



# **Hansard**

## **LEGISLATIVE COUNCIL**

**60th Parliament**

**Wednesday 19 November 2025**



# Members of the Legislative Council

## 60th Parliament

### President

Shaun Leane

### Deputy President

Wendy Lovell

### Leader of the Government in the Legislative Council

Jaclyn Symes

### Deputy Leader of the Government in the Legislative Council

Lizzie Blandthorn

### Leader of the Opposition in the Legislative Council

Bev McArthur (from 18 November 2025)

David Davis (from 27 December 2024)

Georgie Crozier (to 27 December 2024)

### Deputy Leader of the Opposition in the Legislative Council

Evan Mulholland (from 31 August 2023)

Matthew Bach (to 31 August 2023)

Member	Region	Party	Member	Region	Party
Bach, Matthew <sup>1</sup>	North-Eastern Metropolitan	Lib	Luu, Trung	Western Metropolitan	Lib
Batchelor, Ryan	Southern Metropolitan	ALP	Mansfield, Sarah	Western Victoria	Greens
Bath, Melina	Eastern Victoria	Nat	McArthur, Bev	Western Victoria	Lib
Berger, John	Southern Metropolitan	ALP	McCracken, Joe	Western Victoria	Lib
Blandthorn, Lizzie	Western Metropolitan	ALP	McGowan, Nick	North-Eastern Metropolitan	Lib
Bourman, Jeff	Eastern Victoria	SFFP	McIntosh, Tom	Eastern Victoria	ALP
Broad, Gaele	Northern Victoria	Nat	Mulholland, Evan	Northern Metropolitan	Lib
Copsey, Katherine	Southern Metropolitan	Greens	Payne, Rachel	South-Eastern Metropolitan	LCV
Crozier, Georgie	Southern Metropolitan	Lib	Puglielli, Aiv	North-Eastern Metropolitan	Greens
Davis, David	Southern Metropolitan	Lib	Purcell, Georgie	Northern Victoria	AJP
Deeming, Moira <sup>2</sup>	Western Metropolitan	Lib	Ratnam, Samantha <sup>5</sup>	Northern Metropolitan	Greens
Erdogan, Enver	Northern Metropolitan	ALP	Shing, Harriet	Eastern Victoria	ALP
Ermacora, Jacinta	Western Victoria	ALP	Somyurek, Adem <sup>6</sup>	Northern Metropolitan	Ind
Ettershank, David	Western Metropolitan	LCV	Stitt, Ingrid	Western Metropolitan	ALP
Galea, Michael	South-Eastern Metropolitan	ALP	Symes, Jaclyn	Northern Victoria	ALP
Gray-Barberio, Anasina <sup>3</sup>	Northern Metropolitan	Greens	Tarlamis, Lee	South-Eastern Metropolitan	ALP
Heath, Renee	Eastern Victoria	Lib	Terpstra, Sonja	North-Eastern Metropolitan	ALP
Hermans, Ann-Marie	South-Eastern Metropolitan	Lib	Tierney, Gayle	Western Victoria	ALP
Leane, Shaun	North-Eastern Metropolitan	ALP	Tyrrell, Rikkie-Lee	Northern Victoria	PHON
Limbrick, David <sup>4</sup>	South-Eastern Metropolitan	LP	Watt, Sheena	Northern Metropolitan	ALP
Lovell, Wendy	Northern Victoria	Lib	Welch, Richard <sup>7</sup>	North-Eastern Metropolitan	Lib

<sup>1</sup> Resigned 7 December 2023

<sup>2</sup> IndLib from 28 March 2023  
until 27 December 2024

<sup>3</sup> Appointed 14 November 2024

<sup>4</sup> LDP until 26 July 2023

<sup>5</sup> Resigned 8 November 2024

<sup>6</sup> DLP until 25 March 2024

<sup>7</sup> Appointed 7 February 2024

### Party abbreviations

AJP – Animal Justice Party; ALP – Australian Labor Party; DLP – Democratic Labour Party;  
Greens – Australian Greens; Ind – independent; IndLib – Independent Liberal; LCV – Legalise Cannabis Victoria;  
LDP – Liberal Democratic Party; Lib – Liberal Party of Australia; LP – Libertarian Party;  
Nat – National Party of Australia; PHON – Pauline Hanson's One Nation; SFFP – Shooters, Fishers and Farmers Party



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**Wednesday 19 November 2025**

**The PRESIDENT (Shaun Leane) took the chair at 9:34 am, read the prayer and made an acknowledgement of country.**

*Papers***Papers****Tabled by Clerk:**

Auditor-General – Accessibility of Tram Services: Follow-up, November 2025 (*Ordered to be published*).

Ombudsman – When the water rises: Flood risk at two housing estates, November 2025 (*Ordered to be published*).

A Statutory Rule under the Corrections Act 1986 – No. 118.

Subordinate Legislation Act 1994 – Documents under section 15 in relation to Statutory Rule No. 118.

*Business of the house***Notices**

**Notices of motion given.**

*Members statements***West Gate Tunnel**

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (09:43): Over the weekend more than 50,000 residents took part in discovery day, enjoying an 8-kilometre run or a 2.5-kilometre walk through the West Gate Tunnel before it opens to commuters next month. Taking in the spectacular city views over the new sky road connecting Footscray Road with the tunnel or wandering down from Yarraville Gardens under the 38-metre-high timber net structure and past the new wetlands, the community came together to celebrate this transformative project. The West Gate Tunnel will deliver a much-needed alternative to the West Gate Bridge while cutting congestion and taking 9000 trucks off local roads every day, creating safer neighbourhoods for all who call the western suburbs home. At the heart of discovery day was giving back to the community. More than \$175,000 was raised through registrations to support the West Welcome Wagon, a fantastic organisation supporting asylum seekers and refugees to rebuild their lives here in Victoria, and the Community Bike Hub, which provides bike access and education in the west. The Allan Labor government will always deliver for our communities in Melbourne's west, and only Labor can be trusted to deliver the infrastructure that they deserve.

**Liberal Party leadership**

**Bev McARTHUR** (Western Victoria) (09:45): I am a mother of three children – sadly, we lost Andrew in a tragic cycling accident prior to his 30th birthday – and a devoted grandmother of George, Wilhelmina and Edward. Yesterday I was honoured to be elected Leader of the Opposition in this chamber. My children say they are proud of my elevation – that is nice of them – but I am particularly proud of being in the leadership group of our party with the first woman to ever lead the parliamentary Liberal Party. In 2026 I predict she will be the first woman to ever be elected as Premier of this state. I have known Jess since she was a young girl who visited our farm with her parents – Ron, a former member of this Parliament, and Jo. And along with Aaron, Jess's husband, we have all served together on the governing body of our party. Jess brings this lifelong commitment to Liberal values to her role as well as extraordinary intellect and political smarts to the job. Jess and I are both in our position without quotas, so I applaud the fact that we have elected Jess as the leader of our parliamentary Liberal Party. It is a great day for women.

### Gendered violence

**Anasina GRAY-BARBERIO** (Northern Metropolitan) (09:46): Over the weekend I was fortunate to attend the Move for Them day – a day where people all around Australia gather together, moving for the women and children killed by men’s violence. This event was organised by What Were You Wearing, a First Nations youth-led not-for-profit organisation fighting to end sexual violence in Australia. It was a powerful day spent gathering with community and listening to stories of survivors and allies determined to make change and to come together to say no to rape culture, no to victim blaming, no to misogyny and no to abusers having power over our bodies and lives. I want to give a huge thankyou to What Were You Wearing founder and CEO and young person Sarah Williams and all the organisers and activists who made the day possible. Tuesday 25 November is International Day for the Elimination of Violence against Women. We also have the start of 16 days of activism on Friday, and on Friday next week we have the Walk Against Family Violence. These are all important events that members in this Parliament can attend. We have already lost 62 women in 2025. Thanks go to the tireless Sherele Moody of Femicide Watch, who does the hard work of tracking these heartbreaking stories where gendered violence continues to rob families and communities of their loved ones. We need prevention programs. We need to challenge rape culture, uplift survivors and ensure the right for women to move freely, day or night, without fear.

### Remembrance Day

**Ryan BATCHELOR** (Southern Metropolitan) (09:48): I would like to acknowledge the two Remembrance Day services I attended in the last week: firstly, the Caulfield RSL on Remembrance Day, which despite the weather had a very moving ceremony; and also on Sunday the Victorian Association of Jewish Ex & Servicemen & Women Australia in Ripponlea held a service at the cenotaph that is dedicated to those Jewish Australians who fought and served and died in our wars. It was a privilege to be there and to lay a wreath on behalf of the government and to pay my respects. I want to congratulate VAJEX for the work that they do.

### Sassoon Yehuda Sephardi Synagogue

**Ryan BATCHELOR** (Southern Metropolitan) (09:48): I would also like to take the opportunity to congratulate the Sassoon Yehuda Sephardi Synagogue on their 60th anniversary. We went on Sunday afternoon to the synagogue to celebrate the 60 years of the association and their synagogue. The Sephardi Middle Eastern Jews, who come from a range of places across the Middle East – from Egypt, Iraq, Syria and Morocco – unlike most of Melbourne’s Jewish community, who are Ashkenazi, have their own unique customs and traditions, and it was great to be in the synagogue listening to the sounds and flavours of the Middle East and observing the particular customs of the Sephardic Jewish community. The Labor government have been pleased to support the synagogue with some upgrade works and also the establishment of the first museum of Sephardic Jewish history, and we congratulate everyone in the synagogue on their 60th anniversary.

### West Gate Tunnel

**Moira DEEMING** (Western Metropolitan) (09:49): I would also like to rise to talk about the amazing party that Labor just held in the west – that self-congratulatory parade. First, we had the simulated drive-through and then we had the walk-through of the not-quite-yet-opened West Gate Tunnel. It is the clearest real-world example of their socialist political philosophy in action. First of all, you have got your manufactured dependence. For years the west were starved of basic road transport investment, until they were desperate enough to listen to any promise by this government: ‘We can get rid of the trucks for you. It won’t cost you anything. It’ll be a great project.’ But of course then the silencing began and the suppressing of the inconvenient truth. The government’s own peer reviewer William McDougall warned that the business case relied on inflated assumptions, an untested model and what he called ‘methodological fudge’. Of course he was removed after raising these concerns, and of course now he has been proven right. Then there was the trampling on the private rights: homes near the works cracked, warped and sank. They were fobbed off with an offer of window



cleaning, pizza vouchers and NDAs. Two huge ventilation stacks were built, without filters. Now the truth has come out: because of the subpar freight connections, traffic will actually increase, not decrease, which is why they introduced the curfew.

**A member** interjected.

**Moira DEEMING:** This project has made life harder, more expensive and less healthy for the people of the west. That is what socialism does and that is what Labor does. What a disgrace you are.

**Bev McArthur:** On a point of order, President, shouldn't Mrs Deeming be allowed to be heard in silence for her members statement?

**The PRESIDENT:** Yes, I think everyone should be allowed to be heard in silence. Sometimes people are disappointed if they do not provoke an outcome from the other side. But I agree, and maybe every members statement from now on will be heard in silence.

#### **Armenian National Committee of Australia**

**Michael GALEA** (South-Eastern Metropolitan) (09:51): I rise to offer the Armenian National Committee of Australia my heartfelt congratulations on 50 years of representing the Armenian Australian community. For 50 years the ANC has worked as a grassroots organisation advocating for and organising on behalf of more than 60,000 Armenian Australians across the country. As a member of this place and as the co-chair of the Parliamentary Friends of Armenia I have witnessed the passion, diligence and dedication of their members and leadership. They are fierce advocates for our local Armenian Australian community, many of whom live in the south-east of Melbourne, supporting local community organisations to foster and preserve Armenian cultural ties in this country and organising events, trips and scholarships that promote an understanding of history, identity and culture. The level of public understanding and awareness of Armenia and what it means to be an Australian Armenian is stronger thanks to the decades-long efforts of the ANC. Congratulations on 50 years.

#### **Greenwood Mulgrave**

**Michael GALEA** (South-Eastern Metropolitan) (09:52): Over the weekend I also had the great privilege of visiting the Greenwood early learning centre in Mulgrave alongside the member for Mulgrave Eden Foster for their annual art show. Exhibiting a range of displays from all of their bright young students – and quite incredible displays they were too – it is clear to see that there is a great deal of talent growing at Greenwood in Mulgrave, and clearly the staff and parents were all very proud as well. Eden and I were particularly enamoured with the contributions of the young students by the names of Eden and Michael as well, and I wish to extend my heartfelt congratulations to Zunaira Shaheen and her team for such a fantastic exhibition.

#### **Eurydice Dixon**

**Georgie PURCELL** (Northern Victoria) (09:53): I rise to acknowledge the fact that last week would have been Eurydice Dixon's 30th birthday. Instead of being here to celebrate this milestone with her family and loved ones, she spent her final moments at just 22 years old making her way home just after midnight, not knowing those moments would be her very last. Eurydice was followed from Flinders Street through the grid of Melbourne's CBD, past Melbourne University, until she was just 5 kilometres from this very building. In her final moments before her killer grabbed her by the hair, tore at her dress and forced her to the ground, she had messaged her boyfriend and said, 'I'm nearly home, how about you?' I know I am not the only one who cannot pass Princes Park without thinking about her. It has been eight years since he left her body on that soccer field, and in those eight years, 719 women and children have been killed in Australia, as reported in Sherele Moody's Australian Femicide Watch. In 2024, 103 women were killed as a result of gender-based violence, up from 74 in 2023. So far this year that number sits at 62. Though nearly a decade has passed, Eurydice's story refuses to fade, and it is critical that we members of Parliament have her story live on in each and every one of us, demanding us to carry her memory and fight harder for change.

### Treaty

**Sheena WATT** (Northern Metropolitan) (09:55): Last week our state made history, and for First Peoples it was a moment generations have been working towards: at Government House, the Statewide Treaty Bill 2025 was formally signed and given royal assent. For my community, for the elders and advocates who have carried this work long before any of us stepped into this chamber, it was a moment of truth, strength and deep cultural pride. With treaty now in law, we see formal recognition that truth, respect and understanding must sit at the heart of our shared future and the decisions that affect us. It is a step that supports healing and creates space for culture to grow stronger in the years ahead. It reassures our community that the next chapters of our journey forward will be shaped with us, not for us. Treaty will officially commence on 12 December with a public celebration at Federation Square, a moment for every Victorian to share in 60,000 years of culture. It will be a moment of joy, of connection and of looking forward. It is justice in action. It stands because First Peoples – our elders, our leaders, our young people – never stopped fighting for it, and I honour each and every one of them.

### Metro Tunnel

**John BERGER** (Southern Metropolitan) (09:56): I rise to speak on the Allan Labor government's recent announcement that the Metro Tunnel will be opening earlier than expected, on 30 November. Running through my community of Southern Metro, the Metro Tunnel will increase the number of services running through Caulfield into the CBD with turn-up-and-go frequencies. The full timetable is expected to launch early next year, with other parts of the public transport network getting updated timetables to synchronise and match up with the new schedules in the tunnel. It brings us just another step closer to this city-transforming project, changing how Victorians move around Melbourne's CBD. I am proud to be part of the Allan Labor government, which has been investing in infrastructure in my community of Southern Metro and will continue to do so. I am excited to see the Metro Tunnel open in just a little under two weeks.

### Warrnambool Multicultural Festival

**Jacinta ERMACORA** (Western Victoria) (09:57): Last Saturday I had the pleasure of attending the Warrnambool Multicultural Festival. It was also my honour to represent the Minister for Multicultural Affairs Ingrid Stitt. In the four years it has been running, the festival has become a fixture in the Warrnambool calendar. We were treated to traditional dancers from Thailand, the Philippines, Nepal and India; African drumming; a Pasifika DJ; Celtic pipe bands; and much, much more. From the days when the Anglo-Celtic heritage was assumed as a default, we now have a hugely popular event that opens with a welcome to country and showcases diverse communities on an equal footing, from East Timor to Ireland, Vietnam to the Netherlands and Zimbabwe to Sri Lanka. I want to congratulate the committee members of the newly formed multicultural association in Warrnambool, and also the members of the festival committee, which is a subentity of that organisation. It is terrific to celebrate the emerging diversity in our community, and it was lovely to see so many in the broader community come along and enjoy the food and music and meet new people.

### Bills

#### Control of Weapons Amendment (Establishing Jack's Law, Use of Electronic Metal Detection Devices) Bill 2025

##### *Statement of compatibility*

**Evan MULHOLLAND** (Northern Metropolitan) (09:59): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

In my opinion, the Control of Weapons Amendment (Establishing Jack's Law, Use of Electronic Metal Detection Devices) Bill 2025 (the Bill), as introduced to the Legislative Council, is compatible with the human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

### Overview

The main purpose of the Bill is to amend the Control of Weapons Act 1990 to provide greater powers for police officers and protective services officers (PSOs) to use electronic metal detection devices to search persons for weapons without a warrant when they are in certain relevant places. These include licensed premises, public transport stations and vehicles, retail premises, shopping centres and sporting or entertainment venues. The Bill also introduces supporting amendments to notice requirements, record-keeping and reporting obligations, search procedures and consequential offence and seizure provisions.

The following rights under the Charter are engaged by the Bill:

- privacy and reputation (section 13),
- freedom of movement (section 12),
- liberty and security of person (section 21),
- freedom of peaceful assembly and association (section 16),
- property rights (section 20),
- equality before the law (section 8),
- protection of families and children (section 17) (engaged incidentally through police interaction with young people).

For the following reasons, I am satisfied that the Bill is compatible with the Charter. To the extent that any rights are limited, those limitations are reasonable and justified in accordance with section 7(2) of the Charter.

### Analysis of relevant human rights

#### Right to privacy and reputation (section 13)

Section 13(a) of the Charter protects individuals from unlawful or arbitrary interference with their privacy, which includes personal autonomy and bodily integrity.

The Bill introduces new sections 10CA and 10CB, which enable police and PSOs to stop and search persons, and search things in their possession or control, without a warrant, for weapons when they are located in a “relevant place.” Relevant places include licensed premises (and adjacent public areas), public transport stations and vehicles, retail premises, shopping centres, and sporting or entertainment venues.

These powers may interfere with personal privacy. However, several safeguards ensure that such interference is neither unlawful nor arbitrary:

**Least invasive search practicable:** Both ss 10CA(3) and 10CB(3) expressly require that officers conduct only the least invasive search practicable in the circumstances.

**Limited detention power:** Officers may detain a person only for so long as reasonably necessary to conduct the search. (ss 10CA(4), 10CB(4))

**Application of Schedule 1:** Searches must comply with the safeguards in Schedule 1 of the Principal Act, including requirements relating to dignity, same-sex searchers (where relevant), and explanations.

**Notice requirements:** Clause 9 requires search notices for searches under ss 10CA and 10CB to inform individuals that they are in a relevant place and that officers may search them for weapons.

**Record-keeping and accountability:** Clause 5 expands the Chief Commissioner’s annual reporting obligations to include the number of searches under ss 10CA and 10CB, the types of weapons located, the number of strip searches, and the number of individuals searched who were subsequently charged.

Given the very serious risks posed by weapon-carrying in crowded public environments, and the Bill’s extensive procedural safeguards, the measures strike an appropriate balance between privacy rights and the public interest in preventing violence.

I therefore consider the interferences authorised by the Bill lawful, proportionate and not arbitrary.

#### Right to freedom of movement (section 12)

Stopping and temporarily detaining a person to conduct a search may limit their freedom of movement.

This limit is minor and appropriately circumscribed:

- The power applies only when a person is located in a defined relevant place, such as licensed premises, public transport stations or shopping centres.
- Detention is limited to what is reasonably necessary to conduct the search.
- Searches must be the least invasive practicable.

The purpose of the limitation is to deter and detect weapons in high-risk public environments. This is a pressing and substantial public safety concern. For these reasons, any limitation on movement is reasonable and justified.

Right to liberty and security of person (section 21)

Section 21 protects against arbitrary detention. Although the Bill allows temporary detention for the duration of a search, the power is clearly defined, narrow in scope, and subject to strict temporal limits. A person may be detained only for as long as reasonably necessary to conduct the search.

Given the objective of preventing weapon-related harm and the procedural safeguards applied through Schedule 1, I consider that any limitation on liberty is neither arbitrary nor unreasonable.

Right to peaceful assembly and freedom of association (section 16)

The Bill may incidentally limit people's willingness to attend public venues (e.g., sporting events or shopping centres) if they do not wish to be searched. However, the Bill does not restrict the right to assemble or associate; it regulates only how searches may occur within certain high-risk settings.

The measures are content-neutral, directed solely at weapon detection. Any limitation is proportionate and justified.

Right to property (section 20)

Clause 10 amends seizure powers to allow police and PSOs to seize suspected prohibited weapons located during searches under ss 10CA and 10CB.

Any deprivation of property occurs in accordance with law and is necessary to prevent harm. Rights under section 20 are therefore not unreasonably limited.

Right to equality (section 8)

The stop-and-scan powers apply uniformly by reference to location rather than personal characteristics.

These measures help ensure the powers are exercised consistently, transparently and without discrimination.

Protection of families and children (section 17)

These powers may be exercised in settings frequented by children, such as shopping centres and public transport.

Schedule 1 safeguards including requirements regarding dignity, explanations appropriate to the person's circumstances, and minimal necessary intrusiveness apply to searches of minors. Officers must conduct searches only in the least invasive manner practicable.

Given the public safety objective and the protective framework governing search conduct, any engagement with section 17 is compatible with the Charter.

Conclusion

For the reasons above, I conclude that while the Bill engages several Charter rights, any limitations are reasonable, necessary and proportionate to the significant public safety purpose of detecting and deterring weapons in high-risk public environments.

In my opinion, the Bill is compatible with the Charter.

*Second reading*

**Evan MULHOLLAND** (Northern Metropolitan) (09:59): I move:

That the bill be now read a second time.

I think this is a really important moment and a really important bill. This is a decisive step forward in restoring community safety across Victoria. The Control of Weapons Amendment (Establishing Jack's Law, Use of Electronic Metal Detection Devices) Bill 2025 introduces Jack's law for Victoria, an essential reform that will give police and protective services the wandering powers that they need to actually remove dangerous weapons from our streets, and it really goes a long way to preventing further acts of violence. Victoria is facing a crisis of community safety. Across our suburbs and our regions business owners and young people are living with an increased sense of fear. Serious violent incidents, including assaults with machetes and bladed weapons, have shaken communities to the core. I read out earlier in the day a series of incidents in the one suburb, Broadmeadows, where machete crime is going through the roof. Broadmeadows Central has, on almost a daily basis, incidents – with a police station with a machete bin right across the road. And what I would say to the government is:

doesn't that tell you something – that the government's approach is not working? It is not working. These violent offenders are not voluntarily giving up their machetes into a machete bin, even though it is readily available across the road from where on a daily basis machete crime is happening. The horrific killing of two young boys, attacked with machetes while simply going about their lives, is both heartbreaking and unacceptable. Boys should be able to go to basketball training and get home safely, and this really underscores why this Parliament must act.

Jack's law for Victoria is actually named after Jack Beasley, whose life was tragically taken in an absolutely senseless knife attack, and I acknowledge the advocacy of Jack's father Brett Beasley, who has worked tirelessly in a selfless way – he has worked his guts out – to make sure no other family experiences the same tragedy that his did and that his family has endured. We can look at other states such as Queensland and New South Wales. In Queensland Jack's law has already removed more than 1200 weapons from the streets. The powers have been used more than 122,000 times and have led to more than 3200 arrests. It is a proven, effective and long-overdue reform for Victoria.

I spoke about Jack's father Brett; he actually met with the Minister for Police in July, and since then we have seen no reform – nothing – and since then we have continued to see machete attack after machete attack, with the government action not strong enough to actually prevent dangerous knife crime in our communities. This bill empowers police and protective officers to stop and scan persons with a prohibited weapon without a warrant in certain high-risk places like shopping centres, where appropriate. These could include licensed premises, their adjacent areas, public transport stations and vehicles, shopping centres, retail precincts and sporting and entertainment venues. One place you might have the power to do that is Northland shopping centre, where we have seen a spate of machete crime, and Broadmeadows Central in my electorate as well. You might see it at different shopping centres in the western suburbs as well.

These changes will enable officers to use handheld metal detection wands to detect and seize weapons quickly, safely and without the bureaucratic barriers that currently hinder proactive policing. We need to give police the powers that they need. In states like New South Wales and Queensland the police wear the wand, which is only about that big if you know what you are doing, on their belt. They have those stop-and-search powers. This government's big solution is to say, 'No, we don't want to do that. What we'll do is spend \$13 million on 45 machete bins that we put around the place, and don't worry, these violent offenders are just going to pop them in the bin.' The logic does not add up, and it really highlights the government's wasteful attitude in terms of cost. But also it is not practical; it is not realistic. You have a solution here that works, and they have gone, 'No, we're going to do this machete bin stuff instead.'

This government needs to implement Jack's law, and because it is not we are doing it ourselves. We have already committed that if we come to government we will give police the wandering powers they need to take machetes off our streets. We have seen several attacks. I mentioned Jack's law is in Queensland and New South Wales. It is also in Western Australia, Tasmania and the Northern Territory but not in Victoria. Victoria is now facing a daily knife crime problem. Violent incidents are occurring at shopping centres, at entertainment precincts, in our streets and in our suburbs. Teenagers with machetes, groups armed with knives and offenders carrying blades into retail and transport hubs are frighteningly common.

I will give you a few recent examples. On 6 September this year at Cobblebank we saw 15-year-old Dau Akueng and 12-year-old Chol Achiek – they should be alive today – were fatally stabbed after being ambushed by a group armed with machetes and large knives. Seven offenders aged 15 to 19 have been charged with their murders, exposing the shocking scale of youth violence and the ease with which deadly weapons can be used on our streets. On 27 September in Morwell, Kaiden Morgan, an 18-year-old who should be alive today, had his life ended on a residential street after a machete attack. This tragedy did not have to happen, and with Jack's law we can ensure that more young Victorians do not become victims. In early 2025 Saurabh Anand of Altona Meadows almost lost his hand after a horrific machete attack at Central Square shopping centre after a violent assault was carried out by

teenagers for not handing over his phone, I believe. Again, this could have all been avoided. Saurabh is well known in particularly our Indian community in the western suburbs, and many, including me, have contributed to the GoFundMe set up by his friends to help cover some of his medical expenses due to his visa arrangements.

This is a huge issue in our migrant communities. It is their homes being invaded. It is they who do not want to go out to shopping centres anymore. We should be able to go out to shopping centres. At Werribee Plaza there have been multiple incidents. In August this year a 14-year-old boy was attacked by six offenders armed with machetes. On 2 October this year in Melbourne's CBD a hospitality worker on her early morning shift was stabbed in the chest by a stranger in an unprovoked attack. I think we were all shocked seeing that CCTV footage, knowing that this could occur not too far from where we are standing at the moment. This is why we are encouraging them. We need the government to act with urgency. I know Brett Beasley is in the Parliament today, urging us as legislators to do something. He actually met with the minister in July last year, and still there has been no action. All those incidences I read out could have been prevented. They could have been prevented, but this government has chosen not to act. The government announced it would spend almost \$1 million for 800 wands at a cost of nearly \$1200 a wand. This compares to \$300 a wand in Queensland. It is like the \$13 million machete bins all over again. It is like, in the previous time in government, then deciding, 'Oh, we're just going to do Myki ourselves instead of taking something off the shelf from Singapore or other countries that do it well.' We are still paying the price for that, and of course we saw it with machete bins themselves. Just because an idea is someone else's does not mean you cannot be pragmatic and adopt it and take something from elsewhere.

The government is promoting the use of their metal detection wands, but officers do not have the legal authority to use them proactively. Wandering for weapons should be like a random breath test. Police should be able to do them, and they should be done randomly and proactively in crime hotspots. It is very similar to what they announced on masks, right? Where police have powers to remove masks if the person is being aggressive. We saw the weapons. We saw the police show the rocks, trolley poles and chains that were thrown at police, yet we are not wanting to give police powers to intervene appropriately. In this same sense, the government is not doing it. Under the current laws police cannot randomly scan at shopping centres, train stations, entertainment precincts and knife hotspots.

Jack's law will deliver simple, proven and targeted powers to remove knives before they are used. It will allow suspicion-free wandering at public places. Police and PSOs could stop and scan for weapons in shopping centres and retail precincts, at train stations on platforms, on public transport vehicles and at entertainment and sporting venues and licensed premises. These are the very locations that police need these powers. This is proactive policing. It empowers PSOs in high-risk retail centres, and a Liberals and Nationals government will deploy 200 additional PSOs to shopping centres and retail precincts. We will not yank them from train stations, as this government wants to do. We all remember the government used to call PSOs 'plastic police'.

**A member** interjected.

**Evan MULHOLLAND:** Yes, they never liked it. They never liked, again, a good idea. If it is not theirs, they will go another way. In a sense they are causing another issue by solving one issue, by removing PSOs from train stations, keeping commuters less safe.

This is not only a problem in metropolitan Melbourne, it is a problem in regional Victoria as well. These attacks are not a one-off. They are part of an escalating pattern. The current laws cannot keep up. The designated area powers are too slow. The machete bins are completely symbolic. As I mentioned, there is the example of Broadmeadows Central, where there are almost on a daily basis incidences of knife crime, of violent gangs sword-fighting each other with machetes in front of horrified commuters. The council offices are just across from the car park. I have had council staff contact my office saying they do not think it is safe to go into work at Hume City Council. Recently,

and I thank my friend. Cr Jim Overend, the council unanimously passed a notice of motion asking the government what it is doing about this escalating situation, particularly in Broadmeadows.

We saw also a horrifying incident at Greenvale Secondary College where the entire school was locked down because people turned up with machetes outside the college. The government has just sat on its hands. But if you look at Broadmeadows Central, as I said, right across the road from Broadmeadows Central is a police station and a machete bin. I doubt any of the young offenders that have been terrifying the locals in Broadmeadows have dropped their machetes in the machete bin. This is why we need to give the police the extra powers. It is not good enough to not give police the powers they need. The half-baked version the government has announced does not give them the authority to do what they need to do. It is just like masks, where you know they will wait for people to throw rocks at police before they have the ability to take their masks off.

With this government, it is always half-baked, half a day late and a dollar short; that is what it is under this government. Our plan will give police and PSOs real powers. It will remove knives before they are used, deploy additional PSOs at retail centres, protect Victorians in the places where they live, work and shop and deliver Jack's law. I would like to particularly acknowledge the dedicated work of Brett Beasley, who has been a tireless advocate across all states in Australia and is so selfless in going out of his way to make sure that what happened to Jack does not happen to any other family. I think that is the most important thing. We are really encouraging the government to get on board with Jack's law, get on board with wanding powers, make sure what happened to Jack and what has happened to countless Victorians that have become victims that I have read out today does not happen to any more Victorians.

This bill arms police with the tools they need. It removes dangerous weapons from our public places and gives communities the confidence that their government is acting to keep them safe. I commend the bill to the house.

**Ryan BATCHELOR** (Southern Metropolitan) (10:18): I move:

That debate on the bill be adjourned for two weeks.

**Motion agreed to and debate adjourned for two weeks.**

### *Production of documents*

#### **Department of Premier and Cabinet**

**David DAVIS** (Southern Metropolitan) (10:18): I am pleased to move:

That this house, in accordance with standing order 10.01, requires the Leader of the Government to table in the Council, within four weeks of the house agreeing to this resolution, copies of public opinion polling, research and the invoices and/or payment advices of such public opinion polling and research conducted by the Department of Premier and Cabinet since December 2022.

That is in effect since the election. We know that the Department of Premier and Cabinet carries out a regular series of public opinion monitoring and research. This polling is in part provided to cabinet, but it is also a broader piece of work. It is material that is available and that is paid for by taxpayers, and it is material that ought to be available to examine to understand more broadly across the community where community attitudes and opinion are. This research, as I say, is funded by taxpayers money and is at quite a detailed level. The government, from time to time, does deep dives into certain topics. For example, I would have thought that there would have been a lot of research done on crime – exactly the sort of material that we have just heard in Mr Mulholland's second-reading speech. The state government might not like the results, but they might be crafting their response – their belated response – to crime matters on the basis of public opinion research conducted by the Department of Premier and Cabinet.

We know that the state government has for a long time retained one pollster in particular, but there are others that are used at DPC. The QDOS group, run by John Armitage and his crew, are Labor-linked

pollsters who, whilst very professional – I do not in any way denigrate their actual capacity – are Labor to their bootstraps and have done very nicely out of this particular government over its years, first under Daniel Andrews, with whom they were very close, and now under Jacinta Allan. We know that public opinion research intensified, for example, during the COVID period, and there was nightly monitoring that was going on by QDOS at that period.

**Bev McArthur:** Because everybody was locked in their homes.

**David DAVIS:** Well, no, but this is because the taxpayer, through DPC, was funding daily research to find out what people's attitudes were so that Daniel Andrews could craft his responses to the community and try to steer Victorians in a particular direction. But leaving that aside, there is a legitimate role for public opinion research and polling, and that polling at the Department of Premier and Cabinet is, as I say, funded by taxpayers, and there is no reason why the broader Victorian community could not see it. I know some of it will be presented to cabinet, but the essence of this polling is separate from whatever additional briefings are prepared for cabinet, and that polling ought to be available through this.

I have also asked in this motion for the invoices and the receipts that are available for the funding of this particular polling. We should know what has been done – we should be able to see that – and we should know how much it has cost taxpayers. As I say, the powers of the chamber to order documents are very much to the fore here. We see that this is entirely within the public interest to understand what polling has been carried out, what advice the government has received through these pollsters and what it has acted on and what it has not acted on. That could be, as I say, on crime, it could be on tax, it could be on a whole range of other issues. To reiterate: this is a very straightforward motion. The chamber has the powers to request these documents. It is in the public interest for these documents to be in the public domain, and that is why I am seeking these documents today.

**Ryan BATCHELOR** (Southern Metropolitan) (10:23): I am very pleased to rise to speak to Mr Davis's motion seeking access to copies of certain public opinion polling research invoices, receipts, payment advice and probably other stuff out of the Department of Premier and Cabinet procurement invoicing system, which I am sure will be fascinating, and other activities as conducted by the Department of Premier and Cabinet since December 2022. Obviously, as is always the case, the government will not oppose this documents motion, as per our conventions with respect to the Council's ability to request the production of documents consistent with the constitution and the powers of the House of Commons in 1855, which also include an acknowledgement of the capacity of then the Crown and now the executive to assert privilege over those documents consistent with our constitution and those practices.

As Mr Davis noted in his contribution, some of these materials were apparently provided to the cabinet, so I am sure that will be taken into consideration by the government in its consideration of these materials. It would be only fair and reasonable for the chamber and Mr Davis and everyone else to acknowledge and understand that the government, as was noted in the report of the Procedure Committee that was tabled yesterday, is processing an increasing number of requests for the production of documents and therefore needs to examine each of them carefully and in turn, as is appropriate.

The document that was tabled yesterday on the referral to the Procedure Committee stated there had been I think 50 document requests passed by this chamber in this session of the Parliament – quite a considerable increase on previous ones. That is obviously placing a considerable increased workload on public servants who are required to respond to these requests and stop doing other things in order to respond to them. That is exactly what the government will do – consider the request, as is the convention. I think it is worth saying, though, that the volume of these requests is making that process take longer than it would, because in addition to servicing Mr Davis's requests for the production of documents, the public service has a range of other tasks that it needs to do for the benefit of all Victorians. In doing those things and those tasks for the benefit of all Victorians it is I think a fair, reasonable and good thing that the public service, as part of both its policy development and its



program implementation tasks, undertakes activities that listen to what the community is saying and what the community is thinking. We value the importance of hearing what the community has got to say and understanding both at a top-line level what is motivating them and also at a more granular level what might be motivating their concerns and what might be motivating their interests.

I think that particularly when thinking about both program design and also program implementation, particularly the implementation of certain activities that require the government to convey to the community important messages – whether that be across a range of fields; certainly some emergency-related communications do spring to mind – the government needs to be best informed about how to effectively communicate. Undertaking research into both what the community is thinking and also how best to communicate with them is an exceptionally important part of delivering effective government in Victoria. We have in the Environment and Planning Committee an inquiry underway at the moment on community consultation and engagement practices across the state of Victoria and how well we, as a government and as a public service – state and local governments – engage with members of the community. I think what that inquiry and the evidence we have received in public and open sessions have demonstrated is that it is an incredibly important part of our democracy that government is both effectively listening to the community and effectively engaging with the community. That is an important part of good government in this state.

**Michael GALEA** (South-Eastern Metropolitan) (10:28): I rise to also share a few comments on Mr Davis's motion 1161, which is seeking, again, another broadbrush range of documents that fulfils his ongoing purpose of throwing as much as he can at the fan and seeing what sticks. Today we have a motion in relation to polling, and it is quite appropriate indeed that the Liberals are quite curious to know how polling works, this coming in the wake of the second time in as many recent years that they have decided to completely abandon and throw out their party leader on the very day that they start to show some positive polls. We know that Liberal Party members do not enjoy that; they do not like –

**David Davis:** On a point of order, President, this is actually a very narrow motion about the provision of a set of documents. It is not about the views or fantasies of a member about the opposition and so forth. It is constrained, and I spoke quite narrowly about that.

**The PRESIDENT:** I call Mr Galea back to the motion.

**Michael GALEA:** I am pleased to return to the motion of the narrowly spoken Mr Davis in relation to polling. But it is, I think, a fair comment to make that it is curious that this week of all weeks is the week that Mr Davis would decide to publicise polling in any capacity – but that is something for Mr Davis to answer himself, I suspect, and he may wish to do so in some future contribution today.

I affirm the comments of Mr Batchelor that the government will not be opposing this motion and his very good point that we have a recent report – tabled yesterday – from the Procedure Committee which shows that so far in this term we have seen a 92 per cent increase in the number of documents orders that have been tabled as compared to the last Parliament in its totality, and a marked increase, I note, from when Mr Davis's lot were last in government all the way back from 2010 to 2014. It is worth bearing in mind that there is a lot of work that is to be done. There is a lot of work being done across the Department of Premier and Cabinet (DPC) and across various other government departments because we are a government that is still fresh with new ideas, making things happen and making significant reforms that will benefit Victorians. Whether it is infrastructure, whether it is services, whether it is the justice reforms that caused you lot to quiver in your boots last week and decide to roll another leader or whether it is any of the other reforms that we are undertaking, we are a dynamic government that is actually responding and doing that work.

Understandably that creates a lot of interest for you to find out a bit about what is underneath the hood, and you want to find out a bit about how it happens. It is no surprise indeed that the government does across many departments, including DPC, engage in various levels of research to understand impacts. It undergoes consultation on any of the various government projects being undertaken, including

indeed on our significant housing reforms. Housing is a very important aspect of this Premier's policy focus since she came into power. It is very important that we do engage with communities properly. That does not mean just listening to the few Liberal Party branch members and others in Brighton who are opposed to any sort of development. That means listening to views and shaping those activity centres around them. We have seen already in some of the earliest activity centre drafts the feedback from the community shaping – in some cases increasing, but in many cases lowering – those tower limits in some of these new activity centres.

That does not happen from sitting in your office at 1 Treasury Place or wherever it is and not listening to people. That happens because you go out and engage. That happens because you go out and consult. That is exactly why it is so important that all our government departments are doing that genuine research and doing that engagement with the community to get that genuine feedback and respond accordingly, because good governments respond when people raise their voices. That is the broad people, not just a few vested interests who are desperately trying to cling on to their property values in a leafy bayside suburb. We know that they are those very same Liberal Party MPs in those regions, such as Mr Davis and the for-now Shadow Attorney-General – I wish him well in still working out how to read a bill. Whilst he is in that role the member for Brighton has supported the new Liberal leader into her role. It is very curious that she does say that she wants to support housing for young people. I wish her all the best with that, given that she has been put into the job by the very people who have been the chief opponents of any steps to improve housing accessibility for young Victorians, including the erstwhile leader of the Liberals in this place, Mr Davis. It is very important that governments undertake this research.

**David Davis:** On a point of order, President, he has only got a few seconds to run, but he is flouting your ruling and coming back to the task of attacking the opposition rather than talking about a very narrow documents motion.

**The PRESIDENT:** I call Mr Galea back to the motion with 15 seconds.

**Michael GALEA:** To conclude my remarks today I will just make the point that good governments not only get things done, as we do, but good governments also engage and listen to people, and that is what we are doing as well. That is why the engagement that all departments, including DPC, undertake is so important.

**Sheena WATT** (Northern Metropolitan) (10:34): Thank you very much for the call and the opportunity to speak this morning on the latest short-form documents motion presented to us by Mr Davis. As has been mentioned by my colleague Mr Batchelor and reaffirmed by Mr Galea, I would like to reaffirm that as is our convention we will not oppose the motion and that the material that you are seeking today, Mr Davis, will be provided in line with the usual processes. Thank you for presenting it to us today and giving me an opportunity to make a contribution. It is worth pausing on how often this chamber now finds itself dealing with documents motions of these kinds, and I have had the good fortune now of spending some time looking at documents motions and speaking to them throughout the course of this parliamentary term. I certainly have some reflections on them that I would like to ventilate not here in the chamber but through an appropriate mechanism, because it has become a familiar pattern for us to have documents motions before us.

I have got some views on a range of things, but what I can say about this motion is that it is really a dressed-up attempt at accountability. The focus is not really on the materials being sought; it is about those opposite having something to talk about that is perhaps not themselves. The use of polling is in keeping with standard practice, because there is nothing unusual about government departments using research to inform policy development and policy communication and develop insights. It is routine across Australia; it is routine internationally. Departments undertake polling and research so they can understand how communities are receiving information, whether they have what they need during emergencies – I am particularly thinking about some community outreach that was done recently in the lead-up to this fire season – whether they have an understanding of major government initiatives

and major programs and whether they are being explained clearly and accurately, informed by research evidence and best practice.

This work is not singular in its efforts; it sits alongside other forms of engagement, including those through Engage Victoria. There are localised discussions with communities and direct conversations with stakeholders, and I am drawn to the efforts around community consultation being explored as part of the Environment and Planning Committee's inquiry into community consultation, led and brought to this chamber by Ms Tyrrell. I thank her for that, because it has afforded those of us on the committee an opportunity to understand more about how it is that government engagement processes are rolled out and used, both good engagement and perhaps those that are more wanting. The truth is it is not new and it is not unusual; it is simply a part of what is responsible government. When it comes to major projects, the same principles apply; thanks to the Allan Labor government, Victoria has the biggest infrastructure agenda in the country. There are programs of great scale, and communities throughout those projects expect to be heard. They want to understand what is happening in their own neighbourhoods. Departments use research to check that information is landing properly and the locals can access what they need. These processes help to redefine how programs are communicated.

What is striking here is not the content of the motion but the motivation behind it, I must say, because Victorians deserve better, and they want our Parliament to focus on the issues of Victorian people and not on themselves. Right now I would argue that the contrast is clear and that the Allan Labor government is focused on issues families raise with us every day – issues like cost of living, services that their kids rely on, the infrastructure the community needs as it grows – and Mr Davis's motion before us does not touch on any of that. But the way the opposition uses motions like this tells a really clear story, so as I said, we will not oppose this motion. I thank you for the opportunity to speak.

**Motion agreed to.**

### **Animal care and protection legislation**

**Georgie PURCELL** (Northern Victoria) (10:39): I move:

That this house:

- (1) notes that:
  - (a) in 2016, the Victorian Labor government made a commitment to modernise our state's broken animal protection laws;
  - (b) a media release from 19 October 2017 stated 'the Government will also review the Prevention of Cruelty to Animals Act in close consultation with key stakeholders and the Victorian community replacing it with a modern animal welfare act in 2019';
  - (c) almost 10 years later, despite multiple rounds of consultation and guarantees that the changes will come, these laws are written but yet to be introduced into the Parliament;
- (2) in accordance with standing order 10.01, requires the Leader of the Government to table in the Council, within 10 weeks of the house agreeing to this resolution, all documents relating to the proposed animal care and protection bill, including but not limited to:
  - (a) consultation or consultation reports in relation to decision-making about the proposed bill; and
  - (b) communication between the government, the Department of Energy, Environment and Climate Action, stakeholders and any other related or involved parties in relation to the progress of the bill and the reason for its significant delay.

Victoria's animal protection laws will turn 40 years old next year. That is significantly older than I am. In 1986, when they were first written, the first disposable camera was introduced, so was the laptop, and the first computer virus was discovered. Something these items have in common is that they have all advanced over the years. Disposable cameras are now a relic, laptops have modernised significantly and we all have things in place to deal with those computer viruses. But something that has not changed since 1986 is our archaic animal welfare laws, specifically the Prevention of Cruelty to Animals Act 1986 here in Victoria.

More than eight years ago, in 2017, former Premier Daniel Andrews and former agriculture minister Jaala Pulford issued a media release announcing that the government would review the existing legislation and replace it with a modern animal welfare act. They said that this act would have passed the Parliament and be in effect by 2019. In that media release Ms Pulford said:

The new act will recognise the sentience of animals, reflecting the strong evidence that exists showing animals fear and feel pain. This will ensure animal welfare management and legislation in Victoria develops to meet community expectations.

Let me tell you, those community expectations in terms of how we treat animals in this state have significantly progressed since 1986 when our laws were first written. Since that statement was written in 2017 and since the first announcement in 2016, we have gone through a number of terms of Parliament – three if you include the year it was announced in and two if you include the time that they said those laws would be in effect by – and we have had four different ministers for agriculture. None of them have been able to bring this legislation to light and into our Parliament. This reminds me of the type of stuff that inspired the TV show *Utopia*. The inability of a government to just get this work done would be almost laughable if it were not so serious and did not have real-world consequences.

While it would be funny if it were not so urgent and serious, as I have said, the most concerning aspect of these unforgivable delays is the fact that animals are continuing to suffer at extreme levels across Victoria, and the people who are perpetuating cruelty are getting away with little to no consequences. To give this house a few examples of the horrific cases that have become casualties of the state's inability to protect them, one might remember those starving horses in Mount Eliza, where for months horses were left without adequate food or water, suffering in plain sight while authorities failed to act. Their emaciated bodies, open wounds and clear signs of neglect were documented repeatedly, yet meaningful intervention came far, far too late. This chamber might also remember the corgi stuck on a Melbourne balcony after videos of him pacing anxiously on a tiny apartment ledge in the Melbourne CBD went viral. It was public outcry that forced his former owner to ultimately surrender him, not protection from our state's animal welfare laws. And there is the case of Millie the dog, who was beaten to death with a steel pole outside her home in Victoria. What is particularly confronting about this case is that perpetrator was caught and is going through the courts right now, but the woeful penalties for animal cruelty that exist in this legislation mean that that man will very likely only receive a slap on the wrist. Victoria has some of the lowest penalties for animal cruelty in this country. Many other states have made the right decision and moved forward to modernise their animal welfare laws.

These are just a few cases among the many that my office is contacted about every single week – week in, week out. The reality is that either our current laws intervene far too late or they do not intervene at all. Had the proposed changes that the government promised us almost one decade ago already been in place, those horses, that corgi and Millie the dog would never have been allowed to experience such preventable neglect, starvation or suffering, and there would be consequences for it when the perpetrators were captured.

We know that this bill has been ready for some time. These laws are written; consultation has been conducted. We know that, but it is sitting on the Premier's desk collecting dust right now as we speak. It is time for the Premier to finally start acting in the interests of animals and the community who have been waiting a decade for this promised reform. But if she continues to refuse to do so, these documents will at the very least expose the real reasons behind this government's shameful delay and shameful inaction.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (10:45): I rise to also make a contribution on this motion brought by Ms Purcell in regard to our animal protection laws. First of all, I just want to thank Ms Purcell for bringing this motion to the house and acknowledge her continued advocacy on behalf of the Animal Justice Party. As somebody who has been in this Parliament for seven years now, I have been working with the Animal Justice Party in a range of ways across a range of things, and so

I am always happy to speak on a motion that talks about the sorts of things that our government is doing to improve and enhance animal welfare and animal protection.

This motion is a documents motion, and our government's position is that we do not oppose documents motions. It is our convention: we do not oppose it. But having said that, it does give me an opportunity to talk about some of the things we are doing. I was just looking through some of the notes on this, and I am really pleased to see some of the changes and improvements that we have made in regard to chickens and poultry. There are a number of people in this chamber who know my views on chickens and poultry, so I might start there as it is a good opportunity.

Animal welfare is in the wheelhouse of the Allan Labor government. It is something we feel is important to continue to work on. There is always more to do – for example, in the 2025–26 state budget we provided \$16.7 million over two years for safeguarding Victoria's agricultural sector, supporting animal welfare. This was significant funding to the RSPCA, which is in addition to the \$2.3 million. But in regard to chickens, Agriculture Victoria is drafting the new poultry regulations under the Prevention of Cruelty to Animals Act 1986 to implement poultry welfare standards. Once the regulations commence in Victoria, they can be enforced by inspectors authorised under POCTA. That is really good news, because what we know is that sometimes people have the best intentions when it comes to keeping poultry. They are great, and some chickens make really nice pets, particularly bantams, but sometimes people think that keeping them in a cage is a good thing. It is not. It is just not, but having a system where chickens are allowed to display their natural behaviours, like scratching, flapping their wings, rolling in dirt and those sorts of things is really important to animal welfare. That is for people who might keep backyard chickens, for example.

In regard to farmers, farmers will be allowed to choose from various egg production systems, which would include larger cages with furnishings, barns and free range. So again, it just goes to the point about making sure that whatever chicken you have, it can exhibit its natural behaviours. Like I said, that includes foraging, flapping its wings, dustbathing – all those sorts of things. It is also recognition of the fact – and this is something that is kind of tangentially relevant – we recognised in our laws a while back now that animal sentience is a thing. That is why some of these changes, in terms of enhancing or improving animal welfare, are based on that. I am personally really happy that we are recognising that.

Also, the Victorian government has welcomed the findings of the parliamentary inquiry into pig welfare. We supported 16 of the 18 recommendations, either in full or in principle, and this includes the recommendation to replace the Victorian code of practice for pig welfare with national standards and guidelines for pigs. Victoria is actively involved in the development of the national animal welfare standards and guidelines. Again, it is a national code. It is something we need to move on actively nationally, so we can have the same standards in place not only across Victoria but in other jurisdictions as well.

Just in regard to animal cruelty, in September 2025, 43 complaints were substantiated and investigations commenced. Agriculture Victoria assesses each cruelty allegation, investigates it and determines the most appropriate regulatory outcome, and that could include voluntary compliance through education, warnings, infringements and prosecutions. Currently there are 16 cases before the Victorian courts for alleged breaches of the POCTA, with 13 cases having concluded in 2025. The house might be interested to hear this, but I am sure Ms Purcell is aware that we are working with her office on ways to improve the lives of rehomed greyhounds through changes to muzzling and off-lead restrictions. There is always lots to do in this space. As I said, it is not the government's position to oppose this motion – again, it is a documents motion – and I will leave my contribution there.

**Melina BATH** (Eastern Victoria) (10:50): The Liberals and Nationals will not oppose this short-form documents motion. We will let it go through, as is the protocol. It is important to get information. It is important to see some transparency around consultation and interactions with those bodies. I hope that there are a variety of entities having these conversations in relation to this bill. What I am

concerned about of course is the impact and the lack of balance that may eventuate from government not recognising the importance of our agricultural sector in Victoria. The bill looks to expand enforcement powers and – we have heard it before, and I have heard it before certainly from all the ministers for ag who have been in this place – recognition of animal sentience. But without those clear guidelines, without safeguards, this could certainly lead to unintended consequences that undermine lawful rural practices.

No-one wants to see people operating outside the laws, but we have very strict laws, regulation and enforcement, and I am very concerned that this bill coming forward will be a green light for animal activism. I have heard Ms Purcell speak about some horrendous actions of recalcitrant Victorians who do things outside the law, and they should feel the full force of the law in terms of cruelty to animals, but the activism movement is not alone in its cruelty to animals. Let me just put a couple of examples on the record for balance. Back a number of years ago there were the animal activists who invaded a Tyabb poultry farm, moved into the sheds and then dislodged animals. There were many hundreds of animals in those air-conditioned sheds, and they moved into one corner. The animals moved to one end, and smothering occurred. There was the death, the very uncomfortable death, of around 200 to 300 animals.

We had Luv-a-Duck, where animal activists went onto the farm. Again, it is a fantastic story about immigrants coming to Victoria, setting up home, working with the local population of farmers and creating a wonderful and internationally recognised duck-producing, meat-producing, farm. Well, there were activists on that farm. Then there was my very own example, very dear to my heart, the Gippy Goat farm, where activists came onto a farm, a law-abiding farm, right near Yarragon. They decided to disrupt the movements there and put goats in the back of a car, take them away and say that that was protecting animals, when they were herding animals away from their herd.

This is some of the balance that I just want to provide in this conversation to ensure that the government is aware that any changes to laws, any updates, do not unfairly disadvantage law-abiding farmers. Modernisation is reasonable, but not enabling activism and risking enterprise, risking our fortunes as a state, because Victoria has always run on the back of our agricultural sector, from the early days in wheat and sheep. Now of course we export the best quality beef in the world, and there are our milk production and a variety of agricultural sectors.

I note the Victorian Farmers Federation should be in some of those documents, because they also should be at the table and government should be listening to this very reputable organisation, amongst others. They have concerns that the new welfare laws in Victoria will help animal activists. They will be concerned about the rise in legal challenges. The bill does not need to be vague, it needs to be quite specific. It does not need to be subjective, it needs to be objective. And it does not need to use ambiguous language in this, because we need certainty in Victoria that the government will support, as the Liberals and Nationals support, our ag sector to go on into the future with the highest animal standards that will not tear it down.

**Ryan BATCHELOR** (Southern Metropolitan) (10:55): I am pleased to rise to speak on Ms Purcell's documents motion seeking documents relating to the proposed Animal Care and Protection Bill. Obviously, as Ms Terpstra stated, the government by convention does not oppose these documents motions. As I mentioned in my contribution to Mr Davis's motion a little while ago, we respect the powers of the Legislative Council to make requests for documents in accordance with section 19 of the Victorian constitution, and we respect the provisions of that section of the constitution that provides that this chamber has the powers of the Parliament that applied to the House of Commons in 1855 in their rights and privileges, including what was then the Crown immunity, now executive privilege, which understandably reserves documents that are part of the cabinet process as documents that have a privilege attached to them and therefore an immunity from orders seeking production.

I just say that because one of the things that this particular documents motion is seeking to do is to obtain access to materials that may have been used in the development of a bill. Obviously in the way

that cabinet government works in the state of Victoria – and those who have read the cabinet handbook will understand – there is the central role the cabinet plays and decisions of the cabinet play in the development of legislation here in the state. Bills form part of the consideration of the cabinet process and cabinet agenda. I think, without knowing anything about the particular circumstances of this bill, it is certainly part of the standard practice of cabinet government in the state for those matters to be dealt with by the cabinet. It is just an important way of understanding how some of the documents we might be attempting to seek by way of this motion might very well relate to matters which involve materials that have been submitted to the cabinet. In accordance with the Victorian constitution, the minister and the Attorney-General certainly will give that some consideration in determining whether or not there are any or all documents within the scope of the request for production that this motion seeks that are capable of being produced in accordance with those conventions, powers and immunities.

Obviously the government is incredibly attuned, as Ms Terpstra has said, to the need to have a robust system of animal welfare in this state. We absolutely expect that the community does the right thing by animals in our homes, in industries and in the broader community. We have been working hard since we came to government in a range of areas to ensure that not just the laws but also the practices and organisations are properly empowered and resourced to make sure that that can occur. They are obviously matters which we know are of significant concern to many, and they are certainly of concern to the government. The government, in the course of how we have conducted both these areas and a range of others, have been keen to ensure that animal welfare is a priority in the state of Victoria.

**Motion agreed to.**

### *Motions*

#### **Judicial appointments**

**David LIMBRICK** (South-Eastern Metropolitan) (10:59): I move:

That this house notes that:

- (1) unlike some other Commonwealth jurisdictions, Victoria does not have an independent judicial appointment commission;
- (2) in some Commonwealth jurisdictions, such as Canada, senior judicial appointments can appear before parliamentary committees for a non-binding public hearing;
- (3) allowing a non-binding public hearing process for new senior judicial appointments would increase public scrutiny and trust in the judicial system;

and calls on the Attorney-General to establish a new process whereby prospective senior judicial appointments will be invited to appear before an appropriate parliamentary committee for a public hearing prior to appointment.

I would like to just talk about some of the background here of why I am talking about this and starting this conversation. The justice system is a miracle of Western civilisation in some ways. Originally the justice system was just kings and feudal lords dispensing justice, and whether or not they did a good job of that is up for debate and depends on the king and the feudal lord that you were under. But we managed to evolve to a point where, at least in theory, we like to think that we have an independent judiciary. In fact this was discussed during the drafting of Australia's constitution. It was something that was discussed at large. But as with all systems, it requires reform, and it evolves over time. As I have pointed out in my motion, if you look at similar Commonwealth countries, you will see that the majority of them have evolved beyond what Victoria and most jurisdictions in Australia do.

What is quite common is to have something such as an independent judicial committee, and what this does is it totally separates from government the process of appointing judges and other officials. I am not proposing that we do that today, because I know that is a very large thing and would actually require changes to Victoria's constitution and a whole bunch of other things. But I think we all should acknowledge that the process that we have in Victoria compared to such jurisdictions as, say, Canada is a very opaque process. There have been, if you look at commentary in the media and indeed in just

talking to constituents, concerns about some of the decisions that are made by the judiciary. I think it is very important not only that judicial appointments are fair and unbiased but also that the public has the perception that they are fair and unbiased. Because of the opaque nature that we have in Victoria, there is a risk that that may not be the case.

In Canada they have a system whereby part of that process is that the appointees appear before a special parliamentary committee and they are able to be questioned. I know that some people have concerns about this process because they are worried; they see the operation of the Public Accounts and Estimates Committee and other committees and they do not feel that they are very helpful. But I might note that in Canada this works quite well. What they do to alleviate this is they have very strict terms of reference for this so that the appointees can only be asked about a very narrow range of subjects directly related to their role. The committee does not have a decision-making role in this process, and I am not proposing that any parliamentary committee would have a decision-making role. But what it would do is set up incentives in the system that would, I hope, bring about more trust in the justice system, because they know that at least the appointees have had some sort of public scrutiny and can be asked questions that many people in the public might want to ask by members of Parliament. I think that this is a sensible and fairly modest change to the system.

I know that some people might be concerned. They look at the American system, which is quite different to ours and is in fact quite different to many Commonwealth countries, and they might argue that this politicises the system. I would argue and many would argue that the system is already politicised. I think that in fact having this sort of scrutiny would depoliticise the appointments and set up incentives that would make it a better system.

Regardless of whether or not this motion passes today or whether the government agrees to it or not, I think it is important to start this conversation. I think it is important that Victoria considers the types of reforms that have been carried out in other Commonwealth jurisdictions. There are many examples that we can look to: the United Kingdom underwent major reforms early in the 21st century, I have already spoken about Canada and there are many other examples of this type of reform. I believe that in the UK trust in the judicial system is very high due to the reforms that they have carried out there.

I will not say much more on that, but I urge people to consider the importance of this and how important it is to maintain trust in the judicial system. This small, modest change I believe will increase trust in the system and add some level of scrutiny and transparency on the appointment process that does not exist currently.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (11:05): I rise to make a contribution on this motion by Mr Limbrick. Yes, the government opposes this motion. I think I will start right there. I was just reading the form of the motion and the content and also listening to Mr Limbrick's contribution. As someone who is admitted as a lawyer and has practised and been before courts representing people, I have a deep concern about this motion, and really, the Trumpian nature of it – to say that somehow our judicial system is biased. I am very concerned about that. I would also draw the chamber's attention to standing order 12.18, because I just think we need to be very careful about how this debate and this motion is phrased and what it is intending or trying to do. I will not read it out for the chamber other than to say that if there is an accusation to be made, it should be done by a substantive motion, and it covers members of Parliament of either house, the sovereign, the governor, or a judicial officer.

I think the problem is that bringing this kind of motion is a bit of a dog whistle to what is happening in the States, where there is a constant call about what is happening over there in how they appoint judges. In Australia we have a different system for doing that and there are very good reasons as to why that is. It is a very robust process. What is concerning to me is the suggestion that somehow we do not have a robust process that appoints the best people to our courts – because I listened very carefully to what Mr Limbrick was saying, and I think Mr Limbrick was saying that people do not have confidence in the courts, but that is based on outcomes or sentences. That is not necessarily a function of a judicial officer. If people have concern about sentences, that is because judges consider



the facts that are brought before them in any particular case, they apply the law to the facts, obviously the law that applies, and then they come up with a sentence or a determination or whatever. There are civil and criminal cases, but I am assuming Mr Limbrick is mostly talking about criminal.

But inherent in anybody being appointed as a judge, any person who is appointed as a judge in Victoria has many, many years and decades of experience, often many years experience as a senior lawyer and often as a barrister. So despite what Mr Limbrick says, there is a process that is quite robust. It starts with the Attorney-General seeking expressions of interest from qualified people for judicial positions in court. You have to be admitted as a lawyer, first of all, to practice as a lawyer, and there is a test you have to pass in order to be admitted. It is not just that any person can be admitted; you have to have attained your bachelor of laws and done your practical legal training. Then once you are admitted, you can practice as a lawyer. So first of all, you have to be a lawyer. Then after that there is consultation that takes place. The Attorney-General consults with the Chief Justice and relevant court and other legal experts. The Attorney-General then makes a recommendation for appointment, which is submitted to the executive council for approval, and then the Governor and the Attorney-General sign a commission to formalise that appointment.

So there is a robust process, and it is based on who is most suitably qualified. Like I said, there would be years and years and years, sometimes 20, 30 years of legal practice and training that has gone into that person, either as a lawyer or a barrister, and then they would be appointed to the court. These people are eminently worthy of appointment and eminently qualified and skilled. I think what is really dangerous about this motion is it is casting aspersions on our judiciary as being something that might be open to bias; of course if there is any concern about particular judges, there are forums and places to deal with those sorts of things. But again, this is like trying to dog whistle to the Trumpian enthusiasts saying that we have some kind of problem in our judiciary, and we do not. So again, appointees undergo rigorous probity and criminal history checks, ASIC insolvency searches, conflict of interest declarations and character checks through the Victorian Legal Services Board and commissioner. There are comprehensive safeguards, so I find this a very, very concerning motion.

With Mr Limbrick's motion I know in his comments he pointed to other jurisdictions, and he did raise the UK, and if you look at what has happened in the UK the evidence there is actually mixed. In the UK the move to a commission introduced cost and delay without clear proof of better outcomes as well. The public confirmation hearings as proposed by this motion risk delay, politicisation and reputational damage to candidates, all of which are unlikely to increase public confidence in appointees and the institutions they are appointed to; it is likely to do the opposite. So politicising appointments to our judiciary is just really not something that we want in our democracy here in Australia. As I said, we operate several recruitment processes for judicial officers, magistrates and VCAT members; they are all appointed through a formal merit-based process. So again, I think what the motion fails to do is actually tease out what Mr Limbrick is actually trying to say. I am assuming you are trying to say that people are not happy with sentencing outcomes; that is a far cry from trying to say that there is some kind of bias or problem with the way judges are appointed. Judicial appointments in Victoria support the independence and integrity and capability of the judiciary. As I said, they are eminently skilled and qualified people, and there are obviously processes, if there are any concerns with particular judges, for those things to be activated or pursued. But again, to kind of go down this dog whistle path that is happening in America is just not something that has any place in our Australian jurisdiction.

I will just talk quickly about the judicial appointment process. There is a rigorous process, and as I said before, a widespread net is cast to attract the best and most skilled and qualified applicants. Appointments to the Magistrates' Court and the Victorian Civil and Administrative Tribunal all involve an open and competitive recruitment process. Public recruitment campaigns are conducted when there are vacancies, and the process consists of expressions of interest and applications for formal interview. So again, it is not something that is conducted in secret; it is quite open and transparent. The relevant head of the jurisdiction then makes a recommendation to the Attorney-

General on proposed candidates. Again, there is a rigorous process – nothing secretive about it. The appointment of judges to the Supreme Court and the Court of Appeal are made following consultation between the Chief Justice and Attorney-General, with the Attorney-General making a recommendation to the Governor in Council.

As I said, there is a process whereby with all judges there are background checks and character checks to determine whether there are any issues. Character checks can often reveal information about any investigations, complaints or inquiries made against that person or about that person's conduct, their behaviour or their character. It is a very strict test. I had to pass it, and people might say that is debateable, but it is a very strict test. You have to disclose everything and anything that has ever been questioned about your character, and then and only then are you admitted to practise as a legal practitioner in this jurisdiction. So it is something that requires a very high standard of character. Getting back to the character check, for example, it could reveal any disciplinary outcomes that the person might have faced by the legal services board, and it could include any formal warning or reprimand by the legal services board, additional training or counselling that may have been recommended, disciplinary charges or a legally binding determination that might include remedial action. Sometimes those things could include recommendations of further training and that sort of thing. The potential candidates are all referred to the framework of judicial abilities and qualities for Victorian judicial officers. This has been developed by the Judicial College of Victoria, which outlines the attributes that government, courts and the community expect from judicial appointees.

There is a robust process around the way in which we recruit and look for judicial appointments and appoint them. It is quite robust, and I have set out I think the framework that adequately describes how those things happen. I understand Mr Limbrick's wont, being a libertarian, to kind of change things and up the ante and look at different processes. I understand that, but this is a motion that does not do that. This is a motion that is just really dog whistling to the Trumpian conspiracy theorists, and it is very disappointing that we have to debate this in this chamber today.

**Evan MULHOLLAND** (Northern Metropolitan) (11:16): I rise to speak on Mr Limbrick's motion. It sets out to call on the government Attorney-General to establish a process and points out a few other examples regarding judicial public hearings. I can understand the intent of Mr Limbrick's motion while respectfully disagreeing with it. The Liberals and Nationals will be opposing this motion. I oppose the motion because, while well intentioned, it risks undermining a core pillar of our democracy, and that pillar is of course the separation of powers. It is a principle that ensures the independence of the judiciary, the integrity of our legal system and the confidence that Victorians can place in the courts.

The motion points out that Victoria does not have an independent judicial appointments commission. It also refers to practices in other jurisdictions, including Canada, where some senior judicial nominees appear before committees for non-binding public hearings. These are interesting comparisons, but they do not reflect the constitutional structure in which our state operates. Victoria has never adopted a system of judicial confirmation hearings, and I think that is for a good reason. In Victoria, and indeed Australia, it is the executive branch that is charged with appointing judges because it is the executive branch that is accountable for the overall functioning of the justice system. This is the accountability that protects the judiciary from political interference.

The government would probably privately acknowledge that there are certain judicial decisions that have not met community expectations. We were told the last lot of bail reforms were the toughest, but supposedly we are going to be here on the final sitting week talking about further reforms in this space because they were not the toughest. We saw, after the government passed the toughest bail laws, the judicial handbook basically ignoring the government's legislation because the government did not do enough of a job at writing that legislation. As the member for Malvern said, the loopholes were so big in that bill you could drive a stolen car through it. But it is the executive that is accountable for passing laws around this state that our judges can interpret, and that is really the fail safe in our system, and it protects the judiciary from political interference.

Especially in politics in Victoria and Australia you often get people trying to make comparisons with American politics that are not culturally the right fit for Victoria. They do not have the social licence needed to get acceptance in Victoria. But because it is like America it is constantly discussed. We see it on the left and the right as well. All of the university campus types in Australia and other interest groups on the left say, 'We shouldn't follow America. We don't like America. We don't like American culture. We need to form our own different culture.' Then any time there is a protest movement in the US about any particular sort of left-wing issue, it is immediately adopted on university campuses and across the intellectual left in Australia. But we also see it on the right. Just because an idea has come from America or you see it playing out in America does not mean it is an idea we should instantly take up here. We have a system by and large that has accountability and integrity, and the separation of powers, particularly in our justice system, is just too important for this kind of interference. Like the government probably privately acknowledges, people can be pretty gobsmacked by some judicial decisions. I would argue that that is on the government, and that is on the government because of the laws that they pass in this place. We need to make sure that our laws meet community expectations so that when judges are making decisions, their decisions meet community expectations, and they know through the laws that we pass in this place what the community expectations are. Governments are elected to make these kinds of decisions and need to be accountable for those decisions as well.

The independence of the judiciary is not an abstract concept. It is a practical safeguard that allows judges to decide matters without fear or favour and without fear that they might be called before some upper house inquiry. If we undermine that safeguard, we invite parliamentary committees to sit in judgement over prospective appointments. It also, I think, would create a chilling effect for the judiciary. I do not think it is a step we want to go down to apply that chilling effect of politicians onto our judges. We are here to make the laws that they interpret. We are not here to tell them how they should interpret the laws. The current system serves Victoria well. Our courts enjoy strong public confidence. I think you can see the lack of confidence in the Victorian community, let us say particularly around bail and crime, is not with the courts, it is with the government. The government cannot throw up their hands and say it was not their decision while their laws have allowed for that decision. This is the separation of powers that we have here in this state. It is for these reasons that we will not support this motion. We absolutely respect the intent, but we will not compromise on the separation of powers. We will continue to uphold the principle that the executive appoints judges and that the judiciary remains free of political interference. That is how we protect the strength, integrity and independence of Victoria's justice system.

**Jeff BOURMAN** (Eastern Victoria) (11:24): I rise to enthusiastically support this. There are a number of things I am going to go through; there were a couple of rich contributions to help me. First of all, this is not a Trumpian thing. I can guarantee you that 29 years ago, when I first got involved in the practical application of law enforcement, the very issue that we are talking about now was an issue then. Since I left that and went off and did my own thing and ended up here, I have always paid attention to it. It was an issue and still is an issue. I do not like using the words 'carry on', but they are the best I have got for questioning the system, the status quo. The pushback we are getting is quite extraordinary. I think this motion is nothing more than questioning the way we do things, and I think that is always a good thing. Whether the outcome means a change or not is a very different thing. You label it 'Trumpian dog whistling' – I respect your intent and all that sort of stuff – but I think I would reject the American system of electing judges at the moment. I do not think we are even close to being ready for that. I do think that saying the judiciary is actually independent is a bit of a stretch, but it has been said a couple of times by the speakers.

The judiciary is appointed by the Attorney-General. Whether you like it or not, there is instantly a political implication to that. It does not matter which side they are from – I am not blaming the government or the opposition for when they were in government and all that sort of thing – but the reality of it is the government of the day will generally promote someone that they feel is probably more aligned with their values. It is just natural. So I completely support not having the government interfere in the judicial proceedings. That is only appropriate. That is the separation of powers. I do

not even think there was a comment made regarding dragging a judicial officer, whose outcome on something we did not like, before a committee. I do not think that is proposed. I do not think that is even in the orbit of this thing. But the government makes the laws, and the laws these days are pretty rubbery. You work on the intent, and the judiciary goes off and does it.

One thing I will agree with is what I think Ms Terpstra said – it is my main problem – on sentencing. Whether someone is guilty or innocent, there are established processes; for those presenting evidence to the courts, it is for them to follow the processes. Could the processes be better? Yes, but they are what we have to work with. In fact one of the comments made by Mr Mulholland was the judicial handbook ignoring the bail changes recently. That is a problem. How we deal with it I am not proposing to get into here, but there is a problem. I have been following closely the Hannah McGuire murder trial, which only came to fruition yesterday or the day before. Twenty-eight years for the murder of a young woman is just not enough – it is absolutely not enough. The sentences for murder in this state are wildly inappropriate. You are taking someone's life. In this particular case it was that of a young woman. If you read the details, he just wanted to possess her and he could not, so this is how he fixed it, and then he spent a lot of time trying to hide it. In 28 years – he is only a young bloke – he will be out. He will be younger than I am, and he will be free. Hannah McGuire and her family will never be free. So there is a lot of work to be done; there is a heap of work to be done.

I do not see why there is such a furore at questioning how we appoint the judiciary. It is not proposing a change as such. It notes that and calls on the Attorney-General to establish a new process. It does not say what process; it just says 'invited to appear before an appropriate parliamentary committee'. We hear a lot about transparency in this place, and this is not against any particular judicial officer. I will also point out that raising a substantive motion against any particular judicial officer is kind of completely pointless when you are not accusing any particular judicial officer. But I do not think it is wrong to question things. That is how we move forward. That is how, as a society, we change.

I think it is telling that two other Commonwealth countries have had a change, for better or for worse. At some point in time they have had a think about this and moved. The mother country, if you will, and Canada have done it. Canada is in a fairly similar place to us I guess with their attitude towards progressive causes – going to the same place, the same sort of ways. I am just disappointed in the tone of what we are getting. Back in the old days, long before I was worrying about this, it was the case that clerks of the courts would work their way through their school and would become a lay judge – I forget the particular term for it – and that introduced an element of the common person to it. They did not go from school to uni to practise doing God knows what particularly and then into the judiciary. They worked – they did this, they did that. I am casting a wide brush here. I know a lot of lawyers that are ex-coppers. They have gone and got a degree and moved on. I personally think they would probably make great magistrates or judges. I think there is at least one out there that may have been, but I am getting away from the thing.

I do not think there is anything particularly wrong with questioning the status quo. It is not Trumpian. This is well before Trumpian politics. It is just something that has been going on forever. I truly think that sentencing is the problem here, and for how we address it, I do not have the answers. I just think it needs to be addressed. I get the feeling that it is going to be Mr Limbrick and me standing up in support of this, but I am quite proud to be.

**Ryan BATCHELOR** (Southern Metropolitan) (11:32): I rise to speak on Mr Limbrick's motion calling on the Attorney-General to establish a process whereby prospective senior judicial appointments will be invited to appear before an appropriate parliamentary committee for a public hearing prior to appointment. I just wanted to start with a little bit of a reflection on something I agree with Mr Bourman on in his contribution. He said that he does not think it is wrong to question things, and I think that is true. I reflected on this in a debate last week: we should never be uncritical of the way our institutions work. We should never be beholden to something because it is the only way that something has been done, but when we think about how things work, when we question, we need to think about what the alternatives are. I think this is an example where what the questioning of

something – a process or a system – demonstrates is that the alternatives would leave us in a far worse position than the practice and the processes that we have currently in place. I think there has been a little bit of that elucidated in the debate today, but I want to get into that a little bit more.

To change something like the process for making senior judicial appointments in the state of Victoria, we need a demonstration that there has been, I think, some fundamental errors and fundamental flaws in that process and that the proposed approach would both fix those flaws and lead to better outcomes, and I do not think that Mr Limbrick's proposal that is contained in the call for the Attorney-General in this motion achieves any of those things. I think instead what it would mark would be a departure from a practice which has, on the whole, served our community well and would set us on a path that has been demonstrated in other jurisdictions to not serve their community well. I think on that basis the proposal is not one worthy of support, and the government will not be supporting the motion today. The judiciary plays an incredibly important role in the functioning of our democracy. The commitment to upholding the rule of law is fundamental to our democratic processes. It is one of the components of a separation of powers between the legislature, the executive and the judicial branches that has enabled our democracy to thrive and survive over the last – well, it depends how you want to characterise how long we have had full democracy here in Victoria, but certainly in the institutions that have existed in this state since the establishment of self-government 170-odd years ago.

The way that we approach the appointment of judicial officers in Victoria is obviously something that at its fundamental level retains its basic characteristics that have existed throughout that time, which is that the Attorney-General, on behalf of the executive, having been elected by the people democratically, makes recommendations to the Governor for judicial appointments. What we have in Victoria at the moment – reflecting the need for particularly our magistrates and VCAT members to be open and accessible and the need to have a process that is broader and enables more participation – is we have a formal, merit-based process with open public advertisements, recruitment panels, interviews and independent advice from the department as well as the independent court and tribunal for those decisions. For higher court appointments the practice that we have here in Victoria is that appointments to the various higher courts are made in consultation with the heads of jurisdiction and appointees go through fairly rigorous probity checks – criminal history, insolvency searches, declarations for conflicts of interest and checks through the Legal Services Board and commissioner – which provide a comprehensive suite of safeguards against the prospect of someone for whom, whilst they may be formally qualified, there are other aspects which make them unsuitable for appointment. We have processes that are in place in order to deal with that.

The question that we have to ask is whether adding an invitation for prospective appointees to appear before a parliamentary committee would improve that process. I just do not think that it would, because whilst appointments are made on the recommendation of the Attorney-General – made by a democratically elected government, as it should be in our democracy that governments elected by the people make a range of appointments and decisions and then once those appointments are made the judiciary operates independently – what you would do, I think and worryingly, and this is something that has been called out by other members in their contributions to this debate, is you would, as part of that committee interrogation, subject these individuals to having to answer questions that members might pose to them about matters of law or legal interpretation to sway whether they feel that they are a suitable appointment or not.

I think what we can see, particularly in the way in the US federal system appointments are made by the President with the consent of the Senate, is that that judicial appointment and vetting process and public hearing process has generated a much more politicised approach to senior judicial appointments in the federal jurisdiction in the United States than we see here in Australia. I do not think the US federal system is better than what we have here in Victoria on a whole range of measures but particularly firstly on instilling public confidence in the judicial system and secondly on trying to ensure that senior judicial officers are making reasoned and learned decisions based on principles of

law absent of partisan considerations. I think the encroachment of partisan considerations in federal appointments into the US system is a net negative for them and it would be a net negative for us.

The other question I have really is on the wording of Mr Limbrick's motion, whether there is actually going to be an invite delivered to these appointees or whether it is going to be a summons. Because that is not clear – whether we are inviting people to attend a hearing process or whether we are requiring them to attend a process. If the proposal is not insisting and if the process is not issuing a summons, then one must wonder what teeth it really has, what purpose it really has and what the purpose of that is. Because if we really insist that it is required, then I think it is probably incumbent upon us to be using our powers to do it. I do not think it is, but it was a curious word that struck me in the wording of the motion as to what an invitation meant. That is certainly I think something that probably needs to be explored a little further.

Hopefully I have outlined a little bit about the things that concern me about this process and why it is not a kneejerk reaction that I have got against it. It is I think a quite considered objection to the implications of what involvement of parliamentary committees in the judicial process would do, and I will not be supporting the motion.

**Moir DEEMING** (Western Metropolitan) (11:42): I just want to thank Mr Limbrick for his motion. I would just like to start off by noting yet again the fact that our colleagues on the other side of this chamber, often sometimes when they even do have a good argument, are so used to attacking the person because they cannot win an argument that they revert back to it again. I just saw that today. It is actually very lazy and disrespectful and frankly an embarrassment to public office. Mr Limbrick deserves better than the way he was just treated. Any conversation about transparency in the judiciary, in our justice system, is by definition worthy of debate in this place. It is not disappointing to have to debate how we can improve justice, even if we disagree on the methods. It is not dangerous to debate how to improve justice. It is not dog whistling to debate how we improve justice, unless of course deep down you are opposed to justice. So I thank Mr Limbrick for bringing this motion. He did it in good faith and he made some very valid points, one of which is that the independence of the judiciary is essential and that it does not maintain itself. Transparency does not equal criticism.

The other point has been made well that the judiciary are appointed to interpret the laws that we make here and that we are the ones that have very important powers to influence justice in this state. But as we have all seen, the judiciary are also supposed to honour community expectations and they are supposed to honour and interpret the laws that we make in the spirit in which we make them. We just saw the massive scandal in the news where the judiciary made their own handbook, using weasel words trying to get around the bail laws that we had just passed in this Parliament. That is a disgrace. What has this government done to make sure that that does not continue to happen? A government that will not look at that issue to ensure justice is a government that is not interested in justice.

When we come to community expectations and sentencing in particular – thank you, Mr Bourman, for that – I agree, this is all about sentencing. Sentencing for serious crimes in this state is completely against community expectations. If you look at sentencing for the serious sexual assault of children, report after report after report shows that the sentencing is so weak that it is offensive to the majority of people who look at it. They are outraged when they find out that child sex predators get weaselly little sentences. They get given consideration because their raping of a two-year-old was not premeditated; it was a crime of opportunity. What does that mean? That is a quote from a judge.

There is plenty of injustice in this state. It is not a topic to dismiss out of hand. Mr Limbrick finished his motion with an invitation for a conversation about how this is important and how we can improve it. The fact that people on the other side then proceeded to lecture Mr Limbrick about how judges actually have law degrees – I mean, it is so ridiculous, what I just heard on the other side. Sometimes I think that there is some kind of roboticism over there and you cannot even hear yourselves. We rely on judges to do their job in the public interest, in line with community expectations and in line with the interests of justice. I was very fortunate in my case to have a judge who was just, but for all these

little people out there, the victims of crime, if they are so fortunate as to have had enough evidence of their crime even happening that they made it all the way to court, it is not too much to ask that every single effort is made, no single stone is left unturned and every single accountability measure is looked at in order to make sure that the judges they get, with the final say on the justice or injustice that will ruin their lives or help heal them from an injustice, are actually addressed and thought through. While I may not agree with the actual proposal, at least I am taking it seriously, because that is our job.

**Katherine COPSEY** (Southern Metropolitan) (11:47): I also rise to give a contribution on behalf of the Victorian Greens to Mr Limbrick's motion today. I will state at the outset that the Greens will not be supporting this motion, but I want to spend some time going through some of the points that Mr Limbrick has raised, because it is an important topic and it has been pleasing to hear a mostly constructive and respectful debate today.

I want to start with a topic that has been canvassed in several members' contributions, which is the importance of the separation of powers. It is a fundamental tenet of democracies and of our democracy, and one that we should all be alive to the importance of. Though it is a time honoured and well established principle, it is vital every day in this place. It ensures, essentially, that no individual person or group or individual branch of government – the legislature, the executive or the judiciary – has too much power, and that those branches have distinct and independent powers and responsibilities. It is commonly referred to as a check and a balance, but equally an important part of the doctrine of the separation of powers is ensuring that no one branch of government can dominate the others or act outside its authority and is helping prevent abuses of power. Another element of the importance of the separation of powers is promoting transparency and accountability, such as reporting to the public and other branches on the activities of that particular body, which helps to ensure that decisions are made, and seen to be made, in the best interests of the public.

These headline principles are incredibly important in maintaining the independence of the judiciary and therefore the trust of the public in the judicial system. That is why I thought it would be really important in my contribution today to counter a little bit of what I have heard. I think that Mr Limbrick's motion as put forward is one that has been crafted sensibly and brought in goodwill to this place, and I want to engage with it diligently. However, while we might concur on the first point of his motion just noting that there are different approaches across Commonwealth jurisdictions to the appointment of judges, I think perhaps we will disagree on the appropriate response to that. What I have heard from some members' contributions today confirms the suspicion that there is a mischief behind this motion as well, that there is an attempt to cast doubt on the independence of the judiciary, on the adequacy of their performance of their role, and I really want to soundly reject that today.

I thought it might be useful, given the context of the separation of powers that I have spoken about, to talk about some of the current effective measures that we do have which currently review and hold the members of the judiciary to account in Victoria. I will just note that I am drawing, in my comments on this topic, from a paper produced by Parliament called *Parliament and the Courts: Separation of Powers – Summary Notes*, which are notes from a conversation held here at Parliament in March 2023 with members of the judiciary and from this branch of government as well, the legislature. Currently we do have the Judicial Commission of Victoria, which does not participate in appointments but is:

... an independent body responsible for investigating complaints about the conduct or capacity of judicial officers in Victoria, including judges and magistrates. The Commission investigates complaints and provides recommendations to the relevant authority about any necessary disciplinary action.

VCAT also has a role in reviewing legal disputes, including disputes relating to the conduct of legal practitioners and judges. There are powers for VCAT to hear and decide direct complaints against judges and magistrates. We of course also have the Victorian Legal Services Board and commissioner, responsible for regulating the legal profession in Victoria, including the conduct of individual practitioners.

The Board + Commissioner has the power to investigate complaints about the conduct of lawyers, including those who appear before judges and magistrates, and to take disciplinary action if necessary.

Really importantly, given some of the comments that have been made in this debate today, we actually do have the Sentencing Advisory Council of Victoria. The Sentencing Advisory Council provides a very important role. It produces research, statistics and education about sentencing in Victoria, and the idea of that is to bridge the gap between the community, the courts and the government. We do have bodies that scrutinise sentencing practices. I will note the continuing practice today of some members pulling out individual sentencing decisions that they may personally disagree with. I would argue that this is a really good example of why we need these independent bodies to provide an overall view of the performance of the judiciary and why we should as responsible members of this chamber look to the guidance of that council which already exists.

There are a number of independent watchdogs and mechanisms that currently provide oversight and accountability for the judiciary in Victoria, and they are designed to ensure that there are really high standards of professional conduct and that the public has confidence in the integrity and, importantly, the impartiality of the judicial system. Of course there are also independent watchdogs, including the Ombudsman and our IBAC, and these provide oversight and accountability over the actions of all branches of government, designed to investigate and expose corruption, misconduct, and maladministration within the public sector. I just wanted to contribute some context for the high levels of scrutiny and independence that are currently guaranteed by our independent bodies here in Victoria.

Turning to the subject of Mr Limbrick's motion, which is around the appointment of people to these roles, it is very interesting actually that, in the complaints that have been levelled by people who have sympathy with what Mr Limbrick is suggesting, a lot of the perceived ills are in the practice of executing the role rather than in the appointment process. I think that would tend to suggest that there is actually not so much of an issue with the current process of judicial appointments. Here in Victoria judicial officers are appointed by the Governor in Council on the recommendation of the Attorney-General, so there is an element of the government of the day having influence in the appointment of officers to the judiciary. However, there are a lot of processes and guidelines around the selection of candidates for that process. The Department of Justice and Community Safety oversees that process, collecting appropriate expressions of interest, ensuring that people are aware of the requirements and expertise needed for the role and vetting candidates before that shortlist is presented to the Attorney-General for recommendation.

Mr Limbrick has pointed out that there are other jurisdictions that have some form of parliamentary committee scrutiny. I will just point out in the resource from the conversation that Mr Limbrick circulated to members in advance of this debate – thank you, I enjoyed reading it – there are a variety of responses to judicial appointments across the Commonwealth countries highlighted. Not all of them involve parliamentary committee scrutiny, so there are different ways that Commonwealth jurisdictions have approached this. However, I believe that we have got good, independent advice for the government of the day to follow, and we do have robust accountability and transparency measures for our judiciary.

Just to close, I think that this is an important topic that has been raised for debate today, but I echo the concerns that have been stated by many in the chamber that we do not want to see further politicisation and we do not want to see attacks on people who are putting up their hands to be part of the administration of justice in this state. Everybody is rightly concerned by the politicisation of that process. I think it undermines rather than supports the doctrine of the separation of powers. We have got some level of political involvement in the appointment of judges in Victoria as is current practice. I do not think adding more politicians to that process is a cure. If we are looking at anything, it should be around further independent processes so we do not see a politicisation as we have seen in the US.

**Michael GALEA** (South-Eastern Metropolitan) (11:57): I rise to share a few remarks on the motion that has been put forward to us today by Mr Limbrick, and I anticipate that I will expand on



my contribution after question time. At the outset, just to make a few brief remarks, I concur with many of the speakers in this place today who have commented on the central importance of the separation of powers that we have that is so fundamental to our judicial system. I have appreciated contributions from my colleagues in government, and I even acknowledge the contribution of Mr Mulholland. It is very rare for me to say that, especially on a Wednesday, but I found his remarks to be quite accurate in terms of not only the importance of that separation of powers but also the caution that we need to apply around adopting foreign models. With the more extreme example of the US – and I understand that that is not the model that Mr Limbrick is putting forward before us today – there is a cautionary tale in adopting whether it be the culture wars or judicial processes of a country that has a deeply flawed and partisan judicial appointment system.

When it comes to deliberating the merits on this motion, I will seek to go into some of the other international examples that have been cited by Mr Limbrick following question time. However, I think it is important that we remind ourselves that the Parliament is an independent jurisdiction, as indeed is the judiciary itself. In terms of keeping that, I also note that there is an open and competitive recruitment process for the Magistrates' Court and for VCAT, which includes public recruitment campaigns. It also includes expressions of interest, applications and formal interview processes that anyone who is qualified is able to put their hand up for and enter into that process, which I think is a good thing – in fact it stands us in good stead, particularly in comparison to many other comparable jurisdictions. I will have some more remarks on other judicial appointments after question time, especially as it relates to the examples that have been put forward by Mr Limbrick in other jurisdictions.

**Business interrupted pursuant to sessional orders.**

*Questions without notice and ministers statements*

**Flood mitigation**

**Rikkie-Lee TYRRELL** (Northern Victoria) (12:00): (1141) My question today is for the Minister for Water. The 2022 flood event in the Greater Shepparton region highlighted concerns with both the Loch Garry infrastructure and management. The levee surrounding the loch failed, causing extensive damage to surrounding farmland and homes in Bunbartha and surrounding areas. After a two-year review with members of the community, the Loch Garry options paper was released in August this year. Can the minister give members of the Bunbartha and surrounding communities a timeline of when an option will be decided upon?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:00): I thank Ms Tyrrell for her question. I point out to the chamber that, yes, an options paper has been developed, and it is on the Goulburn–Murray Water website for those that are particularly interested in this. I think there are five or six options that are currently listed on that website. It is built upon significant community involvement in the process. Loch Garry is a special flood protection district, with infrastructure that provides flood protection from minor to moderate flooding. With challenges of an ageing asset and the risk of more frequent and intense flood events into the future, GMW has committed to working with the community on the future of Loch Garry, the costs and benefits of different approaches and the best balance to meet their needs. Now that the options paper has been released, I understand that Goulburn–Murray Water is committed to establishing a customer committee for Loch Garry in early 2026. This will play a major role in informing the best path forward for the community. The options are there, and then the real work in terms of how a particular option might be best suited and what all of that implies in terms of implementation still needs to be sorted out with the community before it then goes back to the board.

**Economic policy**

**Bev McARTHUR** (Western Victoria) (12:02): (1142) My question is to the Treasurer. Victorians are paying \$21 million a day in interest, yet you advised yesterday that you are once again jetting off

to New York, cap in hand. Doesn't this need for repeated meetings show that the government's fiscal strategy is failing to rein in debt and restore confidence in Victoria's finances?

**Jaclyn Symes** interjected.

**The PRESIDENT:** I do not think it is the same question. Can you repeat the question.

**Bev McARTHUR:** I certainly will. My question is to the Treasurer. Victorians are paying \$21 million a day in interest, yet you advised yesterday that you are once again jetting off to New York, cap in hand. Doesn't this need for repeated meetings show that the government's fiscal strategy is failing to rein in debt and restore confidence in Victoria's finances?

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:03): I thank Mrs McArthur for her question. The reason I asked you to repeat it is that you are literally suggesting that the Treasurer not meet with people about the interests of Victoria. You are concerned about the meetings that I am having. You are concerned about the range of meetings that I need to have to ensure that I am engaging with credit rating agencies and potential investors.

**Bev McArthur:** You wouldn't need to go if you didn't have such a debt.

**Jaclyn SYMES:** Do you think that is how it works? I do not know where to go with this; I honestly do not. I am a little concerned that you do not believe that a Treasurer should be an advocate for the state of Victoria. You do not believe that I should have meetings with people about our finances. Do you understand the role of TCV? Do you understand they have been selling bonds for decades, including under previous governments, and they need to do that on the international stage? Mrs McArthur, perhaps the supplementary question that you could put to me is for a list of briefings that you would like from the Department of Treasury and Finance, because I think that would benefit you in your question development.

**Bev McARTHUR** (Western Victoria) (12:05): Moody's has warned that without genuine spending restraint and greater transparency Victoria risks a credit downgrade. How can the Treasurer claim that the state's financial position is quite strong when she advised yesterday that she must again travel overseas to convince the ratings agencies that her government has control of the budget?

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:05): Mrs McArthur, Moody's, who you pointed to – I would like to quote from them:

... the state's clear and demonstrated commitment to fiscal consolidation and prudent financial management in recent years, as well as –

the resilience of its 'large, diverse and wealthy economy' –

... underpins the state's capacity to service its debt.

This was in relation to their confirming our credit rating. You have talked about risks. You have talked about concerns that the rating agencies might have. I am reluctant to put words in the mouths of rating agencies, but I would be pretty concerned about a conversation if I had to rock up and face the rating agencies and try and explain \$11.1 billion being ripped out of the budget. That would be a very difficult conversation to have.

### Ministers statements: Victorian Early Years Awards

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (12:06): I rise to update the house on the 2025 Victorian Early Years Awards. Now in their 20th year, the awards recognise innovation and excellence across the early years sector. With nine open categories, the awards showcase the extraordinary work taking place in kindergartens and early childhood settings in every part of our state while also recognising the professionals who are at the

heart of that work. These are kindergarten teachers, early childhood educators, maternal and child health nurses, playgroup facilitators and others who play an important role walking alongside families through all stages and experiences of their journey. Their dedication to supporting the learning, development and wellbeing of children in Victoria is remarkable, and it is only right that we acknowledge it.

I want to particularly congratulate Sandra Houlahan of Shine Bright's kindergarten in Elmore and Megan Hancock of Southern Rise Children's Centre in Wodonga, who were the recipients of Educator of the Year and Early Childhood Teacher of the Year respectively. Both Sandra and Megan demonstrated a strong commitment to creating culturally rich, responsive environments for children and a readiness to build genuine partnerships with families and the broader community, recognising that it takes a village to raise a child. This year's awards also celebrated Josette Nunn of Yarram Early Learning Centre, who was the recipient of the early childhood teacher award in 2020. Due to the COVID-19 pandemic, that year's ceremony was held virtually, so it was wonderful to have Josette's achievements recognised formally as part of this year's awards.

As Minister for Children, I did have the arduous task of selecting a recipient for the Minister's Award, and this was far from an easy decision given the exceptional standard of the 26 finalists. However, I will commend the Brave Foundation, who were the recipient of the award for their Supporting Expecting and Parenting Teens program, a trauma-informed initiative that matches an expecting or young parent with a mentor for 12 months, helping them to build confidence and skills as they navigate their parenting journey.

Congratulations to all finalists and winners of the 2025 Victorian Early Years Awards, and thank you to our early childhood professionals for the work that they do day in, day out, to support children in Victoria to learn, grow and thrive.

### Disability services

**David ETTERSHPANK** (Western Metropolitan) (12:08): (1143) My question is to the Minister for Disability. As we have discussed previously in this house, disability workers in supported independent living residences are staring down the barrel of pay cuts of up to hundreds of dollars a week if the Victorian government does not act. State subsidies filling the gap left by insufficient NDIS funding run out next month. This will have dire consequences for SIL residents. The impacts are already being felt with the closure of over 70 group homes to date. Disability workers are already leaving the disability sector in droves. With insufficient wages and unattractive conditions, how will the sector attract quality workers? I ask the minister to update the house on how the government will ensure the delivery of quality care to people with disability living in supported independent living residences.

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (12:09): Thank you, Mr Ettershank, for this question; I am, I think for the third or fourth time now, happy to answer this question in this place. But for the benefit of those in the house who have forgotten since I last answered this very same question, the government supported workers to transition to non-government providers in the establishment of the NDIS in 2019. In 2019 providers assumed responsibility for approximately 550 homes, which is about 2500 residents and about 5500 employees.

As I have detailed before, to ensure that staff were supported through this transition phase, a phased approach was taken to the implementation. Government worked collaboratively with the stakeholders during that time and particularly with the union during the transfer process. There was indeed a formal MOU at the time which was established with HACSU alongside the agreements of the transfer providers, with all parties acknowledging that this would end on 31 December this year. It has been, since 2009 to 31 December this year, a phased approach since the establishment of this process through the NDIS. But SIL is now the responsibility of the NDIA, and SIL services are funded by the NDIS. It is reassuring to see transfer providers who have put forward a joint statement about their engagement with the Commonwealth on plan sufficiency, because this is critical and it was always critical, which was why there was the phased implementation agreed to with the workforce through the union and

with the SIL providers themselves through that MOU, because this was becoming, as part of the NDIA, a matter for which the Commonwealth needed to come up with a plan for that sufficiency.

For my part, I will continue to advocate, as I have at a number of disability ministerial councils now, and I know colleagues around the country have also continued to raise it with the Commonwealth. We pay \$3 billion a year into the NDIS, and in return the NDIS needs to make sure that the plans are sufficient to meet the needs of people for whom it exists to service. I would also encourage workers to engage in their EBA negotiations, and they should continue to have those discussions through their employer bargaining representatives. But ultimately, this is a decision about the Commonwealth making sure that there is enough funding and that the plans are sufficient to provide for the outcome that Mr Ettershank is seeking.

**David ETTERS HANK** (Western Metropolitan) (12:12): Thank you for indulging me, Minister, if that was a repetitious question, but I appreciate the update. Minister, the government is proposing to abolish the disability worker commission at the very same time that it has made no funding commitments, obviously, to support the providers now responsible for those transferred disability group homes. Given that the existing subsidy underpins critical safety measures such as the inclusion of single house supervisors in every group home, mandatory qualifications, staffing ratios and proper clinical and practice supervision, how can the government justify dismantling the state's independent safeguard body while refusing to guarantee the very funding that keeps those residents safe?

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (12:13): President, I think you were questioning whether the question itself perhaps offends anticipation, and I think it walks the line considerably. But I would at the outset dispel a couple of myths there. Firstly, we contribute \$3 billion a year to the NDIS, and it is the Commonwealth's responsibility to ensure plan sufficiency. I would also say in response to Mr Ettershank's question – or perhaps the new Leader of the Opposition said it best when she said that she noted that:

... the bill merges disability oversight bodies, including the incredibly important ... worker registration and regulation, into the Social Services Regulator as well. Again this is overdue reform. Families have been calling for a consistent approach to worker regulation across disability and social services for many years.

I think the new Leader of the Opposition understands this issue and she has put it perfectly. But let me at the outset reject your premise that in some way we are not contributing to NDIS plans. We contribute \$3 billion a year to the scheme, and we continue to advocate that, in return for that, the Commonwealth ensures there is plan sufficiency.

**The PRESIDENT:** I was concerned the supplementary may have offended the anticipation rule, but I think the minister stayed away from that concern in her answer.

### Suburban Rail Loop

**Evan MULHOLLAND** (Northern Metropolitan) (12:14): (1144) My question is for the Minister for the Suburban Rail Loop: on a package of almost \$1 million a year, why did the government not require the Suburban Rail Loop Authority CEO to live in Melbourne?

**Nick McGowan:** What's wrong with Melbourne, Minister?

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:14): I am going to pick up that interjection, Mr McGowan. You have just asked what is wrong with Melbourne. If we listened to you, we would get quite a different answer to what is happening on the ground with business investment, with job creation, with a pipeline of infrastructure, with one of the most full events calendars in Australia and indeed anywhere around the world. We would, if we listened to you, miss the fact that investment and economic growth are hallmarks of what is happening here, that we have better affordability when it comes to finding a home than anywhere else and that we have more housing approvals, commencements and completions than other major cities.

**Nick McGowan** interjected.

**Harriet SHING:** Mr McGowan, we can go here all day, but I would prefer to go through the Chair, and I would prefer to talk to Australia's largest housing and transport infrastructure project, in the Suburban Rail Loop. Mr Mulholland, tunnel-boring machines are arriving later this year, and tunnel boring will be getting underway next year. That is because our government have only ever had one position on the Suburban Rail Loop, and we are building it.

**Evan Mulholland:** On a point of order, President, on relevance, the minister has not gone near the question. It has been over a minute now. The question was: on a package of almost \$1 million a year, why did the government not require the Suburban Rail Loop Authority CEO to live in Melbourne?

**Tom McIntosh:** On the point of order, President, it is just constant interjections coming from the other side, so I think it is difficult for the –

*Members interjecting.*

**The PRESIDENT:** I uphold both points of order: I call the minister back to the question and ask if she can answer without constant interjection.

**Harriet SHING:** Just to be really clear, you did, in your framing of the question, Mr Mulholland, refer to terms for the CEO of the Suburban Rail Loop Authority. Now, the Victorian Independent Remuneration Tribunal has actually got really established remuneration levels that sit for the purposes of framing executive in public service bodies terms and conditions. Advice is also provided in relation to those packages, and that is really transparently published on the executive remuneration section of the Victorian Independent Remuneration Tribunal website.

The CEO's salary, as outlined in that 2024–25 report, includes the salary as well as superannuation, all accrued annual leave entitlements and long service leave. It also includes an annual remuneration adjustment. And it relates to the way in which we are able to develop and deliver Australia's largest housing and transport infrastructure project using the necessary level of technical expertise for a project that is on time and on budget. Mr Mulholland, when you talk about the requirement to live here in Victoria, I just want to be really clear: Mr Carroll's primary residence is here in Victoria. No matter what you want to say, no matter what you want to talk to, Mr Carroll's residence is here in Victoria. He is proud to be delivering this project. We are proud to be delivering this project. It is on time and it is on budget. And heaven help anybody who has to listen to one of your 22 different positions on the Suburban Rail Loop. Just today, it is 'pause', 'cancel', 'scrap' –

**Evan Mulholland:** On a point of order, President, question time is not an opportunity to attack the opposition. I ask her to return to the question.

**The PRESIDENT:** The point of order is correct, and there have been a number of precedents around that from different presidents. I ask people if they could refrain from interjecting too much. Sometimes people on the other end of the interjections cannot help but respond, so I ask the minister to ignore interjections and I ask for the opposition to not interject.

**Harriet SHING:** The only healthy numbers you have got on that side are the 22 different positions you have had on the Suburban Rail Loop and the \$11.1 billion in cuts – that is it – in addition to slashing the Suburban Rail Loop and sacking 4000 workers.

**Evan MULHOLLAND** (Northern Metropolitan) (12:19): The Suburban Rail Loop Authority chief executive has billed taxpayers for more than 30 domestic flights since 2021, including travel from Brisbane, where he lives. Why won't the minister require the CEO to immediately relocate to Melbourne?

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:19): Thanks, Mr Mulholland. You did not listen to the answer to the substantive question, possibly because you were considering

what it is that your colleagues might or might not be saying about you. What I was wanting to actually address, though, is the premise of your question. Mr Carroll's primary residence is Victoria. Mr Carroll has, in a handful of cases, been recalled to duty and required to cut short annual leave or return to Melbourne at very short notice on weekends for critical meetings or events. The Suburban Rail Loop Authority has covered the out-of-pocket expenses of those domestic flights, and that is in line with SRLA and government policy, Mr Mulholland. If you are suggesting for a moment that we should not have remuneration set in accordance with the terms of the independent remuneration tribunal, I am sure everybody would welcome an opportunity to hear what it is that you have to say, and if for a second you are saying that we should not have the best in the business delivering Australia's largest transport and infrastructure project, then I am sure everybody else would be just as interested to hear that.

### **Ministers statements: Suburban Rail Loop**

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:21): How opportune that today I am in a position to talk to the work of the Suburban Rail Loop and indeed a project that our government has only ever had one position on – namely, that we are building it. Instead, and in contrast, the Liberals' sixth leader in seven years has given Victorians yet another confused and chaotic response to add to the growing scrap heap of policy positions taken on a project that the public has endorsed at four elections, that the Prime Minister has backed in and that we are continuing with. The Leader of the Opposition has said that the Liberals will 'pause and review where construction is at'. Well, I can tell her where construction will be at. Giant tunnel-boring machines will be carving out twin tunnels, and major works will be underway across six new stations. The 3000 Victorians already working on this project would have been offered cold comfort by the words of the current leader. Make no mistake: 4000 jobs are on the line next November because the Liberals know that cutting projects and sacking workers is their absolute priority.

**Evan Mulholland:** On a point of order, President, correct me if I am wrong, but ministers statements are not an opportunity to attack the opposition.

**The PRESIDENT:** My understanding of the standing orders is that a minister can make a statement. They do not say anything other than that, so the minister is making a statement similarly to how a member might make a members statement.

**Harriet SHING:** So not only are you wrong on the standing orders, Mr Mulholland, you are also wrong on reading the room when it comes to the Suburban Rail Loop with your 22 different positions on Australia's largest housing and transport infrastructure project. Next November, the Liberals are saying, they will cut, they will slash, they will stop, and they will sack 4000 workers from their jobs if given the opportunity. They will leave tunnel-boring machines to sink into the ground. They will deny the opportunity of home ownership to 70,000 households who deserve the chance not to have to lie awake at night wondering whether home ownership will be an opportunity that they can access in the same way that their parents did. We are getting on with doing the job. You should get on board. What a shame and a disgrace that you are so confused – *(Time expired)*

### **Land tax**

**David LIMBRICK** (South-Eastern Metropolitan) (12:23): (1145) My question is for the Treasurer. The last couple of years have been interesting, particularly for a libertarian, with more people from the community contacting my office regarding their tax obligations. The Treasurer would be very familiar with concerns about large escalations in land tax bills. A proportion of these have been disputed, but the State Revenue Office has a process where you have to pay the full liability and then dispute it. Somewhere down the road, if the dispute is upheld, you will receive a refund. I have had both individuals and businesses express frustration with this process, and people have expressed to me that the Australian Tax Office has a much fairer process to work with people to ensure the

accuracy of their tax liabilities and assist in appropriate payment plans. What is the Treasurer doing to ensure fairness in the tax collection process of the SRO, particularly in relation to disputes?

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:24): I thank Mr Limbrick for his question. Indeed there are a range of measures that enable people to question their tax assessments, particularly facilitated through the valuer-general in relation to the assessments that come through on the valuation of properties. That is something that has come through my office recently. I am making sure that we are having those conversations with the Minister for Planning to make sure people are aware of their rights. In relation to making sure that there are adequate opportunities for people to address their obligations, there are a range of payment plans and the like that can be provided for individuals. I will be very frank: I have lots of conversations with SRO. They come in regularly and we talk about trends and issues that are coming through the office, and I have an opportunity to present to them a lot of the correspondence that I have been getting. I get similar things, feedback similar to yours, so there are always ongoing conversations about changes or amendments that can make things easier for people. I have been down and spoken to SRO staff directly in their offices. They are really committed to making sure that people get adequate information and understand their obligations, and they can help when there are issues of hardship and the like.

#### United States ministerial visit

**Richard WELCH** (North-Eastern Metropolitan) (12:26): (1146) My question is to the Treasurer. Treasurer, what is the budget for the Treasurer's proposed mission to New York to make new representations to the rating agencies?

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:26): Mr Welch, and indeed off the back of some questions from Mrs McArthur, I think there are a range of reasons that members of Parliament and ministers travel overseas. I went to New York this year. That is the first time I have left the country for work purposes and indeed had any taxpayer expenditure this term. I know that there are many members of this Parliament that travel annually to other countries for important work, and we have reports that are issued, and some important policy ideas and decisions can come from that too. I mentioned yesterday that it was really appropriate for me to travel to New York and meet with ratings agencies, but there are only three ratings agencies. I was gone for eight days. I did not meet with just rating agencies. I also met with JP Morgan, Millennium, the New York Fed, Sixth Street, Bridgewater, BlackRock, Bank of America, Merrill Lynch, Apollo Global infrastructure partners and PIMCO.

The trip allowed me as Treasurer to strengthen Victoria's relationship with people who are doing business in Victoria and people who want to do business in Victoria. I would expect that members of Parliament in particular would expect this of the Treasurer and in fact other members of Parliament – that this is part of the job. It is to ensure that you are promoting the state, attracting investment and creating jobs and better outcomes for all Victorians. The US is Victoria's largest source of foreign direct investment and the second-largest two-way merchandise trading partner. So to have –

**Richard Welch:** On a point of order, President, unless it was lost in the noise from over there, I have not heard an answer to the question or anything remotely approaching the question, which was in regard to the cost of the trip.

**The PRESIDENT:** I think the minister has been relevant to the question.

**Jaclyn SYMES:** The implication of the question is that it is inappropriate for the Treasurer to ever leave the country and engage with people about investment and opportunities here in Victoria. In relation to the comments that I made yesterday, I literally said it would be my expectation that I would probably go again. I have not booked any tickets yet, Mr Welch. There are a range of people that I speak to in a range of countries. Sometimes it might involve a visit, sometimes it might involve a letter, sometimes it might involve a Zoom meeting. There are a range of opportunities. Any time that I have

a meeting it is reported; I have a diary disclosure. Any time that I leave the country, which has only been once this term, it is required to be accompanied with a travel report. I suspect that I will – actually, no, I more than expect, I confirm that I will comply with my obligations as a minister of the state.

**Richard WELCH** (North-Eastern Metropolitan) (12:29): Thank you, Treasurer, for your answer. Generally speaking, if you are having to explain your accounts, there is a problem. So, Minister, I will be interested: in the process of explaining the state's accounts to the rating agencies, how many staff from your office and how many external consultants will the Treasurer be taking on that trip?

**The PRESIDENT:** The supplementary has got to be a question related to the first question or in particular the answer. If you had listened to the answer, there is no plan for a trip yet – without paraphrasing people. But I am happy for the Treasurer to answer the way she sees fit.

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:30): There is so much in this. Mr Welch, I am not quite sure what your issue is with the Treasurer explaining the accounts of the state; it is kind of part of the role. I honestly cannot see where you are coming from in relation to travel, unless it is going to be the opposition's policy that they never leave the state of Victoria. It beggars belief. In relation to transparency and accountability, I have gone through the processes of reporting. There is also PAEC, which is an opportunity to interrogate a range of these things, particularly in relation to the budget papers. I would also urge those opposite perhaps not to mislead the house and say things like they are a confirmation of things that I have not said.

#### **Ministers statements: Perinatal Mental Health Week**

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:31): I rise to raise an important issue: perinatal mental health. It is Perinatal Mental Health Week, and it runs from 23 to 29 November. It is a time for us to come together and to destigmatise perinatal mental health challenges. We know that becoming a parent is a time of great joy, but it can also be a time of vulnerability. During the perinatal period, parents' mental health is under real pressure. Perinatal depression and anxiety affect one in five new mums and one in 10 new dads and non-birthing parents. This year's theme, 'Do what you need, when you need it', reflects a shared commitment to making sure parents can get timely, compassionate and appropriate support wherever they live and whatever their circumstances.

In Victoria parents in need have access to a range of evidence-based and trauma-informed supports. There are community-based services, including the perinatal emotional health program, which aims to improve early intervention and treatment for expectant and new mothers and parents. Supports are delivered by PANDA, a wonderful organisation. We have delivered Australia's first public specialist women's mental health service, which provides inclusive and tailored inpatient care for women experiencing perinatal mental health concerns. We are also developing new perinatal mental health screening guidelines, helping health professionals to identify challenges earlier and connect families to the right support. To all the new and expectant parents out there, if you or someone you know is finding things tough, please reach out to your community and support services.

#### **Youth justice system**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:33): (1147) My question today is to the Minister for Youth Justice. Minister, after previously announcing that 14-year-olds will face life sentences in our state, the government has this week announced that it is adopting the Scottish model in responding to crimes committed by young people. I note that as part of the Scottish model their system bans children from being sent to prison. Consequently there are no children, to my understanding, in jail in Scotland right now. Minister, I ask: is it your government's intention that our state will also remove all children from our jails, or do you still intend to lock up kids with life sentences?



**Enver ERDOGAN** (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:33): I thank Mr Puglielli for drawing comparisons between our system and Scotland's. I think that is good to debate, because we do always look to world-leading programs. Yesterday's announcement by the Premier and me was about ensuring we do have a system that does take early intervention seriously, gets the best examples from overseas and implements them in a Victorian model. Lived-experience mentoring is one example of such programs that have worked overseas – in New York, in London and in Glasgow – that we are looking to implement right here in Melbourne. That is all about early intervention, which we are committed to.

Yesterday I did get the chance to also talk about our incarceration rate. I can confirm, for example, in the adult system, our incarceration rate is lower than Glasgow's – in Scotland. Therefore we are making big strides in terms of turning people away from crime compared to some other jurisdictions. Obviously in youth justice there is a lot more work to be done, and that is what the announcement last week was about: it was about serious consequences for seriously high level harm and violence being caused to people in the community, because community safety is a priority, but also about making sure that there are early interventions.

When you talk about the Scottish model, I do look forward. I have been reading quite a bit about it, and maybe I will have an opportunity to go and see it myself. But what I will say is we have a youth justice system where the primary focus is on rehabilitation. Our youth justice system operates quite differently to our custodial system. What they have in Scotland is young people are still sentenced, but they are sentenced to secure care units. When I read about their secure care units, their primary focus was on rehabilitation. It sounded very similar to our youth justice system. The numbers that they have in these secure care units are quite similar to what we have in Victoria. They have a similar incarceration rate to our Victorian model. But I am interested in world's best practice and implementing world's best practice in Victoria. That is what my announcement yesterday was about. I am open to ideas, so if people have good ideas, please put them through. Like I said, we are committed to early interventions as well as serious consequences for serious harm, because community safety always comes first with the Allan Labor government.

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:36): Minister, you are reading about it; 'We are doing it, but we're not doing it.' Sorry, there are a few mixed messages there. As you have said, you have been reading about it. Can I ask: have you spoken to a Scottish person about the proposal?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:36): I strongly disagree with the mischaracterisation of my comments by Mr Puglielli. What I will say is we are introducing Australia's first violence reduction unit. That is based on best practice in Scotland and London, and we are implementing it right here in Victoria. In relation to the secure care units that you asked about in your substantive question, Mr Puglielli, they are sentenced to secure care units and young people here are sent –

**Renee Heath**: On a point of order, President, I think the minister is confused and doing a members statement. The question was very clear: have you spoken to a Scottish person? I ask you to bring him back to the question.

**The PRESIDENT**: I believe that the minister was being relevant to the question. Something that strikes me is that when a question comes from the middle, there is a heap of noise usually when the minister is trying to answer in my left ear and in my right ear, but there is no noise in my middle ear – here. Maybe we should all show the same respect that the people down the middle are showing when the minister is answering the question and not drown out the minister's answer.

**Enver ERDOGAN:** I thank Mr Puglielli for his supplementary question. What I will say is there are experts across the field in Victoria that have spoken to and have seen the system over there. A lot of them were the experts that really guided us in terms of our approach to the violence reduction unit.

**Nick McGowan:** On a point of order, President, the question was very simple: have you spoken to a Scot, yes or no? I do not care whose question it is. I am happy to take the point of order. The point of order is very simple. Have you spoken to a Scot? That is the point of order. I think I am inspired by the unicorn. I am asking whether the minister has spoken to a single Scot.

**The PRESIDENT:** The minister was being relevant.

**Enver ERDOGAN:** We always take advice from a range of experts and our departments who have seen the model over there and have recommended it. That is why we have adopted it – the violence reduction unit, the first of its kind in Australia right here in Victoria – because community safety always comes first.

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:39): I move:

That the minister's response be taken into consideration on the next day of meeting.

**Motion agreed to.**

### Greater Western Water

**Melina BATH** (Eastern Victoria) (12:39): (1148) My question is to the Minister for Water. Minister, given the widespread problems and customer distress caused by the Greater Western Water billing system fiasco, including inaccurate charges, delayed notices and poor communication with affected households, will you deliver a waiver of water bills more than four months old?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:40): I thank Ms Bath for the question. Clearly Ms Bath did not listen to the ministers statement that I recently made here in the house, where essentially –

**Melina Bath:** On a point of order, President, I do not want the minister to inadvertently mislead the house. I have the ministers statement here, and she did not state anything that relates specifically to my question. I ask you to bring her back to the substance of the question.

**The PRESIDENT:** That is not a point of order. The minister has been going for 20 seconds, and I will ask her to continue.

**Gayle TIERNEY:** That is not true. In fact my ministers statement, the heart of it, was to indicate that two entities have got different interpretations of what should occur in respect to this issue, and I called upon both of them to meet and to work out a process so that we could have a process that is fair and so that customers would know as soon as possible what the billing arrangements will be. That was clear, it was succinct, and I do not understand why the member has wasted a question on this today.

**Melina Bath:** On a point of order, President, this was specifically about waiving bills that were more than four months old, so will the minister come back to answering that question?

**The PRESIDENT:** I believe the minister was being relevant.

**Melina BATH** (Eastern Victoria) (12:42): I note the minister did not respond to my specific question. Minister, I ask: in a cost-of-living crisis, will you ensure that Greater Western Water customers do not wear the financial burden of this botched rollout?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:42): As the media has reported, the ESC and the ombudsman have arrived at different interpretations of law in the ESC decision, and we have asked both of those organisations, who are independent of government, to sit down and work out a process. My understanding is that that has commenced. What we have also asked is that they work to protect customers in this situation. They have important roles

to play in the oversight of the Victorian water sector. Again, I am asking for the ESC and the ombudsman's office to work together for a speedy resolution so that customers can be protected and they understand what the process is.

**Ministers statements: Treasury Corporation of Victoria**

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:43): I rise to inform the house – and I think there are particular members that will benefit from my ministers statement today – about the operations of the Victorian government's financial institutions, after perhaps what has become evident: a few gaps need to be filled in relation to knowledge of how the state manages our money. The questions I have received in the last two days have indicated there perhaps needs to be some information filled in. The Treasury Corporation of Victoria, TCV, is the body that raises capital in the wholesale financial market to provide funding for the frontline services and infrastructure that Victorians need. TCV was established in legislation in 1992 and issued its first bonds under Premier Kennett in 1993, although the state has been issuing bonds for more than 100 years.

**Nick McGowan** interjected.

**Jaclyn SYMES:** They source capital and manage risks across the whole Victorian public sector –

**The PRESIDENT:** Mr McGowan, it is endless.

**Nick McGowan** interjected.

**The PRESIDENT:** No, it is; it is endless. Consider yourself on a yellow card.

**Jaclyn SYMES:** They source capital and manage risks across the whole Victorian public sector. Their clients include all government departments, local councils and water corporations. They represent and showcase Victoria to the domestic and international investor community. This is critical, as increasingly our bonds are being bought by international banks and US investors – like other states. At 30 June TCV had bonds totalling a value of \$153 billion in the market. TCV is a professional and integral part of the Victorian public sector with a dedicated, talented workforce. I have joined TCV in meetings with international industry leaders and investors to promote Victoria as a world-leading place to invest. Some think that should not be the role of the Treasurer. They are specialised experts and they have been very dismissed in recent days, which shows a very fundamental lack of understanding of what they do. In 2024–25 they had an operating expense of \$81 million, a figure that was represented to me yesterday. It took me a while to clock it, because I have actually never heard anyone describe TCV as consultants and spin. As I said earlier, if I had an \$11.1 billion black hole to cover up, I would need a lot more than TCV consultants and spin.

**Melina Bath:** On a point of order, President, on 29 October 2025 you were sent – and I was cc'd into – a request for a right of reply by certain citizens that are in my electorate, and I just wonder if you could provide an update as to where that right of reply sits.

**The PRESIDENT:** I am not sure if that is a point of order, but I am happy to answer. It is still in consideration, so I will get to it.

*Constituency questions*

**Southern Metropolitan Region**

**Ryan BATCHELOR** (Southern Metropolitan) (12:46): (1996) My question today is to the Minister for Climate Action. How is the Solar for Apartments program supporting residents in the Southern Metropolitan Region to cut their energy bills? Recently I was in Elsternwick to see firsthand how the Allan Labor government's Solar for Apartments program is delivering cost-of-living relief for residents, apartment owners and occupants in my community. I was with Minister D'Ambrosio and the deputy mayor of Glen Eira Luca Ragni on a tour of an apartment building where the owners

corporation has installed a shared solar system benefiting 26 apartments and the owners corporation, supported by the Solar for Apartments program. This program is a game changer for those who live particularly in those mid-rise apartment buildings, which are prevalent across the Southern Metropolitan Region. Apartment owners and dwellers have for years been locked out of the benefits of solar. The Solar for Apartments program from the Allan Labor government is delivering them real benefits now.

### Northern Metropolitan Region

**Evan MULHOLLAND** (Northern Metropolitan) (12:47): (1997) My constituency question is on something I raise every single sitting week in Parliament, and that is the condition of Donnybrook Road in my electorate. I want to ask the Minister for Roads and Road Safety a question on Donnybrook Road, and it is another question. I know I always ask about when they are going to duplicate Donnybrook Road, when they are going to duplicate the bridge over the Hume on Donnybrook Road, but I want to specifically talk about the exhaustive amount of potholes on Donnybrook Road as you travel up the Kalkallo and Donnybrook side of Donnybrook Road, particularly the unsafe edging and the fact that pedestrians cannot possibly walk on Donnybrook Road. It is a disgrace. The most the government can do for this community seems to be a mothballed quarantine facility, so I am asking the minister to fix the potholes on Donnybrook Road. It is a disgrace, and it needs to be fixed.

### Southern Metropolitan Region

**Katherine COPSEY** (Southern Metropolitan) (12:48): (1998) My constituency question is for the Minister for Climate Action. A constituent from my region of Southern Metro has written to me urging the government to legislate a duty of care to protect young people from the inevitable harms of climate change. They highlighted that young people today will inherit the full consequences of the decisions we make now and that governments have an obligation to ensure those decisions do not knowingly expose future generations to avoidable harm. This call aligns with the Victorian Greens proposal for a right to a safe climate in our Charter of Human Rights and Responsibilities, which would require decision-makers to consider long-term and intergenerational climate risks. Minister, will the government commit to advancing a legal duty of care via a charter amendment or equivalent framework in Victoria to ensure that young people and children are protected from climate harm?

### South-Eastern Metropolitan Region

**Michael GALEA** (South-Eastern Metropolitan) (12:49): (1999) My question is for the Minister for Transport Infrastructure. In just 11 days the Metro Tunnel will be opening, with the new stations at Arden, State Library, Town Hall, Parkville and Anzac opening to the public. Now, apparently Mr Davis is making up a new figure as to how late it is. Last time it was one year late; now it is three years late. Maybe it is four years late. We know the Liberal trolls are out trying to discredit this by saying it is one, three or four years late. Only the Liberal Party could come up with such a wide range. But we know of course that it is actually one year ahead of schedule and ahead of the recent announcement earlier this year of it opening in December. It is now opening before that, on Sunday, 30 November. With the summer start, passengers in the south-east on the Pakenham and Cranbourne lines will be able to use these new services that will be overlaid on the existing timetable over summer and get to know the new system and the Metro Tunnel before the big switch on 1 February. Minister, how will this new tunnel benefit my constituents?

### Western Metropolitan Region

**Moir DEEMING** (Western Metropolitan) (12:50): (2000) My question is for the Minister for Education. Constituents in my region have reported that the government's own school maintenance plans –

*Members interjecting.*

**The PRESIDENT:** Can we reset the clock? Mr Galea, please. Ms Bath, please. Everyone, please. Reset the clock. Mrs Deeming, without people yelling across at each other.

**Moir DEEMING:** My question is for the Minister for Education. Constituents in my region have reported that the government's own school maintenance plans and the department's asbestos management framework are not being implemented by the Victorian School Building Authority as promised. Parents in Hoppers Crossing, Melton, Footscray and across Brimbank are reporting leaking roofs, mould and ageing ceilings containing asbestos. Some have told me that their children's classrooms become so hot in summer that the smoke alarms false-trigger constantly and the batteries get removed just so lessons can continue. What will the minister do to ensure that these repairs and upgrades are actually delivered so that parents can trust that their children are safe in school?

### North-Eastern Metropolitan Region

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:52): (2001) My constituency question today is to the Minister for Transport Infrastructure. Many people in my electorate have been forced to relocate due to the construction of the North East Link toll road, some for a temporary period and others permanently. I have heard from some residents that there seems to be some inconsistency in who was offered what type of compensation for relocation, and they are keen to understand how decisions are made to grant various types of compensation for relocation. Minister, what are the eligibility requirements for people who are temporarily displaced by the North East Link project to receive compensation to cover their additional travel expenses or food costs? In the case of permanent relocation, under what circumstances are residents provided with new or additional furniture?

### Northern Metropolitan Region

**Sheena WATT** (Northern Metropolitan) (12:52): (2002) My constituency question is for the Minister for Consumer Affairs in the other place. Across Melbourne's north, cost of living remains front of mind for many locals. Whether it is families juggling school drop-offs or people who rely on their car for essential appointments, fuel costs are a regular and unavoidable part of the weekly budget. People want certainty at the pump, not sudden spikes or confusing price cycles. That is why the introduction of the new Servo Saver feature in the Service Victoria app has been a welcome change. Having real-time petrol prices at their fingertips means people can compare fuel costs quickly and make choices that save hundreds of dollars per year. People in my community have said it is already taking some pressure off their weekly costs. It is simple and reliable, and it gives them clearer choices at the pump throughout the day, which I know is a welcome announcement. My question for the minister is: what is the next phase of the fair fuel plan? What can they expect? How will it help motorists, including those in the Northern Metropolitan Region, to better manage fuel costs right into the future?

### Western Metropolitan Region

**Trung LUU** (Western Metropolitan) (12:53): (2003) My question is for the Minister for Transport Infrastructure. The section of train line from Newport to Laverton on the Werribee line via Altona North in my electorate is the longest continuous gap between stations on our metropolitan network. An Infrastructure Australia report highlights the need for a new station at Altona North to address this shortfall. My question for the minister is: can the minister update my constituents on whether the government has any plans to prioritise and invest in this project for Melbourne's west?

### South-Eastern Metropolitan Region

**Rachel PAYNE** (South-Eastern Metropolitan) (12:54): (2004) My constituency question is for the Minister for Environment. A constituent of mine is a resident of Hampton Park. Her complaint was one of 1300 received by the EPA regarding odours from the Hallam Road landfill between 2022 and 2023. Waste company Veolia has recently been fined \$1 million for licence breaches for failing to adhere to environmental guidelines at this landfill site. The court ruling comes three years after my constituents began writing to the EPA with complaints of odour. Given Veolia's track record, my

constituent holds valid concerns about the company's commitment to environmental guidelines. So my constituent asks: will the minister ensure additional safeguards are in place to prevent further breaches by Veolia in Hampton Park?

### **Eastern Victoria Region**

**Renee HEATH** (Eastern Victoria) (12:55): (2005) We have heard about conspiracy theorists and we have heard about flat-earthers, but I could not believe it last week when Ms Terpstra outed herself as a pothole denier. So this week I have a question for the Minister for Roads and Road Safety, and do not worry, I have got proof about the query – not in the way of photos and videos and personal testimonials like last time but in terms of a petition this time. Parents in Tynong and Dandenong are now avoiding an intersection where Tynong Road meets the Princes Highway because of dangers posed by quarry trucks travelling at high speed. Here is the proof: locals gathered signatures of 3285 locals calling for the overpass. My question is: will the minister release the plan to make this section of the Princes Highway safe and explain how maintenance in the future will prevent vehicle damage and risk for local families?

### **Northern Victoria Region**

**Gaelle BROAD** (Northern Victoria) (12:56): (2006) My question is to the Minister for Police: what action is the government taking to fill over 2000 shortages in the Victorian police force and recruit more protective services officers? A resident of Warburton has written to me highlighting the need for more police. They said it took over an hour and a half for the cops to show up at a fight in East Warburton and mentioned that police stations are closing at 10 pm and are not always manned. I am aware that staff shortages are affecting other police stations as well. I was concerned to hear from one police officer that new recruits were being delayed due to only two psychologists undertaking psychological testing. We know that visible police presence and PSOs help deter crime. Victoria is in a crime crisis and more police are leaving the force than entering it. What is the state government doing to support Victoria Police and get more police and PSOs on the streets?

### **Northern Victoria Region**

**Wendy LOVELL** (Northern Victoria) (12:57): (2007) My question is for the Minister for Community Sport: will the minister guarantee that funding will be available in the 2026–27 state budget for upgrades to facilities at the Lancefield Park Recreation Reserve? In March this year Macedon Ranges Shire Council noted the updated master plan for Lancefield Park Rec Reserve, which outlines a 10-year strategy to redevelop key parts of this much-loved public space in the heart of the Lancefield community. While Lancefield Park is within Macedon Ranges shire, it is located on Crown land owned by the Department of Energy, Environment and Climate Action, which means it is not eligible for most state government grants for sporting facilities, which typically require the local council to apply for funding. However, this could be overcome by the minister specifically allocating funding for the project in the budget. The park is used by numerous sporting clubs and desperately needs new female change rooms and other facility upgrades so that the clubs can continue to flourish and expand in participation. The minister must guarantee these funds.

### **Southern Metropolitan Region**

**John BERGER** (Southern Metropolitan) (12:58): (2008) My constituency question is for the Minister for Education. The latest budget for the 2025–26 financial year sees the Allan Labor government invest around \$1.5 billion for school infrastructure across Victoria. This undoubtedly includes schools in Southern Metro that I have had the pleasure of getting to know over the past few years. On top of that investment the Allan Labor government is gearing up to open its 100th school on day one, term one of next year as part of the government's 2018 commitment to build 100 new schools by 2026. This government take education seriously, and they will continue to invest in upgrading our schools, modernising facilities and ensuring there are sufficient state schools for all families. My

question to the minister is: how much is the Allan Labor government investing in my community in Southern Metro for infrastructure upgrades, and how much is being invested in new schools?

### **Western Victoria Region**

**Bev McARTHUR** (Western Victoria) (12:59): (2009) My question is for the Minister for Police. On Friday night a Geelong West couple were woken up terrified when two men hurled nine bricks through the front windows of their home. It was a shocking, violent, unprovoked attack which left them thinking their property had been shot at. This latest violence follows the recent broad daylight assault in the Geelong CBD and countless incidents of retail theft, vandalism and street violence that I have raised in this Parliament. It is now clear this crisis is not confined to the CBD. Further, I have heard that police are so stretched that the victims have been going door to door asking neighbours for their CCTV. Minister, what immediate steps will you take to increase police presence, patrols and resources in Geelong, not just in the CBD but in communities like Geelong West, to restore public confidence and protect families who no longer feel safe in their own homes?

### **Eastern Victoria Region**

**Melina BATH** (Eastern Victoria) (13:00): (2010) My question is to the Minister for Outdoor Recreation and concerns fishing compliance and offences. The Victorian Fisheries Authority's annual report shows that recreational fishing licence and catch limit inspections have plummeted by 35 per cent in the past year; additionally, the number of offences detected has dropped by 36 per cent. You have since cut fisheries officers, and the VFA's ability to monitor our inland and marine waterways has taken a further nosedive. In my electorate, in Western Port and in Gippsland Lakes and the Port Welshpool area, communities rely on both commercial and recreational fishing to stimulate our prosperity and towns. Illegal fishing impacts sustainability and our natural fisheries. Minister, how will you ensure that there is effective enforcement and compliance so our fisheries are not depleted, people do the right thing and we have a sustainable commercial and recreational fishing sector?

**The PRESIDENT:** Now is an appropriate time to break for lunch.

**Melina Bath:** On a point of order, President, a very simple one, constituency question 1897 is still outstanding after a month.

**The PRESIDENT:** I will get the minister at the table, the Minister for Casino, Gaming and Liquor Regulation, to follow that up.

**Sitting suspended 1:01 pm until 2:01 pm.**

### ***Motions***

#### **Judicial appointments**

**Debate resumed.**

**Michael GALEA** (South-Eastern Metropolitan) (14:01): I am pleased to take the opportunity to continue the contribution I started before question time concerning the motion before us today, Mr Limbrick's motion 1162, in which he is advocating for some form of independent judicial appointments review process to be undertaken by the Parliament or a committee thereof. It is an interesting idea. I understand that some comparison has been drawn with the UK. I did not have time to incorporate this into my earlier comments, but I do note that in the UK, as best as I understand it, there is the Judicial Appointments Commission, the JAC, but there is also a pre-appointment inquiry process that the Justice Select Committee and I believe some other committees undertake on behalf of the Parliament in that jurisdiction. My understanding is that it is only in relation to specific types of judicial officers at the very higher end – Supreme Court justices and other equivalent roles. They do have a bit of a different system going beyond just the judicial system to include other senior commissioner roles and the like that this process is applied to. But as far as it relates to judicial appointments, my understanding is that it only equates to the senior roles. There has been a mixed bag

of evidence back from the UK as to its effectiveness, with some citing some of the additional costs and delays that this process has caused, which warrants us bearing in mind.

The UK has gifted us many fine institutions and many fine values and principles. It has gifted us, amongst other things, the delights of chicken tikka masala and butter chicken, just to name a few dishes that you can find upstairs in Sessions today; you can find some excellent British Indian cuisine. That is not to say that just because we are a Westminster parliament we need to be automatically adopting everything that the UK does. In this scenario the UK provides valuable potential positives from such a model, but it also provides some serious warnings. That is why I think that when we are discussing these matters it would be very wise of us to err on the side of the separation of powers which I outlined at the start and the importance of that. It is such a foundational principle to our justice system, to our parliamentary system and to our system of government.

I do note that in canvassing this motion there have been some open discussions about what such a committee would look like should it take shape. I understand that even at some point there was a suggestion that the Public Accounts and Estimates Committee could be responsible for overseeing judicial appointments. Noting that our good friend in the chamber the newly esteemed and elevated Mrs McArthur is a colleague of ours on PAEC, I am not sure if I delight or tremble at the thought of her being engaged in that process in any way, shape or form. I am sure if she were here she would have some valuable contributions to add to this debate.

I do note that the Public Accounts and Estimates Committee is predominantly focused on public finances. It is focused on the oversight role it plays for two very important institutions of this Parliament, the Victorian Auditor-General's Office and indeed the Parliamentary Budget Officer. Through that work, such as the report we tabled yesterday, it does have the provision and capacity to undertake follow-up and review inquiries into various VAGO reports and audits, as it does to its powers of own motion, notwithstanding the highlights of the PAEC year of course, which are the financial and performance outcome hearings, which we will be undertaking just next week, as well as budget estimates in the other half of the year. Consequently, as a result of all of those roles and functions that the PAEC undertakes on behalf of the Parliament, it is already a very, very large committee with a very large workload, certainly when compared to, in my view, pretty much any other committee of the Parliament. Consequently, I do not think it would be the appropriate committee for such a review commission to be placed onto as well. I think its workload is already very full. More importantly, due to the fact that its role fundamentally is to ensure the safe, transparent and ongoing operations of the state's finances, it is not appropriate to be diluting that by incorporating judicial pre-appointment hearings into that as well. There may be other committees that may be better suited if we were to go down such a path. There was an interjection on the Integrity and Oversight Committee. I am not an expert on that committee, and I will allow others to speak to that, but I daresay that it would need to be a wholly separate function for a wholly specific purpose. Indeed, even if we were to do that, a serious question would need to be addressed as to what level that is drawn at – if it is just at the High Court or the County Court or if you are going to apply it to all magistrate court appointments or even indeed all VCAT or other administrative tribunal appointments as well.

There remain many questions, but it does not take away from the fundamental point that this would be a significant and serious change to the way in which the Parliament and the judiciary relate to each other. It would be potentially a very grave misstep, especially if not done correctly, if you were to do so, again reiterating the comments that I made earlier and indeed made by other speakers from both sides of the chamber on the importance of the separation of powers. There will be times when we make laws that judges do not necessarily agree with. They can have that view, but we are the ones entitled to make the laws. There are times, and I am sure we can all recall occasions, when justices hand down a decision that we do not agree with as a collective or as an individual, but it is their responsibility and their right to make their decisions within the bounds of the law. It is not the role of the Parliament to necessarily be second-guessing, tempting though it may be for many of us in many different cases.



I think it is important that we defer to basic principles, and the basic principle that is observed both here and in the vast majority of Westminster systems across the world, including across most of the Commonwealth, remains that the Parliament and the judiciary are fully separate, and that is a very important thing for the separation of powers. I note again, as I mentioned before the lunch break, we already do have a very thorough, robust and open process for applications, in particular to the Magistrates' Court and to VCAT as well. For those reasons, I do not support the motion before us today.

**Rachel PAYNE** (South-Eastern Metropolitan) (14:09): I rise to speak briefly on behalf of Legalise Cannabis Victoria on this motion. We value transparency and integrity in the judiciary. Without it, we erode public trust in institutions and are all left worse off. Senior judicial officers have a massive responsibility. They are tasked with applying the law and making decisions that have a profound impact on people's lives. We of course reasonably expect that these officials will perform their duties to the best of their ability and without outside influence. This motion today speaks to those expectations. It details how other Commonwealth jurisdictions utilise independent judicial commissions or similar processes to scrutinise the appointment of judges with the hope of ensuring appointees are of quality and independence of mind.

Here in Victoria we do not have this kind of system. Instead, expressions of interest from qualified persons for appointment to the Supreme, County and Magistrates' courts of Victoria are sought by the Attorney-General and publicly advertised. In understanding their suitability for these roles, applicants are guided to the *Framework of Judicial Abilities and Qualities for Victorian Judicial Officers*, which provides the attributes that are expected from judicial appointees. These are divided into six headline abilities and qualities: knowledge and technical skill; communication and authority; decision-making; professionalism and integrity; efficiency; and leadership and management. While we may not have a judicial commission in Victoria that deals with the appointment of judges, this framework for applicants makes it clear that only those with adequate skills and independence are suited for these roles. That is not to say that a judicial commission as a concept is not compelling. A broad membership in which judges and the legal profession can be involved in appointments is popular for a reason: it promotes transparency and accountability in decision-making and improves public trust in the judiciary and the belief that all appointments are merit based.

We do have a Judicial Commission of Victoria that deals with complaints about Victorian judicial officers and Victorian Civil and Administrative Tribunal members. This commission is led by deeply experienced members of the judiciary and non-judicial members. Expanding the remit of the Judicial Commission of Victoria to include the appointment process may have been something that we could have considered supporting, but that is not the crux of this motion that we are debating today. This motion calls on the Attorney-General to establish a new process whereby prospective senior judicial appointees will be invited to appear before an appropriate parliamentary committee for a public hearing prior to the appointment. In America we see senior judicial appointments subject to a public hearing process. These public hearings are not well-intentioned fact-finding missions by the legal fraternity or public service; these are political point-scoring matches that devolve the judiciary into partisan politics. We believe this undermines public scrutiny and trust in the judicial system. While we believe transparency and integrity in the judiciary – including in senior judicial appointments – is a valuable aim, we believe that public hearings by parliamentary committee would have the opposite effect. The separation of the judiciary and government is central to public trust in our democracy, and we want to see that protected.

**Tom McINTOSH** (Eastern Victoria) (14:13): The judicial appointment process in Victoria supports the independence, integrity and capability of the judiciary. If we want a judiciary that enjoys the confidence of the public it serves, it must reflect the community that it serves. Unlike many jurisdictions, Victoria operates several open recruitment processes for judicial officers. Magistrates and VCAT members are appointed through a formal merit-based process with open public advertisements, a recruitment panel process including interviews and independent advice from the Department of Justice and Community Safety as well as the independent court and tribunal. For higher

courts, appointments are made in consultation with heads of jurisdiction, and all appointees undergo rigorous probity checks: criminal history and ASIC insolvency searches, conflict of interest declarations and character checks through the Victorian Legal Services Board and commissioner. These are comprehensive safeguards.

It is a priority for government and the Attorney-General that we continue moving towards greater transparency in how we appoint judicial officers in Victoria. The motion points to overseas examples, but the evidence there is mixed. In the United Kingdom the move to a commission introduced cost and delay without clear proof of better outcomes, and public confirmation hearings, as proposed in the motion, risk delay, politicisation and reputational damage to candidates, all of which are unlikely to increase public confidence in appointees and the institutions they are appointed to. The government is committed to a representative, capable and independent judiciary, and our current processes are focused on delivering exactly that. Public hearings are not the right mechanism for that and would not strengthen judicial appointments in Victoria, and therefore the government will be opposing the motion.

From a comparative judicial appointment process perspective, some international jurisdictions have used an independent commission to oversee judicial appointments – as I said before, those such as the United Kingdom – and while it is acknowledged that there was no issue with the former process in the UK, it was committed that the commission would expand the pool from which judicial candidates were selected, which had not been the case for nominations from heads of jurisdiction. There are mixed views on whether the reform has resulted in a demonstrably improved judicial appointment process, and it has introduced cost and delay. Future courts reform could consider options such as a consolidation of the Judicial College of Victoria and the judicial appointments process to ensure it is entirely independent of government. Appointments to the Magistrates' Court and the Victorian Civil and Administration Tribunal, VCAT, involve an open and competitive recruitment process. Public recruitment campaigns are conducted when there are vacancies and consist of expression of interest, application and formal interview. The relevant head of jurisdiction then makes a recommendation to the Attorney-General on proposed candidates. The appointment of judges to the Supreme Court and Court of Appeal are made following consultation between the Chief Justice and the Attorney-General, with the Attorney-General making a recommendation to the Governor in Council.

All judicial appointments are subject to comprehensive probity requirements, which may include a nationally coordinated criminal history check, a review of the Australian Securities and Investments Commission register of persons banned or disqualified, a search of the Australian Financial Services Authority's national personal insolvency index or completion of a declaration of private interests and a statutory declaration attesting to any perceived or actual conflicts of interest. Proposed judicial appointees are required to declare information such as whether they have ever been bankrupt or insolvent; whether they have been charged, convicted or had a finding of guilt made against them; and whether there are any arrangements or circumstances which could constitute a conflict of interest. The department also conducts character checks for judicial officers and VCAT members with the Victorian Legal Services Board and commissioner. Character checks may reveal information about any investigations, complaints or inquiries made against or about the person's conduct, behaviour or character. It also advises of any disciplinary outcomes, which may include a formal warning or reprimand, additional training or counselling, disciplinary charges or legally binding determinations, which may include specific remedial actions. Potential candidates are also referred to the *Framework of Judicial Abilities and Qualities for Victorian Judicial Officers* developed by the Judicial College of Victoria, which outlines the attributes the government, courts and communities expect from judicial appointees. I will leave my comments there.

**David LIMBRICK** (South-Eastern Metropolitan) (14:18): I thank all the members who contributed to this debate today. Whilst it is disappointing to not get the support of the major parties on this, it was interesting to hear some of the comments from Mr McIntosh about ideas for consolidation of existing agencies. That is an interesting idea. I hope to hear more from the Attorney-General's office on that when and if it happens. The reason I wanted to do this today was to draw

attention to the fact that we are significantly different to many other jurisdictions throughout the Commonwealth. I note that many people were referring to the United States, and I intentionally did not mention that, because I tend to agree that the United States process is not very good. However, I have pointed to Canada, where it works very well; they have a public hearing process. Nevertheless I think that we need to look at what is happening in other Commonwealth jurisdictions and look at what we are doing and consider whether we need to evolve what we are doing in Victoria, because I think the one thing that we all agree on is that trust in the judicial system from the general public must be maintained, otherwise we are in a parlous state in Victoria. I think that if we can look at other jurisdictions and see what they are doing and if those things are working, then maybe we should think about them if they have similar backgrounds to us, such as Commonwealth members. With that, thank you very much.

**Council divided on motion:**

*Ayes (4):* Jeff Bourman, David Limbrick, Georgie Purcell, Rikkie-Lee Tyrrell

*Noes (34):* Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Gaelle Broad, Katherine Copsey, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Anasina Gray-Barberio, Renee Heath, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Trung Luu, Sarah Mansfield, Bev McArthur, Nick McGowan, Tom McIntosh, Evan Mulholland, Rachel Payne, Aiv Puglielli, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt, Richard Welch

**Motion negatived.**

*Bills*

**Parks and Public Land Legislation Amendment (Central West and Other Matters) Bill 2025**

**State Taxation Further Amendment Bill 2025**

*Council's amendments*

**The PRESIDENT** (14:26): I have received a message from the Legislative Assembly in respect of the Parks and Public Land Legislation Amendment (Central West and Other Matters) Bill 2025:

The Legislative Assembly informs the Legislative Council that, in relation to 'A Bill for an Act to amend the **Carlton (Recreation Ground) Land Act 1966**, the **Crown Land (Reserves) Act 1978**, the **Forests Act 1958**, the **Great Ocean Road and Environs Protection Act 2020**, the **Heritage Rivers Act 1992**, the **Mineral Resources (Sustainable Development) Act 1990**, the **National Parks Act 1975** and the **St. Kilda Land Act 1965** and for other purposes' the amendments made by the Council have been agreed to.

I have received another message in respect of the State Taxation Further Amendment Bill 2025:

The Legislative Assembly informs the Legislative Council that, in relation to 'A Bill for an Act to amend the **Commercial and Industrial Property Tax Reform Act 2024**, the **Congestion Levy Act 2005**, the **Duties Act 2000**, the **First Home Owner Grant and Home Buyer Schemes Act 2000**, the **Land Tax Act 2005**, the **Limitation of Actions Act 1958**, the **Taxation Administration Act 1997**, the **Building Act 1993** and the **Domestic Animals Act 1994**, to repeal the **Taxation (Interest on Overpayments) Act 1986** and to make consequential amendments to other Acts and for other purposes' the amendments made by the Council have been agreed to.

*Motions*

**Cannabis law reform**

**David ETTERS HANK** (Western Metropolitan) (14:28): I move:

That this house notes that:

- (1) the Allan government's regressive cannabis laws are ineffective and its rejection of the decriminalisation of cannabis will perpetuate far-reaching and harmful consequences for many of the most vulnerable Victorians and waste valuable police, court and prison resources on a victimless crime;

- (2) at the 2025 Labor Party state conference, Labor's members voted that:
  - (a) cannabis be legalised, taxed, owned and regulated by the state government;
  - (b) all forms of cannabis possession and use be decriminalised;
- (3) conference delegates resolved that:
  - (a) funds generated by a legalised cannabis industry could be used to fund:
    - (i) the recommendations from the Royal Commission into Victoria's Mental Health System;
    - (ii) the reform of the alcohol and other drugs (AOD) sector;
    - (iii) the reform of WorkCover and WorkSafe;
    - (iv) health-led housing;
    - (v) Indigenous health;
    - (vi) part of the state's contribution to the national disability insurance scheme;
  - (b) a percentage of the profits generated by a regulated cannabis industry could be directed to the mental health, AOD, WorkCover, WorkSafe, housing, Indigenous health and disability sectors;
- (4) this formalised a similarly unanimous resolution from the 2024 state conference;
- (5) the Allan government's refusal to decriminalise cannabis perpetuates the criminalisation of marginalised communities, including First Nations and working-class people, and lacks courage when its party's policy platform goes far beyond decriminalisation; and calls on the government to heed its own party's policy, beginning with the decriminalisation of the personal use and possession of cannabis.

I rise to speak in support of the motion in my name. Essentially our motion calls on the government to decriminalise cannabis. It references of course the resolution of the 2025 and 2024 Labor state conferences to implement a fully legalised cannabis market. But our motion also calls for the more modest interim step of decriminalisation, the entirely reasonable demand to stop arresting people for the possession and use of cannabis. We entered Parliament with high hopes of progressing the legalisation of cannabis. We are Legalise Cannabis after all. The name is on the tin. It seems so obvious from a health perspective and from a justice perspective that the continuing prohibition of cannabis is detrimental and it is expensive. It is based on an outdated stigmatisation of a well-used plant substance, one which nearly 42 per cent of Victorians have tried, 21 per cent use regularly and 41 per cent supported the decriminalisation of – a percentage, I might add, that has increased to 80 per cent in the time that we have been in Parliament.

The Parliamentary Budget Office estimates the income from a legal market for cannabis could be \$1 billion a year, and that is, we understand, a conservative figure. It is hard to argue against a legal market if you can use the money to fund mental health, disability and alcohol and other drug services while simultaneously reducing the cost and resource burden on justice and corrections services. The main difference between a licit and an illicit market is that one contributes to the prosperity of the state and the other prospers criminals and works against the health and wellbeing of our citizens.

It is obvious that criminalisation is not making a huge difference to the business model of the criminals supplying cannabis. While cannabis has accounted for more than half of all drug-related arrests across Australia since 2021, 90 per cent of those people who were arrested were consumers, not suppliers. The economic and social opportunities of a legalised market are very obvious. Our party's view is widely shared by members of the Victorian branch of the Australian Labor Party, who voted for the adoption of the legalisation of cannabis without opposition as firstly a floor resolution and subsequently as part of its own health policy platform. That is two state conferences in a row with no opposition to those changes. But I am getting ahead of myself, and I will return to that question.

The war on drugs has proven to be, let us face it, one of the worst and most damaging public policy decisions of all time. In Victoria we have already spent nearly a hundred years and billions of dollars fighting it, and yet people continue to consume drugs. It is really way past time for Victoria to remove this outdated law from the statutes. When we arrived we envisaged opening up an adult dialogue with a progressive government. We are a progressive state – we pride ourselves on it, don't we? We would be up for trying something different, wouldn't we? The former Treasurer saw the benefits of a legal

market – why wouldn't he? – and we had high hopes of progress based on our conversations with him. We requested costings for a legalised market from the Parliamentary Budget Office, and their report researched findings from other jurisdictions that have legalised recreational cannabis use. The numbers were good.

The report determined that the decrease in cannabis-related offences and associated sentencing outcomes would result in a reduction in operating expenses for Victoria Police, public prosecutions, the courts, correctional services and other ancillary justice related services. Surely that alone should be worth the effort. Clearly any progressive government with a little bit of courage and some imagination could see the logic in ending this senseless prohibition and seizing the opportunities that a vibrant local market could provide. All the evidence pointed in the same direction. We could see it. The government could see it. The question became: how could we work with the government to bring about a reform that is, as Tony Parsons, former supervising magistrate of the Drug Court, described in his 2025 Penington oration, the holy trinity of good policy? It is the right thing to do, it is backed by evidence and it enjoys broad community support, but apparently the government needed more hand-holding.

What about an expert advisory panel, we suggested – a group of leading experts to examine the best way to regulate a legalised market that would advance Victoria's public health goals and generate revenue for vital services. A brand new market could operate equitably and help repair the damage wrought by the war on drugs and its inherent discrimination, and a brand new market could increase opportunities for marginalised communities for our First Nations people. It could be based on some of the social equity schemes operating in other jurisdictions. The possibilities are really very exciting. That idea sank like a stone, no pun intended. Even taking a tiny incremental step towards a sensible and equitable policy was too bold a move for this government.

We then suggested decriminalisation instead. Decriminalisation is not ideal: it prohibits the supply side, which still allows criminals to control the illicit market, but as a first step towards a legal market at least we could stop arresting around 4000 Victorians each year, people largely from marginalised communities already over-represented in the justice system. At least we could start undoing the harms associated with arrests and contact with the criminal justice system, and at least we could free up the police, the courts and the jails to deal with the crimes that reduce community safety.

We introduced our Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023 under the name of my colleague Ms Payne. It was a modest bill that would have made it lawful for an adult to possess small quantities of cannabis, cultivate six cannabis plants for personal use and gift cannabis to another adult. It was essentially the same scheme that has been successfully operating in Canberra, with a few necessary improvements. During the debate we heard the concerns of members around children accessing cannabis and the inevitable increase in hospital presentations and carnage on our roads. Unfortunately, or fortunately, that is not the data that was coming out of the ACT. People may cherrypick evidence from overseas jurisdictions – some are dealing with the transition to a legal market better than others – but when the data is for decriminalisation and when it comes from a jurisdiction more or less across the border and it is looking so positive, you would think it would be hard to dismiss.

The government rejected our bill but committed to consult with stakeholders – they did not. But being the team players that we are, we agreed to refer the bill to an inquiry. The inquiry into the Drugs Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023 heard evidence from the justice, mental health, health and legal sectors, the vast majority of whom were in favour of decriminalisation as a model that would serve the public health goals of harm minimisation and prevention. The committee travelled to the ACT to see firsthand evidence that the scheme is working as intended. Arrests are down 94 per cent. Cannabis use among young people has decreased. There has been no increase in hospital admissions.

None of the dire predictions around cannabis decriminalisation have materialised. In fact we had the privilege of meeting with the ACT chief police commissioner himself. He told us that they had initially

had concerns, but none had come to pass. The report was tabled with recommendations fully supported by the government members of the committee, drawing on the experience of the ACT in successfully decriminalising the cultivation and possession of small quantities of cannabis for personal use with its associated health, social and legal benefits. The committee also resolved to consider adopting an approach in line with that proposed by the bill, along with any recommended amendments from the report.

It is a sensible proposal. It is rooted in evidence and supported by the majority of Victorians, but this government has ruled it out completely. They will not even consider it. We are frankly gobsmacked at the lack of courage, the utter cowardice, of that decision. We are also puzzled. Why wouldn't the government – this progressive Victorian Labor government – support a proposal to stop needlessly arresting people? If you want to forgo the illicit cannabis market big bucks, fine. But arresting people for possessing a bit of pot – is that how they are tackling crime in this state? We are talking about allowing people to grow a few plants in their backyards and to be able to possess a small amount of cannabis for personal use. How stupid does this government think people are? As remand centres and prisons fill, does this government think that no-one knows the difference between violent crime and the victimless offence of possession or use of cannabis, that people do not know the difference between a machete and a joint? Do they honestly think people are terrified by the thought of pot smokers running amok? Are they really bundling up people who want to grow some pot in their gardens with the sort of serious crime that communities are actually contending with? Do they really think the arrest of cannabis users makes people feel safer? Let us recall that around three-quarters of a million Victorians consumed cannabis in the last 12 months. Are we going to lock them all up? This is a government fixated on flexing their tough-on-crime credentials at any opportunity before the next election, and your average punter can tell the difference between sensible policy and kneejerk tough-on-crime rhetoric. There is a significant cognitive dissonance within the Allan government.

Last week I was truly proud and humbled to be present for the signing of Australia's first treaty at Government House. This government has every right to be proud of that accomplishment, but this historic achievement is seriously undermined by the fact that the government continues to use cannabis as a means of shuttling First Nations people into the criminal justice system. The Victorian Aboriginal Legal Service told the bill inquiry that:

... Aboriginal people were eight times more likely to be arrested for possession of cannabis than non-Indigenous people. In contrast, non-Indigenous people arrested for possession of cannabis were 50 per cent more likely to receive a caution in Victoria.

Eight times as likely to be arrested, half as likely to be offered diversion – and that is not a novel fact. It is one the government has heard time and time again.

I hardly recognise this Labor government as such. I really do not know what they stand for. It is content to rest on past achievements, leaning on its establishment brand. They are about as progressive as a government can be when their policy goals are dictated by the likes of Fifi, Fev and Nick – I hope I got that pronunciation correct this time – or whatever the *Herald Sun* lead with on their front page. The Labor Party I grew up with stood for social justice, for equity and for human rights. It was a party of vision that introduced land rights, the Racial Discrimination Act 1975 and no-fault divorce. It was a party for workers, and let us face it, cannabis is first and foremost a working-class drug. It was a party that espoused progressive values and policies. At least their members seemed to hold fast to the light on the hill and their progressive values. The values these members express, the policies they want to see adopted, are befitting of a movement that introduced universal health care and free tertiary education, of a party synonymous with progressive reform. The ALP state conference resolutions are totally reasonable motions. The delegates to that conference represent the workers of this state: workers from the health, the mental health and the disability sectors; people who work in public housing and homelessness services; workers from the AOD sector and the aged care sector. They see the underinvestment by this government in those sectors and the impact that it is having on the health and wellbeing of Victorians, and they propose a commonsense solution. Revenue from a legalised

market could be very useful to a state drowning in debt. Of course it would require an agreement between the state and the federal governments, but they are both Labor governments, so it should not really be hard to get some level of collaboration over the division of taxes and income. Wouldn't it be lovely to have those funds be able to contribute to meeting the recommendations from the Royal Commission into Victoria's Mental Health System, the reform of the alcohol and other drug sector, WorkCover, housing and Indigenous health or even to fund our state's contribution to the national disability insurance scheme. We are not pretending it is going to pay for all of those things, but if this government has reached a point where a billion dollars is something to sneer at, I think we have all got a big problem. It certainly makes a lot more sense than simply handing it all to the Comancheros.

I hope I am alive to see the day when governments finally wake up to the fact that these policies harm people and enrich serious crime gangs. But if we are not there yet, how about the idea that even the money saved through not policing a victimless offence has utility? It is obviously not as much as what could be derived from legalising cannabis; however, the trauma and harm averted would have huge downstream positive impacts for our society and for our economy. And then there are the people of course – the many vulnerable Victorians who would not have their lives ruined by encounters with the criminal justice system. We do not want children to have access to cannabis. Children should not be consuming cannabis; it is bad for their brains. But make no mistake, for all the prohibition, kids have no trouble, no trouble at all, accessing cannabis. It is easier for a kid to get their hands on some weed than it is to buy a packet of cigarettes. Worse, the prohibition, the 'Just say no' approach, means we are not having the sorts of conversations we should be able to have in schools. There is inadequate education around drugs and harm reduction in school, so yes, it is quite possible that kids are not getting the right messages. We are not properly informing our young folk.

Interestingly, very recent data out of Canada shows that, contrary to what is happening here, youth consumption of cannabis has fallen since the legalisation of cannabis. There was even a slight increase in the number of young people who reported that they have never used cannabis. Of course Canada accompanied their legalisation scheme with a comprehensive education program. What a bold approach: put the facts in front of young people and treat them with a little respect. Maybe disseminating information about harm minimisation and risk is more useful in reducing youth consumption than fear campaigns. Germany also recently reported no increase in use among young people or in traffic accidents since legalisation.

Given the wealth of evidence, the backing of experts and the wide public support, I really did not think we would still be having to convince this government to make at least some movement towards reform. Nobody said this was going to be easy. Decriminalisation and eventually legalisation will present all sorts of challenges, no doubt. There will be problems to solve and things to nut out, but we cannot keep doing what we are doing. Adults should be free to consume cannabis. They do it already. We are missing an opportunity to get on the front foot and to do this right. What have we got to lose?

We call on this government to respect the clearly articulated views of its own party members and reform our cannabis laws. Cannabis has been prohibited in Victoria since 1927. We are coming up to the centenary of this stupid and ineffective law. We can keep trying to deal with these same problems that we have been dealing with unsuccessfully for nearly 100 years or we can end the prohibition and perhaps get on with dealing with some new problems and some real problems with fresh eyes.

**Renee HEATH** (Eastern Victoria) (14:47): I rise to speak on motion 1151 moved by Mr Ettershank calling for the decriminalisation and legalisation of cannabis. I say from the outset that Mr Ettershank and Ms Payne got me across the line when it came to industrial hemp, but they have not got me across the line on this, not even close. Let me start by making a very obvious point about who moved this motion. Mr Ettershank represents the Legalise Cannabis Party, a party whose entire platform is built on normalising drug use and pushing ACT-style legislation, which is a so-called modest reform but I think it is a huge, progressive reform. Their advocacy relies heavily on the Penington Institute, the think tank that has become the go-to for drug lobbyists, framing legislation as health reform while ignoring the overwhelming evidence of its harm.

I want to acknowledge the stated intent behind this motion. We all want safer communities, we all want better health outcomes and smarter use of resources, and that is why three out of our four primary goals as the Liberal Party are to reduce and manage state debt, to have access to quality health care and to address the crime crisis. These are things that we all really care about. However, I think the motion oversimplifies the issue and misrepresents the facts, which, when you dig into them a little bit deeper, tell quite a different story. The motion is based on a widely circulated claim by the party that some 4000 Victorians are arrested every year for cannabis possession. That sounds alarming, but when I went into it I found that it was quite misleading. According to the Sentencing Advisory Council, out of 13,758 possession charges sentenced over three years, imprisonment was extremely rare – in fact less than 0.6 of a per cent. It is almost always linked to other serious offences like assault and trafficking. Most cases end in cautions or fines but not jail. No-one is being handcuffed or sent away to prison for smoking a joint. This matters because the motion bases its argument on conflating detections with arrests leading to convictions. I think this is an absolutely important differentiation.

I want to talk about the realities on the ground. Victoria already operates under a de facto decriminalisation environment. Every 20 April thousands of people gather in Melbourne's Flagstaff Gardens for the annual 420 rally.

**David Ettershank:** You'd get arrested.

**Renee HEATH:** Well, as far back as 2017 a *Vice* article reported on 4000 people openly smoking cannabis in public with minimal police presence. Officers were described as 'happy to ignore the collective blazing of the people'. Even when arrests occur, as Legalise Cannabis's own website affirms, most receive cautions. Is this what this motion calls prohibition?

The claim that cannabis is a victimless crime is also simply and plainly wrong. Cannabis harms are not abstract, they are real and they are measurable. For me it is something that has been very close to home, as I have a good friend who was seriously damaged by cannabis. Peer-reviewed research confirms that cannabis is mutagenic and carcinogenic, among other things; it is causally linked to 33 cancers, double the number caused by tobacco; and it is also connected to 90 different birth defects. It is associated with psychosis, depression, suicide and amotivational syndrome. I noticed we did speak about the reforms in Canada recently, but what was missed out in that was that in Canada 40 per cent of youth schizophrenia cases are cannabis related. That I think is one of the most devastating statistics that we have spoken about here. I mentioned my friend before – a lovely person, with her life completely ahead of her – who was seriously damaged with frontal lobe brain damage due to her use of cannabis, which has changed the whole course of her life forever. Overseas cannabis legalisation has led to spikes in emergency presentations of psychosis and cardiac events. Victoria's hospitals and ambulances are already overstretched, and adding this sort of spike in cannabis-related harm will only worsen the delays and the outcomes.

Magistrate Tony Parsons asked in his 2025 Penington oration:

How often does a social reform come along that meets the holy trinity of policy reform: it is "the right thing to do", it is backed by evidence, and it enjoys broad community support?

To that I would answer: cannabis legalisation actually falls short on all three. It is not the right thing to do, it is not backed by evidence and the community is far more nuanced than this motion suggests. Let me talk for a moment a bit more about the Penington Institute, because they are the think tank that has become the go-to for drug lobbyists. Their cannabis control plan framework frames itself as health reform while ignoring the overwhelming evidence of harm. It omits data from 60 peer-reviewed studies showing cannabis causes cancers, birth defects and psychiatric illnesses – devastating. It calculates hypothetical revenue without factoring in health and social costs that outstrip the fiscal benefit. This is not a balanced policy.

I can tell you one thing I know for certain: legalising cannabis is not going to fix our budget problems here. It is not going to make things safer. And the argument that legalisation would dismantle the black



market is also incorrect, according to overseas studies and other case studies. Organised crime exists because of the vast capital accumulated through illicit drugs, enabling infiltration of legitimate industries worldwide. Legislation does not dismantle crime, it diversifies it. An example of this is California where the black market remains larger than the legal market. Criminal networks use the framework to cover illicit grows and trafficking. The Australian Criminal Intelligence Commission confirms organised crime already controls part of agriculture, construction and retail in Victoria. Adding cannabis licensing will create new opportunities for criminal control and expansion.

The motion claims legislation will deliver a much-needed revenue boost to our depleted tax coffers. The international evidence shows \$1 in cannabis tax costs up to \$4.50 in public health and social costs. To talk about Canada again, the tax revenue is less than 0.4 per cent of federal income, while health costs continue to rise. I have already mentioned Canada, but other countries show legalisation has led to spikes in emergency presentations for psychosis and cardiac events.

Victoria's economy, its citizens and especially its youth cannot afford another ill-thought-out policy that deepens deficits and strains services. I believe we need a prevention-first approach, a recovery-focused approach. We need to invest in mental health and education. We need to increase public and community policing and early intervention. We need to fund treatment and rehabilitation and strengthen community programs that keep young people engaged and safe, not stoned and finding more pathways to join other drug communities. This is how we reduce harm, not by commercialising drugs linked to cancer, psychosis, crime and birth defects. Real reform is not about pushing adult rights through political lobbies or following the loudest voices, it is real policy drawn from a close look at evidence drawn from hard facts and properly analysed, and protecting Victorians, especially the vulnerable, from harm. I will not be supporting this motion.

**Michael GALEA** (South-Eastern Metropolitan) (14:57): I am pleased to rise to speak on this creative motion that has been brought before us today by Mr Ettershank. I welcome the opportunity to share a few words and comments on it as I welcome the apparent defection of both Mr Ettershank and Ms Payne to the Labor Party. We look forward to welcoming you both with open arms. Ms Payne, I am sure your application would be readily accepted. Mr Ettershank, you may have to go through a few more processes, a few more checks and balances I think might be in order. But give it your best, and hopefully you will be joining us in these ranks soon in the lovely crimson red shirts that you have.

We certainly embrace your embracing of the party's very strong, very proud and longstanding democratic values, and values of transparency as well, which I think is really, really important. Going to that point, our party conferences are indeed public. You can go online and access the policy platforms of various policy committees, the proposals, the motions – the motions that get up and the motions that do not get up – and partake, and we invite journalists in as well. It is quite a democratic, open and accountable process that really does highlight the strength of this party – this party that I am proud to be a member of – and the mighty trade union movement and the mighty rank-and-file branch members that bring us together at our robust and democratic state conferences. They are the appropriate forum for our party to hash out these proposals.

As I know you do know, Mr Ettershank, there is not a straightforward connection between a party decision at a state conference and the policy position of the state government. Though there is a strong relationship there, it is not as simple as you make it out to be. We cherish the fact that we do have that democracy, that we do have a safe space – a safe space at least when it is not Greens party activists storming and crashing into our state conference, like we saw last year. I am not sure if Legalise Cannabis state conferences are publicly open and accountable. I know the Greens are not; they lock the doors and no journalists can go and see what happens in there. Even the Liberals have their doors wide open – you have other doors wide open in this place too, probably a little bit too much. I know the Greens keep the doors shut for their state conferences. Do you have open state conferences? Can media attend?

**Rachel Payne:** We have MardiGrass.

**Michael GALEA:** I suspect it is slightly different.

**David Ettershank:** We get lots of Labor people.

**Michael GALEA:** I am sure you do. It would be very good if you could learn from the Labor movement in fact and demonstrate those same principles of public accountability, as being a major political party in this state comes with that public responsibility as well. I would encourage you to follow in that lead – that is, unless of course you do decide to proceed with your application to join the Labor Party, which would be welcomed, no doubt.

There have been some wideranging contributions already in this place about the different models of reform that are before us. Mr Ettershank, I note that you did spend some time talking about the ACT inquiry that a number of us in this room in fact undertook earlier this year. That was a decriminalisation model; that was not a full tax-and-control-and-spend model. I am sure you are aware any sort of taxation-based model would be a constitutional issue, with the federal government being the one to collect those taxes and the state government then left to deliver the services – not an insurmountable problem but certainly a major challenge that would be presented before your more extreme ambitions of a full legalised model. The inquiry that we undertook did focus on that model of decriminalisation, and I have had the opportunity to speak on that inquiry in this chamber on many occasions. Indeed there was some very interesting evidence that we saw both in the ACT and then back here in Melbourne in relation to that proposed model, and what is clear is that in the context of the ACT it is a model that works well. But it is a context that we need to bear in mind, and that is the context of it being quite a unique jurisdiction in the Australian federal system but also the pre-existing scenarios of what you could call the semi-decriminalisation that had already been undertaken in the ACT in the decades leading up to it, including amongst other measures the simple cannabis offence notices that they had in place of a \$100 fine prior to them bringing in full decriminalisation. I think it is important to bear that context in mind; when you are looking at the government's response to the inquiry, it is important to bear in mind that one such success does not necessarily guarantee the same results elsewhere, and you have to ensure that the other settings are right and in place in order to achieve that.

When you look at the track record of the Allan Labor government, I can certainly see why those who support progressive policies and support progressive reform would be joining our great party, with us being the first state in the nation to introduce medicinal cannabis for treating patients who require it. Indeed we have seen just in the last couple of years some further reforms in regard to the ongoing track trial but also providing that legal defence for someone who is using medicinal cannabis so that they are not unfairly punished and that, if they are driving, they have got a legal defence if they can justify that they were not intoxicated at the time. Being the third speaker on this debate so far and mentioning this policy reform it would be remiss of me to not also mention the good Dr Tony Parsons, who played a significant role in supporting both your party, Mr Ettershank, and the government in formulating a work-through of that very tricky and thorny issue, and I commend him for his work.

We also brought in the medical safe injecting room in Richmond, and we have seen the life-saving changes that has had. As recently as yesterday Minister Stitt was in the chamber updating the house on the phenomenal, frankly, success of Victoria's implementation of pill testing. We saw in the first six weeks of operation more than 500 samples tested, with harm reduction conversations conducted with nearly 300 people; going to the importance of that particular initiative, the most important time that you can talk to someone about drug harm is quite literally just before they take it. We all remember Harold the giraffe at school. I am sure most of us remember Harold the giraffe. We are a particularly blessed nation that we can all have that childhood collective memory of being taught about drugs and alcohol by a big yellow giraffe in a van that was parked outside our school. That is a valuable time. It is a valuable time as well to be teaching young people about the risks and other scenarios that relate to any sort of drug and alcohol use, but it is also most important to be having those conversations right when it matters the most, and that is where the pill-testing model has come in. We know that for one in four service users in that first six weeks of operation that conversation was the first conversation they had had about their substance use with a health professional – a really, really important statistic.

For one in four that was their first conversation. The early intervention that can come through at that point – not coming from a judgemental lens but coming from a public health lens of ‘This is what you’re actually taking. This is what it could do to you. These are the effects. Even if it is taken as intended, even if it is what you think it is, this is what you need to be prepared for’ – is something that will save lives as well.

What else saves lives through this program is the two drug notifications issues that came through the pill-testing program for, as the minister said, counterfeit oxycodone pills that contained nitazene, which is a synthetic drug 500 times stronger than heroin – quite a chilling statistic from yesterday. It is a very dangerous thing for anyone to be taking or contemplating taking, and in too many cases without pill testing, it would be unwittingly taken as well.

There is also the statewide action plan on drug use. Through the investment of \$95 million in this year’s state budget to support the new statewide action plan to address the drug harms across the community, including expanded statewide services, targeted support for drug users in the CBD of Melbourne and strengthened leadership and oversight, with a raft of measures that will be included in that broader package, on all of these measures you can see considerable progress has been made, including as recently as the past year. I refer again to the impacts on drivers licences for people who do take medicinal cannabis and need to drive – significant reforms that are continuing to take shape. And I can well understand why all members in favour of sensible, pragmatic and progressive alcohol and drug reform in this state would be queuing up to join the Labor Party.

**Rachel PAYNE** (South-Eastern Metropolitan) (15:07): I rise to speak on motion 1151 in my colleague Mr Ettershank’s name. Earlier this month, alongside stakeholders from a wide range of sectors, including the health, legal and alcohol and other drug sectors, we wrote to the Premier to express our deep concerns about the Victorian government’s decision to oppose the decriminalisation of cannabis following the inquiry into personal adult use of cannabis. As organisations who witness the far-reaching and harmful consequences of these outdated laws on our most vulnerable Victorians, we called on the Premier to urgently reconsider this decision. We noted that every year in Victoria an average of 7805 people get caught up in the criminal justice system for possessing small quantities of cannabis, with 3812 of these people arrested, and I note Dr Heath’s contribution in making reference to those arrests. I will highlight that this data actually comes from the Crime Statistics Agency on individual arrest rates.

Victoria’s ongoing criminalisation of adult use was shown through the inquiry to unfairly target Aboriginal communities through discriminatory policing. Aboriginal and Torres Strait Islander people are 11 times more likely to be searched by Victoria Police and eight times more likely to be arrested for cannabis possession, while non-Indigenous people are 50 per cent more likely to receive a caution for cannabis possession. These figures confirm what Aboriginal communities have long known – racial profiling and systemic bias persist in policing cannabis offences. Our motion highlights that the Allan government’s refusal to decriminalise cannabis perpetuates the criminalisation of marginalised communities, including First Nations and working-class people. Like the former public intoxication laws that led to the tragic and preventable death of Aunty Tanya Day, cannabis laws punish people instead of supporting them. They increase unnecessary contact with the criminal legal system, retraumatise people and entrench cycles of disadvantage. As with public intoxication and as was found by the inquiry, cannabis use is a public health issue, not a criminal one.

In this open letter we noted that the cost of enforcing the criminalisation of cannabis Australia wide is estimated to be \$1.7 billion each year. This includes \$1.1 billion spent on imprisonment and \$475 million on policing. The decision to continue criminalising cannabis wastes millions of dollars on valuable police, court and corrections resources on a victimless offence. It also ensures the illicit cannabis market in Victoria, which the Parliamentary Budget Office values at over \$1 billion, will fund organised crime instead of the Victorian economy.

While we have not received a response to our letter yet – but by all accounts it looks like Labor Party policy, as detailed in this motion – we should expect a response agreeing to decriminalise cannabis as soon as possible. Unfortunately, our expectations are grounded in reality. The reality is that this government has made the decision to outright reject the sensible approach of decriminalising cannabis in complete hypocrisy of its own party policy. But more than that, Victorian Labor members voted for cannabis to be legalised, taxed, owned and regulated by the state government. You would think that this would encourage the Allan Labor government to act, but they have not even considered decriminalisation despite over 80 per cent of Victorians supporting it, positive evidence from the ACT's experience and overwhelming stakeholder support. This is the kind of consensus we rarely get to see on any political issue.

Like Labor Party members, we are calling on the government to reconsider its decision to rule out decriminalising cannabis. While we appreciate that not every policy supported at state conferences becomes the policy of the state government, I think it is fair to ask: what is stopping you? In the government's response to the inquiry and our bill to decriminalise cannabis, they say they will reduce harm by evidence-based action, they say they believe the ACT's positive experience and they claim that they will monitor the issue. Their hypocrisy is glaring. If it was at all true, they would have supported recommendation 1, to draw on the ACT's successful experience and consider adopting an approach in line with what was proposed in our bill, but they did not. What a lack of courage. This kind of inaction is inexcusable. The Allan Labor government has surrendered to the idea of being tough on crime this election. As such, Victoria's 'serious consequences, early interventions' plan sounds an awful lot like the Liberal Party's policies. I am not sure there is anything more that you could do to be tough on crime except free up police resources by decriminalising cannabis.

I want to focus on another part of our motion and an important part of the Labor Party's resolution: that funds generated by a legalised cannabis industry would be used to fund recommendations from the Royal Commission into Victoria's Mental Health System – the reform of the alcohol and other drug, or AOD, sector; the reform of WorkCover and WorkSafe; health-led housing; Indigenous health; and part of the state's contribution to the national disability insurance scheme. While decriminalisation saves money in valuable police, court and prison resources on a victimless crime, a legal market could go one step further. Instead of funding arrests and incarcerations, we should be funding mental health services, housing and other vital social infrastructure. At a time when these services are crying out for support, it is shameful that this government's inaction is stopping them receiving it.

When it was announced that the Allan Labor government would introduce pill testing following the joint advocacy of the Legalise Cannabis, Animal Justice and Greens parties, we had hope – a hope that this would be a government who listen to the evidence, a hope that they would have the courage to make the right decisions and a hope that harm minimisation would be a priority. I am disappointed, to say the least, but I am not entirely without hope. To echo the comments of my colleague in quoting His Honour Tony Parsons, cannabis law reform is the 'holy trinity of good policy'. He said:

It's the right thing to do. It's backed by evidence. It enjoys broad community support.

While the time for change is now, I remain hopeful that even if it does not happen now, it is only a matter of time. Get on with it, heed your own policy and start by decriminalising the personal use and possession of cannabis in Victoria.

**David LIMBRICK** (South-Eastern Metropolitan) (15:15): I thank Mr Ettershank for bringing this motion forward today. I will not go into the parts where it talks about Labor Party policy; I think that is a matter for the Labor Party. But I will say this: a cannabis market exists in Victoria and will continue to exist in Victoria regardless of what this Parliament does. The real question that we are facing as a Parliament and that the government is facing is whether we want that market to be controlled by organised crime or we want it to be a legal, regulated activity. At the moment the major parties seem to err on the side of letting it be controlled by organised crime, because that is exactly what is happening at the moment.

I note Mr Ettershank made the progressive case for legalisation. Let me make the case to conservatives. If they truly claim to be wanting to be tough on crime and they are offered a magical button that would vaporise, as Mr Ettershank pointed out, a \$1 billion market, they would choose to not do that. The reason that they would choose not to do that is because they disrespect the individual choices of people. They disrespect their freedom because they choose to consume a flower that the Liberal Party does not like. I mean, you cannot get more anti-freedom than that, I do not think. It is a real litmus test of whether someone really, really believes in freedom or not, whether they want to regulate flowers that people consume or not. It is absolutely crazy.

I got my own research done by the Parliamentary Budget Office about the amount of police time – it was published this morning, and they did a very good job on this, I might add; I recommend everyone go and look at it – that is used policing cannabis. In the 2024–25 financial year it was almost 57,000 hours of police time. With all of the crime problems that we have in this state with people running around with machetes, home invasions and gangs and all this sort of stuff, we spend 57,000 hours of police time chasing people because they consume or sell or grow flowers that the government does not like. I mean, you cannot make up something that wasteful. It is just so incredibly wasteful. We can undermine this. We need to undermine other markets as well. I have spoken many times about how what has happened through government policy has caused an explosion in organised crime in the tobacco and vaping markets, because of their poor policy. I have called many times publicly for the health bureaucrats that have been promoting that policy to be held to account and sacked immediately.

But we have a similar problem with cannabis, although it is a much smaller market. We still have this market worth billions of dollars in Australia totally controlled by organised crime, and we just continue to go ahead with this failed policy as if magically having this is going to fix things. The idea that legalisation is going to suddenly cause all of these people that would not consume cannabis otherwise to suddenly have it or suddenly desire it – who are they? Can you name who these people are? Because pretty much everyone that I have ever met that wants to get their hands on cannabis in Victoria can do it. I do not know who these people are that are going to get their hands on it.

Dr Heath talked about the harms of cannabis. I might argue about the details of some things, but I do not argue that cannabis causes no harm. Of course it does. It causes all sorts of harm. But that harm exists right now. It is through legalisation and regulation that you can decrease those harms, because all of a sudden you are buying a product that has consumer protections. If it does not have in it what it says on the label, all of a sudden you have a problem under consumer law.

Despite my changes in views on politics throughout my adult life, I have always been puzzled by cannabis prohibition. I have always thought it was a crazy thing. I do not think that you can say that you support individual rights at all when you want to throw people in jail for consuming flowers that you do not like.

**Jacinta ERMACORA** (Western Victoria) (15:19): I wish to thank Mr Ettershank and Ms Payne for the motion and to indicate that the government will be opposing this motion, I am sorry. The notion of legalisation of cannabis is definitely controversial. It is contested across our communities and discussion is often robust, as it was at this year's Victorian Labor Party state conference, which has been a point of discussion during this debate.

Our government acknowledges and respects the work of the hardworking delegates at the ALP state conference and the various motions on many topics that are passed every year. As has been said already I think by Mr Galea about the openness and the level of democracy at the Victorian state Labor conference, it is certainly a very activated space. Labor's state conference is made up of 600 delegates from across Victoria representing thousands of Labor Party members. They are an amazing cross-section of Victorian society. We have absolutely guaranteed through our quota system that we have got 50 per cent women, and many are part of our diverse union movement. We have the Labor environmental action movement, we have Labor for women, we have Rainbow Labor, Labor for all

abilities and many different communities. There are outer regional people represented and LGBTQI communities are all there as well.

When you belong to a really diverse and inclusive organisation, you hear a wide range of perspectives, and those perspectives and ideas are quite broad. They are the kinds of perspectives you do not hear when you belong to a homogenous group of people, where everybody is the same. That is something that as a labour movement we are very, very proud of. We do not shy away from the rigorous debate and discussion that happens at conference. The policies that are adopted at the Victorian state conference are a matter for the broader party, so they then go on to another party process after that. They are certainly not a matter for the Legislative Council.

I feel very proud to point out that when it comes to alcohol and drug policy and reform, the Allan Labor government proudly takes a harm minimisation approach because our decisions are grounded in evidence and in what we know genuinely improves the health and wellbeing of Victorians. We have consistently put people's safety and dignity first, and we have done this from leading the nation as the first jurisdiction to legalise medicinal cannabis, establishing the life-saving safe injecting service in North Richmond and most recently launching pill testing at festivals.

The Allan Labor government listens to experts and we get on with the job of delivering a safer, fairer and healthier community in Victoria. Our record speaks for itself. When it comes to cannabis policy Victoria has led the nation. We were the first jurisdiction in Australia to legalise medicinal cannabis back in 2016. This landmark reform meant no Victorian would ever again have to choose between breaking the law and easing their suffering or the suffering of a loved one. This decision was measured, thoughtful and grounded in expert advice.

Before introducing the legislation, Labor sought the guidance of the Victorian Law Reform Commission on how to modernise our laws safely. This included guidance on cultivation and manufacture, patient eligibility, clinical oversight and the need for ongoing research. The commission produced more than 40 recommendations, including the establishment of an independent medical advisory committee to guide the safe, staged expansion of access. I would definitely describe that there has been some movement in the cannabis space in recent years, and that is exactly what has happened. Today any doctor or nurse practitioner in Victoria can prescribe medical cannabis when it is clinically appropriate. It is now used to treat chronic pain, anxiety, cancer-related symptoms, epilepsy, insomnia and multiple sclerosis. This gives thousands of Victorians access to pain relief in dignity and choice.

Our government also continues to take a careful and evidence-driven approach to medicinal cannabis and road safety, a topic that we have had debated in this chamber previously. Under Victoria's current drug driving laws, any detectable level of THC is an offence, even when the THC comes from a legally prescribed medicinal cannabis product. Those laws carry significant penalties, including fines, loss of licence and mandatory behaviour change programs. Last year, in November 2024, the government supported a house amendment from the Legalise Cannabis Victoria party to introduce a fairer and more nuanced approach. The amendment came into effect on 1 March 2025 and will provide magistrates with discretion regarding a licence cancellation for anyone with a medical cannabis prescription should they wish to contest the licence cancellation in court. Contesting the licence cancellation in court will enable magistrates to consider all available evidence, including evidence of impairment, to make a decision, and it will remain an offence for drivers to be detected with THC in their system.

The change does not impact impairment drug driving laws. We have debated this topic of impairment and marijuana before, and we know that there is a significantly differential impact from human being to human being, and work is underway to try and understand the science of how to regulate that based on science. So currently what we do know is that the evidence on the real-world impact of prescribed medical cannabis on driving performance is still limited. That is why the Victorian government is investing in world-leading research, including a closed-circuit driving trial. This is a world-first study examining the impact of medicinal cannabis on driving in real-world conditions. The trial began in

late October 2024 as part of a \$4.9 million commitment to building a proper evidence base to guide future policy. This is responsible reform, protecting road safety while ensuring our laws are informed by science, not stigma.

Another more recent example of reform is the establishment of pill testing. Pill-testing reform is about reducing harm and keeping people safe, and it provides a controlled, supervised service where trained chemists and health workers can analyse the contents of a pill or other substance and tell people exactly what it is they are about to take. We all know that too often young people make risky decisions based on misinformation, peer pressure or the belief that they already know what the drug contains. Pill testing disrupts that risk by giving them clear, factual information and connecting them with health advice on the spot. This trial is about saving lives by providing a critical harm reduction service, and we have got some funding announced just recently for a new round of festivals to be funded for pill testing, which includes the Pitch festival near Moyston, just at the foot of the Grampians hillside there. That festival also had pill testing last year, and it will be again funded to do pill testing this year.

The Allan Labor government has a statewide plan to find solutions for many drug harms – that is, we have committed \$95 million to support a statewide action plan to address drug harms across the Victorian community. I will conclude my contribution there and thank you for your motion today.

**Evan MULHOLLAND** (Northern Metropolitan) (15:29): I was not planning on speaking on this motion, to be honest, but I was watching the contribution of Mr Limbrick from down in my office, doing some work, and thought I just had to come up and make a contribution and defend my colleague Dr Heath at the same time. The lecturing from I guess a pure philosophical point of view, as Mr Limbrick often does, often happens. It is easy for it to happen when you are not a party of government, it is easy for it to happen from that point of view, but I am not going to be lectured, Dr Heath should not be lectured and the Liberal Party should not be lectured about ‘You guys want to talk about freedom, and you guys are unhappy about a flower.’ I am not going to take lectures from someone who voted to extinguish the human rights of people that were wronged by the government. I think when in a position to do so, based on practical realities, Mr Limbrick also makes decisions that might not align with a clear philosophical point of view, so I do not think it is fair to attack Dr Heath or attack the Liberal Party for having a position on this issue and having a position that is quite different on this issue.

I note that Mr Limbrick probably would not like the words ‘owned and regulated by the state government’ in the Labor Party conference motion. I cannot imagine him supporting that. I know former members of the Communist Party might be pleased with the progressive flank of the Labor state conference, but is there anything Labor Party grassroots members do not want controlled and operated by the government?

I guess if I could give a little bit of advice – and I will get on to the Labor state conference – to my friends in the Legalise Cannabis Party, a little bit of a hot tip, the Legalise Cannabis Party was elected with two MPs on one issue. I know plenty of people on the right of politics that also voted for the Legalise Cannabis Party because, as outlined in the name, it is one issue. So you would think the Legalise Cannabis Party would be doing everything possible, everything in their capacity as very influential members of the crossbench and very key to the government getting through any reforms possible, to use that ability. The people of Victoria did not elect two additional Reason Party MPs to comply with the government and do deals with the government on everything. That is not why people voted for the Legalise Cannabis Party. They voted for the Legalise Cannabis Party to legalise cannabis. They did not vote for the Legalise Cannabis Party to be an additional voting bloc with the Greens or be an extension of the Labor Party’s numbers in this place.

My advice would be to get back to pursuing the one thing that people brought you here for, which is what you are doing today. But my one bit of advice is maybe just do not comply with government legislation for the rest of this term. They voted you here for one reason. Watch how quickly the government will try to act on this if you do that. There are lots of things the government wants to do,

and there are lots of things the government needs both of you on. If you actually stood up for the one thing that people voted you here for, you might find you will have some success. I will leave that as advice for the Legalise Cannabis Party.

This motion actually allows me to speak on the Labor state conference.

**A member** interjected.

**Evan MULHOLLAND:** I have been to plenty of Liberal state conferences; they are great fun. I have been attending them for a good 17 years. But this motion allows me to talk about Labor state conferences, and we know there have been several controversial motions. Labor state conferences seem like, from the policy proposals being put forward, the normal things you would hear from the Greens members of this place. That is what the grassroots members of the Labor Party seem to think. Again, they want everything controlled, regulated and taxed by the government – almost control of the entire supply chain.

One of the things people at the Labor state conference were very up and about on is protest laws. They were arguing against protest laws in the city, arguing against giving police the powers to de-mask people, arguing against giving police the powers to move people on, arguing against giving police the powers they need to break up violent protests – that is what the Labor state conference did. No wonder the Premier and the Allan government have been so weak on this issue of protests. She comes out and says she wants a mask ban at protests and then what she actually proposes does not go anywhere near that. In fact police have to wait until someone attacks them for them to have a reason to de-mask someone, leaving our police vulnerable, compromised and without the powers that they have themselves requested. Why? Because they are answering to a whole bunch of radicals at the Labor state conference – which is what they are doing right now.

We know there are all sorts of other wacky things that they come up with. They all hate the AUKUS agreement.

**A member:** Not all.

**Evan MULHOLLAND:** Some people.

**Enver Erdogan** interjected.

**Evan MULHOLLAND:** I know. We saw this last week. I can usually trust Mr Erdogan on these kinds of issues. But unfortunately, it seems like the majority of the Labor Party state conference do not like AUKUS. They do not like the creation of jobs that is going to come with it. They do not like the capacity to have nuclear-powered submarines. They do not like the fact that this strengthens and protects our national security in a time of global uncertainty. There are all sorts of wacky motions.

We of course all saw – last year, it might have been, or the year before – the scenes where members of the Greens political party came to visit the Labor Party state conference at Moonee Valley Racecourse. Unfortunately, that caused a bit of a lockdown, so I read. But I would not be sufficiently taking the advice of the Labor Party state conference as gospel on these kinds of issues.

**Jacinta Ermacora:** You're such an expert. That's your advice.

**Evan MULHOLLAND:** My additional advice. I am not sure that the Labor Party state conference is the best place to start for good policy in this state.

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (15:39): I rise to speak, on behalf of my Greens colleagues, in support of this motion, which calls out the hypocrisy of our state Labor government. As has been noted already in this debate, the members of the Victorian Labor Party at the grassroots level clearly support decriminalisation of cannabis, for the last two years having voted in support of it at their state conference, and yet this government continues to ignore these members and ignore the evidence. The government ties itself up in knots to acknowledge the medicinal benefits of cannabis



while still supporting the criminalisation of recreational use. We need a health-based response to drug use in our community and not one that sees people locked up, increasing the burden on our courts, on our community legal centres and on individuals who are caught up with fines and charges they cannot afford, or worse. The system is not working, and it is time for a change.

Imagine how much could be done to prevent crime and to focus on early intervention programs if so much time, energy and resources were not being expended on charging and locking up people over a plant. What we have seen from this state Labor government is reactionary justice policy that seems to come straight out of a *Herald Sun* playbook, with the raft of new laws and so-called tough-on-crime responses seeming to be written on the fly. We saw an announcement from the Premier last week with literally no legislation ready to back up the policy. They are just throwing ideas out into the void, hoping they will stick, that the public will support them and that this will translate somehow into votes come election day. What is missing from all these announcements is evidence-based policy that will actually make our communities safer.

They are ignoring the experts, people like the community legal centres, which are begging them to offer solutions that will actually tackle the root causes and build our communities in a way that prevents crime from happening in the first place. They are begging them for a criminal legal system that is fair and just and that does not disproportionately capture marginalised communities and does not drive people to reoffend. We need way more investment in early intervention and community building programs, investment in public housing so that everyone has a safe and secure place to live, more social support and an increase to income support payments so that people in our state are not trapped in poverty.

There is a lot more that can and should be done, but these tough-on-crime slogan campaigns are not it. Around 4000 people are charged with cannabis possession in our state every year. We should be keeping these people out of the system by legalising and regulating cannabis. Labor grassroots members have voted for exactly what has been Greens policy for years. We want to see a state government owned and regulated legal cannabis industry where the taxes raised are reinvested back into social supports that benefit people who use drugs and also the wider community. Labor grassroots members know it, the Greens know it and the crossbenchers know it. Now it is time for this Labor government to act.

**Ryan BATCHELOR** (Southern Metropolitan) (15:42): I am very pleased to rise to speak on Mr Ettershank's motion. Obviously the topic of cannabis law reform in the state is one that Mr Ettershank, Ms Payne and a few others and I have had occasion to discuss on previous occasions, being members of the Legal and Social Issues Committee, which inquired into the bill that Ms Payne introduced that mirrored the settings in the ACT. We conducted an inquiry which Mr Ettershank in his contribution, and Ms Payne as well, talked through in some detail, so I will not traverse that territory again. I will, however, take a little bit of time to traverse the territory that certainly members of the government have I think a unique capacity to talk about in the course of this debate, and that is what happens at Labor Party state conferences and what they mean.

It is interesting to hear just how many people have a view about the Labor Party, its internal mechanisms and what implications we can draw from that. Unfortunately, both in terms of the contributions that have been made in the course of the debate and in terms of the motion, they just get bits of it wrong. I think it is important that we clarify some of that here. Firstly, to say – and I do not know whether this is an over-egging in the motion – at point (5), where it talks about the party's policy platform with respect to cannabis decriminalisation. You can find a copy of the Labor Party's policy platform on the Labor Party's website. You can just google it if you like. There are two places where cannabis is described in the *Victorian Labor Party Platform 2022–2026*, at 2.7.1 and 5.1.7, and both of those contain the same words: that Labor will 'continue to support access to medicinal cannabis'. That is it.

There are a range of other matters that we traverse in terms of harm minimisation, alcohol and other drug services, but if this motion purports to tell you what is in the Labor Party's platform, that is what

is in the Labor Party's platform – nothing more, nothing less. What Mr Ettershank in his motion is seeking to get to is that there were some resolutions that were passed at Labor Party state conferences that presented in terms that are summarised in the motion a position of that resolution at that conference. What I will say is that urgency resolutions passed by the Labor Party at its conference do not form part of the Labor Party's platform until the party's platform conference decides it, and that will be held next year. So we really just need to clear up what is in the Labor Party's platform and what is not in the Labor Party's platform, and I think we should do that from people who are members of the Labor Party and attend Labor Party conferences, not from people who are not. If anyone in this chamber wants to come along, if anyone in this chamber wants to see the light – it is a light on the hill, but see the light nonetheless – make the conversion, I am sure you can. There are some organisations that remain proscribed organisations in the Labor Party's rules – for good reason, I should say. I will not go into that now, because there is a bit of tension in our history about it, but they remain proscribed organisations. But unless you are members of those organisations – come along, we will let you in, and you can enjoy watching our proceedings.

The next thing I just want to quickly clarify is, again, a little bit of confusion that exists in the course of the debate here, and it is in the motion, about this revenue nirvana that a regulated cannabis market in Victoria would create. It says in the terms of the motion that a marketisation of the cannabis industry in Victoria would lead to a revenue nirvana that would be able to fund all these services. That is a position that is advocated by Mr Ettershank. I am not sure that it is entirely consistent with either the Constitution of the Commonwealth of Australia or the decisions of the High Court. As we know, under the terms of the constitution, section 90 grants exclusive powers with respect to excise to the Commonwealth, and the High Court in *Ha v New South Wales* and more recently in the Vanderstock decision held that states cannot levy an excise on goods. That is why we do not have excise on tobacco anymore. The state used to levy an excise on tobacco, but we do not anymore because the High Court in *Ha* ruled it unconstitutional. It is the exclusive power of the Commonwealth. So even if the state wanted to legalise the cannabis –

**Evan Mulholland** interjected.

**Ryan BATCHELOR:** That is why I said 'Vanderstock', Mr Mulholland. If the state wanted to regulate the cannabis market and make money from it via the means of excise, that is unconstitutional. The workaround that Mr Ettershank seemed to allude to in his remarks is that somehow we could do a deal with the Commonwealth where they could collect the tax for us, thereby circumventing this mechanism, and all of a sudden that is going to solve the constitutional barriers. The problem with that approach is that there are other sections of the Commonwealth constitution, particularly the taxation power in 51(ii), but also the provisions of section 99, which preclude the Commonwealth from applying taxation differentially between the states. So we cannot go to the Commonwealth and say, 'Can you please just levy an excise on cannabis in Victoria and pass us back the funds?' They cannot do it, because the way our federal taxation structures operate is to ensure that Commonwealth taxes operate uniformly across the country. So we cannot do a special deal and say, 'We want an excise, a tax, on cannabis here in Victoria, and can you please pass us back the revenue?' because it would be in breach of section 99 of the Commonwealth constitution. I think they may be technical arguments, but they are fundamental arguments to the tenor of this motion, because the motion says that somehow the regulation of a cannabis market in Victoria is going to allow us to fund all of these other services.

I might draw an analogy to the way that back in the 1980s Victoria was a nation leader and a world leader in the way that we used excise on cigarettes to lead a tobacco control movement. We have VicHealth in this state because the Cain government decided to put a tax on cigarettes – increase the cigarette excise – and fund health prevention measures. The problem with trying to adopt the same approach on this product as we did on tobacco in the 80s is that there was a High Court decision in 1997 which ruled that it was unconstitutional and which put all of the revenue from tobacco excise into the coffers of the Commonwealth. So we cannot just do it again, because the High Court changed its interpretation of those provisions of the constitution in the interim. It is not as simple as it would

appear on the face of this motion, and it is not as simple as what Mr Ettershank in his contribution said he would like us to do.

What we have in this state is a government that is committed to, as our platform indicates, supporting medicinal cannabis. We have facilitated the regulation of the medicinal cannabis industry, and it has enabled those who need access to cannabis for medicinal and therapeutic purposes to do so. We have that in this state, and that process is well accessed and well utilised. We also have a range of other drug and harm minimisation measures, which in particular my colleague Ms Ermacora has taken us through, and also the great work that Minister Stitt over the course of this week and last week has talked about in respect of the way that, for example, our pill-testing service is operating. But to get back to the central point about this motion and both what it says about what we as the Labor Party say – I think I have adequately articulated why that is a bit of a misrepresentation – and secondly that what the motion also thinks we could achieve by somehow creating a magical marketplace that would deliver us streams of gold is probably not a reality under the terms of our constitution.

We know there is great passion from Mr Ettershank and Ms Payne on this issue. We have talked with them at length about these issues, and we cannot deny their advocacy and their passion for the cause. This motion, however, for the reasons I have said, cannot be supported.

**David ETTERS HANK** (Western Metropolitan) (15:52): Can I firstly thank all of those who contributed to this in a very frank and intelligent and at times amusing manner. I have so much to reply to and so little time. Can I first of all pick up Dr Heath's point about Penington being the go-to place for advocates of drug reform, and could I remind you that until earlier this year the chair of the Penington Institute was indeed Kathryn Greiner – yes, that Greiner. Can I remind you also that in terms of the Penington Institute itself we are talking about, if you look at their board of trustees and directors, a royal suite of leading medical and health experts that oversee this. This is not some sort of bolshie – what did you say – go-to place for advocates of drug reform. Can I also just put some history in this too, and if I may just speak in the context of Penington and also Mr Davis, who I am really glad has joined us today. Penington was obviously employed in this place when you guys – remember; some would – were sitting on this side of the chamber, and of course Penington recommended the legalisation of cannabis. Mr Davis made a very, very erudite speech – and I genuinely compliment Mr Davis on his speech in May 1996 – endorsing legalisation and expressing a very valid concern that it could lead to increased use of tobacco. It came that close to being done almost 30 years ago, and reading the debate at that point in time it is to us deeply, deeply depressing that we are still talking the same garbage. We are still having the same futile arguments and dancing with shadows, or as Paul Keating would say, 'wrestling with a column of smoke' – doubly appropriate in this context.

I was really disappointed, Dr Heath, to hear you extensively quoting Drug Free Australia, an organisation, as we saw in the hearings, that were most prominent in their submissions for almost totally footnoting only their own publications. I will perhaps just leave it at that, because the rest was just embarrassing. Another thing just to put it into some perspective is you quoted some really impressive stats – most of them came from Drug Free Australia, so let us just take that for what it is. Can I just suggest if you want a simple indicator, look at the table of harms and look at all of the other drugs that cause so much damage to people's health. Right down the bottom at about number 15 or 20, you will find cannabis – so if we can get rid of the other 20, that would be great.

In terms of the contributions from our Labor colleagues, can I first of all thank Mr Galea for his generous invitation. I think there is something about inducing parliamentarians, but let us not go there. In taking Mr Galea's and other contributions, we have heard about how the Labor Party state conference is representative of a broad cross-section of society, and yet they voted unanimously to do that. In the context of Mr Batchelor's last contribution about the constitution: you are wrong.

**Ryan Batchelor** interjected.

**David ETTERS SHANK:** You are wrong. Can I just suggest that in terms of the advice that the former Treasurer got, you are wrong, and in terms of the advice that was provided by the Parliamentary Budget Office, you are wrong, so you are wrong. Having had that erudite legal analysis, I am surprised that you did not vote against the resolution at the state conference, but anyway, that is probably another thing. I also note that the program that you refer to on the web, whilst it goes to 2026 theoretically, was last updated in August of 2023, predating both of those state conferences. In terms of Mr Mulholland –

**A member** interjected.

**David ETTERS SHANK:** I really appreciate the advice. I often wake up and think, ‘Where will I get inspiration for political success?’ And I go, ‘Far out, I’m going to go to the Victorian branch of the Liberal Party. I mean, they know how to do their stuff.’ I love you all dearly, but seriously, I will give you a yell if I need advice, thanks. Can I just conclude by saying thank you to everyone. This is a reform that is long overdue. Yes, we have used the Labor Party platform as a foil, but at the end of the day, the case for reform – whether it is legalisation or decriminalisation – is overwhelming, and we call on the government to take action.

#### **Council divided on motion:**

*Ayes (8):* Katherine Copsey, David Ettershank, Anasina Gray-Barberio, David Limbrick, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

*Noes (29):* Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaëlle Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Trung Luu, Bev McArthur, Nick McGowan, Tom McIntosh, Evan Mulholland, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt, Richard Welch

#### **Motion negated.**

#### **Economic policy**

**David DAVIS** (Southern Metropolitan) (16:04): I move:

That this house notes that the Business Council of Australia’s *Regulation Rumble 2025* report marked Victoria last of all the state jurisdictions in providing a pro-business, low-regulation and low-tax environment to facilitate economic growth and raise living standards.

This is an important motion. It is a systematic examination by the Business Council of Australia (BCA) of Australian state and territory jurisdictions. It looks at the regulatory impact of a range of different regulations. It looks at taxation arrangements. It looks at the ability to do business without restriction and without undue interference, and it looks at it in such a way as to say, ‘Is this a pro-business environment? Is it a negative environment for business?’ And the outcome – it is different in each of the matters examined – is that overall Victoria is the worst place in Australia to do business, the place that is least satisfactory. People may want to quibble about one measure or another measure, or they may say there is too much weight on this or too much weight on that. I can tell you that the business council has not arrived at these matters lightly. They have no serious skin in the game other than they want a better environment for business nationally. That is what they want and that is what they are trying to achieve. To that extent, they are the independent arbiter of this with this state government.

The state government has not understood that the need for better regulation is now a welcome feature of the national policy agenda. They move their way through a number of different examinations here. On page 4, ‘Best for business in 2025’, overall, South Australia has the best regulatory and tax settings for doing business in Australia. It is not Victoria, it is South Australia. The report says:

Amongst the states ... Victoria remains as having the most work to do in improving its business environment. Disappointingly, this is consistent with last year’s ranking ... it is the uncompetitive ranking for property taxes and charges, payroll taxes, and business licensing requirements, that heavily weigh down the state’s ...

performance. That means Victoria continues to have much room for improvement to make it competitive from a business perspective.

As the second most populous state in the country, Victoria accounts for almost a quarter of the nation's gross domestic product. So a poor performance for the state has an outsized impact on the nation's global competitiveness.

*Members interjecting.*

**David DAVIS:** Well, I am just reading the independent umpire's view here. You may not like it, but that is the truth. You may not like it, but that is the reality of the outcomes here.

I am just going to step through some of these so that people understand. On cost and regulation:

Victoria is the least competitive state or territory in terms of cost and regulation. Its property tax settings and licensing requirements were the least competitive nationally, and it also ranked uncompetitively in terms of payroll tax costs.

It ranked eighth out of eight. That is the bottom. That is, dare I say, the wooden spoon, and I think it is a very bad outcome for the state.

**Michael Galea:** On a point of order, Acting President, I believe it has already been confiscated by the President, but Mr Davis knows better than to use a prop in the chamber.

**David DAVIS:** I will just sit it quietly there.

**The ACTING PRESIDENT (Jeff Bourman):** Mr Davis, do me a favour: can you put that out of view, because should it make a reappearance, I will call the President in to deal with it. Put it down right now. That is very cheeky of you. Mr Davis to continue unassisted, without his wooden spoon.

**David DAVIS:** I am looking at some of the points here: key findings. Despite changes in the tax-free thresholds in Victoria, Victoria's threshold remains the lowest in the nation for payroll tax. New South Wales continues to lead in the number of revenue rulings adopted, followed closely by Victoria. It says this is one little area where Victoria is doing a little bit better. It points out that Victoria raised the tax-free threshold in addition to an increased deduction phase-out rate. I am trying to be fair here. So property taxes and charges –

**Michael Galea:** On a point of order, Acting President, Mr Davis has now repeatedly referred to the Business Council of Australia as both independent and an arbiter. What is the factual basis for that? Because they are not. You are misleading the house, Mr Davis.

**The ACTING PRESIDENT (Jeff Bourman):** That is not a point of order.

**David DAVIS:** In response to the strange point of order that was just raised, I actually dealt with that – I said in the sense that they are looking for an efficient economy and a place to do business. They have no interest in any particular jurisdiction – they want to see the best jurisdiction and the best overall, is the way I laid it out. So in that sense, I said, and I repeat, they are the independent arbiter on this particular matter. So Victoria came in eighth on property taxes and charges. That is the wooden spoon again. I really think it is actually quite important. Victoria did third –

**Michael Galea:** On a point of order, Acting President, would this be the same so-called independent arbiter that the current Leader of the Opposition used to work for?

**The ACTING PRESIDENT (Jeff Bourman):** Mr Galea, could you tell me what standing order that point of order would refer to?

**Michael Galea:** No.

**The ACTING PRESIDENT (Jeff Bourman):** No, because it is not a point of order. Can we have points of order that are actually on standing orders. That would help me along greatly. Mr Davis to continue along unassisted.

**David DAVIS:** Victoria is third on costs of workers compensation, and it is eighth on licensing and requirements to do business again – another wooden spoon performance by Victoria. It is a shocking outcome. They are not trying to be unfair here; they are trying to look at ways forward. They make some very good findings. Tasmania and Victoria have the highest licensing and regulatory obligations for cafe operations, approximately two-thirds greater than in the Northern Territory. Tasmania and Victoria have the most voluminous licensing and regulatory obligations; this is nearly double those of Queensland, and they are talking about a range of different metrics here. Overall, the Northern Territory ranks first as having the least onerous licensing requirements, while South Australia is second. Victoria and Tasmania have the most voluminous licensing requirements and regulatory requirements and rank consistently in the bottom two jurisdictions on all three business types that they examined. In insurance duties, Victoria is fifth.

**Michael Galea** interjected.

**David DAVIS:** I am trying to be reasonable here and try and point to any strength. They talk about land use systems: Victoria is rated fourth. They talk about consistency: Victoria is rated fifth. They talk about certainty of the planning system: Victoria is rated seventh. I am trying to get through the transparency of that system, and they say Victoria is rated third. So it is actually important I think to see overall Victoria's position is not good. If you are a new business that is trying to open up or a business that is trying to expand this set of –

**Michael Galea** interjected.

**David DAVIS:** Well, I am just being quite clear here. Victorians are leaving the state in significant numbers. Net migration to other states and territories is significant, and that is part of the reason: people are going internationally and interstate because there are better opportunities in many regards. I say that Victoria should be the leader. We should have a lean and effective regulatory environment and a regulatory environment that is fit for purpose, a regulatory environment that achieves what it sets out to do but does not add additional layers and unnecessary layers, layers that actually do not help with the outcome that I think Victorians would want to see. We want to see new investment coming into the state. We have heard business after business after business indicate exactly that the Victorian arrangements are not up to scratch, and even when it comes to matters like crime Victoria has not been the state that has led the way. We have been a state that is dragging – a state that is the mendicant, the slow state, the state that is behind. I think most Victorians would prefer to see our state at the head of the pack rather than at the bottom of the pack.

The taxes are going to be a significant issue for the state. The debt that the state has incurred under this government – this government has allowed the debt to go up and up and up, money that has been squandered, much of it. Much of the money is through blowouts in large projects because the state –

**A member** interjected.

**David DAVIS:** That is a very small example, I have to say. What is much more significant is the massive blowouts in major projects. Even good projects that start off, and they are so much out –

**A member** interjected.

**David DAVIS:** The Commonwealth Games is a good case of money just being squandered. In July next year when the Commonwealth Games are on in Glasgow, we will be in a position –

**Michael Galea:** On a point of order, Acting President, I would like to remind the house that this is a very narrow motion, and I ask that Mr Davis stick to it. This is a point of order on relevance.

**David DAVIS:** On the point of order, it is not a narrow motion; it is a motion that talks about the business council's *Regulation Rumble* report and the rating of Victoria last. But it talks about the pro-business, low-regulation environment –

**The ACTING PRESIDENT (Jeff Bourman):** Mr Davis, before you continue too far, I am finding in favour of you. If you could just keep going, please.

**David DAVIS:** We want to facilitate economic growth. We want to raise living standards. I am going to make a point here that Victoria's living standards have fallen for most of the last 10 years. For most of the last 10 years we have seen income per head and income per household fall. That is the record of this government. The standard of living has fallen in Victoria. People are worse off than they were, and that is partly because our economy has not facilitated the growth that is required. Income per head and income per household are key figures if you want to look at the standard of living in our state, and that is generated in the end by businesses that are able to buy and sell goods and services nationally and internationally and within the state. They need to do so efficiently to deliver for Victorians. That is a critical point. If you make it more difficult for those businesses through excessive and encumbering sorts of regulations and if you make it more difficult through massive taxation – we have seen more than 60 new taxes. Sixty-three I think is the number on my website.

New taxes went through the Parliament last night. They have gone back to the Assembly and will be signed into law sometime this week or next week. Those taxes will come in – many of them on 1 January – and they will hit very hard families and businesses, even that tiny but nasty little increase from the doubling of the state government's charge on those who own pets. I mean, that is a tiny tax, but it is a very unnecessary tax. And then there are some of the taxes that are being put on through the congestion levy that we discussed last night in this chamber – that is going to impact directly on many businesses and make it harder for small businesses in those areas of the state where these new levies are being applied. All of this points directly to this state government's failure to understand what it needs to do for business. It needs to make sure that regulations are not unnecessarily burdensome. It needs to make sure that the least cost approaches are adopted where regulation is required. It needs to make sure that we move to best practice.

That was the BCA study, but the Victorian Chamber of Commerce and Industry did a study about two years ago. The VCCI study laid out the regulatory burden in Victoria and pointed out that Victoria was the most heavily regulated state. If we were to pull Victoria back to the middle of the pack, we would be much, much better off than we are at the moment. The taxes were also singled out by VCCI. They made the point that Victoria has the highest taxes for business of any jurisdiction in the country.

**Michael Galea:** We have the lowest payroll tax in the country in regional Victoria.

**David DAVIS:** I have to say that Victoria has very high payroll taxes. There are some areas where the payroll tax is a little lower in Victoria, but all over the state payroll tax is a significant burden and there are large additional burdens that have been imposed on bigger businesses. Some of those bigger businesses are now reflecting on whether they stay in the state or whether they expand into other areas.

You want to talk about payroll tax? The business council rates Victoria seventh. That is not good, is it? It is not good. You would not want to come seventh out of eight in the race. You would be running along and you would be right near the back of the pack. You probably would get a wooden spoon for that sort of performance. The business council stated:

Despite changes in the tax-free thresholds ... Victoria's threshold remains ... now tied with Western Australia. The Northern Territory has increased its threshold ...

New South Wales and Victoria continue to lead in the number of revenue rulings adopted. That is a positive, and I did read that before. But the key point here is that Victoria is facing very high payroll tax because the state government has chosen to lift the payroll taxes up and up and up and put new levies on with payroll tax.

**Michael Galea:** On a point of clarification, Acting President, when Mr Davis passes off 'some of the state', is he referring to the entirety of regional Victoria, which has the lowest payroll tax in the nation?

**The ACTING PRESIDENT (Jeff Bourman):** That is not a point of order. There is no such thing as a point of clarification. Mr Davis to continue with his contribution, please.

**David DAVIS:** There are 7 million-odd people in Victoria. A large percentage of them live in Melbourne, and those in Melbourne are paying amongst the highest payroll tax in the country. The overall rate of payroll tax is very significant, and the overall performance when you count the country, you count the city, you count the thresholds, you count the whole thing, according to the BCA, is Victoria is coming seventh out of eight. That is what they show. I will quote you from page 8 of the document: '7th'. It is not a good outcome. I would have thought you would be aspiring to do a bit better than that, Mr Galea, for our state. I would have thought you would like to see us up at one or two and more competitive than some other states.

I have to say, with well over 5 million of Victoria's population in Melbourne, you are seeing most of Melbourne being clobbered hard with payroll tax and you are seeing most of our businesses being clobbered hard with payroll tax. As I said, the new layers of payroll tax that have been imposed are causing many international firms and nationally based firms that have other offices or other outlets in the country to reflect on whether any expansion happens here. I am aware of a number of cases of firms who have said, 'No. The payroll tax disincentive in Victoria for our firm is such that we will base this new unit or this new expansion in another jurisdiction' – either in Sydney or in Brisbane usually these days. But there is also a risk for us that business and expansion in activity actually goes offshore to Singapore or the like. We are in a very competitive world now and, sadly, Victoria is not competing very well. In fact we could do much better, and I think the BCA has blown the whistle on the government's poor performance.

**Jacinta ERMACORA (Western Victoria) (16:22):** Really? Here we are again with another motion from Mr Davis that has absolutely no evidence base whatsoever. I must suggest that the only place that wooden spoon should be is in the possession of Mr Davis.

**Michael Galea** interjected.

**Jacinta ERMACORA:** Yes, or even Mrs McArthur. It seems that for the whole team under Brad – oh, sorry, John or Matt or whoever it is; it is actually Ms Wilson now – it really does not seem to make much difference to what is going on. Jess Wilson, this week's new leader, was the director of energy and climate change at the Business Council of Australia, that very organisation referred to in your motion, Mr Davis. Let us have a look at the policy settings that the BCA requires in the best interests of businesses. It is their absolute right to advocate in the best interests of business – not the whole state of Victoria, but business. Their website says:

The Business Council of Australia ... is committed to affordably and reliably achieving net zero by 2050 and supports the setting of ambitious but – importantly – achievable 2035 targets on the pathway there.

I guess we can confirm that the Liberal Party is at war with the business community on climate science and the energy transition. So like all new Liberal leaders, Jess Wilson has had to change her position on climate policy. This morning Ms Wilson refused to distance herself from her federal counterparts, who have dumped their commitment to net zero. Mr Davis, is it any wonder that you have resorted to running down the economy and community of this state? It is the only safe thing to do, given the fluidity and contrariness of policy coming from your party. I do not know how those opposite keep up with the continual flip-flop on policy. It even looks like the Liberal policy is different in the LA to what it is in the LC. Is it any wonder that you stick to the Henny Penny approach to policy, which is that the economic sky is falling in? Melbourne is a thriving city with a brand new Metro Tunnel opening in less than two weeks, a new Suburban Rail Loop underway, the new West Gate Tunnel about to open and historically low unemployment levels. It is the most livable city in Australia and the fourth most livable city in the world. If those opposite had their way, none of this would be true. If they had their way, there would be cuts to services, closures of schools and hospitals and cancellation of projects like the SRL with its 4000 jobs, mentioned so aptly by Minister Shing earlier today.



Let us have a look at the economy of Victoria and the business-friendly settings the Allan Labor government have in place to make Victoria such a business-friendly place. Over the last 10 years business investment has increased by 53.4 per cent. That is the strongest growth of all the states. This brought business investment per worker to its highest share on record. Victoria has also added more than 123,000 businesses since June 2020, in net terms an increase of 19.6 per cent, the largest percentage growth of any state. It seems like every second week we have to provide a little minilesson on economics and finance for those opposite, but I am happy that Mr Davis keeps giving me the opportunity to share the real performance of the Victorian economy. The Victorian economy is 31 per cent larger than when we came to government. Last financial year we delivered an operating cash surplus of \$3.2 billion, our third consecutive operating surplus. That is why net debt was \$4.7 billion less than forecast. State final demand, a key indicator of economic activity, increased by 1.8 per cent in real terms in 2024–25.

But I know that, according to the opposition, we are not facilitating economic growth, so let us have a look at business confidence. The economy is running pretty strong. The most recent NAB business survey shows business confidence in Victoria is in positive territory – there is an independent arbiter. This makes sense when you realise that business investment in Victoria grew by 1.2 per cent in 2024–25 and increased 53 per cent in 10 years – that is the strongest performance of all the states, as I said. Another data point, new capital expenditure by businesses, grew by 7 per cent to the June quarter, according to the Australian Bureau of Statistics, another independent arbiter. I bet you do not want to hear that, Mr Davis. It is truly independent. That means businesses spent 7 per cent more in Victoria on new tangible assets, major improvements, alterations and additions. That is the highest by far of all the states. Businesses are feeling confident about their future in Victoria and they are investing in that future. The reason for that – let us have a look at business conditions – is that conditions for business in Victoria continue to improve. The NAB survey found that improved trading conditions and profitability have brought Victorian business conditions into positive territory again. Victoria has consistently had the strongest business investment in the country, and we have cut or abolished taxes 65 times – you do not want to talk about that, do you? – including slashing payroll tax for small businesses and abolishing business insurance duty.

We know there is more to do, which is why our *Economic Growth Statement* is slashing unnecessary red tape by halving the number of business regulators. From 1 July the payroll tax threshold has been lifted to \$1 million – the lowest in the nation. This change means that 6000 more businesses are payroll tax free today. A further 22,500 businesses have received a tax cut of up to \$14,550. Importantly, Victoria also has the lowest regional tax rate in the nation as Mr Galea perhaps –

**David Davis** interjected.

**Jacinta ERMACORA:** ‘Galea’ is the way you pronounce it, Mr Davis. Importantly, we have the lowest regional tax rate in the nation at 1.2 per cent. The Victorian government is abolishing business insurance duty by 10 per cent per year over a 10-year period up to 30 June 2034. This will save businesses around \$830 million over the next five years. The Allan Labor government is delivering the biggest overhaul of Victoria’s planning laws in decades, including fast-tracking good developments, making it easier to build townhouses and slashing stamp duty for off-the-plan apartments. Instead of supporting our efforts, you have been objecting to new developments and the provision of homes for Victorians in suburbs that are well serviced. If we just take a very quick look at unemployment, the key driver is living standards, and that is employment. Employment growth was strong in 2024–25 and the unemployment rate remained low by historical standards, with unemployment averaging 4.4 per cent. That is below the 20-year pandemic average of 5.5 per cent. Unemployment remains below pre-pandemic levels, labour supply continues to grow and female participation in the workforce is at a record high. In conclusion, I would like to say that I can understand why Mr Davis and the Liberals want to run down the economy and the progress of the state of Victoria because they have got so much policy contrariness going on among all of them that you would not really know what they actually believe based on the way they vote.

**Richard WELCH** (North-Eastern Metropolitan) (16:32): I rise to speak on Mr Davis's motion. I speak to a lot of businesses. I have run businesses, and it is a passion of mine, actually. While there has been a bit of tennis back and forth across this chamber, I think if you were actually a business owner in Victoria, you would be really disappointed with the quality of the debate, frankly. When we talk about these rankings – eighth in Australia – that is the worst place in Australia to do business. It is a bit of a headline; it is a bit of a punchline. It is a bit of a thing we can debate in here, but in practice it is someone stressing over their accounts late, late into the night, worrying about their employees, worrying about their family's income and worrying about how they are going to meet their obligations. It is not a trivial thing. When we go through the list of where we are not competing in Australia – on costs and regulation, payroll tax, property taxes, licensing requirements, insurance rebates, on workers comp we are doing reasonably, and overall planning – these are not trivial things. They have really practical, tangible manifestations in the lives of people, probably the majority of people, because everyone is either doing this as their business or they are employed by someone who is employing them in this way and equally care about the health of their business.

One thing that I want to get very clear is that there has been a bit of talk of creating 120,000 new businesses in the last year, but we have also lost 108,000 businesses. There are two things to consider about that: one is that obviously we have a lot of churn in businesses going in and out of business. We have massive churn in businesses – they are not surviving. More than half are gone within four years. The other really important thing about this is that purely relying on the number of businesses and not talking about what the capitalisation of those businesses is misses the point, because if you are losing businesses that entered the market at a high capital rate and they are re-entering or alternates are entering at a lower capital rate, you are worse off. The pure number of businesses themselves does not tell the whole story; it is the capitalisation. We are not attracting high capitalisation – in fact we are skewing to smaller businesses. We are skewing in the number of businesses that actually do not have any employees. We actually have a significant number of businesses that have no employees, and there are actually more than before. The capitalisation is skewing. We are not attracting capital-dense, high-capital, high-employing businesses. We are getting low-margin sectors, and we are getting a lot of micro and small firms. They are fine in themselves, but they are not of the nature that will develop wealth for the country or for the state, and just by their pure macro number, they do not represent in and of themselves progress in the economy, so we have a composition problem in effect.

Right up until now, we have had a net migration of businesses out of Victoria. If we are going to rely on those kinds of numbers, we have lost 360 businesses in the last year, as opposed to somewhere like Queensland, which gained 1350 in cross-border changes to businesses. We have had a 71 per cent increase in insolvency appointments, so it is clearly tough to do business in Victoria. If we have had around 100,000 businesses going out of business in a year, over five years that is half a million businesses that have gone out of business at that rate.

But a lot of these figures also are backward-looking. Okay, well, that is the legacy of previous years. There is always a latency effect in terms of your settings and what impact that has on industry and business. Looking forward, the really key question above all else is: all else being equal, would you invest in Victoria now if you had a choice of other jurisdictions? You would have to look at a number of considerations around that. What we are seeing is that other states are going ahead because they are far more deal-orientated, far more business friendly and far more geared to attracting investment and willing to do so. We have churn – 'maladapted investment' is how I would put it – because our business settings and our energy settings are misstructured. The government's objective and strategy here really is to maximise its revenue accumulation rather than foster and develop revenue growth, and it is probably quite that simple.

What do businesses need? There are a range of things they need. First of all, through regulation and operation, they need simplicity in what they are doing, and they need to know that it is not overcomplex. Other states have done better than us. They need clarity; they need to be clear that the laws are clear and not ambiguous, that the criteria are plain and achievable. You need certainty; you

need to know that there are not going to be surprise taxes and that there are not going to be surprise changes or retrospective changes to laws. You need reasonableness; you need the thresholds to get up and running and approvals to be sensible, so that you are not going to be overregulated. In Victoria there are many, many instances where a singular business – I was speaking to one the other day – had to meet international, federal, state and even local government regulations on exactly the same criteria. They had to enter it four times – submit it separately four times, in vaguely separate language, in separate forms, on the same set of criteria – just to open their doors. They also need a sense of non-interference, that they will be allowed to get on with their job.

The other thing they need of course, called the life flow of business, is cash flow. We attack businesses' cash flow because we have high payroll taxes, we have long service leave portability, we have fees and levies, we have very high WorkCover premiums and we have that other hidden tax called inflation. We have the highest inflation in the nation. We have expensive rents and expensive energy. It is very hard to manage your cash flow when you are battling against that. The other thing a business needs is capital, particularly working capital. If you are in an era of high, rapid technological change, as we are, you need liquid working capital that you can move to face the new technologies, to invest in them and to innovate.

This government has done its absolute best through commercial and industrial land tax to starve our businesses of working capital. I think there is no coincidence that the productivity of Victoria started to fall away from the national averages at the same time – and at about the same proportional rate – as commercial industrial land tax ramped up, so we are now a solid 10 per cent behind the rest of the nation in innovation and productivity. You also need an ecosystem. Something that is really important for businesses to thrive is that they have an ecosystem of a supply chain or complementary businesses and technologies around them. That is about creating economic centres of gravity and also centres of IP gravity, if you like. We have not achieved that. Other states, particularly New South Wales and South Australia, have created precincts. They have already got an office for AI. They are years ahead of us, actually, in a number of areas that create those economic centres of gravity and IP centres as well that draw talent and draw capital.

At the end of the day, what this report is telling us actually is there is a premium for doing business in Victoria that does not exist in other states. It is the Victorian premium. We have to consider that the regulations are not consistent with the rest of Australia. The taxes are not consistent with the rest of Australia. The rules around doing your work here, your access to your own working capital, will be restricted if you do business in Victoria. We are eighth out of eight in many categories, seventh out of eight in many others. We are a big state with really good fundamentals, but we are being completely hamstrung by a government that does not understand business, does not take it seriously and will cherry-pick figures. You watch – the rest of this debate will be a travesty of mocking the opposition as opposed to getting under the hood and understanding the realities of economics.

**Ryan BATCHELOR** (Southern Metropolitan) (16:42): I am very pleased to rise to speak on Mr Davis's motion on the Business Council of Australia's *Regulation Rumble 2025*, which is almost as good as the Royal Rumble. Whether it is as orchestrated as the Royal Rumble, I do not know. I do not know whether the outcome of the regulation rumble is as predetermined as the outcome of the Royal Rumble, but we will see.

Certainly I would take umbrage, as my colleague did, with the characterisation that Mr Davis used in his contribution – that this report is from an independent arbiter. It is just not. I mean, it is from a vested interest group. It is from the Business Council of Australia, which represents, as it should, the interests of large businesses. But to say that it is an independent arbiter of these issues is both over-egging it somewhat, to be kind – I think that is the way I would characterise it – and a gross misrepresentation and overinflation of their position. I would be curious to see what Mr Davis thought of their analysis of the need for reform in the planning sector, which forms quite a large part of the report.

**David Davis** interjected.

**Ryan BATCHELOR:** It is not one bit; a large part of the report is about planning and the need for us to make planning reforms, a matter on which Mr Davis, if he had his way, and the Liberal Party, if they had their way, would not only stop in Victoria in its tracks but drag us backwards. That is what Mr Davis and the Liberal Party are seeking to do on a very, very significant section of this report that they hold up as being an example of the path that Victoria needs to take. I will get to that in a minute. I want to start though with looking at some of the framing that has been used in this debate. The other thing I should say about the report – and not to criticise it merely because of it coming from the place that the Leader of the Opposition used to work, but Mr Welch acknowledged in his contribution that it is a backwards-looking report, that it does not actually account for the reform agenda that this government is a part of. It looks at a snapshot in time in mid-2025. It does not take into account, particularly in a number of key areas, where the government is, following both the release of our *Economic Growth Statement* in December last year but also, particularly and importantly, the series of significant planning and building reforms that this government is championing, not all of which have come into effect yet. Therefore a backwards-looking point in time cannot encapsulate this.

**David Davis** interjected.

**Ryan BATCHELOR:** Through to the keeper, yes. I could not quite decipher the mumblings from over there. But what the report does is look backwards at certain elements of what is happening in Victoria. It does not take account of the reform directions of the government. I think that that is important to do in this debate. But it is also important to not just look at what business critiques but at what business does, because it is one thing to look at what business says in reports like this, it is another thing to look at the actual statistics about business investment, for example. I think the best way to appreciate what business thinks about the state of Victoria and the Victorian economy is to look at whether or not they are investing here. If we wanted to do a like-for-like comparison, which is a backwards-looking comparison, we would look at what has been actual business investment in Victoria over the last 10 years, and business investment in Victoria in the last 10 years has increased by 53.4 per cent.

**Harriet Shing:** Do you want to say that again, sorry?

**Ryan BATCHELOR:** Business investment in Victoria in the last 10 years has increased by 53.4 per cent, which is the strongest growth of any state. Even if we want to do a backwards look, which this report does, we should do a backwards look based on facts, based on statistics, not opinions –

**Harriet Shing:** Not feelpinions.

**Ryan BATCHELOR:** not feelpinions, when business investment in Victoria increased 53.4 per cent over the last 10 years, the strongest of every state – and I think this is the other part that is also remarkable – which has brought business investment per worker to its highest share on record. So when you account for the size of the workforce here in Victoria and look at business investment as a proportion of the workers in that workforce, you see that it is its highest on record.

So we can read what businesses say in reports like this, or we can look at facts reported by independent agencies. What those facts show us is that business investment in Victoria is the strongest of any state, and we are seeing it ongoing, we are seeing it continuing. We have had recent announcements about significant pieces of business investment. Just last week, the Premier announced the state's first major subsea fibre-optic cable. I do not know if people appreciate the significance of a subsea fibre-optic cable and its role in connecting Victoria to the world digitally – because the future is digital. Future growth in our knowledge economy is going to be driven by the investments that we make in enabling technologies like data centres, like cloud computing processing, like quantum computing processing, like the big infrastructure that is required to make it work and like fibre-optic cable. That is just part of the billions and billions of dollars of investment that is flowing into Victoria, so I do not think we should rate the success of business investment in Victoria based on a 30-page report. I think we should base it on a decade's worth of actual business investment.

In my last couple of minutes I might just spend some time talking about planning. What the report does is go through a number of areas and articulate why planning reform is critical to making sure we are best using our land and ensuring that the planning system itself is delivering good outcomes and that its permitting and approval process is efficient. It says here:

Efficiency in planning decisions is important because longer assessment and decision-making periods mean capital and resources are locked up as the process is worked through. Outcomes such as new homes, offices, warehouses or other developments are frozen until permits are received.

There is a real financial and economic burden borne by project applicants in the time taken to make decisions.

I think that sums up precisely why this government, through programs like the activity centre program, like the development facilitation pathway and like the amendments that are being delivered as part of the Planning and Environment Act 1987, is getting to this core point about making our planning system more efficient and reducing the amount of time that it takes to bring projects on to development, which in the end is going to lower the eventual cost of those developments to end purchasers for things such as dwellings.

But more critically, a large chunk of this report is devoted to the need to reform our planning system, and the Liberal Party is opposed to every single one of those reforms. Every single one of the reforms that the Labor government is making to our planning system the Liberal Party is opposed to. They are leading marches in the street against us because we are trying to improve the planning system. Mr Davis and Ms Crozier were at a march about that on the weekend. We will not take them seriously on questions of the economic performance of this state.

**Bev McARTHUR** (Western Victoria) (16:53): It goes without saying that I am very happy to support Mr Davis's motion. It is no surprise that the Business Council of Australia in their recent *Regulation Rumble 2025* report marked Victoria as worst of all state jurisdictions in providing a pro-business, low-regulation and low-tax environment – no surprise at all. For the second consecutive year the audit has confirmed what every small business owner in Victoria already knows – that is, that this state is the hardest place in Australia to do business. It is not middle of the road or even the second hardest but dead last – the absolute worst. The BCA ranked Victoria last for overall cost and regulation, worst for property taxes and charges, worst for licensing and requirements to do business and second worst for payroll tax. What more of a terrible rap sheet could you possibly want? This, we should remember, is the independent assessment of Australia's peak business organisation. The NAB regulatory impact analysis confirms life is harder for Victorian businesses than anywhere else in the country. The ratings agencies S&P and Moody's are sounding alarm bells about our economic trajectory, except when the Treasurer is cherry-picking their verdict and rearranging the words into phrases which do not appear in their report. Even the Reserve Bank warns that excessive government regulation crowds out private investment and destroys productivity. Everyone who matters is saying the same thing – everyone except this government.

A few weeks before this report I spoke here about what this means for business in regional Victoria. The Victorian Regional Chamber Alliance recently released their business health survey. The findings are devastating. Just under 40 per cent of respondents said their performance in the last six months was the worst in history. Listen to their words:

We are planning to close and sell the land within 12 months and leave Victoria.

...

Some weeks a wage is taken, other weeks a wage simply can't be taken ...

Drawing on savings to make it through.

...

Having to deal with owing money and stress is at an all time high.

These are the words of suffering businesses in regional Victoria. Why is this happening? Because the cost of doing business has become intolerable. Victoria maintains the lowest payroll tax threshold in

the entire country, hitting businesses at just \$650,000 in combined wages. Every other jurisdiction offers thresholds between \$850,000 and \$2 million. We actively punish small businesses for daring to grow, for daring to employ people. Red tape is crushing them, compliance is overwhelming, permits are delayed, insurance premiums are soaring, WorkCover costs are exploding, energy prices have doubled and, on top of all of this, these businesses are now being robbed blind by criminals as well as the government. Retail theft has surged 47 per cent. In Geelong theft has jumped from 5530 cases to 7281 in a single year. I recently spent a day there with our Shadow Minister for Police and Corrections. Retailers told us they do not even bother reporting theft anymore – there is just no point.

Having outlined the problem, I do want to ask just why it is so bad. Why is it that the government allows strangulation by regulation, legislation, taxation, employment law, energy price rises, rising crime et cetera? The answer is pretty simple: it is because, by and large, Labor have never run a business, do not understand business and fundamentally do not trust business. Business owners are not a class apart, some strange creatures with different morals who seek to enrich themselves and do not give a damn about their employees. They are real people who work long hours and take risks with their own security – sometimes successfully, often not. These are the people whose drive creates jobs and provides livelihoods to other families.

But there is a profound misunderstanding about business that exists on the left – first, because too many politicians, political advisers and bureaucrats simply have no experience of business. They have not run a business. They do not mix with business owners. They do not appreciate the day-to-day stresses. They do not see the failures. Second, they wrongly imagine that national and international corporations are typical of all business. They do not appreciate the reality of the numbers. Seventy per cent of businesses in Australia which employ any staff employ fewer than five people. In Western Victoria, according to figures from some years ago, 95 per cent employ fewer than 20, and of the 27,574 businesses in the entire Western Victoria Region, just 38 employ more than 200 people. That is 0.14 per cent. These figures will have changed in the last couple of years but surely not significantly.

Despite this extraordinary reality, so much legislation treats all employers alike. Those formulating policy are often ignorant about the fact that multinational corporations are treated in the same way as mum-and-dad family-owned businesses. Small businesses employ family, friends and close neighbours; they recognise that often their most valuable asset is their staff. There is no revolving door, no flexible labour market for rural and regional businesses. It is just not how small firms or regional towns work. You cannot just mistreat your staff and expect never to see them again. No-one would want to of course, and even if they did they would not get away with it. This anti-business ideology based on ignorance and prejudice is actually quite dangerous. It is the reason we see legislation time and again which seeks to redress the balance in favour of the workforce but in so doing makes it harder and harder for businesses to operate and employ people. Industrial manslaughter legislation, wage theft laws, class action legislation, labour hire licensing, the extension of portable long service leave, diversity weighting in procurement rules – why would anyone take the risk when the hoops they have to jump through get ever higher?

The irony is that this government claims to care about workers, yet every business that closes, every business that moves interstate, every business that decides Victoria is too hard equals jobs lost and families without income. You cannot have workers rights without workers; you cannot protect employees if there are no employers willing to take the risk. And it gets worse: not content with making Victoria uncompetitive, Labor is actively creating a patchwork regulatory nightmare – Victorian-specific wage theft laws, industrial manslaughter provisions unique to this state, different long service leave schemes. There is a widespread Victorian usurpation of Commonwealth responsibility for industrial relations. Driven by this, Labor governments need to pay back their union and activist stakeholders. The BCA's ranking is a warning; it is a signal to every business owner or investor: Victoria is too hard. And until this government understand why, until they understand that business owners are not the enemy, that small businesses are not multinational corporations and that regulation has real human costs, we will continue to slide businesses and more importantly the real people behind

them. The people who run them and the people whose jobs are at risk deserve better. I urge the house to support Mr Davis's motion.

**John BERGER** (Southern Metropolitan) (17:03): I rise to make a contribution on the motion put forward by members opposite on the business council, particularly this motion's reference to the rating from the Business Council of Australia. This short one-sentence motion touches on the BCA's view on Victoria from the perspective of a pro-business, low-regulation and low-tax environment. I want to say that I completely reject the assertion and insinuation, directly or otherwise, that Victoria is anything of the sort. This data just does not match the rhetoric.

Business confidence in Victoria is up, showing that on the whole more businesses are confident about this state's future than pessimistic. They see the strength of the Victorian economy and they know there is a stronger future here. In the Allan Labor government's budget for 2025–26 we brought our finances back into the operational surplus. It showed a very positive image for business investment. Over the past five years business investment in Victoria has grown well over 40 per cent compared to under 30 per cent in the rest of the country.

Employment has grown over 20 per cent in the time compared with under 16 per cent in the rest of Australia. If we look at the ABS data, we can see it more clearly. Five years ago 3.2 million Victorians were employed, and now it is over 3.8 million. Those opposite will cross their arms and say it was all because of COVID, but that is not true. Even a year prior to that, at 3.6 million employed persons, we see how today we have clearly grown. To put it more simply, there are more Victorians employed now than ever before. In the past five years the growth in the number of employed persons, which is a growth of over 600,000 people in employment, is equivalent to the increase between the start of 2008 and COVID. That is how strong Victoria's labour market is under the Allan Labor government, despite what those opposite will say. The data speaks for itself, and it shows more Victorians in employment than ever before, and it shows business investment flowing into Victoria and outpacing the rest of the country.

Melbourne's quarterly inflation – sitting at 1.2 per cent – is the second-lowest behind Adelaide, and capital expenditure is stronger in Victoria than in any other state, as per the ABS. In its latest set of data we can see quarterly changes to the volume of capital expenditure between states, and we see that Victoria's capital expenditure has grown around 7 per cent. Compare that to New South Wales at 2.4 per cent and Queensland which tumbled down to shrink by 4.8 per cent. Victoria is performing well and surpassing our state counterparts. The opposition has moved a motion labelling Victoria in last place in terms of fostering a pro-business environment, but I have to say that the reality is very different. The argument that we are deterring economic growth is not in line with the reality spelt out by the data. Victoria's gross state product (GSP) growth is around 1.5 per cent, ahead of New South Wales, which sits at 1.2 per cent. The year before that we had 3.4 per cent growth. This bill spells out the reality that Victoria is on the move and the economy is growing.

We are helping to grow Victoria and prepare it to accommodate a larger population. Over the past decade this Labor government has taken the necessary steps to get the economy moving to accommodate what will soon be 9 million people calling Victoria home. With a task as steep as that, complacency is not the way forward. It is not enough to keep the status quo; a challenge like this requires proactive government which will make the decisions necessary to steer the economy forward. That is why over the past several years we have made the necessary amendments to our tax arrangements to encourage and incentivise investment in our state and make it easier for Victorians to own a home. The opposition's motion here is trying to set up a false spectrum in the service of a narrative that Victoria's economy is broken. The Allan Labor government has adjusted its tax settings appropriately, cutting or abolishing taxes 77 times since coming into government to ensure that we are incentivising growth. That data shows that our plan is working.

The Allan Labor government has delivered a surplus budget while growing the economy, boosting employment and real wages. Debt to GSP is also declining. We are fiscally responsible and investing

in Victoria's future. The future we are building is one that encourages and invites business investment in this state and supports the rights and conditions of workers. It is why we continue to put in new protections which guarantee the pay, conditions and safety of workers on site doing their job. When our workforce benefits, everyone benefits, and that includes businesses, who over the past few years have seen more people join the workforce and enter jobs, and more customers. The insinuation that Victoria is in some way trailing behind the rest of the country on these matters just does not stack up. We have a free and fair business environment that encourages competition and fair pricing and upholds the rights of workers. In the last financial year there was an increase of over 16,000 businesses operating in Victoria. This shows that businesses continue to thrive here and that there is a strong economic future ahead; a reality borne out of this business sentiment, which shows a positive trend in business confidence.

What can be illustrated by the growth in the number of businesses, capital expenditure, business investment and the number of Victorians entering jobs is that we have a strong economy that is friendly to both business and workers. This new assessment from the Business Council of Australia might be appealing to those opposite, but I would have read the economic and business data first before I made the assertion that Victoria was the least inviting place to do business. Economic growth is up and the standard of living is up with the Allan Labor government's nation-leading reforms around renters' rights and worker safety and protections.

This motion from those opposite is an attempt to divert attention away from the real facts. Rather than engaging in the economic reality around businesses, taxation and investment, those opposite want to focus on sounding the ideology alarms about regulations based off a BCA report. That too is not in line with the reality of how this Labor government has cut or abolished taxes 77 times since coming into office, and it is contradicted by the strength of the business activity in this state. In those 10 years business investment has grown 53 per cent, stronger than any other state. Year on year it is up by 1.2 per cent compared to 0.7 per cent nationally.

We are continuing to work with the changes to payroll tax, which is directly mentioned in this report. But that report conveniently leaves out the Allan Labor government's new tax-free threshold for payroll taxes on businesses which exempts businesses which earn less than \$1 million, complemented by the fact that over 22,000 businesses received a tax cut of up to \$14,550 with the lowest regional tax rate possible. While this motion would like to point to this report from the business council that touts Victoria's payroll tax arrangements, just as is the case with the economic data, this just does not stack up with the reality – the reality where more businesses are being exempt from these payroll taxes based on their income, ensuring small businesses are able to get ahead.

I am proud of the work the Allan Labor government has put into ensuring Victoria's economy remains strong and Victoria remains a fantastic place to live, work and invest. It is the direct result of the government's policies, which have led to Victoria retaining one of the strongest credit ratings in the world and some of the strongest economic data anywhere in the country. No matter what those opposite say, Victoria is a good place to invest and it is a good place to do business. It is just as good a place to come to work and a great place to settle down.

As Victoria's population continues to grow, I am excited to see what future opportunities lie ahead, fuelled by this growth in both the number of people living here but also the number of people finding work and the number of businesses calling Victoria home. Businesses are continuing to invest in this state at a rate stronger than the rest of the country. We are seeing more and more businesses set up shop in Victoria. We are seeing Victoria's economy grow even stronger, and the living standards of Victorian workers are being protected by legislation, keeping them safe. This motion is attempting to build a narrative that is in direct contradiction to these facts, and for that reason I will not be supporting this motion from those opposite.

**Sheena WATT** (Northern Metropolitan) (17:11): What a delight to get the call and speak this afternoon on Mr Davis's motion regarding the Business Council of Australia's *Regulation*



*Rumble 2025* report, and whilst being surprised to get the call, I am entirely thrilled to get up here and make some points on what, well, is a very difficult report for me to get behind, I must confess. This is a motion that tries to paint Victoria as a difficult place to do business. Anyone who spends time speaking with employers, with startups and with manufacturers or our tech sector knows that it is simply not reflected in their experience. The story on the ground is not one that is told in the pages of this report. Victoria has built a reputation both nationally and internationally as a place where ideas can grow. We have some of the best universities in the world, and they feed talent into the industries that need it most. We have modern public infrastructure that keeps goods and people moving. We are investing in homes for workers and applying real pressure to the cost of industrial land. These are the fundamentals that matter to investors. They are the things employers look to when they are deciding about where to go for their next job.

Let me point to some facts if I may. Over the last decade business investment in Victoria has risen by more than 50 per cent. It is the strongest growth of any state. Even in the past year to June 2025, Victorian business investment grew at more than – here is a shocking number – twice the national rate. I had to read that over more than once because I was so shocked at the number – more than twice the national rate. Since 2020 more than 123,000 new businesses have been created here. This is a 19 per cent increase; it is the largest percentage growth in the country. This is not luck or coincidence. It is the reflection of a decade of policy choices designed to drive business confidence. It reflects the work this government have done on skills, the long-term commitments we have made to infrastructure and the stability we provide in government. It also reflects some things Victorians should be enormously proud of: entrepreneurs – they have backed themselves; migrant communities – they have built new enterprise; family businesses have expanded and stepped into new markets.

When we talk about business creation, we are talking about people who took a risk because they saw the promises in this state. Only last week we saw announcements that confirm this confidence. Victoria will be home to the first major subsea fibre-optic cable, a project that strengthens our digital connections. International flights are returning to Avalon, which I know our folks over in the west and out in Geelong are incredibly excited about because it will open new opportunities for tourism and, importantly, jobs. The world-first quantum diamond fabrication facility is being established here by Quantum Brilliance; a \$300 million manufacturing base is coming to Dooen from the Asia-Pacific – there you go; and Mondelēz International's new national distribution centre will be located in Truganina. These are real projects backed by real capital coming to Victoria because investors see strength and they see opportunity.

In regard to the report that actually is the substance of the motion brought to us by Mr Davis, presented by the Business Council of Australia – which, I think it is important to reflect, the new Leader of the Opposition used to work for – it ranks Victoria last. For me it clearly shows that it knows nothing about our state. It does so by using a really narrow methodology that ignores major policy settings without considering the practical experience of businesses right here. When a report omits the day-to-day measures that shape the costs of a business, we should be cautious about the conclusions that it draws. For me, I am particularly reflecting on payroll tax as an example, and the report focuses on the top rate; it ignores the steps we have taken to support small businesses by lifting the payroll tax free threshold to \$1 million, up from a \$700,000 threshold a couple of years ago. 32,000 small businesses will now pay less or none at all. That is a significant change. It puts money back into the hands of employers and helps them hire and invest, yet it is missing entirely from this ranking.

The report also fails to take into account the lowest regional payroll tax anywhere in the country. This is not a hidden policy. The report also states that it does not account for regional payroll tax rates. Those regions are home to thousands of employers. When a report overlooks that, the results become distorted. Insurance duties are another example, one that I know many in this place have spoken to, and we are committed to abolishing business insurance duty over the decade. In the first five years alone, businesses will save more than \$800 million. That is money that can be spent on wages, equipment, expansion, research and development, yet the report ranks us near the bottom without

properly recognising the commitment that is in fact already in place. When you remove these omissions, the report looks very different from the one presented by the business council.

We have one of the highest business participation rates in the country. Regional unemployment is lower here than anywhere else in Australia. Consumer sentiment is moving in the right direction. Since the pandemic, Victoria's business investment has risen by 41 per cent, compared with 32 per cent for the rest of Australia up to the June 2025 deadline. We also know that the work is not finished, and that is why this government has delivered the fully funded *Economic Growth Statement*. It is a practical plan to make it easier to do business. It halves the number of regulators and updates outdated licensing systems, and it moves some paper-based processes, frankly, into the modern world. It identifies the pressure points businesses have raised with us and addresses them directly. At the heart of the statement is the goal to reduce the regulatory burden on businesses by half a billion dollars. That is the kind of reform that makes a real difference. It helps small and medium enterprises; it supports family-run companies, who need straightforward systems so that they can get back to serving their customers; and it clears the path for new industries, including advanced manufacturing, quantum technology and clean energy.

When those opposite are talking about the economy, they often speak as if none of this is happening. Those opposite are more than willing to trash their own colleagues and trash the Victorian economy. They overlook the thousands and thousands of new businesses created over the last five years, they ignore the steady growth and investment, they leave out the commitments we have made to long-term economic planning and instead they rely on selective readings of external reports that do not reflect the full picture and, as I said, are based in some methodology that I have rightly questioned.

There are business owners across Victoria who are working hard every day. They are hiring apprentices, and I thank them for that. They are training new staff and taking full advantage of free TAFE right around the state. They are navigating complex supply chains and inflationary pressures. They need stability, constructive policy and partners in government who understand their challenges and respond to them. This government has delivered tax relief through 77 separate tax reductions since coming into office. We have expanded the off-the-plan stamp duty concession and abolished stamp duty on commercial industrial property and replaced it with a more efficient annual tax based on unimproved land value, and I recall making a contribution on that. We have supported exporters who are breaking into new markets. We have invested in industrial land development. We are replacing outdated systems with modern digital processes. These choices all point to the same aim: making it easier to start, run and grow a business in Victoria. When it is suggested by the motion before us that Victoria is the worst place in the country to do business – the claim made by Mr Davis in the motion brought before us – it sits at odds with what businesses themselves are choosing to do. They are choosing to come here. They are choosing to expand here. They are choosing to employ here, invest in the next generation, invest in research and development and of course invest in the future of their businesses.

A credible assessment of our business environment must not only include the parts that really suit a predetermined argument. The business council report fails because it omits major tax reforms that are already underway. It disregards regional tax settings. It overlooks the evidence that Victoria continues to lead the nation in business creation and sustained investment. It does not reflect the confidence investors continue to show in our state, evidenced by so much of the facts that are brought before us in this contribution and the contributions made by my colleagues earlier today. Victoria's economy is strong, and our plan for growth is clear. It is based on real investment, real reform and a commitment to making this state the best possible place to do business in. With that, I will conclude my remarks.

**Renee HEATH** (Eastern Victoria) (17:21): I just want to make a few remarks on some of the things that have been said today. First of all, the motion before us was put here by Mr Davis, and it is speaking about the Business Council of Australia's *Regulation Rumble 2025*, which clearly points out that Victoria is last of all state jurisdictions in providing pro-business, low-regulation and low-tax environments to facilitate economic growth. That is not a statement that has been made up by

Mr Davis; that is the reality that Victorians are living in. I have been, quite frankly, quite disgusted to see that rather than looking at the reality of this and rather than accepting the truth that in Victoria roughly 400 businesses shut down per day – 400 businesses per day – and about 152,000 businesses shut down every year, rather than addressing and facing up to and acknowledging the truth of that statement, they have been making cheap shots and jokes somehow about the opposition. I just think, like, come on guys, go and have a chat to a constituent every now and then, because there are businesses in every one of these regions that are shutting down. There are families that are having their dreams absolutely crushed. There are families that have to pull their kids out of sport, out of ballet, because the tax regulations are crushing in this state.

I want to talk about a few things that this government has completely failed to acknowledge. The first one is: in this state, like I have said, 400 businesses close per day – not per week, not per month, not per year, per day. If you go out and walk some of your main streets, you will see that small business after small business has shut down. The Labor government have not created an environment for them to flourish. No, they are shutting down and going and getting other jobs or struggling or doing what they need to get by, or they are leaving the state because it costs more to grow a tomato in the state of Victoria than it does in any other state or jurisdiction in the whole country. That is not because of Labor's responsible management. It is actually offensive the way you have treated this.

The second thing is Victoria has the highest exit rate of businesses just about every day. I do not know the numbers on this, but just in my own electorate three major businesses have shut down and gone interstate because it is easier to comply with regulations, it is easier to keep up with the tax burdens, in any other state than it is in the state of Victoria. That is not because of your success. The spruiking that those guys have spoken about, I think, just shows the disconnection between people that sit on the government benches and people that are doing it tough and contributing to society and contributing to the economy out in the real world.

The third thing is that this Labor government, since coming into government, has introduced 62 new or increased taxes. Actually it is more than that, because even though they have had to increase and add more taxes over 60 times, they still had to add the emergency services levy – regardless of the fact that funding to the CFA is being cut. If you are taking in extra funds to apparently fund emergency services and volunteers and all these sorts of things, when the price of that levy is going up times 100 per cent essentially, how is it that you cannot afford to do anything but cut the funding to the CFA and cut the funding to these things?

The reality is that this government cannot manage money, and because of that inability to manage money, they have to just keep taxing more and more to just plug these holes. It is a bucket full of holes, this state. And regardless of the fact that there have been well over 60 new or increased taxes, there is still a health crisis, there is still a crime crisis and there are still cars that cannot drive on the roads safely because they are full of potholes or there are no traffic lights and these different things. That is not because of Labor's incredible economic ability and its incredible business environment. That is not what it says. The statistics and the truth are – I will read it again:

... Victoria last of all the state jurisdictions providing a pro-business, low-regulation and low-tax environment ...

It is eight of eight. It is dead last. And that is not a good thing, no matter how you guys try to spin it. That is the truth and that is the reality of the matter.

What I would encourage some government members to do is come down to my region in Pakenham. Maybe walk down and see that businesses are absolutely suffering because they are getting ramraided, because they are getting robbed and because they are getting their windows smashed in just about every night and they have to bear the brunt of that cost. Maybe you should come and see them and see if you could still stand there and give the speeches that you just gave, because quite frankly you are out of touch and completely disconnected with reality.

I just want to say in closing that the Liberal and National parties will always stand for small business, because small business is the lifeblood of our economy. Money does not grow on trees. It is created from the hard work of everyday Victorians that come into this state or are born in this state, who contribute, do their very best and pay their taxes. What then should happen is they should at least have good roads to drive on, their kids should be able to go to a good school, there should be police and not the 2000 police vacancies we have in the state of Victoria at the moment. They should have police that turn up when they need them. They should have ambulances that can take them into a hospital without ramping. If you think that all of this is not connected, I think you really should think again. I absolutely thank Mr Davis for bringing this motion to the house, and I hope that you all vote for it. I commend this motion to the house.

**David DAVIS** (Southern Metropolitan) (17:28): I am honoured to move this motion because I think it is a very important motion. It drags the central problem that Victoria is facing – our economy has been ruined by this government, our debt has grown massively and we have targeted and made it very difficult for businesses across our state. The Business Council of Australia, to their credit, have blown the whistle on this. They have done a systematic examination. There are a lot of things in here that I think the BCA could add. They could look at energy costs – they could look at the growth in energy costs and what that is doing. They could look at the availability of gas and the number of businesses that we are losing because our gas prices have gone up and gas supplies are now inherently less secure under this government than they were previously. All sorts of things could be added, but it is a fair attempt to try to rate the states and to say which jurisdiction is providing the best pro-business environment, the lowest regulation, the best tax environment and an environment that enables businesses to grow and thrive and allow investment to happen to the best effect.

Let me be clear: the results are in. Victoria came last – last out of eight. I think the state should be very worried about that, because it is a pointer to the failure of this state government. This is a major area for reform. The Victorian Chamber of Commerce and Industry has done similar work and looked at regulation, taxation and the problems that our state is facing. It came to similar conclusions because those are the facts of the matter. It is more complex here to run businesses, the regulations are worse and the taxes are heavier, with more than 60 new taxes under this government and massive increases in the tax take. The tiny areas where the state government has tweaked tax and maybe reduced a tiny tax here or there are overwhelmed by the huge increases in taxes. If people doubt that, go and look at the tables on my own website. You can see the taxes tracked year by year back to 2013, and you can see the growth in every category of tax and aggregate state taxes. It is really cutting in big time, and it is making us less competitive. I say the BCA has blown the whistle on this government's performance, and that is why I brought this motion.

**Council divided on motion:**

*Ayes (13):* Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Renee Heath, Ann-Marie Hermans, Wendy Lovell, Trung Luu, Bev McArthur, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

*Noes (20):* Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney

**Motion negatived.**

*Business of the house***Notices of motion and orders of the day**

**Renee HEATH** (Eastern Victoria) (17:37): I move:

That the consideration of the remaining notices of motion and orders of the day, general business, be postponed until the next day of meeting.

**Motion agreed to.**

*Statements on tabled papers and petitions***Parliamentary Workplace Standards and Integrity Commission**

*Matter Involving the Member for Western Victoria Region and the Member for Warrandyte District:  
Investigation Report*

**Sonja TERPSTRA** (North-Eastern Metropolitan) (17:37): I rise to make a statement on a report which was tabled in this chamber, the Parliamentary Workplace Standards and Integrity Commission investigation report concerning the member for Western Victoria Region and the member for Warrandyte district – otherwise known as manure-gate. In May this year we witnessed an act in this Parliament that was not only inappropriate but deeply disrespectful to this institution and to the people we serve. Members from both this chamber and the other chamber brought cow manure into Parliament House and delivered it to the Premier's office. Let me be clear: this is the people's Parliament, it is a workplace and it is a place where we welcome school groups, community organisations and members of the public, whether for tours or meetings or simply to enjoy the fine dining made by the incredible staff of this place. It is also a place with a proud tradition of protest. These steps of the building have long been a space for democratic expression, and rightly so. But what occurred in May went far beyond a protest. It was a stunt that undermined the dignity of this place. The report outlines the incident plainly:

- on 20 May 2025 Mrs Beverley McArthur MLC brought a box purporting to contain animal excrement into the vicinity of the Premier's office at Parliament House
- on 20 May 2025 Mrs Nicole Werner MLA facilitated the act of bringing a box purporting to contain animal excrement into the vicinity of the Premier's office at Parliament House.

This was a deliberate act carried out in a secure area of Parliament. It was not only a juvenile and inappropriate action but a reflection on the kind of behaviour that some on the other side seem willing to excuse or even encourage.

I want to speak personally for a moment. In recent weeks I have received a surge of messages online which are not only abuse but threats to my life. Comments like 'Where's a sniper when you need one?' and suggestions that I should be pushed under a train are not just vile; they are designed to threaten, intimidate and silence. But they will not succeed. They will not stop me or this government from delivering for Victorians: whether it is opening the Metro Tunnel, providing real cost-of-living relief, delivering free kinder and free TAFE or bringing back the SEC, these are policies that improve lives. But they do not warrant threats to kill me or threats to my livelihood, my safety or that of others around me. Put quite simply, when those opposite claim that safety is their top priority, I urge them to reflect on the impact of their words and actions and who they seek to embolden in doing so. What we do in this place matters. How we conduct ourselves matters, and this Parliament deserves better. Victorians deserve better. Do not bring literal excrement into this place and then act like you are the holy purveyors of the high moral ground. We all need to do better. Inciting or encouraging such vile hatred and threats cannot be tolerated.

**Department of Transport and Planning***Report 2024–25*

**Wendy LOVELL** (Northern Victoria) (17:41): I rise to speak on the Department of Transport and Planning's annual report 2024–25, which was tabled on 30 October this year. Page 33 of that report talks about the amount of road area that has been patched in regional Victoria. The target was 1,033,000 square metres. What did this government achieve? They achieved only 566,000 square metres, 45 per cent below the target, so it is no wonder the roads in regional Victoria are so bad. The *Weekly Times* commented on this, saying:

Department of Transport annual reports show the government only managed to undertake maintenance work on 2.2 per cent of the state's dilapidated regional roads in 2024–25, compared to 5 to 6 per cent of the network in the years leading up to 2022–23.

We see that roadworks in regional Victoria are declining whilst roads are falling into a dangerously bad state of disrepair. Yet in this house last week we had Ms Terpstra tell us her opinions of this. She said that Jacqui Felgate had fabricated a story about potholes on a road. What Ms Terpstra told us is that the Labor Party are pothole deniers. They do not think there are potholes because Ms Terpstra could not see them in a photograph. There are many potholes in regional Victoria, and the visuals that are being put up on Facebook do not lie. In fact just today I was sent some posts from up my way, from Yackandandah and from Beechworth. The Yackandandah drone Facebook page, on 5 November, had two pictures of two ducks enjoying a very large pothole on Yackandandah Road.

**Sonja Terpstra:** On a point of order, President, Ms Lovell is using a prop, and I ask that she not be allowed to use that prop.

**Wendy LOVELL:** I am quoting –

**Sonja Terpstra:** No, you are holding up a photo and waving it around the chamber.

**Wendy LOVELL:** I was not holding it up to you.

**The PRESIDENT:** I do not uphold that point of order.

**Wendy LOVELL:** We can see in this photograph that was on the Yackandandah drone page that that portion of the road had been repaired before but the pothole has grown so large that two ducks were enjoying themselves in it. In Beechworth there is a pothole on Sydney Road that is so large that they call it the cold plunge pool. They are saying that they could go in and enjoy that after a sauna. In fact someone creatively posted a picture of this very large pothole that is very deep with people in it enjoying a cold plunge after their sauna.

Ms Terpstra does not take roads seriously, but the Liberals and National parties do. We know that the state of our roads is so bad because this government is not investing in proper maintenance, and when things are being maintained, they are not being repaired properly. Several people have contacted me about the state of road repairs. In fact I witnessed one day, in the middle of the pouring rain, some people out pouring some pre-mixed material into a pothole, and you knew that just was not going to last when the pothole was already full of water.

I was once contacted by a constituent who has many years of experience working in road construction. He told me that most worksites do not even use the correct equipment to ensure the repairs meet the required standard. He ended up resigning from one company because he knew their dodgy repair practices would mean the same section of road would have to be redone in a few months time. In 2023 I complained to the minister about the poor state of repairs on Katamatite-Nathalia Road, which had been repaired using pre-mix that broke up when the first large vehicle drove over it. Not only are these roads in country Victoria dangerous, they are disgraceful. The government need to start taking them seriously, but as Ms Terpstra has told us, the Allan Labor government are pothole deniers. They do

not think that there is a problem. They cannot see the potholes. Ms Terpstra needs to get her glasses checked, because the roads are a disgrace.

### **Victorian Health Promotion Foundation**

*Report 2024–25*

**Ryan BATCHELOR** (Southern Metropolitan) (17:46): I rise to speak on the Victorian Health Promotion Foundation's annual report, which was tabled on 30 October. VicHealth since 1987 has been making a real difference to our healthcare system and the health outcomes of all Victorians. What I wanted to reflect on in this contribution is not VicHealth's overall work but the work that they do partnering with Quit Victoria. Along with the Department of Health, they are one of the two big funders of Quit Victoria. Recently Quit Victoria celebrated its 40th anniversary, and I wanted to congratulate Quit and all the staff there for 40 wonderful years of leading tobacco control efforts here in Victoria and to commemorate their milestones.

Quit recently launched a new campaign called So Many Reasons, and it is continuing its work promoting cessation services like Quitline – which operates here in Victoria but also services other jurisdictions as well so that people who want to get some help to quit smoking have got somewhere to go – as well as continuing its work advocating against the tobacco industry. Quit helps people by doing two things: it focuses on denormalising the culture of smoking through communication campaigns and through regulation, and it also provides cessation support. If you can remember back before 1985, before Quit was a feature of public health in Victoria, tobacco was everywhere: advertised on billboards, in print, in cinemas and in retail settings. It sponsored arts events and it sponsored sporting events. It was everywhere, and there were no health warnings. Smoke-free areas did not exist. People smoked in the office, at the pub, on aeroplanes, in restaurants and of course at home, in cars and around children.

When the then Anti-Cancer Council, as it was, the Heart Foundation and the Victorian government in 1984 got together and launched the No Butts campaign, what we did not know was that that would spark the establishment of Quit Victoria, which was established in 1985 following the huge success of their first efforts. Quit Victoria has become an iconic brand here in Victoria. Throughout the 1980s and 1990s, supported by the new VicHealth and funded through an excise on tobacco products, the Quit logo and the Quit message soon appeared in all sorts of places, including on AFL jerseys, at surfing competitions, at skating competitions and at youth events right across the board. As I mentioned earlier, the significant and now nationally accessible Quitline was launched in 1985, giving resources and counselling to people trying to quit smoking. Importantly, Quit has never been shy at taking on the powerful interests of the tobacco industry. It has been persistent, it has been evidence based and it has fought the tobacco industry every step of the way to make our community safer.

Their work is not done. They have achieved a lot, but their work is not done. Smoking is still an addiction that kills. Cigarettes are products where, if you use them exactly as the manufacturer intends, there is a pretty good chance they are going to kill you. And we know of the scourge of vaping in our community, which has undermined a lot of the efforts that we have made particularly here in Victoria on tobacco control and smoking cessation. With things like nicotine patches on the way, the work of Quit Victoria is ever more important. They have had a great 40 years so far – 40 years of progress and 40 years of impact. I say thank you to Quit. Here is to 40 more years.

### *Petitions*

#### **Rossdale Golf Club**

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (17:50): I move:

That the petition be taken into consideration.

This petition carries the weight of 2042 signatures, and while over a thousand signatures were ruled out on a technicality, the accepted number still exceeds the high bar set for paper petitions. These

signatures speak for many of the nearly 7300 residents of Aspendale, 6500 of Aspendale Gardens, 6300 of Edithvale and other surrounding suburbs. I welcome some of my constituents and the deputy mayor Cr Sarah O'Donnell from Yammerbook, which is the area that this represents.

Let me be clear from the outset: this debate is not about denying the housing crisis – there is one. It is not about opposing new homes – we support them. But we will never support planning laws being abused, communities being sidelined and homes being built where they should never be positioned. Sadly, this is precisely what could happen at the site of the Rossdale golf course if approved by the planning minister.

For months I have stood in solidarity with the people of Aspendale, Aspendale Gardens, Edithvale, Mordialloc and Chelsea as they have fought to save Rossdale golf course. Raising this in Parliament, I have met with organisers and I have attended a community forum with hundreds of residents. The anger in that room was palpable. Locals challenged the claims of consultation and called out their street names, saying they had never been consulted. Their voices must be heard.

Kingston City Council is the relevant planning authority, and even Minister Kilkeny has confirmed this in writing. The council has complied fully with the government and its directions, yet the minister bypassed council and referred the proposal to the Priority Projects Standing Advisory Committee without notice. A directions hearing was held on 11 August, but council was given just two weeks to respond, and this is a clear denial of procedural fairness. The proposed development may cram 700 to 1000 dwellings into a flood plain, including wetlands with protected species. That represents a 25 to 30 per cent increase in Aspendale's housing stock on just 8 per cent of its land. It is completely unnecessary. Kingston's mayor has repeatedly said that they do not need this development to meet housing targets. Even the advisory committee confirmed environmental assessments remain incomplete and biodiversity protections are missing.

This site is geographically significant – 43 hectares, or about 12 per cent of Aspendale. As Melbourne grows, open space becomes paramount if we are to remain a livable city. Golf courses across Victoria, including Rossdale, have seen memberships surge since COVID, with Victorians seeking open space for mental and physical wellbeing. Rossdale golf course's membership has grown by over 90 per cent since 2019. This is not a dying asset; it is a thriving community space. Ecologically, Rossdale adjoins Melbourne's only internationally recognised Ramsar-listed site, the Edithvale wetlands. These wetlands are a vital green corridor supporting threatened waterbird species and preserving biodiversity. The site contains 1861 trees, and 66 per cent of these are native.

Development risks pollution, habitat destruction and flooding. Melbourne Water have sounded the alarm, warning of risks to life, property and the wetlands if development proceeds without robust planning. They have called for detailed flood and groundwater studies, climate modelling and biodiversity assessments, none of which have been properly completed. All of this has been found in the Ombudsman report, which was dropped this month. It is called *When the Water Rises: Flood Risk at Two Housing Estates* and follows a parliamentary complaint that was referred by this Council. With more homes comes more congestion, crowding in schools and health centres and pressure on employment centres.

Kingston council does not need this development to meet its housing target. Councils and communities are rallying against it for the sake of their liveability, sustainability and the preservation of their open space. Victorians want open space. It is essential that planning authorities think carefully before approving developments that would irreversibly damage community assets and ecological treasures. Rossdale golf course is not just land, it is a vital part of Aspendale's identity, environment and future. This petition, carrying thousands of voices, makes that case powerfully. I call on the government to listen to the community, to respect Kingston council's authority and to preserve Rossdale for generations to come.



**Tom McINTOSH** (Eastern Victoria) (17:55): The Allan Labor government is committed to delivering more homes for more Victorians in the places people want to live – in well-connected, well-serviced locations across our city and our state. It is why we have introduced some of the boldest housing reforms in the country, and it is why we are focused on making sure that those homes are built in all the right places, they are built well, they are built to last and that as communities grow, they have good access to public transport, services, schools, parks, hospitals and all the things that help us maintain healthy, happy lives. This is about gradual, long-term, sustainable change that will create the right conditions for industry to deliver the homes Victorians need. Today's reforms will ensure we meet our targets over the next 10 to 25 years.

Let us be clear: this proposal has not been fast-tracked, nor is it deliberately bypassing community. It is disappointing but not surprising that those opposite would seek to stoke this lie and create further community division. Every proposal is considered on its merits, and every submission will be considered, including Kingston council's, who have been actively engaged as part of this process. Rosedale golf course wrote to the Minister for Planning, requesting that she prepare, adopt and approve an amendment to the Kingston planning scheme to facilitate residential development at Rosedale golf course in Aspendale. The proposed amendment relates to an existing private landholding used as a golf course and within a special use zone: SUZ1 – golf course land. The proponent contends that the use of the land for a golf course is no longer viable and wishes to relocate and facilitate residential development on the site. The Minister for Planning has referred this request to the Priority Projects Standing Advisory Committee. The committee will provide advice to the minister on whether the first five steps of the planning guidelines for the conversion of golf land to other purposes have been completed satisfactorily and whether the project should proceed further.

This process is only considering whether the guidelines have been met, and there will be no consideration on whether an amendment should be prepared, adopted and approved by the Minister for Planning. Part of the committee's terms of reference is to consider whether the proponent has developed a comprehensive community consultation program and undertaken sufficient consultation – step 5 of the planning guidelines. The committee has engaged with Kingston council as part of their hearings, giving council the opportunity to not only provide technical advice about the proposal but also raise the well-known concerns and views of the community about this proposal. This process is not about silencing voices or bypassing the council, nor has the proposal been fast-tracked. On the contrary, it is embedded within the golf course redevelopment guidelines that the community must be consulted, and it recognises the value of their voice in considering whether rezoning is appropriate. There will be further opportunities for community and stakeholder consultation on this proposal in the future. The Allan Labor government is committed to working with council and community to ensure they have a say in the future of Rosedale golf course, whatever that may be.

Community feedback on our *Plan for Victoria* was crystal clear. Victorians want equitable access to green spaces to improve the health and wellbeing of existing and future communities. As part of the Allan Labor government's *Plan for Victoria*, the government has already committed to increasing tree canopy in urban areas by setting a target of 30 per cent tree canopy cover per LGA. In growth areas we will require planting canopy trees as a requirement for all new residential development. We are also protecting existing canopy trees, requiring a planning permit for the removal of canopy trees over 5 metres. I will leave my comments there.

**Renee HEATH** (Eastern Victoria) (17:59): Firstly, I would like to acknowledge the petitioners that have made sure that they have recorded their issues with this, and I want to also acknowledge Mrs Hermans, who has just been an incredible advocate for her community. Secondly, I just want to address some of Mr McIntosh's comments – this is not about blocking building. This is about a pattern, which Labor is so entrenched in, of riding roughshod over rights and community voices and completely ignoring them. As Ms Bath often says, they do not consult with the community, they go in and they tell people what the predetermined position is and then they go in and they say 'Oh, we consulted the community' when that is entirely false. I rise to speak on a petition signed by more than

2000 residents from Aspendale, Edithvale, Chelsea, Mordialloc and Aspendale Gardens. This petition calls for the protection of Rossdale golf course and the adjoining Edithvale wetlands from large-scale residential development. This is not a fringe issue – a fringe issue or a niche issue does not gain over 2000 on-paper signatures. This is thousands of local residents, families and community organisations raising their voices in defence of environmental integrity and good planning that does consult and include communities and community wellbeing.

Rossdale sits beside Edithvale wetlands, Melbourne's only internationally recognised Ramsar-listed wetland system – the only one. This landscape is not just an open space, it is a vital ecological corridor supporting threatened birdlife species and water life species, native flora and biodiversity. It cannot be replaced once it is destroyed, yet the proposed development seeks to just completely rip apart that community amenity, completely destroy the whole thing – against the wishes of the community, from what I understand – and to construct between 700 and 1000 dwellings on just 8 per cent of its total land. Melbourne Water has issued cautionary advice and warnings, identifying significant risk to life and property due to flooding, groundwater movement and environmental sensitivities. They have requested flood modelling, climate-based assessments and biodiversity studies, and those demands should not be treated as just roadblocks and bureaucratic obstacles – they are safeguards to prevent irreversible mistakes. There is a fundamental planning principle – a principle established for safety, logic and long-term resilience: you do not build houses where things are going to flood, like here, or in high-risk fire zones. Yet here we are attempting to justify development on a known flood plain beside a protected wetland.

The argument that the golf course is a failing asset simply does not stand up to scrutiny. Since COVID golf participation across the state has surged. Ask your old boss that – if he has managed to find a golf club that he can actually join. But Rossdale's membership has increased by 90 per cent since 2019. Golf Australia itself has confirmed that the site was not to be sold or closed unless a suitable alternative site had been identified. That condition still remains unmet, so the City of Kingston is legally recognised as the planning authority in this situation. The minister acknowledged that, it is in writing, yet the proposal was escalated to the Priority Projects Standing Advisory Committee without prior notice, once again bypassing local authority and local voices.

We acknowledge the need for new houses. We absolutely acknowledge that one of the legacies of this failed Labor government is an incredible housing crisis. There are so many people on the waitlist trying to get into a home; it is unaffordable for young families to get in – we acknowledge that. But homes must be built where they are safe, sustainable and appropriately supported by infrastructure. I thank Mrs Hermans for bringing this petition to the house, and I urge you to support it.

**Bev McARTHUR** (Western Victoria) (18:04): I rise to support Mrs Hermans's petition, and I rise to acknowledge the nearly 3000 people who signed the petition. I acknowledge those who have come here to listen to this debate and those that might be listening online, but also those who are attending an AGM right at this moment. I understand 100 of them are there – 100 people, citizens concerned about this issue – and this fight is ongoing because there is clearly very strong support from the community for this cause. It is ridiculous that the government have imposed this edict on the community. They do not listen to councils, they do not listen to the community, they do not listen to anybody in this state. They run roughshod over everybody, whether it is in a planning development or whether it is with transmission lines crisscrossing this state, impeding fabulous farming country or environmental areas. And now they want to fine people if they do not allow access to private property. This is a shocking situation we have got into in this state, where the government absolutely mandates everything, whether it is housing targets, energy programs, transmission lines or anything else. They just do not care about the community.

In this case Mrs Hermans has done a great job in advocating for her community and being concerned about this ridiculous rezoning. We have to acknowledge also the efforts of Kingston council, who ridiculously are dealing with monitors – two of them – at great cost to the council, over \$1200 a day each. That is nonsense. It is costing them just because the minister does not like what the council have

said or are doing. What an absolute disgrace this government is. They have clearly listened to their community. They are advocating for their community, like Mrs Hermans here, and they certainly do not need monitors. I met with mayor Georgina Oxley and CEO Peter Bean earlier this year, and I was absolutely impressed by their professionalism. I cannot believe the government think that council needs monitors. Anyway, I have told the minister that if you want to introduce monitors you should pay for them, not the ratepayers. Stop cost shifting onto the ratepayers and councils at every opportunity.

Council have said repeatedly that they can meet their housing targets without state interference, and I find this across the sector. They have actually worked with their community to develop housing strategies which will deliver homes. But the real problem in the housing crisis, so called, is that the government have imposed taxes, charges and regulations. We have got cultural heritage assessments and an extraordinary cost of labour thanks to your giving in to every union demand on every Big Build project. You are soaking up all the materials. Nearly 50 per cent of the cost of a dwelling is your fault. It is the government's fault. This housing crisis is a government-inflicted problem. And do not then say, 'Well, the councils have got to fix it, the ratepayers have got to fix it, and we will just run roughshod over your area, even though you've got a plan to produce housing in your particular area.' The opposition is strongly supportive of housing development, but it needs to be in keeping with the community and their expectations, and it needs to be away from flood- and fire-prone areas.

Councils continually write to me concerned about the government's approach to planning. They are interfered with, there is ministerial intervention, and the government have introduced planning amendments, but they fail to consult. They do not consult with the councils and they do not consult with the community. They are a monumental disgrace. All I can say is: keep on fighting, because you should not have this nonsense imposed on you. Congratulations to Mrs Hermans. Congratulations to Kingston council. Congratulations to all those concerned citizens, the ratepayers of Kingston, who are trying to do the right thing by their community. It is about time the government learned to do the right thing by the people of Victoria.

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (18:09): It is a great concern to me that the government has shown so much disrespect to this community, which is watching online and, sadly, through no fault of its own, announced and declared publicly an AGM where 100 people with the Save Rosedale Action Group are meeting as we meet here. The chamber on the other side is empty, with not a single councillor – not Mr Galea and not Mr Tarlamis, who is here in the room but is not speaking – speaking up about their community and about the Rosedale park and the golf course that needs to be retained. I want to thank the councillor and my constituents who have made the journey and those who could not because they are angry and at the AGM for the Save Rosedale Action Group.

This is a parcel of land that needs to be saved. This is a community that needs to be listened to. On behalf of the thousands who signed this petition and the thousands that are out there that are constantly talking to the council, the community and the Save Rosedale Action Group about this situation, I say this is a community asset and it needs to be protected. This is the Rosedale golf course, and I call on the government to listen, to act and to preserve the Rosedale golf course for generations to come. It is simply not good enough that when we have petitions from local people who live around the area and know the area they are not listened to. These wetlands are precious, and you cannot build homes on floodplains. It is irresponsible. It cannot be done. It should not be done. It is below sea level. What on earth is the government thinking? They need to listen to Melbourne Water. They need to heed its warnings and its concerns. They need to listen to the local council, and they absolutely need to learn to listen to the local community. I call on the government to be responsible and respectful. The way they have done this debate tonight – not even having a local member or a minister speak – is appalling, and so I say it is an absolute disgrace. Listen to the people.

**Motion agreed to.**

*Adjournment*

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (18:12): I move:

That the house do now adjourn.

**Tiny Towns Fund**

**Jacinta ERMACORA** (Western Victoria) (18:12): (2145) My adjournment is for the Minister for Regional Development Jaclyn Symes. Round 3 of the \$20 million Tiny Towns Fund is now open for communities under 5000 people. The action I seek is an update on how this round will prioritise projects that strengthen community connections and boost regional visitation.

**Fire services**

**Renee HEATH** (Eastern Victoria) (18:12): (2146) My adjournment tonight is directed to the Minister for Emergency Services. In Eastern Victoria Region, Labor is moving ahead with three large battery energy storage systems. They are proposed for Darnum, Shady Creek and Longwarry. This is a farming region. Families have worked this land for generations. Protecting soil and water quality is absolutely crucial. Many locals are worried. They have seen how this went wrong earlier this year with the Moss Landing battery fire in California – it burnt for hours, and toxic smoke spread across nearby farms. Soil tests later showed heavy metals had settled through the area. The cause is still unknown, and the long-term impact is also unknown.

These battery projects are planned in the middle of Victoria's food-producing area. This region supplies huge shares of our dairy and fresh produce. If lithium ion batteries caught fire there, it would damage the land, and the impacts of that would be absolutely immediate and widespread. What concerns us is simple: our firefighters cannot safely extinguish even one electric vehicle battery fire – they have said so themselves – but Labor are still charging ahead with battery facilities that are a thousand times bigger than those EV car batteries, and they are to be placed in some of Australia's most high-risk fire areas. This will create a serious gap in our firefighters' capability. Blindly approving massive energy storage sites without equipping the supporting emergency services to handle them is, quite frankly, irresponsible and extremely unsafe. It leaves our regional communities that we all rely on exposed yet again and extremely vulnerable. The action I seek is: will the minister commit to providing specialist equipment and training so firefighters can respond safely to these fires, and will she ensure that this is in place and these things are in operation before any battery energy storage system projects in Eastern Victoria Region proceed?

**Bayswater North Primary School**

**Sonja TERPSTRA** (North-Eastern Metropolitan) (18:15): (2147) My adjournment matter this evening is for the Minister for Education, and the action I seek is for the minister to outline how the Allan Labor government is supporting every student at Bayswater North Primary School to thrive. On the other side of the world from Bayswater North, Zohran Mamdani was recently elected mayor of New York City. While there are many differences between Bayswater North and New York City, one belief we can all share is his statement that our education system must prioritise equity from the earliest grades, ensuring that every child has the opportunity to thrive regardless of background. This principle resonates here in Victoria, where we know that investing in our schools and supporting every student from the start is fundamental to building a fairer society. At Bayswater North Primary School initiatives like the ninja playground, which I had the privilege of opening last year, provide students with safe, engaging and stimulating spaces to develop physically and socially. Beyond physical infrastructure, programs such as the Camps, Sports and Excursion Fund are helping eligible families with the costs of camps, sporting activities, excursions and incursions, ensuring that no student misses out on essential educational and social experiences because of financial barriers. I ask the minister to outline how the Allan Labor government is continuing to support Bayswater North Primary and

schools across Victoria, ensuring that every student, regardless of their background, has access to the resources, programs and opportunities they need to succeed.

### **Victorian Fisheries Authority**

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (18:16): (2148) My adjournment is directed to the Minister for Outdoor Recreation, and the action I seek is for the minister to acknowledge significant concerns that cannot be overlooked with the release of the Victorian Fisheries Authority annual report for 2024–25 and to reinstate our scientists and fisheries officers. While the authority presents this report as a record of achievements and progress, and I acknowledge the hard work of its staff, the glaring concerns cannot be overlooked. Firstly, the report exposes ongoing failures in sustainable fishery management. Despite repeated warnings from environmental experts and community stakeholders, commercial and recreational fisheries remain under pressure from overfishing, declining stock levels and weak enforcement of regulations. The authority is struggling to meet sustainability targets, yet the report fails to outline clear, actionable strategies to address these shortfalls. The dismissal of key scientific professionals has only compounded these problems.

Secondly, the report acknowledges issues with compliance and enforcement. While new monitoring initiatives and patrols are mentioned, illegal fishing and noncompliance persist, particularly in regional areas. Staffing and resourcing appear insufficient to safeguard Victoria's limited fisheries resources. Thirdly, there is a worrying lack of clarity regarding community engagement and stakeholder consultation. The report notes engagement activities, but feedback from recreational fishers, traditional owners and regional communities appears to have limited influence on decision-making. Effective fisheries management cannot succeed without meaningful participation from those who live, work and rely on these resources. The financial statements show rising operational costs, yet the report does not adequately explain how these funds are translating into measurable improvements in fishery outcomes or long-term sustainability. Victorians deserve transparency and accountability when public funds are being used to manage shared natural resources.

Finally, while the report highlights innovation and research and conservation programs, these remain piecemeal and reactive rather than part of a comprehensive, proactive strategy. The ongoing threats from climate change, habitat degradation and invasive species are acknowledged but not matched with strong forward-looking plans. The protection of Victoria's fisheries is vital for environmental, cultural and economic reasons. Yet this report shows that the authority is not fully meeting its obligations to ensure sustainable, fair and well-managed fisheries for all Victorians. I therefore call on the minister to take immediate steps to strengthen oversight, transparency and sustainability measures within the Victorian Fisheries Authority and to reinstate the relevant scientific experts whose knowledge is essential to securing Victoria's aquatic resources for future generations.

### **Energy policy**

**Katherine COPSEY** (Southern Metropolitan) (18:19): (2149) My adjournment matter is for the Premier, and I ask her to advocate to the federal government to stop ConocoPhillips progressing their oil and gas drilling projects in the Otway Basin. The US fossil fuel giant ConocoPhillips has started drilling at the Essington-1 well in the Otway Basin. Drilling at a second well, Charlemont-1, is scheduled to begin in December. The fossil fuel corporation breezily says:

We are hopeful that we will find natural gas from these two prospects to support Australia's domestic gas market.

They wilfully ignore that Australia already produces far more gas than is needed for domestic use but that most of that goes to export and that demand for gas in Victoria has been steadily decreasing. Shamefully, Labor lets these gas corporations peddle their lies and drive dangerous climate change, all while wrecking our precious marine environment. The Otway Basin drilling project is incompatible with the science, which tells us that we need to rapidly transition away from fossil fuels and cannot open new projects. It is incompatible with Australia's climate goals and meeting 2035 and 2050

emissions targets. It is incompatible with Victoria's legislative requirement to achieve 95 per cent renewable energy by 2035. Why on earth is the government allowing it to proceed?

This project will worsen climate impacts, which are already costing us all. The cost of natural disasters in the first half of 2025 was reported as hitting \$2.2 billion nationally. Gas exploration will devastate our marine environment as well as threatening the liveability of our planet through enormous emissions. It involves seismic blasting, which turns vast swathes of our oceans into dead zones. For what? For a bunch of polluting gas that we do not need and that the industry admits is unlikely to add additional supply to the market within the decade. The Australian Energy Market Operator has underlined that gas use in Victoria is going down due to the combination of electrification of residential energy, people reducing their expenditure to address the cost of living, and decreasing gas consumption by commercial and industrial users.

So let us be real: this is gas that will destroy our climate and our oceans. It is fossil gas that we do not need now and well and truly will not need in 10 years time. This has nothing to do with the public good in Victoria: it is all about gas industry profits. Labor needs to stop the gas industry taking Victorians and Australians for a ride and killing our planet while they do it. Premier, if your Labor government believes in climate action, you should be doing everything in your power to stop ConocoPhillips gas drilling off Victoria's coast.

#### **Vocational education and training**

**John BERGER** (Southern Metropolitan) (18:22): (2150) My adjournment matter is for the Minister for Education in the other place. Thousands of students across the state have just finished their VCE exams, moving over to further education. In my electorate of Southern Metropolitan Region, Holmesglen Vocational College offers a two-year VCE Vocational Major program through their trades academy for students aged between 16 and 18, with a focus on practical, hands-on learning to promote employability skills in a vocational setting alongside key education in literacy, numeracy and personal development and progressing in either a pre-apprenticeship, a traineeship or a full apprenticeship in the second year of the program. As a former secretary of the Transport Workers' Union, I know how important the trades are in employment, the economy and state development, and I think it is excellent that our Labor government is committed to supporting vocational education and training for young people. The action that I seek is for the minister to update me on how the Allan Labor government is supporting the Holmesglen Institute in Chadstone and what more the government is doing to support vocational education in my electorate of Southern Metro.

#### **Regional and rural roads**

**Bev McARTHUR** (Western Victoria) (18:23): (2151) My adjournment is to the Minister for Roads and Road Safety, and the action I seek is for the minister to oppose the federal government's push to reduce the default speed limit nationwide. Federal Labor minister and member for Ballarat Catherine King is presiding over a disastrous plan to slash the default speed limit from 100 kilometres an hour to a range between 90 and 70 kilometres an hour on unsigned country roads. While I accept that the national road toll is worsening, the Albanese Labor government's solution is ill considered, short-sighted and thoughtless. In Victoria it is a temporary fix to a perennial problem created by the Allan Labor government, which is deliberately underinvesting in country roads. Matters could not be more different in New South Wales. According to recently released Parliamentary Budget Office data, this government is spending 13 per cent less on road maintenance per kilometre than New South Wales. The New South Wales Minister for Roads and Minister for Regional Transport Jenny Aitchison noted that they will not be implementing blanket speed zone reductions across regional New South Wales. She is not the only one – Western Australia Labor Senator Glenn Sterle called the proposal rubbish and nonsense, noting that the road transport industry struggles day in and day out to be safe, sustainable and viable. I could not agree with them more, and I sincerely hope this government will do the same.

If a council wants to reduce the speed limit on a particular road and advises the department accordingly, that is fine. But imposing a blanket limit on rural roads with little consideration of their

condition frankly beggars belief. As it is, Australia's labour productivity has been steadily declining over the last 20 years, from 1.8 per cent in financial year 2004 to 0.8 per cent in financial year 2025. According to the National Party's Kevin Hogan, reducing the speed limit to 70 kilometres an hour would see productivity fall by around 30 per cent on average. In hourly terms, a blanket 80-kilometre speed limit would see a Vite Vite resident spending an extra 30 hours annually behind the wheel to do daily school runs between Skipton and back. In dollar terms, for a dairy processor running 10 trucks daily, an extra 30 minutes per trip could cost several hundred thousand dollars annually. Country Victorians travel long distances for work, school, health care and daily life. They should not be punished because governments neglect their roads. I call on the minister to stand with regional communities, reject this proposal and fix our roads.

### Child sexual abuse

**Rachel PAYNE** (South-Eastern Metropolitan) (18:26): (2152) My adjournment matter is for the Attorney-General, and the action I seek is for information on how reforms to vicarious liability will be protected against tactics used by institutions to avoid accountability. Yesterday, 18 November, we celebrated the World Day for the Prevention of and Healing from Child Sexual Exploitation, Abuse and Violence, recognising that every child deserves a safe and happy childhood. This day was created to raise awareness about the prevalence of child sexual violence and to mobilise action for prevention and healing, including by holding perpetrators to account. In 2022, when the United Nations formally declared this world day, survivors of child sexual abuse, including several who experienced abuse by clergy, joined with representatives in the General Assembly to urge action.

Holding perpetrators of institutional child sexual abuse to account is something I have called for many times in this place. That is why I welcome today's introduction of legislation to reform vicarious liability laws by the Victorian government. These reforms will address the consequences of the High Court's decision in *Bird v DP* and ensure the law of vicarious liability applies equally in cases of historic institutional child abuse, regardless of whether the perpetrator was technically an employee.

While it is disappointing that it has taken the government several months from when I introduced my private members bill on this issue, it was great to see the government provide for the consequences of this delay. Importantly, these reforms will allow victim-survivors to have a settlement or judgement that occurred between the High Court decision and the commencement of legislation set aside. For those affected by the *Bird v DP* decision, this gives them the chance to try again. While it was great to see this legislation finally introduced, we know that institutions have a history of using loopholes, like the scrapped Ellis defence, and intentionally drawing out legal processes in the hopes victim-survivors will give up or die. Understandably, victim-survivors are concerned that institutions may still try to evade accountability even after these long-awaited reforms to vicarious liability take effect. I ask: will the Attorney-General advise how reforms to vicarious liability will be protected against tactics by institutions to avoid accountability?

### Sunshine train station

**Trung LUU** (Western Metropolitan) (18:28): (2153) My matter is for the Minister for Transport Infrastructure in relation to the government's commitments to the Sunshine station master plan, noting the commitments to the master plan and Melbourne Airport rail are two separate things. The action I seek is for the minister to provide a clear timeline and funding commitment for the implementation of the Sunshine station master plan to ensure that this precinct development is prioritised alongside the Melbourne Airport rail project. Sunshine is set to become one of Melbourne's most significant urban renewal precincts, unlocking up to \$8 billion in private economic development, creating over 29,000 jobs and attracting over 43,000 potential new residents in Melbourne's west. Yet despite this opportunity, progress beyond the station itself has stalled. Ahead of the 2022 state election the then Andrews Labor government announced \$143 million for the first stage of the Sunshine station master plan, alongside a commitment for Albion station and Keilor East. But today, while works at the Sunshine superhub are scheduled to begin in early 2026, there is little clarity on the surrounding

precinct development, being the Sunshine station master plan. This lack of progress risks undermining the vision of Sunshine as a vital destination, not just a transit point. Without investment in its retail, hospitality and public space the precinct will fail to deliver the economic and social benefits promised to the west and its residents. Sunshine must be more than a station for trains and travellers. It must be a hub for jobs, tourists and growth. I call on the minister to commit on delivering the master plan in full, with proper connectivity and precinct activation. Melbourne's west deserves more than just a promise – it deserves action now.

### Youth crime

**Georgie PURCELL** (Northern Victoria) (18:31): (2154) My adjournment matter is for the Attorney-General, and it relates to the government's youth justice policy. Last week the government announced its latest slogan-based crime policy – adult crime, adult time. I must say that I never expected to see the Victorian Labor government so blatantly follow the lead of the Queensland LNP when it came to our justice policy. The immediate response from community legal centres, youth organisations and the wider legal sector has been loud, and it should be heard by this government. I am not for a moment ignoring worsening crime in Victoria. I know that Victorians are starting to feel unsafe in their homes and going about their lives. That is not acceptable, and it is something that we must address as a Parliament, but the government's latest measure will not reduce crime or make Victorians safer. What it will do is harm young and vulnerable Victorians.

The recently announced violence reduction unit is a positive step. Many of us have been calling for better early intervention programs for some time now, but for those already caught up in the justice system 'adult crime, adult time' condemns youth offenders to a life behind bars. Even the state Ombudsman has taken the extraordinary step of issuing a warning about this policy shift. She has warned that it will lead to less humane treatment of young inmates, less effective rehabilitation and no improvement in community safety. Already this year we have seen a 20 per cent increase in allegations of misconduct from prison and youth justice services, including the use of force and misuse of power. Considering all of the justice changes made by this government, the Ombudsman has predicted a 157 per cent increase in youth justice complaints. Keeping kids in the justice system also poses the risk of them being turned into hardened criminals and staying in the system into the future.

Let us remember that they are just kids. Many of them have turned to crime because they have been failed by the settings that are supposed to protect them. Many of them have been victims of crime themselves. This comes at a time when the government is slashing all of the things that we know are proven to prevent offending in the very first place: a good education, housing, access to family violence services, community services, community sport and the list goes on. In its desperate bid to be re-elected the government has sent a clear message that vulnerable kids should be condemned to a life of misery. So the action that I seek is for the minister to explain whether the government will instead focus their efforts on preventing crime before it begins rather than responding with blunt, punitive life sentences that just do not work.

### Planning policy

**Evan MULHOLLAND** (Northern Metropolitan) (18:34): (2155) My adjournment is to the Minister for Planning, and the action I seek is for the minister to explain herself and explain her hypocrisy when it comes to planning. I want to point to her ministers statement in the lower house today, where she actually quoted me and quoted my great maiden speech as some sort of point of attack, where I said:

... it is immoral that large sections of our inner cities, flush with good transport, schools, health care ... remain almost flat, with obsolete overlays denying young Victorians a chance to buy their first home where they want to live ...

which is true. But the Minister for Planning might want to speak to her old friend Richard Wynne, who spent eight years of government opposing any sort of sensible development. She also might want to speak to Minister Erdogan or the member for Broadmeadows, who worked with Richard Wynne



while on council to oppose development in Brunswick and to slap on height limits in Brunswick. That is the hypocrisy we see.

I want to play a bit of a game of ‘guess who said this’. I will read a quote, and people can guess. First quote:

Unlike those opposite, the Andrews Labor government recognises that community and public participation is important and absolutely central to planning law and policy in Victoria. Unlike those opposite, the Andrews Labor government believes very strongly in giving a voice to the community.

Who said that? It was the Minister for Planning, in 2015. Here is another quote:

We have a very strong community spirit in ...

insert suburb.

As residents, we are very proud of our beautiful environment and we want to see development that is appropriate to the area.

Well, that suburb is Carrum, and that quote is from the Minister for Planning. Another quote:

We know all too well that increased development in and around Melbourne and other regional centres throughout Victoria inevitably puts enormous and intense pressure on our heritage and puts that heritage at risk.

One guess at who that was – the Minister for Planning. The Minister for Planning is an absolute hypocrite when it comes to these issues. As we know, they passed the VCAT amendment enabling objectors bill 2015, Brian Tee’s handiwork, which has caused a lot of the issues in our planning system. The Minister for Planning can get up and use my quote as she has, like, five times – it is getting tiresome – or she can admit to her hypocrisy for the majority of this government.

**Gayle Tierney:** On a point of order, President, the member is reflecting on a member of another house, and I ask for it to be withdrawn. It was twice he called the Minister for Planning a hypocrite.

**The PRESIDENT:** I think we have before deemed calling someone a hypocrite unparliamentary, so I ask him to withdraw that part of it.

**Evan MULHOLLAND:** I am happy to withdraw that part. I can say ‘disingenuous’.

**The PRESIDENT:** Yes, it is a weird sort of ruling in that you might get away with saying something like that, but a ‘hypocrite’ is another thing. I uphold the point of order, and thank you, Mr Mulholland.

### Yackandandah-Wodonga Road, Staghorn Flat

**Rikkie-Lee TYRRELL** (Northern Victoria) (18:38): (2156) My adjournment this evening is for the Minister for Roads and Road Safety, and the action I seek is for urgent repair works to be carried out on Yackandandah-Wodonga Road, C527, in my electorate of Northern Victoria. A section of this road just north of Staghorn Flat has had persistent issues for several years. My constituents report that repair works only last a few weeks before potholes reappear, sections of the road start sinking and the road surface begins to crumble. Yackandandah-Wodonga Road is the main thoroughfare for many residents travelling to work, and it is also a significant route for tourism in the region. A constituent reports that the current partial road closure, controlled by traffic lights due to a substantial sinkhole, is now causing significant delays, increasing frustration and affecting both locals and visitors. With the Christmas holiday period approaching, this situation becomes even more urgent. This road will carry a high volume of tourist traffic, and the current condition poses a real safety risk to all road users. Full repairs need to be undertaken as a matter of priority to ensure the safety and reliability of this essential route in the community. Minister, the action I seek is for urgent repair works to be carried out on Yackandandah-Wodonga Road, C527, in my electorate of Northern Victoria.

**Mernda swimming pool**

**Wendy LOVELL** (Northern Victoria) (18:39): (2157) My adjournment matter is for the Minister for Community Sport, and the action that I seek is for the minister to substantially increase the amount of state government funding allocated for an aquatic facility in the Mernda regional sports precinct. Last year I asked the Minister for Community Sport to confirm the amount of money allocated towards the Mernda regional aquatic and sports centre. The minister advised me that the state government had allocated \$20 million in the 2023–24 budget towards the sports and aquatic centre, a project envisioned to have an indoor stadium, outdoor sports courts and a swimming pool. Ten million dollars of that has been used to build an intersection and an access road into the sports precinct, and the other \$10 million has been used to start work constructing the sports courts. Whittlesea City Council endorsed a business case for the precinct that included a 50-metre pool, and the entire sports and aquatic precinct was costed at around \$180 million. Local residents got their hopes up and believed they might finally get the pool that Mernda has been waiting for. However, the people of Yan Yean are now feeling very let down by the Allan Labor government, which refuses to guarantee sufficient investment for a future aquatic facility. The member for Yan Yean has flagged that the state government only intends to contribute \$10 million for the pool, which is estimated to cost around \$100 million. The pool has been dropped from the plans and from the name, and now it is just the Mernda regional sports precinct.

Recently the member for Yan Yean conducted a community survey in order to pressure Whittlesea Council to provide the rest of the funding for the pool – a massive amount of money for a council in a designated growth area that is bursting at the seams and struggling to meet demand for services. How embarrassing it must be to be a member of the Labor Party, the party in government, and unable to convince your own party to properly fund a pool for Mernda. It is even more embarrassing for the member that she fails to understand why Whittlesea council would find it difficult to afford the swimming pool. The final report from last year's inquiry into local government funding and services found significant cost shifting from the state Labor government down to local councils. Cost shifting involves a drop in the state government's proportion of funding for valued services such as libraries or maternal and child health or the imposition of new responsibilities on councils without increased funding from the state to carry out these services, like the requirement for councils to implement a four-bin waste and recycling system. These extra costs come at a time when the state government has limited the capacity of councils to raise revenue with the state government's rate-capping policy. The Allan Labor government is squeezing councils from both sides, but it expects the City of Whittlesea to stump up \$100 million for the Mernda pool when the state is only putting in \$10 million. The member for Yan Yean has her priorities all wrong.

**Responses**

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (18:42): There were 13 adjournment matters. All will be referred to the relevant ministers.

**The PRESIDENT:** The house stands adjourned.

**House adjourned 6:43 pm.**