, harm the environment and disrupt vital operations. The existing processes for handling this are unclear and slow, which hampers the ability of port and waterway managers to respond quickly when necessary. These changes will ensure that port managers have the tools to act efficiently while maintaining fairness and transparency. In Geelong's northern suburbs we know that this is incredibly important. We have a number of small boats and vessels moored off North Geelong, and it is incredibly important that the authorities have what they need to do their important job if those vessels are abandoned.

As I have touched on in my contribution today, this bill introduces a range of initiatives aimed at enhancing transport safety and regulation, whether it is on our roads or in our waters. It improves road safety through better enforcement practices and addressing safety risks for workers at commercial

ports by regulating mooring services, and on this side of the house we know just how important that is. We know just how important it is to have a safe workplace so that everyone can get home safely at the end of the day and we know how important it is that our roads are safe, and that is why we are investing hundreds of millions of dollars into fixing potholes, upgrading road surfaces, upgrading big, busy intersections like Six Ways in Lara and ensuring that our communities have the road infrastructure that they need as our communities grow. Last year over 70 per cent of our investment into roads went into regional Victoria, and we will continue our focus on this. I commend this bill, and I wish it a speedy passage through the house.

Martin CAMERON (Morwell) (12:50): I rise today to talk on the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. As previous speakers that have stood up in this place have spoken about, it covers a couple of different portfolios, one obviously being roads and the other being our ports. I am first going to talk about the roads part of these amendments. I think for everybody here in the chamber, no matter what side of the chamber you do sit on, we are constantly contacted by our constituents, especially down my way, talking about roads and road safety. I note that this bill amends eight transport-related acts – such as the Road Safety Act 1986, to enable additional prescribed persons to collect blood and urine samples and to empower Victoria Police employees to issue infringement notices. Having the visible presence on the roads of our wonderful members of VicPol as they move around the state – it is always great to be able to see them driving past, because I know as I traverse up and down the freeway from my home town of Traralgon and move through here into the city to Parliament, I think we all see road users are becoming more and more impatient and doing the wrong thing. Making changes to make our laws work better and to be able to keep us safer on the roads is a good thing.

I note that we do often come in here and talk about the state of our country roads, and one of the issues that is often brought up to me – I have a couple of road intersections in my community in the seat of Morwell and in the Latrobe Valley – one of the main ones that comes through my office door, is the Waterloo Road–Lloyd Street intersection. This intersection of roads we do have a lot of complaints about, and we do have severe accidents there, unfortunately, sometimes. It has been more than four years since the Moe residents were promised the notoriously dangerous intersection at Waterloo Road and Lloyd Street would be upgraded, and it is probably every three months that I do continually ask the question of the Minister for Roads and Road Safety as to updates on what is going on. It is a complicated set-up in Moe because it does involve a railway crossing as well.

We sit here in the chamber and I do listen to how many level crossings have been removed down here in Melbourne and the suburbs. This one here is a very dangerous intersection, especially around school time with school buses and cars trying to get from one side of Moe to the other. We have had issues with VicTrack trying to purchase land, the minister does tell us, but to constantly have to ask – and we have been waiting since before even my time of becoming the local MP down there to try to get it underway to make it safer. To date there has been some surveying work done, which people have seen, and with houses lining this intersection, it is very, very easy and quick for people to ring my office and give us feedback. We would love to see some safety upgrades done to this particular intersection because it is dangerous.

One of my other hobby horses – and I would not be doing the right thing if I stood in the chamber here and did not mention this intersection – is in Traralgon. It is the Bank Street intersection. What has happened here is we have had upgrades done to the intersection, and the intersection does require traffic lights. Once again, it involves a railway line going through with boom gates. We do know there are issues with VicTrack and making all this work. In the next month or so they are going to be shutting down our regional rail line again so they can continue the signalling works that need to be done between Melbourne and Traralgon and further into East Gippsland. But talking with ministers on both sides of rail and also traffic management, it does not appear that we are going to get these lights up and operational once these works have been done, which is really disappointing. We had an incident not too long ago this year where a school bus and a car actually collided on this part of the road. The

government has safety works around that to make it safer. It is pretty easy; you just put the damn traffic lights up and make sure they work so we are pulling people up. This will actually slow the traffic down as it goes through this intersection. It sits directly opposite the Traralgon Golf Club. What we are finding is that within the golf club we have people that have golf carts trying to make the journey from one side of the freeway to the other with no lights and no help for them to get across. It is only a matter of time before we have a significant accident. It ramps up around holiday period, and I do note we are heading into a bit of a break which coincides with the school holidays, so people will be moving out and about and around, heading safely on holidays. We hold our breath collectively, hoping that when the kids are getting on the buses to go home it is going to be a safe passage for them to get through. Even though we are talking about legislative amendments here, I need to be highlighting these issues that are continuing and that nothing seems to be done.

One of the other parts of this issue at the Bank Street intersection is probably about 200 metres down at the Kosciuszko Street intersection, the main thoroughfare for school buses with schoolchildren going home. We do have traffic lights there, and they work a treat, but we have pedestrian lights that lead from one side of the road to the other side of the road where the railway line is now. The children can travel safely and walk across the freeway comfortably, because the traffic lights are stopped. But when they get to the other side there, as part of all these works, there is meant to be an underpass for the kids to go underneath the railway line. Unfortunately, these works have not been done and are not scheduled to be done while the next lot of signalling works are done, and there are no trains on the line. So when the kids leave, going home from school or on their morning journey to school, they have actually got to walk up and over the railway line. I do not think I have spoken to any parent or any teacher at the schools that are up on Kosciuszko Street who do not have concerns about the kids walking up and over. We do need to make sure that we are doing the right thing there. I am doing my due diligence as a local member and highlighting this constantly with the minister's office. We do hope, but we get a generic response. The more that I do ask and want these intersections fixed, we just get that generic response with a bit of a blame game on who is holding it up.

As I was saying before, there is one thing I have learned coming down here, with our country roads deteriorating a little bit. I used to pull up at the Pakenham McDonald's and grab a cappuccino and then continue my journey in, but I have changed now, because trying to dodge the potholes, it would all be just froth and bubble by the time that I did get down here closer to Melbourne, and that included being on the Monash Freeway. I have now resorted, after I worked it out, to buying a latte. I stick that in my cup holder as I travel along the journey and by the time I dodge a few potholes and run over a few potholes and it bounces around a bit, it has actually turned brilliantly into a cappuccino, so I still get that beautiful froth on top of it. It is a shame that I have to resort to not buying my cappuccino and to buying a latte. But I have worked it out so that by the time I leave and actually get down here to Parliament that latte will be a brilliant cappuccino for me to enjoy. We hope and wait for the minister to fix up these intersections.

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

Business interrupted under standing orders.

The DEPUTY SPEAKER: Before we start, I would like to acknowledge in the gallery the member for Summer Hill in the New South Wales Parliament the Honourable Jo Haylen MP. I would also like to acknowledge former member for Northern Victoria Marg Lewis. Also welcome to the Honourable Veena George, the Minister for Health, Woman and Child Development in the government of Kerala, India.

Questions without notice and ministers statements

Community safety

Brad BATTIN (Berwick – Leader of the Opposition) (14:03): My question is to the Premier. Crime is out of control in Victoria because Labor is weak and has failed to keep the community safe.

Ms Symes, as Attorney-General, said she did not want a discussion about a youth crime crisis that does not exist. Youth crime has increased by 18 per cent year on year, with a crime committed against a person every hour. Will the Premier now admit there is a crime crisis in Victoria?

Jacinta ALLAN (Bendigo East – Premier) (14:04): In acknowledging the Leader of the Opposition’s question, I am going to at the outset thank Victoria Police because what today’s crime statistics show us is that Victoria Police are arresting more people than ever before. I am not going to accept the criticism from the Leader of the Opposition for our hardworking men and women in Victoria Police. And not only that, we resource Victoria Police. We have the most police of any state in the nation. Not only do we have more police in our state than any other jurisdiction, our government is resourcing those police with not just the tools and the resources but, most critically, the powers that they need. That is why I am thanking Victoria Police.

Members interjecting.

The DEPUTY SPEAKER: Order! The Minister for Consumer Affairs is warned.

Sam Groth: On a point of order, Deputy Speaker, on relevance, the question does not even mention Victoria Police. I ask you to bring the Premier back to answering the actual question.

Jacinta ALLAN: On the point of order, Deputy Speaker, in my defence, I was being entirely relevant to the question. You cannot have an arrest without a member of Victoria Police, so I think it is entirely appropriate and relevant to refer to Victoria Police.

Members interjecting.

The DEPUTY SPEAKER: Order! The member for Pascoe Vale is also warned. The Premier is being relevant to the question asked.

Jacinta ALLAN: In responding to the Leader of the Opposition’s question, I was referring also to the additional powers we have given Victoria Police – those people who go and arrest people who are breaking the law, for the benefit of the member for Nepean. What we have seen under our government is that we have the toughest bail laws in the country, and I note Victoria Police’s statement itself –

Bridget Vallence: On a point of order, Deputy Speaker, the Premier is debating the question. It is very narrow. Will she admit there is a youth crime crisis?

The DEPUTY SPEAKER: The Premier was being relevant to the question about crime.

Jacinta ALLAN: We absolutely have acknowledged that there was more to do, which is why in putting community safety first we have the toughest bail laws in the country, which those opposite opposed. We have introduced Australia’s first machete ban, working with Victoria Police on bringing about the machete ban within six months, compared to the United Kingdom, which took 18 months. We have introduced electronic monitoring for youth offenders to make sure that they comply with bail. Be absolutely clear: we are placing community safety first, and this approach comes from sitting and listening, as I and I know many of my colleagues have done. We have listened because behind every one of these statistics is a victim of crime. I think that is important to remember when we consider these statistics, which is why I go back to where I started. I thank Victoria Police for their work. We back the work of Victoria Police because we have met many victims of crime and understood that we need to place community safety first and foremost in the work that we have been doing and will continue to do.

Brad BATTIN (Berwick – Leader of the Opposition) (14:08): Crime is out of control in Victoria because Labor are weak and have failed when it comes to community safety. In Victoria a car is stolen every 17 minutes, an aggravated burglary is committed every hour and, like clockwork, a crime is committed every 50 seconds. Why has the Allan Labor government failed to keep Victorians safe by cutting the budget to Victoria Police by \$50 million, leaving 1100 vacancies on rosters and continuing to leave over 40 stations closed or with reduced hours across our state?

Jacinta ALLAN (Bendigo East – Premier) (14:09): I am going to absolutely correct the record. There absolutely has been no cut to Victoria Police. I know the Leader of the National Party is fond of budget papers. Perhaps the Leader of the Opposition might like to look at budget paper 3, page 158. We have increased the funding for Victoria Police.

Members interjecting.

The DEPUTY SPEAKER: The member for Yan Yean can leave the chamber for half an hour. I need to be able to hear the Premier.

Member for Yan Yean withdrew from chamber.

Jacinta ALLAN: Also, in referring back to the Leader of the Opposition’s question, I do remind the house that today’s crime statistics remind all of us of the number one law and order matter that Victoria Police respond to, and that is family violence.

Brad Battin: On a point of order, Deputy Speaker, the question is specifically about the crime statistics here in our state and the cut to budgets. Why won’t the minister address the cut to the budget, the 1100 less police and the 40 police stations that are shut or with reduced hours under her watch?

Mary-Anne Thomas: On the point of order, Deputy Speaker, once again the Leader of the Opposition is defying your ruling in relation to points of order not being an opportunity to reframe or ask the question again.

Members interjecting.

The DEPUTY SPEAKER: Order! I would have to be able to hear the point of order in order to determine that. The Premier was being relevant to the question asked.

Jacinta ALLAN: I was referring to the number one law and order matter in this state. Today’s crime statistics remind us of that ongoing work, and that goes to culture, alongside supporting the work of Victoria Police.

Ministers statements: education system

Ben CARROLL (Niddrie – Minister for Education, Minister for WorkSafe and the TAC) (14:12): While those opposite are investing in their legal teams, we are investing –

Members interjecting.

Ben CARROLL: We know we will get the recording tomorrow. We are investing in our Education State, and I want to update the house –

Members interjecting.

The DEPUTY SPEAKER: Member for Brighton, you are on my list.

Ben CARROLL: We are updating the Education State right across this wonderful state of Victoria, and I am going to update the house on the investments we are making in the Leader of the Opposition’s electorate and also the member for Bulleen’s and the member for Kew’s. In the Leader of the Opposition’s we have done seven upgrades. I opened three new schools at the beginning of this year, and we have got two more schools to open next year that will be part of our 100 school upgrades across our state. The member for Bulleen is not here – he is on the phone to Jeff Kennett – but can I say we have updated half a dozen schools, including Bulleen Heights, Templestowe Heights and Templestowe College. And for the sleeper, the member for Kew: \$9.6 million for the Belmore specialist school. Also there is a brand new STEM centre at Kew High and, in the last budget, planning money for Boroondara Park Primary School.

Those opposite, we also know, when they were last in office cut Free Fruit Friday. We know that under this government we have expanded the school breakfast program to all of those electorates. Belmore

School now has the school free breakfast program. Doncaster Secondary, in the member for Bulleen's electorate, now has the breakfast program. Berwick secondary college has the breakfast program. We are making investments in every corner of the state, no matter who is the representative. While we are investing in schools, we know they are investing in remedial classes for tonight's big meeting. If leadership was a group assignment, those opposite would not even get their assignment in by the deadline.

Community safety

Brad BATTIN (Berwick – Leader of the Opposition) (14:14): My question is to the Premier. Crime is out of control in Victoria because Labor is weak and has failed to keep the community safe. Today's crime statistics show offences are up by 17 per cent, with one offence every 50 seconds; aggravated burglary is up 34 per cent, with an aggravated burglary each and every hour; and motor vehicle theft is up 47 per cent, with a car stolen every 17 minutes. At the same time, youth crime is up by 18 per cent. And the same question goes: why is the government continuing to cut the Victoria Police budget by \$50 million at the time of a crime crisis?

Jacinta ALLAN (Bendigo East – Premier) (14:15): Even though this is a repeat question, I am very pleased to have the opportunity to be very clear with the Leader of the Opposition. He is either deliberately misleading the house or undermining the work of Victoria Police. There has been no cut to Victoria Police's budget, and I am delighted to use this opportunity to perhaps explain to the Leader of the Opposition – and perhaps the member for Brighton could assist as Shadow Treasurer in explaining to the Leader of the Opposition how budget papers work – that budget paper 3, page 158, refers to the policing and community safety investment that we are making over the coming forward estimates period. What it shows for the period of 2024–25 is the additional one-off investment we made to – wait for it – Victoria Police as part of the enterprise bargaining agreement process. That is a payment –

Members interjecting.

Jacinta ALLAN: I would have thought additional payments to Victoria Police are something we could all get behind. Let us be clear: there has been no cut to Victoria Police's budget. What has happened is there has been more investment –

Bridget Vallence: On a point of order, Deputy Speaker, the Premier is required to be factual, and she simply is failing to be factual.

Mary-Anne Thomas: On the point of order, Deputy Speaker, there is no point of order. The Premier is being factual. She has to address the errors made by the Leader of the Opposition in his question.

The DEPUTY SPEAKER: As has been stated in this house many times, all members are expected to be factual at all times.

Jacinta ALLAN: I was referring to budget papers. I could not provide any further evidence of the fact that we invest in Victoria Police. I also want to make this point: we are investing in the work of Victoria Police because we do recognise that there are absolutely challenges around keeping our community safe, which is why not only are we putting in additional resources to have the most number of police here in Victoria, more than in any other state, but we are backing them with the powers and the tools and resources. We will keep doing this work because we are focused on the safety of the Victorian community. Whilst those opposite have giant distractions that are going on in their own party room, we will not be deterred from that focus on supporting Victoria Police. Whether it is responding to that number one law and order matter of family violence, which is seeing more Victoria Police call-outs in this area, or the other areas of putting community safety first, we will continue this focus on supporting Victoria Police.

Brad BATTIN (Berwick – Leader of the Opposition) (14:19): Premier, youth crime is out of control in Victoria because Labor is weak and has failed to keep the community safe. Children account for 13 per cent of all offenders – the highest ever recorded – and are over-represented in serious violent

crime, including committing 63 per cent of all robberies, 46 per cent of all burglaries and 27 per cent of all car thefts. Aren't these statistics proof that the Premier has failed to keep Victorians safe?

Jacinta ALLAN (Bendigo East – Premier) (14:19): Again in rejecting the premise of the Leader of the Opposition's supplementary question, I will say very clearly that as a result of introducing the toughest bail laws in the country we are seeing more people, young people and adults, on remand, because we have placed community –

Members interjecting.

Jacinta ALLAN: The Leader of the Opposition has asked how they are still committing crime. For the benefit of the Leader of the Opposition and for the house – you would have thought that the Leader of the Opposition would have briefed himself properly – these crime statistics that were released today do not include the tough new bail changes that this house passed. I hope that clarifies. Question time should not be 'briefing the Leader of the Opposition' time, but that is apparently what it is. We will continue to support Victoria Police.

Ministers statements: creative industries

Colin BROOKS (Bundoora – Minister for Industry and Advanced Manufacturing, Minister for Creative Industries) (14:21): The Allan Labor government is backing in our creative industries, and one great example is Melbourne's big winter arts festival Rising, which has just concluded. I know the Clerk is a big fan of that festival. This year it attracted around 270,000 people to some 33 public events. It sold 72,000 tickets and generated 11,000 new subscribers, which is a 15 per cent increase in audiences. This supported jobs not just for creatives but for thousands of people who work across the city in hotels, restaurants, bars and hospitality.

Victoria and Melbourne are also home to one of the great theatre districts of the world, with the Princess Theatre, the Forum, the Comedy and the Athenaeum to name but a few. Right now there are some great shows on. *Beetlejuice the Musical* is on at the Regent Theatre – and we are not selling our share in that theatre – an adaptation of a story of people trying to rid their house of evil spirits, and I am not talking about the Legislative Council. Her Majesty's is also hosting a production of *Hadestown*, a great musical based on the ancient Greek mythical tragedy of Orpheus and Eurydice. These productions are great for our economy and jobs. Deputy Speaker, I know that you are just as big a fan as I am of French classical ballet, and no doubt you are looking forward to the Regent Theatre hosting the Australian Ballet's performance of the tragedy *Manon*, a story of passion and betrayal.

But if you are a fan of classic tragedies, there is a great example on tonight. The characters in this performance are a hapless leader, a fallen prince, a crusading queen –

Bridget Vallence: On a point of order, Deputy Speaker, I would have thought the minister would know his own ruling from when he was the Speaker that there is no opportunity to attack the opposition.

Mary-Anne Thomas: Deputy Speaker, there was no point of order. The Minister for Creative Industries was not attacking the opposition; he was only sharing his great and well-known love for French opera and ballet and tragic love stories.

The DEPUTY SPEAKER: I will reiterate that points of order are not an opportunity to have a debate. I do not uphold the point of order.

Colin BROOKS: There are the hapless leader, the fallen prince, the crusading queen from another place and the cast of traitorous, warring foot soldiers. I will not give away the plot, but it is a tale of hatred and vengeance and incompetence. We do not know how this tragedy ends, but I do agree with members opposite: it is a complete S-H-I-T show.

The DEPUTY SPEAKER: I would have thought that former Speaker Brooks would know that is unparliamentary language, even if you spell it out.

Craigieburn community hospital

Brad BATTIN (Berwick – Leader of the Opposition) (14:24): My question is to the Minister for Health. Yesterday in response to a question from the member for South-West Coast the minister talked about ‘the patients that we had the pleasure of visiting, receiving dialysis at the Craigieburn community hospital’. However, Craigieburn community hospital sits locked behind a barbed wire fence and a padlocked gate with a bag over the sign and empty car parks. How did the dialysis patients the minister saw cross the barbed wire fence to receive their treatment?

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (14:25): I thank the Leader of the Opposition for his question. Unlike the Leader of the Opposition, I have actually been to the Craigieburn community hospital. I have also had the opportunity to meet the patients that are there receiving dialysis, so I would suggest that the Leader of the Opposition take himself out to Craigieburn.

Brad Battin: On a point of order, Deputy Speaker, it is required in answers from ministers that they must be factual, and the photo of the closed venue with barbed wire fence and locked gates would actually prove that she is misleading the house.

The DEPUTY SPEAKER: Order! Leader of the Opposition, I encourage you to remember that props are not acceptable. On the point of order?

Brad Battin: I offer to present it to the house so you can make it available for the whole house.

The DEPUTY SPEAKER: That is not a point of order. As stated earlier, all members are expected to be factual at all times.

Mary-Anne THOMAS: Not only did I have the opportunity to visit, with the member for Yuroke and the member for Greenvale, patients receiving dialysis at Craigieburn; I also had the opportunity only last week to head down to Phillip Island with our local member for Bass and meet the very first patient at that community hospital who was receiving treatment. This is a woman who, despite the fact that she was suffering from a respiratory illness, nonetheless was very anxious to meet both the member for Bass and me to explain what a great investment our community hospital has been.

Danny O’Brien: On a point of order on the question of relevance, Deputy Speaker, we know that the question shows that the minister is a bit confused about the locations of hospitals, but it was not about Phillip Island.

The DEPUTY SPEAKER: The minister is being relevant to the question on community hospitals.

Mary-Anne THOMAS: The question was about community hospitals, and I was just taking the opportunity because, unlike the Leader of the Opposition, I have been to the Craigieburn, Cranbourne and Phillip Island community hospitals.

Brad Battin: On a point of order, Speaker, in relation to relevance in your recent ruling just then, you said that it was in relation to community hospitals. Is it the ruling from the Chair now that if we ask about a specific hospital they can refer to any hospital across the state? It would be absolutely irrelevant, asking questions, for the people of Craigieburn, who are being misled when it comes to a hospital that is currently closed, if this government can talk about one in Phillip Island which will treat no person in Craigieburn.

Ben Carroll: On the point of order, Speaker, on relevancy, page 154, *Rulings from the Chair*, Coghill and Delzoppo:

A minister is to relate remarks to the question asked.

The question specifically asked about Craigieburn hospital and the minister’s visit. The minister spoke about visiting Craigieburn hospital and then went on to talk about Cranbourne and Phillip Island. You asked the question about Craigieburn, and the minister was relevant and answered it.

The DEPUTY SPEAKER: I do not uphold the point of order. The minister was relevant to the question, and it is not for the Chair to dictate to members what to say.

Brad BATTIN (Berwick – Leader of the Opposition) (14:29): The member for Kalkallo bragged that services would begin at Craigieburn community hospital in 2024 and that the new community hospital would offer day surgery services. How many surgical procedures have been performed there?

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (14:30): I am very happy to answer the question. As I had the opportunity to outline yesterday, if you have not ever built a hospital, you have no idea how to open one. Under our government we have invested record funding to open hospitals, including our community hospitals. Craigieburn community hospital has had a pharmacy and dental services in operation for some time. I was able to visit a dialysis patient. With the money that has been made available in this year's budget, we will continue to commission services at that service.

Bridget Vallence: On a point of order, Deputy Speaker, on relevance, it was asking for a number – how many surgical procedures. I would ask you to ask the minister to be relevant, please.

The DEPUTY SPEAKER: The Chair cannot dictate what the minister says. The minister has finished her answer.

Ministers statements: major events

Steve DIMOPOULOS (Oakleigh – Minister for Environment, Minister for Tourism, Sport and Major Events, Minister for Outdoor Recreation) (14:31): There is no denying we are the major events capital. I have already updated the house on the amazing summer of events where we broke record after record. But we are not just about summer; we have a pipeline of events. The first NBA team ever to play in Australia is playing in Melbourne later this year. We have secured Lenny Kravitz in the member for Mildura's electorate. Forty thousand people from the UK are flying here for the British & Irish Lions in July this year. We have got the NFL coming next year, and more on that in a moment. We have got the return of the Jayco Herald Sun Tour in Ballarat. Last year, just as a point of reference, 2.7 million international travellers spent \$9 billion in the Victorian economy as part of a \$40 billion tourism industry.

Let us talk about results. I was proud to fly to the US to bring the NFL to Victoria, and I came back with the Premier's deal done. There is another way, though. You could go to Adelaide and take selfies with Greg Norman. By the way, I met Greg Norman a couple of years ago. I do not feel compelled to post a selfie of every famous person I meet, but you could do that.

James Newbury: On a point of order, Deputy Speaker, ministers statements are not an opportunity for ministers to behave like grubs.

The DEPUTY SPEAKER: That was not a point of order.

Steve DIMOPOULOS: I did not mention any individual in this house at all. But you could do that. You could go over there, and then the day after you leave the LIV Golf event, the South Australian government signs with LIV for another 10 years. So we do not need any assistance from the opposition. While some people talk down Victoria, do you know where I was this morning? At the opening of Australia's newest hotel by the 1 Hotels group, the newest luxury brand in the world. They opened their only premises in Australia right here in Melbourne, in Docklands. This is the investment and the confidence people bring to Victoria, if you are not a Liberal.

Fire Rescue Victoria

Danny O'BRIEN (Gippsland South) (14:34): My question is to the Minister for Emergency Services. What is the Fire Rescue Victoria base budget for 2025–26?

Vicki WARD (Eltham – Minister for Emergency Services, Minister for Natural Disaster Recovery, Minister for Equality) (14:34): I thank the Leader of the Nationals for his question. I do note that this is the third time that there has been an attempt by those opposite to try and construct a false narrative about the nearly \$2 billion that we have invested in emergency services in this budget. As I said on Tuesday and Wednesday, that is more than double what those opposite invested when they were last in government. It is accurately displayed every year in the organisation’s annual report, which was explained to those opposite at PAEC multiple times by both the Premier and the Treasurer. Again, I am very sorry the Leader of the Nationals is so disappointed with the performance of his PAEC team –

Danny O’Brien: On a point of order on the question of debating, Deputy Speaker, I am wondering if the minister is now saying that Victorians do not get budgets until the end of the financial year, which is completely the opposite to what we do with the budget process.

Mary-Anne Thomas: Deputy Speaker, there is no point of order. The Leader of the Nationals knows full well that points of order are not an opportunity to re-ask the question or to patronise the minister. I ask that you rule it out of order.

The DEPUTY SPEAKER: I do not uphold the point of order.

Vicki WARD: I will take the opportunity to give a shout-out to the 4500 workers at FRV who do an incredible job. The Leader of the Nationals does seem to have some challenges in understanding how the emergency services are funded. I think that we need to understand that because of the nature of emergencies – that is, they occur quickly – there is regular supplementation that is needed. For example, if the Leader of the Nationals took some time to notice it, in the 2022–23 SES annual report funding increased by over 80 per cent because of the enormous effort and response from the SES to the October 2022 floods. This occurs across our emergency services, including FRV.

Bridget Vallence: On a point of order, Deputy Speaker, on relevance, the question was not about the SES. It was a very narrow question about the Fire Rescue Victoria base budget. I would ask you to ask the minister to be relevant to that very narrow question.

The DEPUTY SPEAKER: The minister had been answering on fire services and the budget, and I ask her to come back to that.

Vicki WARD: I was trying to give context to support and help the Leader of the Nationals to actually understand how the emergency services are funded. I do think that the Leader of the Nationals got to the crux of his line of questioning with his supplementary question yesterday. He is trying to create, again, a false narrative that we are not supporting our emergency services when indeed we have record funding.

Danny O’Brien: On a point of order again on relevance, Deputy Speaker, this is a very, very simple, straightforward question. The minister can get rid of false narratives if she just answers the question.

The DEPUTY SPEAKER: The minister had just strayed from the answer, and I ask her to come back. The minister has finished her answer.

Danny O’Brien (Gippsland South) (14:38): The government is desperately trying to hide from Victorians the fact that our emergency services agencies are facing budget cuts, despite Labor slugging Victorians with a new \$3 billion tax bill. Minister, during a cost-of-living crisis, are Victorians being hit with higher taxes and our emergency services budgets being cut simply because Labor cannot manage money?

Members interjecting.

The DEPUTY SPEAKER: The member for Mordialloc can leave the chamber for half an hour.

Member for Mordialloc withdrew from chamber.

Vicki WARD (Eltham – Minister for Emergency Services, Minister for Natural Disaster Recovery, Minister for Equality) (14:39): I am glad that the Leader of the Nationals recognises that this is a false narrative, and the answer to his question is no.

Ministers statements: transport infrastructure

Gabrielle WILLIAMS (Dandenong – Minister for Transport Infrastructure, Minister for Public and Active Transport) (14:39): Tonight thousands of Victorians will be heading into the city and across our suburbs and our regions for footy, gigs, theatre, eating out and going shopping, and many will use the infrastructure and the extra services that this government has delivered. We have delivered more train services, more tram upgrades, safer bike lanes and better buses. Meanwhile the only thing those on the other side have delivered in multiples is leaders.

Growing communities like East Pakenham and Mernda only have access to rail services because of this government. In the regions the communities of Cobblebank, of Goornong, of Raywood and of Huntly only have access to rail services because of this government. We have delivered 1250 additional weekly metro services and nearly a thousand extra weekly regional services. We are securing livability for generations to come. Meanwhile the Leader of the Opposition is busy brokering deals to secure his own leadership for another three years. The Allan Labor government has been busy delivering hundreds of additional tram services as well each and every week because our government is focused on keeping Victorians moving and keeping them connected.

Those opposite are only focused on themselves and each other. While Victorians are jumping on trains and trams to enjoy everything that Melbourne and our regions have on offer, the Liberals are once again going off the rails, stuck at a political crossing trying to decide whether their former leader is worth the fare. The message for Victorians could not be any clearer: the Allan Labor government has your back, but under the Liberals you need to watch your back.

Community safety

Brad BATTIN (Berwick – Leader of the Opposition) (14:41): My question is to the Minister for Police. Minister, the latest Crime Statistics Agency statistics reveal that nearly half of all crimes in Victoria are now going unsolved, with over 290,000 offences in the past year alone where the perpetrator remains unidentified and at large in the community. That is a 42 per cent jump in unsolved crimes in just one year and a 66.7 per cent increase since Labor took office. Minister, how can Victorians have any confidence that they are safe when tens of thousands of criminals are left to walk free and justice is not done under your watch?

Members interjecting.

The DEPUTY SPEAKER: Member for Eureka, half an hour.

Member for Eureka withdrew from chamber.

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (14:42): A \$727 million investment in our justice system, announced in this year's budget, goes further to the investments our government is making to keep the community safe. Some 76,000 arrests made by Victoria Police members in this past year, in the quarter of the stats that have been released today, show again the duties above and beyond that the police deliver every day, with a record number of arrests, holding more people to account than ever before. You can only do that when you invest \$4.5 billion in the Victoria Police budget, when you fund 3600 additional police, when you spend \$1 billion on capital infrastructure to support Victoria Police members and when you change and reform our remand and bail laws to see a 100 per cent increase in young offenders being remanded who continue to commit crimes in our community and a 31 per cent increase in the remand figures for those adults who continue to commit crime in our community. That is about holding people to account for their crimes. I note that our blackmail offences are down 35 per cent. You might be a little bit interested in that: down 35 per cent – not that you are helping.

Bridget Vallence: On a point of order, Deputy Speaker, the minister is debating the question. It was about unsolved crimes.

Mary-Anne Thomas: On the point of order, Deputy Speaker, clearly the Manager of Opposition Business was not listening to the question. The minister on his feet is being entirely relevant to the question.

The DEPUTY SPEAKER: The minister had been relevant to the question. He might have started straying and will come back. The minister has finished his answer.

Brad BATTIN (Berwick – Leader of the Opposition) (14:44): Minister, the situation is most dire in the most serious categories. Unsolved crimes across Victoria are up by 75 per cent in one year, nearly seven in 10 property and deception offences now go unsolved and unsolved bail breaches and justice offences have exploded by over 1100 per cent since 2015. Does the minister have any specific measures left in his bottom drawer to address Victoria’s law enforcement crisis?

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Community Safety, Minister for Victims, Minister for Racing) (14:44): I take this opportunity to again thank Victoria Police members for the work they do every day to keep Victorians safe and to ensure that there are a record number of arrests being made – more than ever before in the history of Victoria Police – to keep Victorians safe. I notice that once again those opposite continue to ignore – continue to airbrush from our crime stats – the 10 per cent rise in family violence offences, because Victoria Police continue to hold perpetrators to account in our community in record numbers.

Bridget Vallence: I think it is outrageous to cast aspersions in relation to family violence and how seriously we take that. But the point of order is on relevance, Deputy Speaker. I would ask you to ask the minister to be relevant.

The DEPUTY SPEAKER: The minister was being relevant to the question asked.

Anthony CARBINES: About 415 specialist family violence investigators do amazing work every day to hold perpetrators to account. The work of our women’s safety package, which is coming together, led by our justice ministers and the member for Eltham, is critical in making sure that we tackle the scourge of family violence in our community. Police officers respond to one family violence incident every 5 minutes. It does not discriminate, and we are going to make sure they continue to have the resources they need to keep people safe.

Ministers statements: major events

Jacinta ALLAN (Bendigo East – Premier) (14:46): Tonight, Thursday night, thousands of Victorians will be flocking to Melbourne’s central business district because literally the inner city will be going off. Whether it is that fantastic performance of *Beetlejuice* that will be on at the Regent Theatre or *Jesus Christ Superstar*, which will be on at the Princess Theatre, there are going to be a lot of people out and about after work this evening and they will be taking full advantage of Melbourne as the live music capital of Australia, the arts and cultural capital of Australia, the major events capital and the capital of fun. There will be a lot of people having fun tonight.

What we are seeing is that overall activity in the city is up 4 per cent on last year, hotel room bookings are exceeding the number at its last peak in 2019 and foot traffic is higher. This does not happen by accident. It comes by having a pipeline of events backed by a government that supports those events. We invest in the arts, major events and sports because it is investing in jobs and it is investing in people. That is exactly what Victorians expect us in this place to be focused on: them. We are focused on supporting them to have a secure job, real cost-of-living relief and support and the opportunity to get out and about and have fun.

But we know there are some who are more focused on spreadsheets than set lists – balance sheets instead of bar tabs. Whilst punters tonight will be queuing up for cocktails, there will be others who

will be queuing up to do the numbers. I say this very clearly to Victorians: we are focused on them, we are focused on their jobs and we are focused on supporting what matters to Victorians. That is why our major events industry is backing jobs, backing workers and backing Victorians every single day.

Rulings from the Chair

Constituency questions, questions on notice and adjournment matters

The DEPUTY SPEAKER (14:48): The Speaker indicated to me that she intended to raise with the house a number of outstanding questions that are now overdue. The portfolios with overdue questions are roads and road safety, 25; transport infrastructure, 23; Premier, 22; Treasurer, 21; public and active transport, 14; police, 13; environment, 10; children, eight; health, eight; consumer affairs, seven; housing and building, seven; mental health, six; education, five; government services, five; planning, five; emergency services, four; agriculture, three; skills and TAFE, three; prevention of family violence, three; water, two; creative industries, two; community safety, two; multicultural affairs, one; veterans, one; economic growth and jobs, one; WorkSafe and the TAC, one; climate action, one; carers and volunteers, one; Suburban Rail Loop, one; Attorney-General, one; energy and resources, one; corrections, one; victims, one; racing, one; finance, one; ports and freight, one; and local government, one. I ask, for the Speaker, that ministers use the winter recess to clear their outstanding and overdue answers before the Parliament resumes in July.

Constituency questions

Caulfield electorate

David SOUTHWICK (Caulfield) (14:50): (1180) My question is to the Minister for Emergency Services, and the question is: when will the minister provide an appropriate fit-for-purpose station for Glen Eira SES to allow them to do their job, the important work to keep their community safe, particularly when the current facility is not fit for purpose? I have raised this four times in this house over two years, and Labor have continued to ignore the concerns of the community and of this hardworking volunteer group within our SES. I know the member for Bentleigh is in the chamber at the moment, and I am sure he shares the concerns of the Glen Eira SES. But we need more than sharing concerns; we need action. We need the SES to ensure that they can get their trucks out during an emergency. The other day their office was blocked, and they could not get trucks out and get to an emergency on time. So we need action now.

Narre Warren South electorate

Gary MAAS (Narre Warren South) (14:51): (1181) My constituency question is for the Minister for Energy and Resources and concerns the \$100 power saving bonus. Minister, how will the Allan Labor government deliver this round of the power saving bonus in my community of Narre Warren South? Electricity bills really are a concern for households, especially in my electorate, and constituents are already dropping by the office to ask how they can access this vital financial support to help them with the cost of living. The scheme appears to build on previous rounds of the power saving bonus and the federal program, which assisted so many in my electorate. I look forward to sharing the minister's response with my community.

Shepparton electorate

Kim O'KEEFFE (Shepparton) (14:51): (1182) My question is to the Minister for Community Safety, and the information that I seek is: what is being done to address the ongoing rise of crime in my electorate? In a matter of weeks my community has experienced some terrifying incidents. On 2 June two teenagers received suspected machete wounds during a fight in Shepparton that involved up to 20 people. In a separate incident the same week in Mooroopna a carjacking involved an Uber driver who was violently assaulted by two teenagers. He was run down with his own car when he tried to flee, and his vehicle was stolen. This has left the victim traumatised. Last week in broad daylight two women were randomly assaulted in Shepparton walking to their cars after work. I met with Emmy,

one of the victims, and it has left her feeling terrified and unsafe. A crime community forum is being organised, and I will notify the minister of further details, where he could also share his response.

Cranbourne electorate

Pauline RICHARDS (Cranbourne) (14:52): (1183) My constituency question is to the Minister for Health, and my question is: what will be the benefit to the Cranbourne community from the \$12 million investment in the Dandenong and District Aborigines Co-operative Ltd? I was pleased to be joined by the Minister for Health and the Minister for Public and Active Transport with the amazing and fabulous Aunty Jill Gallagher at DDACL recently, and it was terrific to be able to celebrate this amazing investment. I have a large, growing, youthful and vibrant First Nations community in Cranbourne, and I know that they are very much looking forward to understanding what will be happening from this extraordinary investment in our First Nations people.

Warrandyte electorate

Nicole WERNER (Warrandyte) (14:53): (1184) My constituency question is to the Treasurer. When will the Allan Labor government scrap its unfair and punishing schools tax? Labor's schools tax, introduced in 2023, is a cash grab that punishes families choosing non-government schools by applying payroll tax to schools that were previously exempt. This is far from a fringe issue, because in the electorate of Warrandyte around 31 per cent of students attend Catholic or independent schools, rising to 52 per cent among secondary students. Whitefriars College in Donvale is one of those local schools now facing this tax. Principal Mark Murphy tells me the school is about to cross the payroll threshold and will be slugged with a \$1 million annual tax bill, forcing fee increases of nearly \$1000 per student and punishing hardworking families for their educational choice. The Liberals and Nationals will scrap this unfair tax, and I urge the Labor government to do the same.

Kororoit electorate

Luba GRIGOROVITCH (Kororoit) (14:54): (1185) My question is to the Minister for Skills and TAFE in the other place. What impact has the Labor government's free TAFE initiative had on young people in Kororoit, particularly in supporting access to training, skills development and meaningful employment opportunities? Free TAFE, as we know, continues to be a game changer for thousands of Victorians by removing financial barriers to education and opening up real career pathways. In Kororoit we have seen firsthand how this program is creating new opportunities for young people to get the skills that they need for jobs in high-demand industries. As our community looks ahead at the construction of the new TAFE campus in Melbourne's west, there is a real sense of excitement. This project reflects the government's strong commitment to delivering affordable, high-quality education close to home. The Melton local government area, as we know, is one of the fastest growing regions in the state and the country. The new campus will not only help meet the increased demand for skilled workers but also strengthen our local economy by supporting key industries. By equipping young people with practical, future-focused skills, we are investing in long-term employment.

South Barwon electorate

Darren CHEESEMAN (South Barwon) (14:55): (1186) My constituency question is to the Premier. Barwon Heads, Breamlea and Torquay are all communities that are very passionate about their cycling, and indeed around the state cycling tourism is something that is growing and that provides Victoria with a fantastic opportunity. That whole coastline is managed by various state government entities. Despite how close they are located together, there is not a safe cycling path between them that could then ultimately connect on to the Bellarine Peninsula and then potentially via the ferry across to the Mornington Peninsula. I think this is an opportunity for the state government.

Northcote electorate

Kat THEOPHANOUS (Northcote) (14:56): (1187) My question is to the Minister for Education, and it is shaped by my work experience student Greta Schumacher in year 10 at Thornbury High. How is the Victorian government supporting schools in my electorate to not only listen to student perspectives but embed student voices in school decisions and curriculum design? In schools across the inner north students are actively contributing ideas to improve their learning and wellbeing. They are leading sustainability projects, designing elective subjects, delivering professional learning to teachers, conceiving new peer-mentoring programs and more. Greta herself has shared with me the fantastic benefits when students are given a voice – more confidence, more engagement, a stronger sense of belonging and shared responsibility, deeper collaboration and better educational outcomes. In Victoria we rightly emphasise student voice as a key enabler and provide resources to support this. Yet in practice it is inconsistent. On behalf of all students and what they have to offer, I look forward to hearing how our government is empowering them to shape their education.

Benambra electorate

Bill TILLEY (Benambra) (14:57): (1188) My constituency question is for the Minister for Environment. The information I seek is an explanation as to how the reduction in fisheries officers across the state serves to protect the platypus in the Benambra district. The Labor governments both in this state and in the Commonwealth were very quick to pat themselves on the back with a press release, dated 12 June, entitled ‘Working together to help the platypus thrive’. But with the other hand, the Victorian state government is removing the very thing that protects the platypus – talk about duplicity. I have seen a number of photos of seven dead platypus removed from an illegal fyke net in the Werribee River. Fisheries officers had to kayak into the area due to no road access. This is a scene repeated right across Victoria. Who will do this now? Restoring critical habitat is one thing, but who will protect these iconic native animals? I seek leave to table a couple of the images of these platypus for distribution.

Hastings electorate

Paul MERCURIO (Hastings) (14:58): (1189) My question is to the Minister for Ports and Freight. What is the next step in delivering the renewable energy terminal to and for my community? When I am out and about in my community, which is quite often, I always get asked about the renewable energy terminal, with questions like ‘Is it still happening?’, ‘When is it going to happen?’, ‘I haven’t heard anything about the terminal. Can you give me an update?’, ‘Is it dead in the water?’, ‘Does the government still want it?’ and a lot of other questions. My electorate know about the terminal, are positive about the terminal and are generally interested in it. I certainly get a sense that they want to be informed and involved in the future of the renewable energy terminal. I am pleased to see that the Port of Hastings have undertaken numerous roundtable community consultations with various interested groups and stakeholders and have an online forum on 24 June for those interested and a community forum in Hastings on 5 July. I look forward to the minister’s answer about the renewable energy terminal.

The DEPUTY SPEAKER: Member for Benambra, you sought leave to table a document. That is not quite possible, but you can make it available to the house if you wish to. Is that acceptable?

Bill Tilley: Yes, Deputy Speaker, I would like to be able to make it available to the house.

The DEPUTY SPEAKER: We will make sure that is done.

Bills**Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025***Second reading*

Debate resumed.

Colin BROOKS (Bundoora – Minister for Industry and Advanced Manufacturing, Minister for Creative Industries) (15:00): I move:

That debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned until later this day.

State Taxation Acts Amendment Bill 2025

Council's suggested amendments

The DEPUTY SPEAKER (15:00): I have received a message from the Legislative Council agreeing to the State Taxation Acts Amendment Bill 2025 and suggesting amendments.

Ordered that suggested amendments be taken into consideration immediately.

Council's suggested amendments considered:

1. **Suggested amendment to the Legislative Assembly –**

Insert the following New Clause to follow clause 16 –

'16A Exemption continues if land becomes unfit for occupation

In section 58(2) of the **Land Tax Act 2005**, for “second” substitute “fourth”.

2. **Suggested amendment to the Legislative Assembly –**

Clause 24, lines 14 and 15, omit “12 months but less than 3 years” and insert “the prescribed period or, if no period is prescribed, any period,”.

3. **Suggested amendment to the Legislative Assembly –**

Clause 24, after line 15 insert –

‘(2A) After section 70F(2) of the **Land Tax Act 2005** insert –

“(2A) The period (if any) prescribed for the purposes of subsection (2) must not exceed 12 months.”.

Colin BROOKS (Bundoora – Minister for Industry and Advanced Manufacturing, Minister for Creative Industries) (15:01): I move:

That this house makes the amendments suggested by the Legislative Council.

In speaking briefly to these amendments I would like to advise the house that the government introduced the build-to-rent tax concessions three years ago to expand the supply of secure, long-term options for renters, providing a realistic long-term alternative to home ownership. This enables Victorians to stay in one place to put down more secure roots, thereby providing social and community benefits. We do not see short-stay accommodation or very short term leases as meeting those policy objectives, and while we believe most providers are acting in good faith, we are also aware that some developments have advertised leases as short as three months.

However, during consultations we have heard some concerns specifically around immediately introducing a 12-month minimum lease length. That is why the government brought this house amendment. Rather than introducing a minimum lease length of 12 months, it will allow the Treasurer to prescribe a minimum lease length of up to 12 months in regulations. This will provide more time to consult with industry and with renters about the genuine needs of renters seeking flexibility as well as those seeking stability and security. In the meantime this legislation will still require the build-to-rent operators to offer renters the option of a three-year lease in order to receive the tax concessions.

The opposition has made representations and engaged with government on this amendment, and I thank the member for Brighton for this engagement. The government agrees with the policy merit of allowing people more time to rebuild their damaged or destroyed homes following natural disasters without incurring land tax. The amendment extends the maximum period a person can claim an

exemption from land tax when their home is uninhabitable due to natural disaster from two years with no evidence required to four years with no evidence required. The Commissioner of State Revenue can grant an additional two-year exemption if they are satisfied there is evidence the property is still available.

James NEWBURY (Brighton) (15:03): I feel terribly sad that there are not many members from the other side in the chamber now, because I am about to say something positive about the government. As the minister just said, these amendments deal with two matters, and I would like to start on the second matter raised by the minister in relation to expanding the land tax exemption to circumstances of natural disaster. Throughout debate, not only on the bill but in interaction with the Treasurer's office and debate in the other place, there was strong consultation in relation to expanding the domestic violence exemption to include those people, those victims of natural disaster, who are moving out of their homes because of that natural disaster and should not be penalised for it.

On both issues, in relation to domestic violence and natural disaster, the opposition has strongly made representations to the government. In domestic violence I have been making personal representations to the Treasurer and the Premier and do acknowledge the fact that they have moved these amendments in law because of those representations. In relation to natural disaster, a number of members, including Wendy Lovell in the other place, who has been a very, very strong advocate for people who have suffered and been unfortunately taxed for the horrible circumstance they have been through, made representations, and she made me aware specifically of the need for reform. So when the domestic violence amendment came through this bill, we sought to amend it in this place, and the government has accepted that in the other place. So can I acknowledge on both of these things that this is a circumstance where Parliament is doing its best work. The amendment that will pass very shortly will mean that domestic violence victims and victims of natural disaster are not paying tax for the circumstances they go through, and that can only be a good thing. I again acknowledge working with the government on both of these amendments. I think they are very important amendments that fix a structural unfairness in the system, so the coalition obviously will not be opposing them, but I also acknowledge the work of the government in working with me specifically to see this particular amendment go through.

On the second matter, the second amendment relates to build-to-rent requirements on leases. Industry feedback was very specific to the draft bill, which would have required a minimum 12-month lease. That did not quite hit the mark, and there were some unusual circumstances where 12 months might not suit. Industry provided that feedback to government, and I acknowledge that the government has understood the feedback from industry and has accepted the need to do that by way of regulation. Generally speaking it would be fair to say I am always sceptical of any decision made by regulation, but I do accept in this instance that the Treasurer's office and the Treasurer will use that discretion sparingly, only to allow a timeline that actually works for the best outcome. Though it is not going to be a 12-month exact figure in legislation, there is the intent or the spirit of having some form of minimum requirement to ensure no, for want of a better phrase, gaming of the system as it is. We accept the government's word that this power will be used sparingly.

I will finish on the point where I commenced by saying that we are about to see two very important corrections at law made: those in relation to domestic violence victims and also victims of natural disaster. The coalition will not be opposing those of course, and I would hope that this is an example of the government and the opposition working together for the betterment of the community. We will support those amendments.

Ellen SANDELL (Melbourne) (15:08): As others have raised, there are two matters dealt with in these amendments. The Greens will be supporting one of the matters and opposing the other, so I would like to ask that they be split to enable us to vote for amendment 1 but against the other two amendments. I will just explain why. Amendment 1 to the State Taxation Acts Amendment Bill 2025, as the member for Brighton has talked about, is an amendment brought by the Liberals that will exempt people experiencing natural disasters from paying land tax if their home is not able to be rebuilt within

a certain amount of time – if they are experiencing delays. That is a sensible reform and mirrors the one around family violence victim-survivors: that if they are unable to return to their home, they do not have to pay land tax. We do support that change to enable people who have suffered in a natural disaster to not have to pay land tax if there is a delay in building their home, so no problems there.

The other one I wanted to make a few comments about is around build-to-rent. Build-to-rent can play an important part in our housing mix, but it has been touted as a kind of new and novel housing model to create more affordable housing. Also it is supposed to mirror having the stability and the security of buying a house while renting, so kind of a different model – it is not quite the same as renting on the private market. You do not have to buy, but you still get the long-term stability of staying in one place. But unfortunately what we have seen is that most of these build-to-rent developments are a premium product. They charge above-market rents. They receive a lot of tax concessions from the government. In return they are supposed to provide this long-term stability and the security of long-term leases, but we are seeing that a lot of them actually are not.

This bill was supposed to correct some of that in a small way to say that in order to get tax concessions build-to-rent operators are supposed to offer a minimum 12-month lease. It is a pretty simple thing to have to offer, particularly when build-to-rent sells itself as being a place where you can stay long term. So you would have thought that they would already have built this into their model. But no, what has happened is once the government brought forward this pretty modest change just saying, ‘Come on, you’ve got to offer a 12-month lease,’ the industry – which, let us be clear, is the property developer lobby – came to government and said, ‘No, we can’t possibly have this,’ and asked the government to water it down and take that element out and replace it with just some discretionary powers for the Treasurer which she may or may not use. Given that it is a watering down of housing security, we do not support that.

The build-to-rent operators are also, it has come out recently, exempt from paying the open space levy. In my electorate and many other electorates there are build-to-rent operators that are not paying that open space levy and are then depriving those residents of open space and depriving the council of the funds to build open space, which as we know is just something that everybody needs to live a good life. So there are a lot of things that need to be fixed when it comes to build-to-rent and the tax concessions.

I am also disappointed to see that one of the other amendments did not get up in the other place, which was the Greens amendment to cap the stamp duty concessions for off-the-plan new apartments that are valued at \$1.6 million. We have seen these examples of \$10 million, \$20 million apartments getting stamp duty concessions and people saving over \$1 million in stamp duty. They would have bought these apartments anyway, and these are just sweeteners. This is not good use of taxpayer money.

Tim Read interjected.

Ellen SANDELL: It is quite extraordinary, as the member for Brunswick just said, to see that the government is giving millions of dollars to the ultra wealthy to buy penthouse apartments. I do not think that that is good housing policy, so I am very disappointed that neither Labor nor the Liberals decided to support the Greens amendment to cap that at \$1.6 million. If you look even at Kensington, where I live, an inner-city electorate, you can buy a three-bedroom family apartment in some of these new developments for under \$1.6 million, and that is right in the heart of the city. So \$1.6 million we felt was a fair cap to set and say, ‘Yes, you can have a stamp duty concession for off-the-plan apartments up to \$1.6 million.’ That enables first home buyers to get into the market and enables young families to buy a family apartment. But beyond that, really, we are looking at luxury apartments, and they should not receive those stamp duty concessions. So I am sad to see that those did not get up.

As I mentioned, we will be supporting amendment 1, and we would love to see that split out from amendments 2 and 3 to enable the Greens to oppose the watering down of the longer lease terms in the build-to-rent provisions.

The DEPUTY SPEAKER: The minister has moved that the Assembly make the amendments suggested by the Council. The member for Melbourne has indicated they wish to vote differently on some suggested amendments. Accordingly, I will split the question. The first question is:

That the Assembly makes amendment 1 suggested by the Council.

Question agreed to.

The DEPUTY SPEAKER: The second question is:

That the Assembly makes amendments 2 and 3 suggested by the Council.

Assembly divided on question:

Ayes (79): Juliana Addison, Jacinta Allan, Brad Battin, Jade Benham, Roma Britnell, Colin Brooks, Josh Bull, Tim Bull, Martin Cameron, Anthony Carbines, Ben Carroll, Darren Cheeseman, Anthony Cianflone, Sarah Connolly, Chris Crewther, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Wayne Farnham, Eden Foster, Ella George, Luba Grigorovitch, Sam Groth, Matthew Guy, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, David Hodgett, Melissa Horne, Natalie Hutchins, Lauren Kathage, Emma Kealy, Sonya Kilkenny, Nathan Lambert, John Lister, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Tim McCurdy, Steve McGhie, Cindy McLeish, Paul Mercurio, John Mullahy, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Pauline Richards, Tim Richardson, Richard Riordan, Brad Rowswell, Michaela Settle, David Southwick, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Bill Tilley, Bridget Vallence, Emma Vulin, Peter Walsh, Iwan Walters, Vicki Ward, Kim Wells, Nicole Werner, Rachel Westaway, Dylan Wight, Gabrielle Williams, Belinda Wilson, Jess Wilson

Noes (3): Will Fowles, Tim Read, Ellen Sandell

Question agreed to.

The DEPUTY SPEAKER: A message will now be sent to the Legislative Council informing them of the house's decision.

Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025

Second reading

Debate resumed on motion of Melissa Horne:

That this bill be now read a second time.

Jackson TAYLOR (Bayswater) (15:19): It is a great pleasure and a privilege to rise to speak in support of this bill, the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. Can I from the outset say a huge thankyou to the hardworking Minister for Roads and Road Safety and Minister for Ports and Freight. It is a bill with lots of different elements to it that will improve our roads, improve roads and road safety and make a number of what I believe are substantial amendments to improve the efficiency of the relevant portfolio spaces. Of course in thanking the minister, can I also thank the hardworking staff in the minister's office and, importantly, the incredible people in the respective departments for the work they have no doubt done in helping to pull this all together and for all the work and consultation they have done with the relevant internal and external stakeholders. I always like to start by giving credit where it is due.

I would also like to just take a moment to reflect on a few contributions. It has been wonderful hearing some of the fantastic contributions from my colleagues in this place. I know the member for Werribee

spoke about the importance of roads and road safety investments that the Allan Labor government is delivering in his fantastic electorate of Werribee – of course, not as fantastic as Bayswater.

John Lister interjected.

Jackson TAYLOR: I am more than happy to continue this debate without being unruly and taking up interjections from the member for Werribee, who so profusely defends the fantastic electorate that is Werribee. It was fantastic to hear the member for Werribee, who has already spoken on numerous pieces of legislation and who has spoken on a number of debates, talking up his fantastic community. It was great to see. So well done to the member for Werribee. The member for Lara as well – who is not in this place at the moment – gave a fantastic contribution about the importance of the impacts of this bill, the changes being made by this bill and the positive outcomes it will have for her electorate. Equally, the member for Albert Park, who always speaks so eloquently and with such intellect, gave a ripsnorting contribution. Thank you very much to the member for Albert Park, and I appreciate the fact that you have remained in situ and you have provided the eloquent head-nodding for my no doubt lacklustre contribution. So thank you, member for Albert Park. To the member for Bass as well – always a fantastic contribution. She always speaks with such passion for her community down there. Would you call it the outer south-east, member for Broadmeadows? Outer south-east, member for Bass? What do you call it?

A member interjected.

Jackson TAYLOR: Far away. Fantastic. Excellent. It is always great to hear from the member for Bass. Also, I just had a fantastic conversation with the Acting Speaker, the member for Bellarine. It was great to hear about some of the work that she did with parliamentary colleagues across the aisle, people from all political persuasions, on the important inquiry that was held into road safety around vulnerable road users. Of course it is really, really important that we continue to find more ways to protect all road users, and particularly vulnerable road users. It was good to hear, in talking to the member for Bellarine, about her work, the committee's work and the government's response, which has indeed been very, very positive.

This is a really important piece of legislation because it also proves that the Allan Labor government are continuing to reform, continuing to push forward policy, not resting on our laurels and not taking the status quo as acceptable but continuing to listen to stakeholders and make sure that our roads and our ports and our freight systems are safer, better and more efficient and effective for every single Victorian and for Victorian families. I am very proud that that is exactly what this legislation does.

This legislation also gives me an opportunity to talk about some fantastic local projects. But before I get on to that, in some brief detail, this legislation will enable better road safety outcomes by making updates and clarifications to the Road Safety Act 1986 to aid enforcement activities. It will reduce risk of injury and disruption by introducing a licensing scheme for mooring services in commercial ports and by making other updates to improve the operation of local ports under the Port Management Act 1995. For anyone listening at home, even though I am the member for Bayswater, there is no bay and there is no water, so there is no mooring and no local port in Bayswater. It does not exist in Bayswater, but mind you, it exists in many places around this state, and of course it is something this government is very passionate about backing in and supporting. I know it is an important part of this legislation, and it certainly is an important area of reform for this government.

This bill will also enable improved flexibility in assigning responsibility for road infrastructure and improved consent-for-works processes under the Road Management Act 2004. It will support efficient and effective administration of legislation by consolidating provisions relating to the investigative powers of the chief investigator, transport safety, in the Transport (Safety Schemes Compliance and Enforcement) Act 2014. This gives me an opportunity to talk about some of the fantastic local projects in the electorate of Bayswater and across Knox and indeed areas I have been very proud to be the member for over the course of my journey in this place. Just recently we had major construction finish

up at the Alchester Village intersection in Boronia. We love Boronia. For those of you who have not travelled to Boronia, you have got to check it out. This place is up and about.

Steve McGhie interjected.

Jackson TAYLOR: Where is it? It is a fantastic opportunity, member for Melton. It is nestled at the foothills about 35 kilometres east of the central business district of Melbourne. It is surrounded and lined by leafy green streets. Our garbage bin services are now fortnightly, not weekly, much to the dismay of some people. It has trees galore. It has wonderful, good people. It has got a huge business precinct right at its doorstep, the Bayswater business precinct. I would like a few more people to catch public transport to the Bayswater business precinct.

Steve McGhie interjected.

Jackson TAYLOR: No, no caravan parks. It is probably a little too close these days, the outer east. People want to live there. Young families are moving there. I look at the new electors list each and every single month, and when an election is on it seems to be a lot more than every month. There are a lot of young families, particularly from the inner east, moving out to Bayswater, Boronia and Ferntree Gully. It is a fantastic part of the world. We love it. Lots of young families are calling Boronia home, and they are very happy, member for Melton.

The Alchester Village roundabout previously was in the middle of an arterial road, being Mountain Highway, connecting through to another arterial, Colchester Road, connecting up to Kilsyth South – which I was very proud to previously represent – and also down to Albert Avenue, a local road managed by Knox City Council. This was something that local residents spoke to me about as early as 2019. This was identified as a priority project by Knox council in terms of advocacy, direct from our local government authority, and was also identified on a priority list from the Department of Transport and Planning. I met with residents out there in 2019, and I am very proud that, after much advocacy, a few budgets ago we were able to fund the upgrade and the installation of an intersection there, fully signalised with pedestrian crossings. That is so important, because that is right next to a local shopping strip, which is fantastic. It is home to the best Thai food in the outer east, at Mountain Thai – I tell you what, the pad thai there is second to none – and Alchester Fish and Chips, which is out of this world, with potato cakes that you would not believe. We have also got a fantastic florist there, Bloomin' Goodies. I went out and saw Tobie there recently. She does fantastic vase classes of a night-time. I have heard they are fully booked, although there might be some places if you are lucky. So definitely, if you are watching – for the six people watching right now this absolute banger of a contribution – please check in with Bloomin' Goodies and see if there are any more spots left in the vase classes. The minister at the table is confused.

Lily D'Ambrosio: No, I'm not. I'm coming.

Jackson TAYLOR: Excellent, Minister D'Ambrosio – just for *Hansard*. Fantastic. We have upgraded Alchester. It is fantastic. It backs in local traders and makes it easier for families to come across. There are local schools around it so it gets a lot of foot traffic, and it will now make it safer. I am no traffic engineer, but I have said to the few people out there who rail against signalised intersections, 'I'm all about safety, and if traffic engineers and experts tell you it's going to be safer, then I'm sorry, my friend, you might have to wait 5 or 10 seconds longer every so often.' But ultimately, during peak time as well as off-peak time, when I have rolled up there – straight through, no dramas. At the roundabout in peak time – terrible, terrible. So your potato cakes will come quicker, your pad thai will come quicker, you can back in local traders and you know it is going to be safer for each and every single local in that part of the world. I have got 9 seconds left, but all I will say is: McMahons Road in Ferntree Gully, those opposite talked about it for years. Boom – local member, and it was done and delivered last year. I commend the bill to the house.

Wayne FARNHAM (Narracan) (15:29): Member for Bayswater, that was well done. He has gone from ports to fish and chips. I was not going to pull him up on a point of order. I thought, 'Well, if

you've gone that wide, I'm going wide too.' I am pleased to rise today to talk about the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. It is an omnibus bill. There is a fair bit to it. It covers numerous acts: the Road Safety Act 1986, the Road Management Act 2004, the Port Management Act 1995, the Marine Safety Act 2010, the Marine (Drug, Alcohol and Pollution Control) Act 1988 and various other acts. It goes on and on and on. There is a fair bit in here, and, obviously, following the member for Bayswater, the debate has gone very wide today. It was lovely to hear about the fish and chips and the pad thai in Boronia. I must get out there one day, although I am tipping the food in the seat of Narracan is better. It is fresher, and it is closer to the table. Farm to table is what it is down our way.

There is one part of this bill I do want to talk on, and it is not fish and chips in Boronia, because I have not found that in the bill yet – I am looking for it: the part where we talk about the amendments to the Road Management Act 2004. Although on this side of the house we do not oppose this bill, there is a concern about this bill, and I think it is important to point this out to the government because they may want to think about this in the future. It is about the consent-for-works process. Having a bit of experience in this space from my former life and having had to deal with authorities like VicRoads, Melbourne Water and every other authority you have to deal with when you are doing types of developments these days, I can see the consent-for-works process dragging things out. I will just quote what the Urban Development Institute of Australia, one of the leading development groups in this state, have said. The UDIA have noted the risk of introducing delays and inefficiency to development delivery, especially in growth areas where coordinating road authorities may be under-resourced and slow to respond.

The reason I am leaning into this point on this bill today is because when you do a development you have to go out to all the relevant authorities. In that process, as you go out there, the relevant authorities will quite often use what we call an RFI, a request for information, because they are on timelines all the time, or they are meant to be. I will give you an example with Melbourne Water. On one development that I was involved with, Melbourne Water actually took nine months to come out to a site to determine whether a spring was a creek or not. When we are in the middle of a housing crisis like we are now and we need developers to get going, I think with this new section of the bill, consent for works, the government is nearly giving an authority an excuse to delay, and that is not a good thing. We need our authorities to be more efficient, not give them that chance to make up a reason to delay.

When you are planning developments, it takes a lot of time. Unfortunately, with the way things are structured nowadays, I know developments that have taken five, six, seven, eight years to get through the planning process. If you think back to when they originally purchased the land, if that development is out in 18 months, it is more affordable for Victorians. But if you are waiting eight years, that price just goes up and up and up. You might do a feasibility study at \$150,000 a block, and in six years time it is \$300,000 a block. That is our Victorian public that are paying double. This is where we need to work on efficiency, especially with planning, to get these developments through, and this consent for works I believe will give VicRoads, or whatever authority is in charge of this, that excuse. We need to take away the excuses. We need to get efficiency back into the system, because if it is not efficient it costs more in the long run.

I do not care where your seat is, whether it is Bellarine, Narracan, Mildura or Thomastown. Wherever you are, you will have seen the effects of a lack of housing supply at the moment. We all get the knocks on our doors: 'We can't find anywhere to rent. We can't live anywhere.' Although we do not have a problem with most of this bill, this is a part of the bill that is of concern. I think the government needs to really reconsider this and try to make things more efficient, not give an authority an excuse to drag things out. That is a really big concern because, as I just stated, the longer we drag things out, the more it will cost. I think when we are in the middle of a housing crisis, when we all know that housing affordability is at an all-time low, we need to get things moving quicker to get supply out there and to create competition to bring prices back. That is what we should be aiming to do, but this section of the

bill does not do that. I can kind of understand why they have done it. I get the consent for works – I have had to deal with that myself – but I do not think this is the right way to word it.

I think authorities will use it as an excuse to extend their time to respond. We should get to a point where if an authority has not responded in a certain amount of time, that should be approved. But that is not happening. I just gave you the example of Melbourne Water taking nine months just to do an inspection. But this does not happen just with VicRoads and Melbourne Water; it happens in every authority where you have to deal with planning. And councils as well – anyone that has sat on council or has had to deal with council knows that councils will put through an RFI to extend that timeframe. They do it all the time. Whether it is staffing issues or not, I am not sure. I am not involved in those authorities, obviously; I do not work there. Where they are understaffed and they need more staff to respond quicker, then maybe that is something the government needs to look at. I do know in this sector that there is trouble getting staff, especially in the planning sector. I am not going to go into the whole thing again – we have had numerous speakers on it, we have had our shadow minister speak on it – but I think this is the important part: we actually need to focus on this bill, and I think the government actually needs to listen to this.

I just heard the member for Bayswater talk about our improved roads. Well, that might be the case in Bayswater and it might be the case in a lot of other Labor seats, but it is not the case in my seat. Our roads are not improved. Our roads in fact are getting worse. I have been waiting nearly 12 months to get some potholes fixed in a certain section of road in my electorate. I do not see this bill making roads better. To make roads better we need to get the crews out there to fix the problem. The bill will not do that. The bill may make some amendments to certain things, but I do not see anywhere in this bill where it says our roads will be better because of this bill. I think the member for Bayswater might have gone a little bit sideways there – not quite as far as his favourite Thai restaurant or his fish and chip shop in his local area, but he definitely went sideways when he said this bill will improve roads. I do not see that happening, and where priority roads need to be fixed is something the government needs to invest in and actually start to look at.

I am sure in the seat of Bellarine, Acting Speaker Marchant, there will be roads where you drive around and you see that they need to be improved. We make those phone calls to VicRoads. We make them to say, 'Hey, here's an issue.' But it is taking way too long to get fixed. The one issue I have is that Tynong Road in my area has a sharp little turn, and it took me three months to get a straight answer from someone – because it was not VicRoads and it was not council – that at the end of the day it was actually in a road reserve. It came back to VicRoads. I brought that up with VicRoads well over six months ago. It is still not fixed. If we want to improve road safety, let us improve the process. I know you can get online and you can see what is a VicRoads road and what is a local council road, but every now and again there are these grey spots and council goes, 'Not my job,' and VicRoads says, 'Not my job,' until you get down to the actual person whose job it is. If we want to talk about road safety, let us get the crews out there and fix the problems.

This bill, as I said, we do not oppose, but I do have a concern with the consent for works. I think that is going to cause delays, and that is also reiterated by the UDIA. I think the government probably needs to re-look at that, word it differently, so we do not give the authorities an excuse to drag it out.

Sarah CONNOLLY (Laverton) (15:39): I too rise to speak on the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. This bill aims to make a number of small but, let us face it, really important changes to our road safety laws so that Victorians can get around this state a whole lot safer, and I think it is changes like this that matter most to Victorians. It may not be something that we think about each and every single day, but the majority of us will at some time in our lives be driving. I think that changes to our roads and our safety laws in ensuring that everyone is able to travel along our roads safer and get home safer are just so important for everyone.

I am really glad to be able to speak on this legislation because it is an issue that I have been talking about in my community quite a lot lately and I consider really important for families in my patch. Over

the last couple of years I have had many conversations with folks when I am out and about in the community, and one of the biggest issues I hear relates to the roads and how they need to be improved. By 'improved' I am talking about traffic lights, better pedestrian safety measures, lights for pedestrians and green arrow lights to turn. That is a real bugbear of mine, when I go through lights and there is no green arrow. You can be stuck at the traffic lights because you are not sure about whether to take the risk of turning into oncoming traffic, particularly if you live in certain parts of the west where there are a lot of trucks. Let us face it, there are certain parts of the western suburbs where there are a hell of a lot of trucks. We are talking about improvements in relation to this sort of thing. Improvements are important because we want to see fewer accidents happen on our roads.

An example of these conversations I have been having in Truganina last year was parents and families who live around a really fantastic local school, Truganina P-9 College, and they raised pedestrian safety with me as a major issue near a very, very, very busy road called Leakes Road. It is a road I cannot talk about here in this place without saying that Leakes Road used to be a single-lane carriageway that was extremely congested. A lot of growth was happening, and you had in the new burbs what I would call a country bumpkin road that certainly was not fit for my growing community in Truganina. Leakes Road was expanded in a very major way. It formed part of the \$1.8 billion western roads project in the last parliamentary term. It was an incredible thing that the Labor government did to widen that road for current but also projected future growth in the local area. I was just driving down it the other day, and I said to a staff member in the car who did not live in Truganina, 'You wouldn't believe that this used to be single-lane, based on how many cars are on the road.' She was like, 'How did people get to and from work and school?' I said it was really difficult, and people were very patient over a number of years in which it was widened. It was a lot of work and it cost a lot of money, but I cannot imagine what Truganina and places like Tarneit – this is a road that goes through the guts of these suburbs – would look like if it had remained that single carriageway. Thank God we did that.

Trug P-9 runs just off that major road, and thanks to the great advocacy of the local school, the school council president, the principal and the parents who live in and around that local area we were actually able to set up and trial some red-light cameras at this location. I know people get a bit funny about red-light cameras. It is not a very popular announcement, when I make it, about us putting more in our local community. I do know that. But what we do know is that red-light cameras work. They make people slow down, especially if they know that they are there. We were able to trial red-light cameras at the location, which was really good, and I know lots of parents are very pleased about this.

Another area where I have to say recently we have had some movement in this space is Fitzgerald Road in Sunshine West. If you are a westie and you know this particular road, you will know the exact location that I am talking about. It is the section of Fitzgerald Road that connects folks in Sunshine West to the Western Ring Road. It is an incredibly busy intersection and piece of road infrastructure. There are a lot of cars and a hell of a lot of trucks and heavy vehicles moving in and around that area, usually at high speed. There is a particular intersection along the road that connects to a major local street, and it is a major local street because it heads down to a great set of shops at The Avenue – it is actually called The Avenue. For people who live in this part of Sunshine West this intersection is their only avenue to travel to and from work in Laverton North, to access the Woolies up the road, to fill up at the Shell or indeed to get out onto the ring road to head towards the city. It is very, very busy.

Having been down there a couple of weeks ago to do some filming for the great announcement that we made there, it is incredibly difficult to cross as someone who is just trying to cross there on one of the side roads. So I was very pleased that we were able to lower the speed limit on this particular section of the road from 80 k's to 60 k's. It is certainly not a silver bullet to fix everything. I know a lot of locals actually wanted traffic lights there, but we have to be conscious about ensuring that traffic flow is still possible. Like I said, it is a major thoroughfare for people travelling to the city and in the opposite direction from the city and wherever they need to go. But we lowered that speed limit in that particular section from 80 to 60, which I think was a really good thing. Sometimes, up on social media,

lowering speed limits causes a lot of friction within the community, but what I do know is those locals living in and around The Avenue absolutely love the speed limit being lowered. They had been asking for it for a long time, and I think it is actually a really good win for the local community, a good thing to do.

I would also be remiss if I did not mention our government's \$976 million investment into road maintenance that has been funded in this year's budget. We heard a lot about that at the Public Accounts and Estimates Committee over the last two weeks, and this is going to go directly into rebuilding and repairing and resurfacing roads right across Victoria, including in our regions, where this is all the more important. I think that even if you are a metropolitan member of Parliament – I think you are referred to in this house as a townie or an out-of-towner, depending on where you live in Victoria – just because you are a townie like me does not mean we do not go on holidays. We go for weekend drives and take our kids and our families into the beautiful countryside that is regional and rural Victoria. We love using those roads, and yes, some of them have needed significant work and upgrades. I know that this \$976 million investment is going to go towards fixing those roads that I may not use every day – there are others that use them every day – but when I do use them I want to make sure they are safe. So this has been an incredible announcement.

Gosh, it turns out I love talking about roads and road safety. In under 2 minutes, in the last moments I have in making a contribution on this bill, it does make changes relating to the enforcement of road safety offences. An example of that is that the bill amends part 5 of the Road Safety Act 1986 to allow for additional professionals to be prescribed as approved health professionals when it comes to obtaining blood samples from drug and alcohol tests that are being undertaken, making sure everyone is being safe on the roads. I think that is a really good thing. I do see, and I have seen them across the western suburbs lately, a lot of drug and alcohol testing units and sometimes that big bus with all the flashing lights. I think it is a really good thing, and we do not just see it on a Friday night and a Saturday night. Sometimes quite often on a Thursday night they are there in particular places after Parliament. I think it is a really good message to people that they should not be drinking and driving or taking drugs and driving. It is about making sure that folks and families like all of ours are safe on the roads.

Changes in this bill that are locking down enforcement to ensure our roads are safe are really important. I do want to thank the minister for bringing this bill before the house. It is a tremendous amount of work that the minister has done over the many years that she has been the minister, and I think that her expertise and her knowledge about the Victorian road system and road network has been of tremendous value to this government in being able to fix and repair our roads but also looking for things in our local communities that make travelling along local roads – as I said, those little bloodlines of our community – a whole lot safer. I commend the bill to the house.

Kim O'KEEFFE (Shepparton) (15:49): Today I rise to make a contribution on the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. The bill that we are debating seeks to amend a number of acts related to the roads and road safety and ports and freight portfolios, including but not limited to the Road Safety Act 1986, the Road Management Act 2004, the Port Management Act 1995 and the Marine (Drug, Alcohol and Pollution Control) Act 1988. The bill seeks to deliver a range of legislative amendments to improve safety, achieve operational and administrative efficiencies and improve the effectiveness of transport laws.

Improving road safety is a critical issue in this state, as we know, and road safety must be a priority. We must be doing all that we can to address the alarming rise of our road toll and to make our roads safer. Whilst we are talking about road safety, there is no bigger issue than the neglect by this government of our roads. If anyone in this place has the time to come and see the roads across my electorate – and the previous speaker, who I would welcome, mentioned that she would like to do that – I would encourage them to come and see the absolutely disgraceful level of neglect. I have called on the Minister for Roads and Road Safety to also come out into the regions and to my electorate and to prioritise works on some of our most unsafe roads. But I know it is not just in my patch. Victoria has become the pothole state. The current state of our roads is appalling, and people are feeling unsafe

on our roads. The government is simply not doing enough, and it is one of the biggest issues raised at my office.

Alarming, regional Victoria has had a 23 per cent increase in road fatalities. Eighty people have already been killed on regional roads so far this year. As we stand in this place, we all have a responsibility to do all that we can to make our roads safer and to prevent further fatalities. It is easy for those on the other side to criticise our concerns with the lack of road repairs happening across the state, but it is undeniable that our roads are a major safety issue. It has to be addressed, and road safety, as I said, must be a priority. Recently I jumped in a truck with a local truck driver, Stuart Edgar, who wanted me to experience what he faces every single day in his workplace, trying to navigate the appalling and unsafe roads. It was like being on the Big Dipper; it was incredible. At one point my head almost hit the roof from the impact of a huge pothole. If you would like to see what that experience was like, you can see that footage on my Facebook. Stuart also pointed out the significant cost to the company, with ongoing damage caused to their vehicles. We have a huge transport industry, with 25 per cent of the state's trucks registered in my electorate. Yet this government has failed to provide a road network upgrade to accommodate the significant transport movement.

We have a primitive road network across my electorate, and we have been calling for the Shepparton bypass for over 30 years. This is not only a matter of efficiency but also a matter of community safety. We have trucks belting through the main streets of Shepparton and Mooroopna. These are main CBD roads joined to retail shops and cafes. Yet the government spend billions on city-centric projects, neglecting the needs and safety of regional communities. Just recently the *Herald Sun* highlighted some of the roads in my region as the most appalling and unsafe in the state. Here is a quote from Grace from the *Herald Sun*:

At first, the potholes were small. Then we took a detour, and suddenly I was white-knuckling the grab handle, praying ankle-deep corrugations didn't swallow our tyre.

Grace also said that other drivers pulled over and offered help while they were filming a torn-up road in Congupna, which is also in my electorate, thinking that they had done a tyre, because that is a regular occurrence. As a reminder, so many people are also damaging their cars, and in a cost-of-living crisis they are struggling to pay for repairs or blown-out tyres. I want to thank Grace from the *Herald Sun* for coming out into the regions and seeing firsthand the appalling, unsafe conditions of our roads and calling out the Labor government on their neglect.

Whilst we are talking about damage to vehicles, I was heading to an event recently at Tatura, which is 20 minutes from the centre of Shepparton, and I came across five vehicles parked on the side of the road. One after another they had hit a massive pothole and had either blown a tyre or damaged their car. The concern that was raised was that if a motorbike rider had hit that pothole, it would most likely have been a fatality. This is just one of the many roads, and many cars are impacted by the conditions of our roads. Despite claiming record amounts spent on roads, the government's own budget papers show a shocking 93 per cent reduction in road patching and a further 14 per cent cut in resealing and rehabilitation. This government is not doing more, it is doing less. We are seeing the direct impact of these cuts on our roads, and the government must ensure that the money is being spent on quality road repairs and road maintenance. On top of this, road maintenance works in rural and regional Victoria dropped 95 per cent, despite a maintenance backlog worth billions of dollars across the regional road network. Whilst the government continues to pour billions of dollars into city-centric projects and cost blowouts, our regional roads are decimated by potholes and crumbling before our eyes due to the lack of maintenance.

I will come back to the bill. As the member for Narracan alluded to, I also want to raise concerns in regard to the reforms to the consent for works, which are problematic. Essentially, the government is giving itself and councils more time to deal with work applications on and around our roads. Under the amendments in the bill, it can stop the clock on applications for works and remove deemed consent for some applications where consent is automatically granted after a period of time. The government

says this is about risk mitigation, ensuring safety and ensuring that potential infrastructure damage is avoided by following a clear and detailed process, and yet, on the other hand, it seems to be a legislative change to ease the pressure of the Department of Transport and Planning and in the process potentially add even more time and therefore cost to important works. These works may include roadworks, utility relocations and similar works that often involve property developments and housing. The risk is that this will only add further red tape to works involving roads where there are roadworks, utility activity or even private developments that require road access, like new intersections or the provision of gas or water and sewerage connections to new housing developments.

The Victorian Transport Association opposed this change, noting it could be used to delay roadworks, and discussions with planners and developers also indicated this is exactly the sort of bureaucratic red tape that builds delay and costs into developments, particularly around housing. The Urban Development Institute of Australia also opposed this provision, also noting the risks of introducing delays and inefficiencies into development delivery. With the current housing crisis, we cannot have extra barriers or delays, so this is a genuine concern in this bill. We are already seeing such a lengthy delay in roadworks, and it is astounding to think that there could be even greater delays due to processes. As the member for South-West Coast alluded to in the lead contribution on the bill, the minister's office and the department could not provide any examples of why this amendment is needed.

We also do have concerns with the amendment to part 5 of the Road Safety Act 1986 to allow for additional professionals to be prescribed as approved health professionals for the purposes of obtaining blood samples. As we already know, under this government our health system is already constrained and under pressure. This amendment to the act will only add more pressure to the already strained health workforce. There is also no detail in the bill as to where these health professionals are expected to come from.

The bill improves enforcement of road safety offences. Currently under the act it is an offence for a driver to fail to stop and render assistance after a traffic accident where someone is injured or property is damaged. Most of these offences are known as 'hit-and-run offences', which carry two categories of penalty. If someone is seriously injured or killed, the act of failing to stop and render assistance is an indictable offence carrying significant penalties, including up to 10 years imprisonment. The other category covers incidents that have resulted in minor injuries, which are summary offences and carry lesser penalties. Such offences also come with a 12-month period after the incident in which Victoria Police can commence proceedings. This limitation has been proven to be insufficient in some cases, as it takes time for Victoria Police to investigate and identify who was driving the vehicle at the time of the alleged offence. The bill amends a number of provisions and offences currently in the Road Safety Act 1986 to support their investigation and enforcement. The bill will amend the Road Safety Act 1986 to extend the time that Victoria Police have to bring a proceeding for this summary offence from 12 to 24 months to increase the likelihood that the alleged offender can be identified, located and prosecuted.

Another amendment related to non-sworn Victoria Police staff having the ability to issue infringements relating to road offences specifically authorises Victoria Police employees to be able to issue infringements for those offences, freeing up sworn police officers for other duties. The Police Association Victoria has said that its preference is for the role to remain with sworn officers. As we saw, in the Public Accounts and Estimates Committee budget estimates hearings the depth of the Victoria Police crisis under the watch of this government was brought to light even further, with over 1100 current vacancies, 700 officers on workers compensation, 300 senior officers expected to retire earlier and no additional funding for the Victoria Police Academy. This is a government that has no plan for addressing the ongoing police crisis that is having a direct impact on our communities across the state.

In finishing, with just 49 seconds to go, I think it is critical – and I think this bill is so important – that with any opportunity we get to make changes and adjustments to road safety we do that. But we also

need to identify the current dangerous situation that many of our drivers are facing. As I said, the increase in road fatalities, particularly in regional Victoria, is alarming. We need to make sure that these roads do get fixed. We have got some dreadful roads in my electorate, as I have alluded to. They are dangerous, they are unsafe and they are going to make us lose more lives within this state, so please make sure that we do more, because we have to do better.

Luba GRIGOROVITCH (Koroit) (15:59): At the outset I would like to thank the Minister for Roads and Road Safety and Minister for Ports and Freight for all the work she has done on this bill. Ultimately this bill is about building safer, smarter transport for all Victorians. There are roads all over our great state, and yes, every road is always in need of repair. That is just the reality of it. My friend the member for Melton and I are part of the fastest growing local government area in Australia, and all we hear about at every public meeting is either roads or public transport. But we need to work together in this place to make sure that we get better roads across our state. That is something that our minister is absolutely gung-ho about and lives and breathes every single day.

The bill before us is very much a wideranging one, but the thing that it does distinctly is it keeps Victorians safer on our roads by providing police with more time to bring proceedings for hit-and-run offences. It improves drink- and drug-driving testing powers by expanding who can take samples. It takes the pressure off police by allowing trained staff to issue infringements from road safety cameras. It improves commercial port safety by allowing a new licensing scheme for mooring services. It improves oversight on roadworks approvals so they are safer and of course less disruptive. It modernises our port and marine laws to help local port managers remove abandoned vessels and maintain clean, accessible waterways. It lifts outdated limits on oil spill liabilities so polluters pay for clean-up, not taxpayers, and it strengthens no-blame investigations and the protection of sensitive information. All of these are very key and important points.

The Victorian government remains committed to improving road safety outcomes across our great state. The reforms in this bill will deliver improvements to our road safety regulatory framework and support processes to better detect those drivers that are doing the wrong thing. Better detection of road safety offences also serves as a general deterrence. Every Victorian has the right to feel safe on the roads every single day as they are driving. When something goes wrong, especially when someone is, heaven forbid, injured, not only do we expect that drivers do the right thing by stopping and helping out someone who may be injured, but we want to remind them that it is of course the law and it is their responsibility as a person who is lucky enough to have a drivers licence and be able to operate a vehicle on our roads.

Under the Road Safety Act 1986 failing to stop and render assistance after a crash is naturally a serious offence, as it should be. When someone is killed or seriously injured in a hit-and-run it becomes an indictable offence, with no time limit for police to lay charges, but when a person suffers only minor injuries it is classed as a summary offence, and that comes with a 12-month deadline for police to start proceedings. The clock starts ticking from the moment of the crash, and in many cases it is simply just not enough time. It can take months for the police to piece together what happened, to identify the vehicle that was involved and to work out who was actually behind the wheel, especially if the driver, heaven forbid, fled the scene. With the clock ticking, we know that changes need to be made. That is why this bill matters. We are doubling the timeframe from 12 months to 24 months so that police have a fair shot at finding offenders and holding them to account. It is about making sure that justice has been done, even when it takes a long time to bring formal proceedings.

Driving while impaired under alcohol or drugs is a major contributing factor to our road toll and to serious injury here in Victoria. This bill will allow for regulations to specify additional health professionals who are able to take blood and urine samples. I think this is really important for all Victorians. I will never forget when I was in year 8. I had an older brother, as did my best friend. They were both the same age; they had just turned 18. They were so excited. They were getting their licence and were on their P-plates. We were obviously in year 8, so younger, but wanted to go out with our older brothers, who we at that point in time deemed very cool. They just had their P-plates, and I

remember my mum and my best friend's mum were very concerned about allowing us out with our older brothers in their P-plate cars. Of course they did end up letting us, but I will never forget when my brother's girlfriend ended up being hit by somebody who was a drink driver. That absolutely changed all of our lives. Thank God she lived to tell the story, but it was something that really rattled through not only my family but all of our year level and all of our friends because it suddenly made us realise that a vehicle, a machine that is on the road doing great speeds, whether it be 40 kilometres per hour or 120 kilometres per hour, has so much power, and you behind that wheel have so much power. If you are, however, under the influence of drugs or alcohol, it really amplifies the damage that could potentially be done. That is another reason why this bill matters. It allows for regulations to specify additional health professionals who are able to take blood and urine samples. Having access to additional health professionals will expand Victoria Police's ability to detect drink- and drug-impaired drivers, who should absolutely not be on our roads, and I am sure that everyone in this place would agree with that.

Then we get to road safety cameras. Road safety cameras are an important component in our regulatory toolkit to detect road safety offences. Offences that can be detected and enforced using these cameras have expanded from speeding to also include red light, seatbelt and distracted driving offences, such as using your mobile phone while driving. Why anybody would use their mobile phone whilst driving is absolutely beyond me, but unfortunately too many people do it. We all, as drivers, just need to remember that the responsibility lies with us. If there is an accident to a loved one, just think: that could be your brother, your sister, your mother, your father or your next-door neighbour. Nobody wants that responsibility on their hands. Offences that can be detected must be enforced, and this bill will allow specially authorised Victoria Police employees to issue infringements for such offences, freeing up sworn officers for other duties that are of course incredibly important in our great state.

The Road Management Act 2004 provides the statutory framework for the management of Victoria's roads. A key part of what the act does is allocate responsibilities between coordinating road authorities and responsible road authorities, including the responsibility for managing and maintaining infrastructure. Given the complexity of the road network, sometimes a road authority other than the default under the act is better placed to maintain particular types of road infrastructure. This bill expands a regulation-making power already in the act to increase flexibility in assigning management and maintenance responsibilities to the most appropriate authority. The Road Management Act also includes processes that require consent before works can be undertaken in, on or over a public road. This bill makes several improvements to this consent process to make it more effective and to give greater assurances that such works are done in a way that is safe, minimises traffic impacts and does not negatively impact the integrity of the road or limit future works that may deliver improvements such as better road safety outcomes.

Moving over to the ports, I spoke to my friends at the MUA, the Maritime Union of Australia. The government of course is committed to enhancing safety and improving reliability in Victoria's commercial ports. This bill will introduce a new licensing requirement for the provision of mooring services in certain commercial ports. For anyone that does not know, mooring is incredibly dangerous. It is an extremely dangerous industry for its workers. We are talking here about the people who literally tie the ships up to the wharves. The mooring lines that tie vessels to their berths can be subject to high tension as well as sudden and unpredictable changes in the tension of the line. Mooring is also a critical part of the operation of a commercial port. The reforms in this bill will allow for Ports Victoria to issue a determination that sets out the standards and requirements for the safe and effective provision of mooring services in a particular commercial port. Anyone that is mooring will require a licence to ensure that all expectations for safety and reliability are met by the operators. Correct licensing for our state's mooring will improve safety immensely and better the working lives of the people who are the first point of contact in our maritime economy every single day, and it is something that is absolutely welcomed with open arms by the Maritime Union of Australia.

This bill also makes several amendments to the Port Management Act 1995 to enhance the efficiency of local port operations and to help ensure that these important environments are well maintained for future generations. These amendments include improvements to processes for removing abandoned vessels and other things from ports and waterways and clarifying the types of services that local port managers are able to provide. To ensure that processes and requirements are consistent across Victorian legislation, this bill will also amend the Marine Safety Act 2010 to make equivalent changes to those outlined above for local ports, including changes to processes for removing abandoned vessels and other things from waterways.

At its heart this bill is absolutely about safety. It is about making sure that we learn from incidents and use that knowledge to build a safer, smarter transport system for all Victorians. I commend this bill.

Kathleen MATTHEWS-WARD (Broadmeadows) (16:09): I rise in support of the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. It was great to hear the member for Kororoit's contribution. Particularly, I learned a lot about mooring ships, and I thank you for that contribution, Luba. This bill is an omnibus bill and contains a range of amendments to transport legislation. As an overview, the bill seeks to keep Victorians safer on our roads by providing Victoria Police with more time to bring proceedings for hit-and-run offences; improving drink- and drug-driving testing powers by expanding those who can take samples; taking the pressure off police by allowing trained staff to issue infringements from road safety cameras; improving commercial port safety by allowing a new licensing scheme for mooring services; improving oversight of on-road works approvals so they are safer and less disruptive; modernising port and marine laws to help local port managers remove abandoned vessels and maintain clean and accessible waterways; lifting outdated limits on oil spill liabilities so polluters, not taxpayers, pay for clean-up; strengthening no-blame investigations and the protection of sensitive information gathered in such investigations; and other various technical amendments to various acts.

I will speak further on some of the road safety changes in this bill, as the Victorian government has long been a nation-leading, if not world-leading, government committed to improving road safety outcomes. I have also long had an interest in road safety, particularly for vulnerable road users such as pedestrians, cyclists, children, older people and people with a disability. I have advocated on many occasions in this place for improved safety for these road users within my Broadmeadows electorate, and during my time on council it was always one of my main priorities. I also take this opportunity to give a shout-out to the Walk on Merri-bek group and the Merri-bek Bicycle Users Group and the Hume BUG for all the work they do in advocating for road users and vulnerable road users too. I acknowledge the work done by the parliamentary committee on the inquiry into the safety of vulnerable road users.

Anthony Cianflone interjected.

Kathleen MATTHEWS-WARD: Yes, they did a really great job. I just want to thank you for that really important work. I often use it in my work. It is great. Thank you so much.

Victoria was the first jurisdiction nationally and globally to introduce several key laws, including mandatory seatbelts for drivers and front-seat passengers in 1970. Victoria also introduced random breath testing in 1976, which was a significant step in combating drunk driving, and mandatory helmets for motorcycle riders in 1961. In 1970 Victoria mandated the wearing of seatbelts for drivers and front-seat passengers, a world first. Before that, I remember you could be in the very back of a station wagon, or they would have a bassinet with a baby in it with a net over it so the baby would bounce back into the bassinet if they had an accident. But the pioneering move to have mandatory seatbelts was followed by other Australian states, and it eventually influenced global adoption of seatbelt laws. I have got a cousin who was a Victorian police officer; he travels around the world, and his expertise is well used in other countries to reduce their road toll. It has always been interesting talking to him too. Victoria introduced random breath testing in 1976, aiming to reduce alcohol-related accidents. This law was also quickly adopted by other Australian states and territories. In 1961 Victoria

also became the first jurisdiction globally to make motorcycle helmets mandatory. Reflecting back on this law, it seems almost impossible that it was ever optional to wear one. All of these still remain in place today and have been instrumental in the reduction of road deaths, and I am pleased to see further amendments continue to build and keep Victoria at the forefront of safety.

The reforms in this bill will continue to evolve our road safety regulations to improve detection and enforcement of drivers who are doing the wrong thing. Road safety and doing the right thing are important to every Victorian: to make sure those doing the wrong thing are accountable and to keep those doing the right thing safe. The first of the reforms in this bill will provide Victoria Police with an additional 12 months to bring proceedings against a driver who is alleged to have committed a hit-and-run offence that has resulted in a minor injury. Under the Road Safety Act 1986 it is an offence for a driver to fail to stop and give assistance after a traffic accident where a person has been injured or a property has been damaged. More serious hit-and-run offences, where a person has been killed or seriously injured, are classed as indictable offences with significant penalties. Indictable offences also have no limit on how long after an alleged offence charges can be laid and, as such, have an indefinite timeline to find and charge the alleged driver. However, if the alleged hit-and-run accident has only resulted in minor injuries, the offence is then classified as a summary offence, with only a 12-month period after the incident for Victoria Police to commence proceedings. This has proven to be a limiting timeframe in some circumstances. It can take lengthy periods of time to identify who was driving the vehicle at the time of the incident and then go on to locate them. It would be a distressing time for the victim and their family to possibly have no ability to prosecute a driver who had caused them trauma and harm. The reform in this bill will increase the summary offence period from 12 to 24 months to increase the opportunity for the alleged offender to be identified, located and prosecuted.

The bill will also allow for regulations to specify additional health professionals who are able to take blood and urine samples to expand Victoria Police's ability to detect drink- and drug-impaired drivers. Driving while affected by alcohol or drugs is unfortunately still a major contributing factor to the road toll and serious injuries in Victoria. When police are investigating these offences it can require a blood or urine sample to be obtained to assist in the detection and prosecution of drivers affected by alcohol or drugs. This can only be done by a registered medical practitioner or an approved health professional, which includes nurses and other persons approved by the Victorian Institute of Forensic Medicine. The samples must be obtained within 3 hours of the person driving the vehicle, and these requirements can be limiting, especially in incidents late at night or on regional roads, where approved health professionals are not as readily available. The amendment in this bill will allow for additional approved health professionals to be prescribed in regulations. Having access to additional health professionals will improve Victoria Police's ability to detect drink- and drug-driving offences and continue to serve as a deterrent from driving a vehicle while under the influence.

I would like to acknowledge the role of the Victorian Institute of Forensic Medicine in toxicology services for Victoria Police. Work conducted in the lab led to the initiation of the world's first random drug-testing program in Victoria in 2004, with our state again at the forefront of road safety measures. The Victorian Institute of Forensic Medicine continues to collaborate with Victoria Police to identify the extent to which drugs and alcohol contribute to road trauma. Their data is vital to the work to increase road safety across our state.

The Victorian government's *Victorian Road Safety Strategy 2021–2030* seeks to halve road deaths by 2030. The strategy's objectives are:

BE SAFE: Ensure all Victorians are safe and feel safe, on and around our roads.

10 YEAR REDUCTION: Halve road deaths and progressively reduce serious injuries by 2030.

A CULTURE OF SAFETY: Embed a culture of road safety within the Victorian community.

DELIVER INITIATIVES: Deliver a suite of initiatives that are achievable and have an impact in the short-term, but also prepare the state for the future.

The bill confirms the Allan Labor government's commitment to that strategy, and it is a really important strategy. Road deaths are one thing and have a huge impact on families, but road trauma – we do not often talk about the trauma to families. My dad sustained a spinal injury and was paraplegic, and during his time in rehab he was surrounded by patients affected by vehicle, marine and motorbike accidents. The toll that had on him was incredible, but it also affected everyone around him, and for the next 20 years, the health system as well. That trauma can often be quite life impacting for everyone. Road trauma continues to put a significant burden on our healthcare systems and families. The unnecessary loss of lives from road death continues to rob families of precious time with their loved ones.

The bill will also allow for specially authorised Victoria Police employees to issue infringements for some offences detected by road safety cameras, freeing up sworn officers for other duties. Road safety cameras are an important asset in Victoria Police's arsenal for detecting road safety offences, and cameras are now used to detect and enforce a range of offences including speeding, red light, seatbelt and distracted driving offences such as using your mobile phone while driving. It still amazes me how often you see drivers with their phone in their hand while driving. I saw many on my way to this place this morning, and we continue to do all we can to enforce safe driving and deter drivers from driving while distracted, particularly our younger drivers, who are less experienced at driving and really quite addicted to their phones, probably like the rest of us. As the range of driving offences has increased and constantly evolved with the aim of increasing road safety and reducing fatalities, so has the amount of infringements being detected by these cameras. These infringements currently need to be issued by sworn police officers, so the bill will amend the Road Safety Act 1986 to allow for most offences detected by road safety cameras to be issued by specially authorised Victoria Police employees, which will free up Victoria Police officers for other duties. These changes to enforcement practices are great, and I commend the bill to the house.

Alison MARCHANT (Bellarine) (16:19): I am pleased to rise and make a contribution to the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. This bill does make some amendments to quite a few acts, including the Road Safety Act 1986, the Road Management Act 2004, the Ports Management Act 1995, the Marine (Drug, Alcohol and Pollution Control) Act 1988, the Transport Integration Act 2010, the Transport (Compliance and Miscellaneous) Act 1993, the Transport (Safety Schemes Compliance and Enforcement) Act 2014 and the Marine Safety Act 2010. In my contribution today I want to focus on a couple of things that this bill does, considering they are very important for our state but also very important for my electorate of Bellarine. The bill does make some reforms to the Road Safety Act. In particular, it focuses on a couple of things, improving enforcement practices and requirements by police and also improving the management of road infrastructure, making the consent for works on roads process more efficient, which are two things that are important for my electorate. I drive quite a bit across the electorate. I like to be out and about in my community and I have put a few k's on my car, but every day I see risky behaviour on our roads, whether that is someone that is deliberately running a red light, whether someone is speeding or whether that is when you are at the lights waiting and you see people checking their phones.

Last year I had the privilege of chairing an inquiry into road safety behaviours, the impact on vulnerable road users post COVID, what behaviours we are seeing since the COVID pandemic and how those risky behaviours have continued or increased; actually they have gotten worse. Anecdotally, police, road experts and the community are saying that they are seeing those risky behaviours increasing and that we are getting more impatient and aggro on the road. What that does is it impacts our most vulnerable road users, which are our pedestrians, our cyclists, our motorcyclists and those who are on horseback, which we still have in regional Victoria. Those people came to our committee inquiry and gave their evidence and experiences of being on the road. I really remember in the inquiry a young student – I think he might have been from the member for Pascoe Vale's community – who had really enjoyed being a cyclist during COVID because there were less cars on the road. He was able to get around safely and be outdoors and be active during COVID, and he really enjoyed being a cyclist. He hated it once everything came back to normal, back to reality, in the post-COVID world.

He really felt unsafe being a cyclist, and that shows you the real difference that he was experiencing. He talked more about having safe and dedicated trails or shared trails for him to feel safer on the road.

We are seeing a trend that is going in the wrong direction. As of this month we have had 140 lives lost on our Victorian roads; that is up from 125 at the same time last year. Victoria Police have identified and talked about the risky behaviours of speeding, distraction, impaired driving from drugs and alcohol and not wearing a seatbelt. That high-risk driving puts everyone at risk, including the people that are showing the risky behaviour. I saw a recent statistic from Victoria Police that even going 5 kilometres over the limit increases your risk of a crash by 44 per cent. If you then go 10 kilometres over the speed limit, you then double your chances of something happening. Even something that small – you might look down at your speedo and see that you are doing a few k's over – is enough to increase the chance of something really dangerous happening for you but also for others that might be on the road.

One of the things that this bill particularly talks to is hit-and-run offences. We have heard devastating stories from people who have been injured or traumatised by someone who has caused an incident but then driven away – completely left the scene. I feel like a hit-and-run is more than an offence; it actually feels like almost a betrayal of human decency. For someone to strike someone and then leave the scene without stopping and without offering help is quite a cowardly act, frankly. That is why with this bill this Victorian government remains steadfast in our commitment to road safety and doing something about that, not only to ensure we prevent harm but that when it does occur we have justice in that. This bill strengthens this. Under the current Road Safety Act it is a criminal offence to fail to stop and render assistance after a crash when someone is injured or property is damaged, but in the case of minor injuries, this is treated as a summary offence, and police currently have only 12 months to identify and prosecute the alleged offender. I think, from experience, that police will tell us that identifying that driver is not always immediately evident and it takes time to do that investigation and piece together evidence to find that person. This bill will extend that window for police to commence proceedings from 12 to 24 months. It is a simple change but a very powerful one. It should make a real difference to being able to identify, locate and, hopefully, prosecute those who thought they could get away with it. It is obviously sending a very clear message that if you do the wrong thing, police will have the time to come and find you.

In addition to the hit-and-run changes that we are making, we are also making some changes around those who engage in the risky behaviour of drink driving, particularly, but also driving under the influence of drugs. It is completely avoidable, doing that. You should be able to get in a car without having anything illegal in your system. To catch those people doing the wrong thing, police often need to get a blood test or a blood sample. Especially if a person is in hospital or unable to do a roadside test, we need to have certain people, health professionals, take that blood sample, and that can sometimes be a problem. This bill does make some amendments. It allows more health professionals to be approved to take these samples, and that means the police will be able to act faster and more effectively to catch those that are driving under the influence. It is an important change that we can make here in this place.

The other one is – I have heard others speak about this part of the bill – we know that road safety cameras also play a huge role in catching people doing the wrong thing. As part of our inquiry we were discussing with police around the new cameras that can catch whether you are not wearing a seatbelt or whether you are looking at your phone while driving, Victorians might have seen them around; I have certainly seen them around in my electorate. They are almost a mobile trailer with a camera overhead, over the road, and you will be caught if you are not wearing your seatbelt or you are looking at your phone. These cameras are detecting more of those types of risky behaviours and they are picking up more offences, so in this bill we have some amendments to make sure that we can have the appropriate people to issue the fines. We will make some changes so it is not just sworn officers that can officiate and give those fines. It means our frontline police, obviously, can focus on the other things that they are trained to be doing.

This is a really important piece of legislation that we are debating today. There is a whole lot more in this. I did want to speak about ports, but I am not going to have time to be able to do that today. I have local ports in my electorate, and we are making some changes just to make sure that it is clear for the authorities who look after our local ports, and I thank them for doing that. Really at the heart of this bill is making sure that we have a transport and marine system that puts safety first, that strengthens our communities' trust in this and that protects our environments. I commend the bill to the house.

Anthony CIANFLONE (Pascoe Vale) (16:29): I am rising to support the Roads and Ports Legislation Amendment (Road Safety and Other Matters Bill) 2025. Just like I said in my inaugural speech, as a proud, long-time member of the Transport Workers' Union but also as the local member now for Pascoe Vale, Coburg and Brunswick West, with so many more young families moving to the area, I am absolutely committed to doing everything I can – like you are, Acting Speaker Lambert – to improve road safety across our community for vulnerable road users. This bill will help us achieve that through a number of legislative amendments to improve safety, achieve operational and administrative efficiencies and improve the effectiveness of many and several of our transport laws.

Number one, when it comes to hit-and-runs, the bill will provide for improved enforcement of road safety offences by amending the various provisions and offences in the Road Safety Act 1986 to support investigation and enforcement. Under the Road Safety Act 1986 it is an offence for a driver to fail to stop and render assistance after a traffic accident where someone is injured or property is damaged. These offences are commonly known of course, as I said, as hit-and-runs. There are two categories of penalties for these offences. If a person is killed or seriously injured, the act of failing to stop and render assistance is an indictable offence with significant penalties, including up to 10 years imprisonment. The second category of offences covers incidents that result in minor injuries. These are summary offences and have lesser penalties. Summary offences also come with a 12-month period after the incident in which Victoria Police can commence proceedings. This limitation, however, has been proven to be insufficient in some cases because it takes time to investigate and identify who was driving the vehicle at the time of the alleged offence. This bill will extend the time that Victoria Police have to bring a proceeding for this summary offence from 12 months up to 24 months to increase the likelihood that the alleged offender can be identified, located and prosecuted.

Secondly, this bill will also take action on drug driving. We know that driving while impaired by alcohol or drugs is a major contributing factor to the road toll and serious injuries in Victoria. Part 5 of the Road Safety Act 1986 contains alcohol- and drug-related offences to reduce this risk. When detecting these offences in a range of circumstances, a blood sample must be obtained, which can be only done by a registered medical practitioner or an approved health professional, which includes a nurse and other persons approved by the Victorian Institute of Forensic Medicine. This blood sample must be obtained within 3 hours of the person driving the vehicle, and in practice Victoria Police can in some circumstances find it difficult to conduct the necessary impairment assessment and find a registered medical practitioner or approved health professional to take that blood sample. The amendment in this bill will allow for additional professionals to be prescribed as approved health professionals for the purpose of obtaining these blood samples, improving Victoria Police's ability to detect drink- and drug-driving offences.

Thirdly, the road safety camera and fines reforms contained in this bill will also help to support us across the state and locally. A range of offences in the Road Safety Act 1986 also seek to reduce injuries and fatalities across the roads through these measures. Some of these offences detected by way of prescribed road safety cameras include speed, red-light, seatbelt and distracted driving offences. The range of offences detected by these cameras has expanded, as we know, in recent years, and sworn police officers are required to issue infringements for these offences. This bill will amend the Road Safety Act 1986 to allow for specifically authorised Victoria Police employees to be able to issue infringements for these offences, freeing up sworn police officers for other duties, and Victoria Police employees would need to be authorised in writing by the Chief Commissioner of Police before they can issue these types of infringements.

Fourthly, there is increased flexibility for the management of road assets and improved processes for roadworks. The Road Management Act 2004 provides the statutory framework for the management of Victoria's roads. This framework establishes the coordinated road management system for public roads, which includes the clear allocation of responsibilities between coordinating road authorities and responsible road authorities. Section 37 of the act of 2004 specifies which public body is the responsible road authority for roads and road infrastructure – for example, roadway or pathway structures forming part of a roadway or pathway and road-related infrastructure like traffic lights and streetlights. This bill expands the regulation-making power in that section so that regulations will be able to specify the responsible road authority for particular types of road infrastructure that form part of a roadway and allows us to better delineate those responsibilities, including, for example, where municipal roads go over rail bridges, which by default become the responsibility of council. But we know the Department of Transport and Planning, VicTrack and other entities will be more appropriately suited to address those maintenance issues.

Also when it comes to roads we know these reforms will continue to play a vital role in improving safety. The *Victorian Road Safety Strategy 2021–2030* sets out our ambitious goal of eliminating death from our roads by 2050, with the first step of halving road deaths by 2023, by focusing on enforcing safer driver behaviour, removing unsafe vehicles from our roads, better supporting vulnerable and unprotected road users, improving safety along high-speed corridors, reducing risks at intersections, improving safety for those who use the roads for work, namely transport workers, and recognising the importance of post-crash care. However, we know that the leading causes of road fatalities, crashes and incidents continue to be associated with poor driver behaviour in the form of travelling over the speed limit, aggressive driving, driver distractions, drink driving, drug driving, not wearing a seatbelt and driving while fatigued. They all remain the leading contributing factors to our road toll, road crashes and close calls.

In that respect I continue to draw the Parliament's and the minister's attention to the Economy and Infrastructure Committee's inquiry into the impact of road safety behaviours on vulnerable road users, which I was proudly a part of with the member for Bellarine, which put forward 61 findings and 56 recommendations, including:

Recommendation 5: The Department of Transport and Planning revise its Speed Zoning Policy to streamline changes to speed limits on a case-by-case basis.

Recommendation 6: The Department of Transport and Planning review the Speed Zoning Technical Guidelines with a view to minimising suburban rat running and reducing speed limits around school precincts and on arterial roads with activity centres.

I know this is of great interest to you as well, Acting Speaker Lambert.

Recommendation 16: The Victorian Government develop an awareness campaign on the avenues available to report dangerous driving incidents.

...

Recommendation 12: The Department of Transport and Planning trial the use of Variable Message Sign boards in high-risk locations to increase compliance with road rules and remind drivers to check their behaviour.

...

Recommendation 27: The Department of Transport and Planning review arterial roads to ensure there are regular pedestrian crossings linked to public transport stops, activity centres and schools.

And I will touch on some examples in a moment. And recommendation 48:

The Victorian Government work with councils to improve traffic calming measures around school precincts to encourage more parents to allow their children to walk or ride to school.

Along with this bill's reforms, it is the recommendations of this parliamentary inquiry that will clearly help make our roads and neighbourhoods safer. In this respect, in my local community we have been undertaking quite a number of projects to improve road safety. We have removed the four dangerous

level crossings along the Upfield line in Coburg. We have introduced the active transport corridor through Coburg as well. The Gaffney Street upgrades are under construction as we speak between Cumberland and Pascoe Vale roads. The Derby Street active transport corridor has been delivered. The Bell Street bridge for Coburg High that we have worked so furiously on with the member for Northcote has been implemented. The safer speed zone on Nicholson Street has had \$1.2 million committed to it to be made safer. Melville Road is having a holistic review undertaken, with the likelihood, the department has said, of reducing the speed limit to 50 kilometres and a new 40-kilometre school zone for St Joseph's Primary and Brunswick North West Primary kids for the first time on that corridor. And we have helped improve Albion Street as well between Citylink and Moreland Road, with some funding for raised pedestrian crossings.

But there is more to do, as we know, the first of which is Murray Road in North Coburg, which adjoins our two respective electorates, following at least a dozen serious local road crash incidents this year since January. Residents continue to call for and support new measures, including safer speeds such as reducing the standard variable speed limit from 60 to 50 at a minimum and introducing safer school speed zones through the corridor of 40 kilometres, including between Stockade Avenue and College Boulevard, where a lot of the Coburg High kids tend to cross from Coburg pool down to Coburg Lake – I am still calling for and we still welcome the minister's consideration of that – new measures for better provision for cyclists, pedestrians and vulnerable road users and of course better signage, infrastructure and enforcement along the corridor. Queen Street along the Moreland Road corridor remains a priority, especially following the recent fatality of a vulnerable road user on 15 May on the corner of the Gordon Street intersection. I do extend my condolences and sympathies to the family that continue to be impacted by that incident. Locals continue to particularly call for a new pedestrian crossing about 200 metres further up at the Queen Street intersection. Coburg West Primary has written to me today saying:

We are writing to express our support for the installation of a dedicated pedestrian crossing on Moreland Rd close to ... Queen Street.

... sadly families within our school community were recently impacted by the death of a pedestrian within 200m of the intersection ... we feel strongly that action needs to be taken before anyone else is killed or injured ...

It is the same for St Fidelis Primary, which has also written to me, on 4 June, about this issue:

Many of our St Fides students and families regularly cross this busy section of Moreland Road to access local shops, public transport, walking and riding routes to and from school.

We share the growing concern of our families and community members regarding the dangers posed by this section of road, particularly at peak school times. The safety of our children and families must be a shared community priority.

And Bell Street along Elm Grove and Urquhart Street near Coburg Primary School remain a priority. On the evening of 6 May a motorbike rider was tragically killed in a collision with a car along this section, and while the matter continues to be investigated, locals inform me it continues to highlight the need for road safety improvements for the area, namely via a holistic review which they asked the Department of Transport and Planning to undertake to help improve road safety in and around that corridor, particularly for Coburg Primary families. I just want to again acknowledge the parents leading a lot of that work, Jacob Kantor, the president of the school council, and Emma Burrows, who is advocating on this issue as well. It is on that note that I commend the bill very much, because improving road safety is extremely important, especially for inner-city communities like ours with so many more young families moving to the area.

Michaela SETTLE (Eureka) (16:39): I am delighted to rise to speak in support of the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. This bill comes from the office of a great minister. Every time I speak on one of her bills, I am always struck by the commitment that she has to all of our communities and all of Victoria. Of course this is a really important bill. It is

easy to look at it and talk about it as being a sort of omnibus bill, as those on the other side may describe it, but in fact the very heart of this is around making local roads safe.

Before I get there, I would just like to perhaps address some of the contributions from the other side. I note that in fact they have put forward an amendment around the 'stop the clock' clause. I have no doubt there will be a lot of discussion this evening about whether they stop the clock or they do not stop the clock. I know that they will be discussing it amongst themselves, all 19 of them – whether or not they are able to stop the clock.

Cindy McLeish: On a point of order, Acting Speaker, the member for Eureka said that we put forward an amendment, but there is no amendment before this house at this moment.

The ACTING SPEAKER (Nathan Lambert): There is no point of order.

Michaela SETTLE: Of course it is not going today; it is going up to the Legislative Council – an amendment. I imagine that will give you even greater cause to spend the rest of tonight discussing stopping the clock. Who is the clock counting down on? That is what we all need to ask ourselves. With this amendment, what is really interesting is that they want to change the stopping of the clock. Now, if I can just bring us to the bill, prior to this bill the situation was that any applications would have to be rejected outright or there was deemed consent. We are changing that to find a more middle ground than deemed consent. Some are keen on stopping the clock, and others would like to see it continue to tick away. But we on this side always look for the sensible middle ground, and indeed that is the position that this bill takes. What 'stop the clock' is really about is saying if an applicant needs more time to do a thorough deep dive, then we will not just throw the baby out with the bathwater; we will give them the time to look more deeply. Instead of just rejecting the application or perhaps what has been used in the past, which is deemed consent – some may consider that deemed consent is even worse because it allows the work to go ahead, where we know that the really safe way to manage this is to give extra time and indeed to stop the clock. I think it would be fair to say that all of us on this side of the house do support stopping the clock. We think the clock should be stopped and support should be given to those who need it.

As I said, this is a very important bill. It is basically, at heart, about keeping people safe. It is about keeping people safe on our roads, at our ports and within our communities. It is a wideranging bill, but every change in it is thoughtful, practical and driven by real-world challenges. I know that the minister and all in her office have given deep consideration to these changes to ensure that they really do deliver the best possible safety outcomes for all of our communities. This bill, whether it is about helping Victoria Police catch hit-and-run drivers, keeping our ports safe or making sure local roads are maintained by the right authority, is about doing the work that keeps Victoria moving. It keeps Victoria safe. And of course every Victorian deserves to feel safe on the road.

When there is a crash, especially if someone is hurt, it is not just common decency to stop and help, it is the law. But for minor injuries, police only have 12 months to begin proceedings, and that is often not enough time to get the deep work that they need to do done. So this bill will present a solution. Those of us on this side of the house like to find solutions and make sure that we are delivering for Victoria. This bill comes up with a very good solution, which is to double that window to 24 months. I am sure there are many on the other side of the house that would like to see those windows doubled as well. As they are looking at the clock ticking down, they are wondering if there is any chance to have that window doubled.

The bill also looks at strengthening drug and alcohol testing. We know that drink and drug driving is still one of the biggest killers on our roads. It is heartbreaking to see the impact that this can have on our communities. When someone is impaired police need to act fast, but sometimes they cannot get a blood sample within the required 3-hour window. I think getting that blood test within those 3 hours is probably even more relevant in the regions. This change allows for more professionals to collect those samples using 2000 collection clinics across the state, and that will mean that we will have faster

testing, stronger enforcement and of course safer roads. Just look at some sobering statistics in Ballarat. There was a road safety blitz over the Easter and Anzac weekends, and the *Ballarat Times* reported that there were over 246,000 breath tests and 5000 drug tests. What was distressing really was looking at the results of that: 46 per cent of impaired drivers had consumed alcohol, 43 per cent had taken drugs and 11 per cent were impaired by both. It is a pretty sobering thought, if you will excuse the pun, that someone behind the wheel is impaired by both drugs and alcohol.

Making our roads safer in this regard is incredibly important, and it is really about freeing up police resources. We hear so much from the other side about our wonderful police force. Just in question time today, again, there was some suggestion that they do not do their work, and those of us –

Members interjecting.

Michaela SETTLE: There was indeed. It was about there being no criminal convictions, which is nothing but a derogation of duty suggestion, I would say. But of course those on this side believe that we should properly resource our police force. I believe it was the other side who cut the police force band. How low can you go to cut the police force band?

Cindy McLeish: On a point of order, Acting Speaker, the member for Eureka needs to be factual. She is incorrect.

The ACTING SPEAKER (Nathan Lambert): Member for Eildon, that is not a point of order.

Members interjecting.

Michaela SETTLE: Well, you cut the police force band, not us.

The ACTING SPEAKER (Nathan Lambert): The member for Eureka will return to her remarks.

Michaela SETTLE: I just want to go back to the bill, finally, and talk about the fact that this is really about keeping our communities safe. It is about freeing up resources for our police force so they can get on and do the absolutely sterling job that they do. There are also in the bill issues around mooring of ships. As someone who is landlocked in my electorate, it is something that I know less about, but certainly I understand the importance of resourcing our police force.

I will just finally go back to speaking on the proposed amendment, which I believe we have been told will go through the LC. As I said earlier, there seems to be some objection around the ‘stop the clock’ rulings, and I find that really interesting. Some on the other side want to stop the clock and some on the other side want to see that clock run down, and it comes as no surprise to me that many on the other side will spend this evening looking at that clock ticking and wondering whether they can stop the clock or not or seek deeming consent.

Steve McGHIE (Melton) (16:49): It is always a pleasure to contribute to the debate after my great colleague from Eureka, and it was very well done. I rise to contribute on the Roads and Ports Legislation Amendment (Road Safety and Other Matters) Bill 2025. The bill will deliver a range of changes to improve safety and improve the effectiveness of transport laws by amending the Road Safety Act 1986, the Road Management Act 2004, the Port Management Act 1995, the Marine (Drug, Alcohol and Pollution Control) Act 1988 and the Transport Integration Act 2010. This will improve law enforcement practices to improve road safety outcomes, and it also addresses known safety risks to commercial port workers. It will improve the management of certain road infrastructure projects and implement a range of other technical amendments to improve our transport legislation.

Before I continue I just want to give a shout-out to our Victoria Police members and the great work that they do in trying to keep all Victorians safe on the road. It is a very hard task at times, but they do a fantastic job. In particular in my electorate of Melton, again, there is great work that VicPol members do, and I thank them for that.

Also, I noticed some of the opposition contributions were going on about the state of our roads. I want to make reference to three road situations in Melton that have improved enormously just in the last six to 12 months. One is the intersection of Coburns Road and High Street. Now it is a lighted intersection with additional lanes and turning lanes. It used to be a big roundabout. It is the biggest intersection in Melton – all the traffic was sort of herded in that direction – and it has just made it so safe. I would think already there has been a huge reduction in motor vehicle accidents at that intersection, even though it has been open only six months. Another one is at Norton Drive and High Street – another lighted intersection. It used to be a give-way sign coming out of Norton Drive onto High Street, which is very busy. Again, it is now a lighted intersection, which has made it much, much safer for the community of Melton. The other one is that both the state and federal governments have committed to a \$20 million business case to upgrade the Western Freeway between Melton and Caroline Springs. I am pleased to say that the Albanese government has committed \$1.1 billion to start the upgrade, and the Department of Transport and Planning are already getting underway on where we are going to start that program. It is a massive program, and it is essential that the Western Freeway will be upgraded due to about 113,000 vehicles that travel along that corridor every day. A lot of people in Melton call it the Melton car park. We will get it done over the next few years, which will be fantastic for that western corridor.

The other thing I want to make reference to is there were a number of opposition speakers making inferences that the state of some of our roads was in direct relationship to the increased volume of fatalities on the road. I do not accept that at all. I am not saying that some road conditions do not contribute to some vehicle incidents and fatalities, but there are many, many other factors. I will go to some of those other factors in a minute. I just had a look at the interstate stats about road fatalities this year compared to last year. Every other state bar the territory of the Northern Territory has had massive increases of road fatalities. New South Wales alone has gone from 150 fatalities this time last year to 173, so they have had a 15.3 per cent increase. South Australia has had a 9 per cent increase. Queensland remained pretty close to the same. Western Australia has had a 6 per cent increase, going from 87 deaths on the road to 92, and Tasmania has had an almost 80 per cent increase. So I do not know what the opposition think in regard to road conditions and whether they think that it is only Victoria that is in the situation we have got of increased fatalities. But there are many, many factors for why people have vehicle accidents, and unfortunately in some of those vehicle accidents people are killed.

Throughout my time in ambulances I saw many, many horrific road accidents and many, many horrific injuries and deaths through road accidents, and a lot of that was caused by drug- and alcohol-affected drivers. It is very common for drivers and passengers not to use seatbelts, for whatever the reasons are that people choose not to use seatbelts now. It seems on the increase since COVID, and I have no idea why people are choosing not to wear seatbelts. It is just incredible. High speed is another issue, and again, since COVID we are seeing people driving far more aggressively and at higher speeds. This is leading to greater injury and a greater number of deaths. We can see in the numbers since 1970 there is about a 50 per cent reduction in the chance of death or serious injury if you are wearing a seatbelt. Again, people are choosing not to wear seatbelts. To some degree they are causing their own outcomes, but they are just some of the things.

When I started as a paramedic, I saw some of the changes. In many vehicles it was not compulsory to wear seatbelts. People were going through windscreens. They were hitting their head on the steering column. Now we have airbags, and the compulsory wearing of seatbelts has stopped a lot of that. People flying out of vehicles because of the rollovers and things like that, you do not see that sort of thing anymore. That does not mean to say people will survive, but they have greater chances of survival if they comply with the road rules and if they comply with wearing seatbelts and things like that. Drugs, drink driving, speed, wearing seatbelts, distraction – the key one for that is mobile phones. If I had my way, I would ban mobile phones being in the cabin of vehicles. I would be putting them in the boot. With these modern cars now you can do it on the screen, you do not need to be holding your phone. I do not see why we need to have a phone inside the car. I think it is absolutely crazy. One

of the greatest factors, and you will find it coming out through research, that is causing incidents on the road is fatigue. We are all living busy lives now and we are all getting less sleep, and it is a major factor leading to these incidents on the road.

Road safety reforms in this bill represent a continued focus on identifying areas where our road safety regulatory framework can be adjusted to improve our enforcement, to deter drivers from doing the wrong thing and to better detect those drivers that are doing that wrong thing. We know driving while impaired by alcohol or drugs is a major contributing factor to both the road toll and serious injuries. And again, it is pretty simple: do not drink and drive, do not take drugs and drive, wear your seatbelt, do not be distracted by a mobile phone and make sure that you are properly rested. If people start to do that, then we will have less incidents on the roads. When the police suspect someone is impaired they often need to take a blood or urine sample to confirm it, but those samples must be taken within 3 hours of the vehicle incident. Currently those tests can only be done by a select group of health professionals, and of course if the right person is not available at the time, within those 3 hours, then that evidence and the chance to hold someone accountable may go by the wayside. This bill will change that. It gives VicPol the flexibility to access 2000-plus collection clinics across Victoria when seeking qualified health professionals to take a blood sample, which is great.

A range of other offences in the Road Safety Act 1986 also seek to reduce injuries and fatalities on Victoria's roads, and some of these offences are detected by way of road safety cameras. I know everyone seems to think that these cameras are just revenue collectors, but they are not. They do slow people down, and there is no doubt about that. But it is not only about slowing people down; there are the red-light cameras and the distracted driving offences. You will be on camera if you are using your mobile phone. Again, these are things that you should not be doing – you are breaking the law. People need to be detected because we have got to keep other people safe on the roads. If you want to disobey the road rules, then you need to suffer the consequences, and of course these cameras do a great –

A member interjected.

Steve McGHIE: Thirty seconds to go? Okay. Do you want to get on, do you? It is a really important bill. The great member for Point Cook I think wants to get up for the last 30 seconds, so I commend the bill to the house.

Mathew HILAKARI (Point Cook) (16:59): I would say thank you to all the workers who did their job on the Point Cook Road and Sneydes Road intersection. It is amazing, the transformation of that area, the improved safety, the saving in travel time. But on that safety – so many people have had crashes there, fortunately mainly minor. It is a great thing that this government has done to support the community that I represent.

The DEPUTY SPEAKER: Order! The time set down for consideration of items on the government business program has arrived, and I am required to interrupt business.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

The DEPUTY SPEAKER: The bill will now be sent to the Legislative Council and their agreement requested.

Corrections Legislation Amendment Bill 2025*Second reading***Debate resumed on motion of Anthony Carbines:**

That this bill be now read a second time.

Motion agreed to.**Read second time.***Third reading***Motion agreed to.****Read third time.**

The DEPUTY SPEAKER: The bill will now be sent to the Legislative Council and their agreement requested.

Financial Management Legislation Amendment Bill 2025*Second reading***Debate resumed on motion of Danny Pearson:**

That this bill be now read a second time.

The DEPUTY SPEAKER: The question is:

That this bill be now read a second time and a third time.

Assembly divided on question:

Ayes (53): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Anthony Cianflone, Sarah Connolly, Jordan Crugnale, Lily D'Ambrosio, Daniela De Martino, Steve Dimopoulos, Paul Edbrooke, Eden Foster, Will Fowles, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Mathew Hilakari, Melissa Horne, Natalie Hutchins, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, John Lister, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, Michaela Settle, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Jackson Taylor, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

Noes (27): Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Sam Groth, Matthew Guy, David Hodgett, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O'Brien, Michael O'Brien, Kim O'Keeffe, John Pesutto, Richard Riordan, Brad Rowswell, David Southwick, Bill Tilley, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner, Rachel Westaway, Jess Wilson

Question agreed to.**Read second time.***Third reading***Motion agreed to.****Read third time.**

The DEPUTY SPEAKER: I will inform the Legislative Council of our decision.

I would like to acknowledge the former member for Narracan in the gallery Mr Gary Blackwood. Welcome back.

Adjournment

The DEPUTY SPEAKER: The question is:

That the house now adjourns.

Mount Donna Buang cyclist safety

Cindy McLEISH (Eildon) (17:08): (1201) I have a matter for the Minister for Roads and Road Safety, and the action I seek is for the minister to improve safety for cyclists on the popular Donna Buang Road on Mount Donna Buang by directing the Department of Transport and Planning to install additional signage and convex mirrors at key points. These improvements are not costly and are pretty simple and quick to install. Cycling is a popular sport, and the 16.8-kilometre route up Mount Donna Buang, with a 6.4 per cent gradient and elevation gain of 1069 metres, provides a great challenge for the cycling enthusiast. I urge the minister to be quite proactive here rather than risk being reactive should there be a serious accident or fatality. There have been a number of near collisions between cyclists and cars, and there are a couple of blind spots certainly near the top car park entrance of Donna Buang. I think in general there are just not enough signage and safety measures in place. I did write to the minister in February about this and received a response, but the matter is still live. The minister's response was that, while the department have advised there are no plans to implement changes at this location, feedback received will be considered as part of their management of Victoria's roadworks. I would like to know what sort of feedback they have received, because at the minute the safety risks still exist.

This road, as I said, offers a great challenge. It is windy and steep and the weather conditions can make it quite misty and slippery, and we do get some hoon drivers up there, so improving safety is absolutely important. Sometimes the drivers can be a little bit reckless as well. The minister suggested in her letter back to me that observers report action to police or to Crime Stoppers, but really that is not very useful in preventing a cyclist being hit by a car. We need to stop accidents from occurring rather than, as I said earlier, being reactive, because it is a matter of time. Cycling safety should be made a priority. It is a shared road, and increasing the amount of cyclist safety signage would certainly help protect them by reminding drivers to slow down and to be aware. The inclusion of convex mirrors could aid blind spots on the road and would provide that extra needed vision for drivers while again reminding them of oncoming cyclists and vehicles. It is a quick, achievable and effective fix that I have put forward here, and I think that the minister would be wise to pursue this, because everybody is a winner. As I said, it is cheap and easy and will not break the bank.

KM Reedy Reserve

Gary MAAS (Narre Warren South) (17:11): (1202) The adjournment matter that I wish to raise is for the Minister for Community Sport and concerns the new lights for KM Reedy Reserve, as announced in our recent state budget. The action that I seek is that the minister provide an update on the impact of the upcoming lighting upgrade at KM Reedy Reserve for my electorate of Narre Warren South. I recently had the immense pleasure of visiting Ramsey and Faz of the Hampton Park United Sparrows Football Club along with their club members and players, and they were just so excited to hear of the \$250,000 Allan Labor government investment to improve lighting for their matches and their practice sessions. The Sparrows really are a great local club. They have a very impressive 30-plus year history and currently support over 250 junior players and over 100 senior players. The recent growth in their membership has been remarkable, especially regarding their women's teams. Ramsey and Faz and the volunteers do an incredible job of running this community club while creating a really inclusive environment and catering to the needs of all ages, genders, cultures and abilities. The club especially reflects the proud cultural diversity of our neighbourhood while bringing all people together too. The investment will also support other resident clubs of the reserve and the local community. We know that increasing physical activity is vital to improving wellbeing, mental health and fitness and increasing social cohesion as well. I look forward to visiting the KM Reedy Reserve when the new lights are installed and seeing the mighty Hampton Park United Sparrows Football Club and the other

resident clubs going from strength to strength with the help of this investment. I look forward to sharing the minister's response with my community.

Swan Hill College

Peter WALSH (Murray Plains) (17:13): (1203) My matter is for the Minister for Education, and it concerns the appalling state of the boys toilet block at the Swan Hill College. This has been an issue for a number of years. The toilet block has become a haven for troublemakers with wanton vandalism and destruction of toilet bowls and stalls and everything from vaping to smoking and the bullying of students. One parent has told me he cannot remember the last time his child used the toilet block during recess or lunchtime instead of waiting to ask permission to use the toilets during class time because they technically will be empty or to use the small toilet block closer to the principal's office. There is no unisex toilet and only one functioning disability toilet at the school. Another parent has actually moved his child to a different school because of these issues.

Swan Hill College has a proud history of delivering quality education to Swan Hill and district, and parents do not want the appalling condition of the toilets to detract from that. I request the minister to instruct the Victorian School Building Authority to fast-track the building of a new toilet block at Swan Hill College. The plans are done, and it just needs a push from the minister. My understanding is the college has accumulated close to \$1 million for this project but has been forced to use some of that money to employ temporary teachers because the school has been on the list of schools with critical staff shortages for some time. They are now applying for a \$500,000 Capital Works Fund grant to help pay for the project, but one of the conditions of this grant is that it actually not be built until next year. Students and families cannot wait that long. They have already been waiting for years, and the project needs to be fast-tracked. Minister, please listen to the cry for help from the families of the Swan Hill College.

Tecoma ambulance station

Daniela DE MARTINO (Monbulk) (17:15): (1204) My adjournment matter is for the Minister for Ambulance Services, who happens to be at the table this evening. The action that I seek is for the minister to join me in visiting my ambulance station in Tecoma. Our paramedics do a fantastic job. They help us when we are at our time of greatest need, and their care, their expertise, their competence and their compassion are beyond admirable. My wonderful ambulance workers there are truly terrific humans. I had the pleasure of visiting them not long ago, and I would deeply, deeply love for the minister to come and join me shortly. That would be wonderful. I thank her very much in anticipation.

North East Link

Jess WILSON (Kew) (17:15): (1205) My adjournment is for the Minister for Transport Infrastructure, and the action I am seeking is for her to clarify exactly what changes have been made to proposed noise walls in North Balwyn as part of the North East Link Program. As the minister will know, construction on the North East Link continues to affect North Balwyn residents, who have lost significant amounts of parkland and continue to face the noise pollution of heavy construction at all hours. Earlier this year I jointly hosted a forum with residents and provided their detailed feedback to the minister. The response I received failed to address or even engage with most of the issues raised. In fact the minister suggested constituents liaise directly with the Big Build team. Well, the minister will be interested to know that residents have indeed recently attended Big Build information sessions on noise walls, only to be told there have been reductions in the size and scope of the noise walls along the Eastern Freeway due to cost issues. Residents have told me that officers at these information sessions suggested that there have been significant changes and downgrades to noise walls from the original urban design and landscape plan designs. Changes apparently include a reduction in noise wall height in some instances as well as changes to the construction material that may impact the effectiveness of the walls when it comes to noise reduction – their primary purpose.

I am also concerned that there seems to be ambiguity in terms of the impact on Belle Vue Primary School in terms of what noise walls will be installed at their border with the Eastern Freeway and what impact the construction of those walls will have. The North East Link Program has acquired, both permanently and temporarily, much land during the construction phase, and there seems to be uncertainty as to what will be the case at Belle Vue. I ask the minister to clearly state what the impact will be of noise wall construction at Belle Vue Primary School. I ask the minister to provide a clear and concise overview of the original noise wall specifications and how these have been changed over the past 12 months, as well as the justification for those changes, so that residents may actually evaluate their impact. And I ask the minister to guarantee that the North East Link Program traffic noise objective of lower than 63 decibels will be met. If this is indeed a change in the design and the specification of noise walls because the Allan Labor government is failing to manage money in this state, it is simply unfair that constituents in the electorate of Kew, in North Balwyn, will continue to be impacted by the fact that the noise levels during the construction phase and the ongoing number of traffic increases along the North East Link Program will not be dealt with because this government cannot manage money.

Broadmeadows electorate schools

Kathleen MATTHEWS-WARD (Broadmeadows) (17:18): (1206) My adjournment matter is for the Minister for Education, and the action I am seeking is that the minister join me in a visit to the Broadmeadows Health and Community Centre of Excellence at Kangan Institute and the new site of the Broadmeadows tech school. Our Labor government is investing \$116 million to build six new cutting-edge tech schools to prepare kids for the future with skills in science, technology, engineering and maths. We are very excited that construction is about to begin in Broadmeadows and that our community will be one of the first to benefit from this innovative education funding. Students are also loving the state-of-the-art learning environment at our wonderful new Broadmeadows Health and Community Centre of Excellence at Kangan Institute. Since it opened this year over 1000 people have enrolled in early childhood, community services, youth work, nursing, allied health, mental health, justice, disability, dental, pathology and education support. That is 1000 people preparing for careers that care for others – careers that support families, improve wellbeing and strengthen the fabric of our society. These are the types of jobs that our community truly values, and it is heartening to see so many people stepping up to make a difference. These new enrolments are on top of the 6000 students already studying at the Broadmeadows campus, including 1200 hardworking apprentices and trainees. There is even a new barbering course on the way, which I know will be warmly welcomed by locals.

What makes this centre of excellence truly special is how much it reflects the spirit of Broadmeadows. This is a community full of people who care deeply for their families, their neighbours and their future. We see it every day in our local schools, community groups, sports clubs and volunteer networks, and now we are seeing it in this next generation of students training to become nurses, carers, educators and health professionals. This centre is a powerful example of what happens when we invest in people, in skills and in opportunity. I would love for the minister to come and see it for himself – to meet the passionate staff and students, hear the stories and feel the sense of pride and possibility that is going on right here in Broadmeadows. He will also see the incredible difference our Labor government's investment is making to locals and how free TAFE is changing lives.

West Gippsland Hospital

Wayne FARNHAM (Narracan) (17:20): (1207) My adjournment this evening is for the Minister for Health, and the action I seek is a firm date on when the West Gippsland Hospital will start. This will be the third time I have asked this question, and as I repeated last time I asked this question on 12 November last year, after my father died, my community wants to know when the West Gippsland Hospital will start. It is not good enough that the government has not got back to me. Now that the minister is at the table tonight I might actually get a straight answer. My predecessor, who is in the chamber, fought for this hospital tooth and nail his whole time in Parliament. Now I have taken on that mantle, and we still cannot get one straight answer from the Minister for Health. It is not that hard.

Will it start in this term of government? Will it start before 2030? Will it start this century? A date is what my community is after, and a date is the answer I expect tonight.

Gendered violence

Tim RICHARDSON (Mordialloc) (17:21): (1208) My adjournment this evening is to the Minister for Prevention of Family Violence, and the action I seek is for the minister to detail how Respect Victoria's campaign What Kind of Man Do You Want to Be? will engage with young men and boys in our local community. This is a fundamental campaign launched by Respect Victoria in the prevention of family violence around the role that I have as the Parliamentary Secretary for Men's Behaviour Change, because we know ending gendered violence starts with men and boys in our community. We know how critical it is for the role modelling of young boys and men in our community and the support that they need to be the best versions of themselves. This research and evidence, which has been a good 12 months in the making, has been substantial. I had the opportunity to launch this recently with Respect Victoria, and I want to call out to their incredible team, who do an amazing amount of work. We know the rapid review has happened with Micaela Cronin and the federal government. One amazing hallmark in Victoria is that in this space, in the prevention of family violence, we are leading a lot of the markers. But one of the key reform areas after the family safety package was announced last year was the need to engage more with men and boys. Ending gendered violence starts with men and boys; it starts with us. Some of the hardest parts of those reforms are the cultural change and the journey that we will be on. This means challenging those rigid stereotypes of what it means in the role modelling of men and boys in our community and the mental health and wellbeing pressures that they confront.

We know that male suicide is 75 per cent of the toll. There were over 770 Victorians that we lost last year. We know how difficult it is for men and boys to reach out for that help and support. I said this in the time that I was parliamentary secretary for mental health: if men and boys showed the same love and compassion for themselves as they do for their neighbour or their friend when they call out and say 'Can I have a hand?', maybe we would go some way towards reducing that toll. We need to break down the stigma around mental health and wellbeing. We need to do so much more. We need to break down those stigmas and stereotypes and get lads talking to each other and get them seeking help when they need it most. While that disproportionate impact that we see in mental health has such a chilling toll, we know that 95 per cent of violence is perpetrated by men and boys. When there is a disproportionate toll like that, we need to front up and ask how our lads are being raised. How do we break down those norms? The 12 people who have shared their experiences in this campaign of how they have been raised are truly inspiring. It is going to be deployed across the state, and I am really keen to know how it will engage Kingston and Greater Dandenong residents, how it will drive that change and how as a Parliament, as a state and indeed as a nation we can promote positive masculinities, we can make men and boys be the best versions of themselves and we can lower the mental health harm and toll in our community and lower the instances of gendered violence over time. I am really keen to hear from the Minister for Prevention of Family Violence about how the Respect Victoria campaign will be deployed in my community.

Rooming houses

Martin CAMERON (Morwell) (17:24): (1209) My adjournment matter this evening is for the Minister for Planning, and the action I seek is a review of clause 52.23-2 of the Latrobe planning scheme. I have spoken in this place before about the proliferation of rooming houses across my electorate, and one example in Churchill proves developers are exploiting a loophole in the planning scheme to the detriment of residents in that town. In a quiet court there will soon be three rooming houses within 50 metres of each other. Two were constructed on the block earlier this year and a third is under construction. Under the planning scheme each of these rooming houses could home up to 12 people, representing potentially 36 additional people in this very narrow court. Aside from obvious issues around parking and space, residents are rightly concerned about what this means for them and their town.

There is no doubt that rooming houses are a necessary part of our affordable housing and provide accommodation for some of our most vulnerable. But they are often occupied by people who have been released from prison. The undeniable and glaring fact is that this poses a great risk to other residents, and the concentration of three rooming houses and up to 36 people in one court is a recipe for disaster. This situation is a clear breach of the requirement to protect residential character under the Planning and Environment Act 1987. Developers are posting videos on social media about how much money they can make by cramming up to 12 people into one house without any planning permit. The developers are doing everything aboveboard, but they are laughing at how lax this state's planning legislation is – standing on one block where two rooming houses have been built and claiming, 'You can't do this anywhere else in Australia.' Rooming houses are high-performing properties. They say if you have 12 people in these places you can earn up to \$6000 a week. Residents are rightly outraged and are demanding action from the Minister for Planning to address the loopholes that have allowed this to happen. I have written to the minister with details about this situation in Churchill. The locals are waiting for a response to their concern. Minister, again, will you review clause 52.23-2 of the Latrobe planning scheme to include an amendment which restricts the number of high-density rooming houses in any one area?

China strategy

John MULLAHY (Glen Waverley) (17:27): (1210) My adjournment matter is directed to the Premier, and the action I seek is for the Premier to visit the Glen Waverley district to meet with our local Chinese community and discuss the Allan Labor government's work in delivering for my constituents and specifically how the state government's new China strategy will benefit them. Victoria has enjoyed a significant connection with China for over 175 years. Resilient relationships evolve with time, embrace innovation and pursue new opportunity, which is why the Allan Labor government is developing a new China strategy.

The Glen Waverley district is home to a proud and vibrant Chinese community, with almost one in three residents identifying with Chinese ancestry. This presence is felt across my electorate in our local schools, restaurants, small businesses, community groups and events and festivals that celebrate Chinese culture and heritage. Our district also benefits from Victoria's broader economic relationship with China. Chinese tourists frequently stay in our local hotels and short-stay accommodation, with some of the hotels in the Glen Waverley district having the highest occupancy rates across Victoria. International students from China, many of whom attend nearby Monash University and Deakin University, live, shop and work in our community. Local businesses are pursuing stronger trade links with China, while industry groups are exploring training and partnerships with Chinese institutions to help address skills shortages.

We also look forward to an update on the Chinese community centre that was committed to by the Labor government before the last election. This centre will become not only a place of cultural celebration but a hub for inclusion, business collaboration and community support. With the Premier's upcoming visit to China, my community is eager to understand how the new China strategy will deliver benefits not just at a diplomatic level but in ways that recognise and uplift the everyday contributions of our local Chinese community. I look forward to the Premier's response, and I do hope to see her in the Glen Waverley district very soon.

Rulings from the Chair

Constituency questions

The DEPUTY SPEAKER (17:29): Before I call the minister, I have reviewed the constituency questions from today. The member for South Barwon's constituency question was not in the format acceptable, so I cannot approve that.

*Adjournment***Responses**

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Ambulance Services) (17:29): I thank the member for Monbulk for her request this evening that I join her in her electorate to meet with our fantastic paramedics at the Tacoma ambulance branch, and I very much look forward to arranging a time to do that as soon as possible. I thank the member for her advocacy on behalf of her community, making sure that timely emergency care is available for those that live in the district of Monbulk.

The member for Narracan raised a matter for my attention. It is, however, a question that is better directed to the Minister for Health Infrastructure, who of course is responsible for our government's \$15 billion infrastructure pipeline. However, I am happy to advise the house that the Hospital Infrastructure Delivery Fund, which is \$320 million, was funded by our government in order to help plan and deliver seven new or upgraded hospital projects, including a new hospital in Warragul.

Members interjecting.

The DEPUTY SPEAKER: Member for Narracan, you are warned.

Wayne Farnham interjected.

The DEPUTY SPEAKER: The member for Narracan can leave the chamber for half an hour.

Wayne Farnham interjected.

The DEPUTY SPEAKER: Make it an hour.

Wayne Farnham interjected.

The DEPUTY SPEAKER: Ninety minutes.

Member for Narracan withdrew from chamber.

Mary-Anne THOMAS: The member for Eildon raised a matter for the Minister for Roads and Road Safety, and the action that she is seeking is that the minister improve safety for cyclists on Donna Buang Road. I will ensure that the minister is aware of that request. The member for Narre Warren South raised a matter for the attention of the Minister for Community Sport, and the action that he seeks is that the minister provide him an update on the recent Allan Labor government budget allocation of \$250,000 to ensure lights are delivered at Hampton Park. Of course this will make a world of difference to the Sparrows, who play on that. The member for Murray Plains raised a matter for the attention of the Minister for Education, and the action he seeks is that the minister deliver a new toilet block to meet the needs of the students at Swan Hill College.

The member for Kew raised a matter for the attention of the Minister for Transport Infrastructure, and the action she seeks is to receive an update on changes that have been made to noise walls in North Balwyn while the North East Link construction is underway. The member for Broadmeadows raised a matter for the attention also of the Minister for Education, and the action she seeks is that the minister join her on the site of the new Broadmeadows technical school but also take the opportunity to see the great work that is being delivered through the Health and Community Centre of Excellence out in Broadmeadows. May I say that I am very much looking forward to coming to visit you shortly, I believe, out at Kangan too, because I really want to have the opportunity to meet the nursing students who are getting an opportunity to pursue a career that they love as part of our free TAFE program.

The member for Mordialloc raised a matter for the attention of the Minister for Prevention of Family Violence, and the action he seeks is that the minister provide him with an outline of how the recently launched Respect Victoria campaign will play out in his community and the benefits that will accrue to constituents there in Mordialloc. I take this opportunity to congratulate the member for Mordialloc

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on the fantastic work that he is leading in men's behaviour change. The member for Morwell raised a matter for the attention of the Minister for Planning, and he wants the minister to review a clause in the planning scheme – it is the clause that refers to rooming houses – because of the prevalence of rooming houses that he has seen and the concerns that these are causing for other residents and also the amenity of the people living in those rooming houses. The member for Glen Waverley raised a matter for the attention of the Premier, and the action he seeks, an action that I am sure the Premier will really look forward to, is to go and meet with members of the Chinese community in the member's electorate to talk about our government's ongoing engagement with China and commitment to working to ensure the future of Chinese Australians and strengthen those ties.

The DEPUTY SPEAKER: As it is customary heading into the winter break, can I thank our clerks, our attendants, our catering staff and everyone in the offices of procedures – and I guess papers as well, but we do not really care about them! Everyone have a great break. The house stands adjourned until we are back.

House adjourned 5:35 pm.