



# **Hansard**

## **LEGISLATIVE COUNCIL**

**60th Parliament**

**Thursday 5 March 2026**



# 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, Gaelle	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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**Thursday 5 March 2026**

**The PRESIDENT (Shaun Leane) took the chair at 9:32 am, read the prayer and made an Acknowledgement of Country.**

*Committees*

**Environment and Planning Committee**

*Inquiry into Climate Resilience*

**Ryan BATCHELOR** (Southern Metropolitan) (09:34): Pursuant to standing order 23.22 I table a report of the inquiry into climate resilience, including an appendix, extracts of proceedings and minority reports from the Environment and Planning Committee, a replacement for the copy tabled on Tuesday 12 August 2025. I move:

That the report be published.

**Motion agreed to.**

**Ryan BATCHELOR:** I move:

That the Council take note of the report.

Just by way of a brief explanation for what is going on here for the benefit of the chamber, the Environment and Planning Committee tabled its report into climate resilience in August last year. Early this year some eagle-eyed readers found a typographical error in the original report, which had rendered on page 101 a recommendation that should have been a standalone recommendation in the report incorporated into the text of a paragraph. The committee had agreed that it should be a recommendation, and after the committee's time with the report there was a mistake in the production process and it was not listed as a recommendation. This version corrects that error and renumbers the rest of the recommendations. In substance the report is the same.

**Motion agreed to.**

*Papers*

**Papers**

**Tabled by Clerk:**

Water Efficiency Labelling and Standards Act 2005 – Water Efficiency Labelling and Standards scheme – Report, 2024–25.

*Production of documents*

**Construction industry**

**The Clerk:** I table a letter from the Attorney-General dated 4 March 2026 in response to a resolution of the Council on 18 February 2026 on the motion of Mr Davis relating to corruption in the CFMEU. The letter states that the date for the production of documents does not allow sufficient time to respond and that the government will endeavour to provide a final response to the order as soon as possible.

**David Davis:** On a point of order, President, the Leader of the Government may like to tell the chamber when the CFMEU documents will be provided. Is there any proposed trajectory on those? 'As soon as possible' – when is that?

**The PRESIDENT:** I do not think that is a point of order.

***Business of the house*****Notices****Notices of motion given.*****Committees*****Environment and Planning Committee*****Reporting dates***

**Ryan BATCHELOR** (Southern Metropolitan) (09:52): I move, by leave:

That the reporting date for the Environment and Planning Committee's inquiry into the 2026 summer fires across Victoria be extended to 28 July 2026.

**Motion agreed to.****Legal and Social Issues Committee*****Membership***

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (09:52): I move, by leave:

That Sheena Watt be a participating member of the Legal and Social Issues Standing Committee.

**Motion agreed to.*****Members statements*****Pako Festa**

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (09:53): Recently I had the great pleasure of attending the 44th Pako Festa in Geelong, one of Victoria's largest and most vibrant multicultural celebrations, with 55 nationalities represented. It was fantastic to see thousands of families, friends and visitors sharing in the joy and the spirit of the day. Congratulations to Cultura and the volunteers, performers and community groups who once again made the day such a success. A highlight was the announcement of a \$250,000 investment through the multicultural business precinct revitalisation program to create a new pocket park on Pakington Street, providing an inclusive space for multicultural gatherings, community events and public art. I am proud that the Allan Labor government continues to support this iconic event, which so beautifully reflects the values of inclusion, respect and belonging.

**International Women's Day**

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (09:54): On another matter, but consistent with the theme of inclusion, we mark International Women's Day on Sunday 8 March, with many events being held right across the state and in particular in Western Victoria. It is an opportunity to celebrate women's leadership and strength, and I acknowledge Jaime Woollett and Tracey Melville from Geelong Women in Trades. They are leading an inspirational grassroots movement of support and connection and empowerment of women, building confidence, creating genuine pathways and ensuring women feel safe and supported in their workplaces. Both Pako Festa and International Women's Day remind us that empowering community communities begins at the local level through inclusion, opportunity and lifting each other up.

**Housing**

**Gaelle BROAD** (Northern Victoria) (09:54): Victoria has the highest property tax boom in Australia. Despite the Labor government spruiking their big housing targets, last year only 54,300 homes were built, the lowest number of homes built since 2014. Labor want to build high-rise towers, but according to the Grattan Institute over 80 per cent of the homes Labor brag about are not

commercially viable. Over 56,000 people are on the social housing waitlist, and the number of available rental properties continues to fall. Labor are making it harder for young Victorians and families to get into a home. The Liberals and Nationals have announced our housing plan for more homes and more choice, and we will ensure money is spent on infrastructure to deliver roads, schools, utilities and community facilities. Our plan will deliver more homes in the right locations with the right infrastructure and sustainable growth that meets the needs of regional communities. We will work with local councils to support new housing developments across the region and focus on revitalising the centre of Bendigo. The Allan Labor government just focus on Melbourne. The Liberals and Nationals are focused on the whole state. We want to give every Victorian the best opportunity to own their own home.

#### **Mansfield hunting and fishing expo**

**Jeff BOURMAN** (Eastern Victoria) (09:56): On Saturday 28 February I went to the Mansfield hunting and fishing expo in Mansfield. It was the second one that they have held out in Mansfield, and it was massive. It was even larger than the initial one, which I guess was a bit of a toe in the water to see how it worked. The whole day was just completely full of people coming past and talking and enjoying the atmosphere. There was plenty of food, and there was plenty of parking. It is a credit to the organisers, the Mansfield Hunting & Fishing shop. The size and the increase are a testament to the increase in popularity of this recreation, which, despite the best efforts of some urban activists, continues to grow.

#### **Western Suburbs Soccer Club**

**Trung LUU** (Western Metropolitan) (09:56): Last week I had an opportunity to visit the Western Suburbs Soccer Club in Sunshine West, a devoted local sporting club that has been a cornerstone of the community for decades. Built and sustained by volunteers, families and dedicated members, the Western Suburbs Soccer Club is a true grassroots club. This club serves as a gathering place for people of all backgrounds, where children learn resilience and teamwork. Sports play a crucial role in the community in connections. Currently the club fields 15 teams, both senior and junior, with between 220 and 250 players. Including the parents, coaches and volunteers, the club community is over 500 strong. The junior program continues to grow each year, reflecting the increasing popularity of soccer in our community. We know how much it costs per kid to play these days. It is great to hear that the Western Suburbs Soccer Club is deeply embedded in community and committed to keeping registration fees as affordable as possible. They firmly believe that every child, regardless of circumstances, should have access to community clubs and sports. The commitment sets them apart from other clubs, especially considering they are situated in one of the most disadvantaged seats in the area. The club actively raises money and seeks sponsors to ensure that children from disadvantaged families can afford registration, uniforms and equipment to play. I acknowledge Charlie, John and Sam and the entire Western Suburbs Soccer Club for their efforts and commitment to promoting sports in the western suburbs.

#### **Gina Poulos**

**Lee TARLAMIS** (South-Eastern Metropolitan) (09:58): It is with great sadness that I acknowledge the passing of Gina Poulos, a remarkable woman whose life was defined by service, compassion and selfless dedication to the community that she loved. Gina passed away peacefully on Sunday 21 February surrounded by her loving family. Her legacy, as a beacon of hope and compassion, will continue to empower us as we remember her unwavering commitment to supporting those in need. For two decades Theodora House in Seaford, the charity organisation she founded, has been a lifeline for individuals and families facing financial hardship, delivering around 400 food hampers and over a thousand precooked meals each week and operating an extraordinary emergency relief food pantry. Gina's tireless efforts ignited positive change, and her unrelenting passion and perseverance inspired countless others to join her in making a meaningful difference. I feel privileged to have had the opportunity recently to join over a hundred people to share in the joy of celebrating her life with her

family, friends and colleagues, and I am deeply grateful for the time I had with her. Gina's remarkable life serves as a powerful reminder of the impact one person can have when driven by kindness, generosity and compassion. I, like many, will miss her, but I know that her legacy will continue to inspire future generations to strive for positive change. In recognition of her outstanding contributions Gina received the Fair Go medal at the Pride of Australia Awards in 2014, the \$1000 prize at the Frankston City Council volunteer awards in 2020 and the Hellenic Australian Chamber of Commerce and Industry excellence award for community service in 2021. I extend my heartfelt condolences to her loving husband Peter, her children Georgegina, Helen, Anna and Alex, all the family and the many long-term volunteers from Theodora's as we honour Gina's extraordinary life and the profound impact she had on our community. Vale, Gina. Your remarkable legacy will continue to inspire us to always be there to support those in need and to strive for a brighter future.

### International Women's Day

**Bev McARTHUR** (Western Victoria) (10:00): International Women's Day was born from women's right to basic rights. It is appalling that in 2026 that struggle continues. Today I honour the brave women defending those rights – women standing up for basic fairness and safety in female sport, because biology is not bigotry, and women in our prisons, many already survivors of male violence, who deserve genuine safety behind bars, not policies that have exposed them to further harm and the shocking attempts to conceal the consequences, as we have seen so recently. Women are also speaking up for dignity. Sometimes female-only services are essential in sport, in prisons and in places such as domestic violence refuges and rape crisis centres. These are not luxury choices but basic needs, and yet they must still be fought for. I will add briefly too the growing questions over the presumption towards pharmacological and surgical intervention for children with gender dysphoria, often at the expense of more cautious and proven therapeutic approaches. And I acknowledge the incredible women of the Lesbian Action Group, whose federal court case continues. They have shown courage and determination in standing up for their rights and, by extension, for the rights of all women. These women are keeping the true spirit of International Women's Day alive.

### Gender services

**David LIMBRICK** (South-Eastern Metropolitan) (10:02): During the COVID dystopia we saw a really alarming trend. Not just in Australia but around the world there were massive efforts to silence any views and opinions that were contrary to the government's position. This resulted in suppressing objectively reasonable discussions on how to respond to the pandemic. Unfortunately, the trend of suppression of reasonable discussion has continued with the Australian medical regulators AHPRA and the Medical Board of Australia banning Queensland psychiatrist Dr Andrew Amos from posting about transgender issues. I have met Dr Amos and watched him present on these issues and have only seen him approach the issues with evidence, compassion and tolerance. There are obviously diverse views amongst health professionals on what the best approach to young people experiencing gender distress might be. Silencing the input of considerate professionals who believe that the status quo is harmful represents a completely inappropriate interference in the public discussion of important issues regarding medical treatment. The *Star Observer*, which reports on LGBT issues, quoted one of the apparently problematic statements:

... doctors who affirm gender delusions are liable for patient harms.

Far from problematic, this statement is just obviously true. In 2023 one of Australia's largest medical insurers stopped covering gender-affirming care for minors out of concern for doctors being sued by their former patients. People, including detransitioners, will not be silenced from discussing these important issues, and AHPRA should immediately reverse their decision.

### Russia–Ukraine war

**Michael GALEA** (South-Eastern Metropolitan) (10:03): Yesterday we marked a very solemn anniversary: four years since the full-scale invasion of Ukraine. Indeed we also acknowledge 12 years since the terrorist regime in Moscow first invaded the Ukrainian lands of Crimea, Donetsk and

Luhansk. Over the past few months cities across Ukraine, including Kyiv, have been subjected to intolerable conditions in the peak of their winter through deliberate, targeted and barbaric attacks on energy infrastructure. It is a city that I was proud to visit just under a year ago – a modern, forward-looking democratic city under siege and under attack. Its energy network was crippled. It has thankfully now been restored but remains under bombardment from drones which were made and supplied by another terrorist regime, in Tehran. Those drones and bombs that were being used and practised with on Ukraine are now being used across a much larger scope of the world, and I extend my sympathies to all the people in that region as well who are going through incredible hardship and indeed to all those people who are fighting valiantly against extreme persecution for their freedom in places like Tehran, just as the Ukrainians did in the Maidan over a decade ago. May Ukraine continue to prosper, and may it win this war. Slava Ukraini.

### **Construction industry**

**Melina BATH** (Eastern Victoria) (10:05): The Victorian Auditor-General has recently released a report on the management of major taxpayer-funded projects in infrastructure. The report identified a total net cost increase of \$11.3 billion – billion dollars – across 89 projects and combined project delays equivalent to more than 92 years. Forty projects have exceeded their original completion date, 13 began without an approved business case and five major projects increased their estimated costs without disclosure within the state budget papers. This money could have been better spent on fixing our roads, employing more nurses, employing teachers and police and providing essential health and education services. When billions of dollars blow out and basic transparency is missing, this government has lost the plot. It creates a perfect condition for waste, rorting and corruption. The Ombudsman has also made similar findings. The Nationals and the Liberals have put forward sensible legislation this week that would clean up CFMEU crime on construction sites and corruption in Victoria. Jacinta Allan has rejected these laws. The Nationals in government will enforce the law, find the money, stop the rorts, stop the corruption and give Victorians a fresh start.

### **Cost of living**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (10:06): Right now people are at their limit. Every day people feel the pressure of increasing bills and grocery prices. Rents and mortgage payments are rising. Wages just are not keeping up. Everyone is paying more and getting less. Some will say that groceries, electricity bills and housing are too expensive because of migrants, or wind turbines, or some other dog whistle to keep us all distracted. But what is really happening is big corporations and billionaires have captured governments in this country. It does not matter which side of politics you look at; both the Labor Party and the Liberal Party are paid for by these same corporate interests. It is all the same. But we can choose a different path, and we can do this by uniting as one. It is time that the big corporations pay us the tax that they owe. It is time for the big polluting companies to pay to repair the damage that they have done to our planet and to our environment. It is time for the government to build tens of thousands of public homes and to cap rents so that no-one has to worry about where they are going to sleep tonight. It is time for the people to decide how their community is run and to demand better than Labor and better than Liberal. It is time.

### **Ramadan**

**Enver ERDOGAN** (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (10:08): I rise today to mark the beginning of the holy month of Ramadan, a sacred time observed by Muslims here in Victoria and around the world. Ramadan is a month of fasting, prayer, reflection and charity. From dusk until dawn Muslims abstain from food and drink, but the essence of Ramadan goes far beyond fasting. It is a time to strengthen faith, practise self-discipline and show compassion towards those less fortunate. It is also a time when families and communities come together. Each evening people gather to break their fast at iftar, sharing meals, gratitude and fellowship. Mosques and community centres across Victoria become places of reflection, generosity and unity. Victoria is home to a vibrant and diverse Muslim community

that contributes enormously to the social, cultural and economic fabric of our state. Many of my colleagues in this place and I have been joining the Muslim community at a range of iftars. I know that our Prime Minister and Premier also attended the night markets in Dandenong. Across suburbs we are seeing neighbours sharing meals, charities supporting those in need and communities opening their doors to friends of all faiths. Ramadan is also a time of renewal and a moment to pause and reflect and recommit to the values of compassion, patience and generosity. To all those observing the holy month, I wish you and your families a peaceful and blessed Ramadan. Ramadan Mubarak.

### **Regional businesses**

**Joe McCracken** (Western Victoria) (10:09): In my electorate of Western Victoria, we are incredibly proud of our migrant small business owners. They are enterprising, energetic and hardworking, and they provide fantastic services to our communities. So I noted with interest that the Melbourne Chinatown Business Association received a \$100,000 grant to support business growth – and good luck to them. But migrant business owners exist across the whole state, not just in one city block. In Western Victoria they are in shopping strips, shopping centres, industrial estates and quite literally in paddocks, producing some of the finest food and fibre that goes anywhere across the world. They are just as hardworking and deserve as much support as anyone else. Instead, what do they get? The government's small business van, a travelling display piece that perfectly captures the government's preference for symbolism over substance. Meanwhile, organisations like the Victorian Regional Chamber Alliance and local groups like Commerce Ballarat do the real work, supporting businesses every day with far fewer resources and much less fanfare. So my message to the government is simple: take a whole-state approach, work with regional chambers, support migrant businesses wherever they are and deliver help that actually makes a difference, because regional businesses need real support, not just a van that drives past and waves.

### **Community College Gippsland**

**Tom McIntosh** (Eastern Victoria) (10:11): It was great to spend time at the community college in Leongatha recently – a big thanks to Dale and Russel for showing me around. It was great to see what all the students were doing onsite and have a look at the location of the \$2 million upgrades. There are going to be five new classrooms, two hardcourts, outdoor workspace areas and new toilets. So big congratulations to everyone there who is doing the work to grow the school to meet demand.

### **Community gardens**

**Tom McIntosh** (Eastern Victoria) (10:11): Whilst onsite, we went down and caught up with Neil at Leongatha Community Garden. The garden beds are incredible there; I think there are something like 150-odd, growing and full of food. They have got the kitchen on site, so together people are coming in, upping their cooking skills and knowing what is in their food. Neil spoke passionately about his desire and everyone's desire there to see more food out and about in the community. There are a whole lot of groups all the way from Korumburra down to Phillip Island. The state government has put in \$750,000 to make sure our community gardens and our community houses are getting food out to people, understanding the importance and the value of what they eat. We are what we eat. I want to acknowledge Bec and all the team at Manna Gum Community House in Foster for the work they have done in driving this, and congratulations to everyone that is working across the board to ensure that really good quality food is getting out to people and making their lives better.

### ***Business of the house***

#### **Notices of motion**

**Lee Tarlamis** (South-Eastern Metropolitan) (10:12): I move:

That the consideration of notices of motion, government business, 278 to 1322, be postponed until later this day.

**Motion agreed to.**

*Bills***Energy and Other Legislation Amendment (Resilience Reforms and Other Matters) Bill 2026***Second reading***Debate resumed on motion of Gayle Tierney:**

That the bill be now read a second time.

**Bev McARTHUR** (Western Victoria) (10:13): This bill concerns the Victorian electricity transmission grid, the changes to which are probably the single biggest and longest continuing issue for my constituents I have known since being elected to this place. I speak to a lot of people, and I can tell you that regional Victorians are not opposed to progress. They are not opposed to renewable energy in principle. They are not opposed to modernising our electricity grid. But they are opposed to being sacrificed, ignored and then lectured to when they raise legitimate concerns about how it is being done. What we are living through right now with transmission lines, with compulsory land access, with planning overrides and with cost blowout after cost blowout is not a series of unfortunate accidents; it is the product of a government that has not adequately considered how the burdens of energy transmission are distributed. It is a government which, for political reasons, prioritises guilt-free renewable power for the city but leaves the infrastructure, the towers, the easements and the disruption for the regions. This bill comes before us in that context, and we should judge it in that context.

I want to say something about the energy transmission more broadly before I turn to the bill itself: I support reliable, affordable electricity, but I do not accept that regional Victoria should be treated as an industrial sacrifice zone to achieve it. The energy transmission in this state has been driven from the top down, rushed through and imposed on communities who were never treated as partners. The scale and alignment of transmission corridors were effectively decided before meaningful community consultation took place. Productive agricultural land is being permanently carved up for infrastructure that delivers little or no benefit to the communities hosting it, and even if there is some compensation for those hosting and eventually, we are told, a lower payment for immediate neighbours, that still leaves the entire rest of the community without any compensation for what has been foisted upon them.

Transmission towers impose lifetime impacts on farming operations. They affect biosecurity, irrigation layouts, aerial spraying and future land use. Compensation frameworks are narrow and legalistic, and they fail to account for the ongoing loss of value, productivity and flexibility. The planning system has been bent to suit the projects rather than the people. We have seen fast-tracked approvals and appeal rights deliberately stripped away. Regional councils have been sidelined in decision-making yet left to manage road damage, community division and planning fallout. The government has deliberately separated generation approvals from transmission approvals to avoid honest scrutiny of the total impact. The costs are staggering. The VNI West interconnector was originally estimated to cost \$3.2 billion. AEMO's own *2025 Electricity Network Options Report* put the cost at \$7.6 billion and warned it could climb as high as \$11.4 billion. The Victorian Energy Policy Centre has estimated this could increase transmission charges for Victorian households by at least 124 per cent.

The Victorian Farmers Federation president has called it 'a failed project'. He is right. Nobody in country Victoria thinks the government has done this well. They think it is an overbearing organisation with an arrogant approach. Exempting VicGrid from FOIs, its powers to fine landholders more than \$12,000 for refusing entry to their own properties and its ability to compulsorily acquire land: all of this has destroyed the social licence that was needed to make transition work. No-one has convincingly demonstrated that the current transmission build is the lowest cost and lowest impact option available. Alternatives like plan B, involving better use of existing corridors, genuine undergrounding in sensitive areas and different generation mixes, were dismissed too quickly. My position is simple: do the transition properly, with consent, transparency and respect, or do not do it at all. Do not do it on the backs of regional Victoria.

Turning to the bill itself, this is an omnibus bill. Members will be familiar with its scope by now. As Mr Davis has said, there are parts we support, parts we are ambivalent about and parts we firmly oppose. The resilience reforms are not something we disagree with in fundamental measure, and I know my colleagues have covered this in some detail. Mr Davis also mentioned the Victorian energy upgrades program and described it as a circus. I will not go into the fridges debacle yet again. The costs being loaded onto Victorian electricity bills are a theme that runs through every part of this bill. More and more charges are being buried in the supply charge, the VEU scheme, payments to traditional owners, payments to landholders, resilience expenditure and transmission costs. Consumers cannot see any of it. They see their usage and they see a supply charge, but the supply charge is a black box. The work done by Gavin Duffy at the tariff tracker project, which Mr Davis has drawn to the attention of the house, is the best work of its type in tracking what people actually pay. It shows that families and small businesses are hurting under costs they cannot see and do not understand. We say there must be greater transparency.

I will come now to the latest example of Labor's shocking approach to energy legislation. I am speaking about the government's house amendments. Let me start with the process, because the process tells you a great deal about the intent. Mr Davis has put on record how the opposition was offered a briefing in the last sitting week. A room was booked; the government cancelled it. Nothing was provided in the non-sitting week. Then this week, at the eleventh hour, we were told a briefing would be available at 8:30 am on a sitting day. This was allegedly because of a government internal process. What does that mean? It is completely unacceptable for an amendment as significant as this to simply appear on the day the Legislative Council begins debate on a bill. And it is a significant change. VFF president Brett Hosking said it is:

... a sneak attack being jammed through at the eleventh hour with zero transparency or consultation with the farmers whose livelihoods are on the line.

He asked the obvious question:

What is the actual point of asking for the community's feedback, while at the exact same time you are compulsory acquiring their land behind the scenes?

He called it 'a complete slap in the face'. He is right.

Now to the substance. As I read it, the government's amendment does three things to section 86 of the Electricity Industry Act 2000. First, it appears to broaden the scope of compulsory easement acquisition. Currently section 86(1) allows a corporation to compulsorily acquire an easement for the purposes of erecting, laying or maintaining powerlines. The amendment, as I understand it, inserts the words 'which is or may be required' so that it is no longer necessary for the easement to be definitively needed. It is enough that it may be required. As Ms Tyrrell said in her contribution:

'May be required' is not a narrow test. It is vague, it is speculative and it dramatically lowers the threshold for the state to take control of private land.

Acquisitions could proceed on a prospective basis before there is any certainty that the easement will ultimately be needed.

Second, and most consequentially, the amendment appears to create an explicit carve-out from section 8C of the Environment Effects Act 1978. Section 8C is the provision that freezes all decision-making in relation to works once an environment effects statement (EES) has been required until the minister's environmental assessment has been completed and considered. It is a broad moratorium, and it exists for good reason. The effect of this amendment is to decouple land acquisition from environmental approval. The two processes would run concurrently rather than sequentially.

Third, it updates the purposes clause of the amending act to reflect these changes. The practical effect is stark. A transmission company could begin compulsorily acquiring easements over private land while the EES process is still underway and could do so even where the easement is only potentially needed. Landowners could have easements compulsorily acquired over their property for a project

that might ultimately be refused or substantially modified following the environmental assessment. We are talking about farmers, family properties and generational landholdings across regional Victoria, and this Parliament is being asked to sign off on broader land-taking powers with barely any notice. This is disgraceful. We have heard it argued in this debate that this simply aligns Victoria with the position in New South Wales and that it will create more certainty for landowners. With respect, that argument does not hold up to scrutiny. The question is not whether other jurisdictions allow concurrent processes. The question is whether it is right to lock in a corridor through compulsory acquisition before the environmental assessment has had the chance to determine that corridor is appropriate in the first place. Darren Edwards, the director of the Energy Grid Alliance, has written, raising concerns about precisely this issue, and he made a point that I think is critical:

... environmental assessment frameworks ... rely on the mitigation hierarchy of **avoid, minimise, rehabilitate and offset**, with avoidance being the most effective form of impact management.

If corridor selection is effectively settled through compulsory acquisition before the EES process is complete, the opportunity to avoid environmental impacts through alternative alignment choices is substantially reduced. The EES becomes not a genuine process for determining where infrastructure should go but a process for managing impacts within a corridor that has barely been locked in. Once easements are acquired, the corridor is effectively settled and the infrastructure alignment is fixed, and while the EES process would still technically occur, its practical ability to influence the outcome is diminished. This is a fundamental change to how the EES framework operates in this state. It sends a clear message to every regional community in Victoria: your concerns will be heard, but only after the decisions have already been made. How absolutely disgraceful. You should be ashamed of yourselves for running roughshod over every farmer and every rural landowner in this state. I do not know how you can sit there and accept that this is what you are doing. I urge the house to reject this bill and these outrageous amendments.

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs, Minister for Prevention of Family Violence) (10:27): I thank all members for their contributions, and I am pleased to be able to sum up in relation to the Energy and Other Legislation Amendment (Resilience Reforms and Other Matters) Bill 2026 and perhaps allay some of the misunderstandings of those opposite. This summer has shown the increasing impact that climate change is having on our lives and our infrastructure. In January alone we experienced widespread bushfires, a flash flood and record temperatures. These catastrophic conditions have impacted our electricity distribution network, the small poles and wires at street level, causing a higher than usual number of power outages.

The events of this summer are just the latest in a series of extreme weather events that have led to widespread and prolonged power outages. In June and October 2021 Victoria experienced two extreme storms which caused unprecedented damage to our electricity network. The June 2021 storm caused the largest electricity outage in the state's history. At its peak there were nearly 250,000 households and businesses without power. This was soon surpassed by a number of outages caused by the storm in October of the same year. At the peak of the October storm more than 525,000 households, nearly a quarter of all Victorian homes, were left without power. A third storm on 13 February 2024 broke the record for a third time, with 531,000 homes losing power at the peak of the event. The primary purpose of this bill is to ensure that our distribution network is better prepared for increasingly extreme weather conditions caused by climate change.

Since privatisation in the 1990s the distribution network has been owned and operated by private companies. Every five years those companies submit network expenditure plans to the independent national regulator, the Australian Energy Regulator, for assessment and approval. State governments do not fund or control network upgrades. However, since 2021 the Victorian government has intervened to ensure that private network businesses must spend more on increasing network resilience under the national rules. We have done this because we recognise the impact that outages have on people's lives, impacts that are not always recognised by the existing national framework. Following

the June 2021 storm the Minister for Energy and Resources initiated the distribution network resilience review, which was led by an expert panel and sought recommendations on improving the resilience of the network and the response to extreme weather events.

The panel made eight core recommendations and 35 subrecommendations; the government accepted all but two minor subrecommendations. This bill acquits recommendations 2.1 and 5 from the network resilience review and is the final action to be implemented from the review. The bill creates obligations for electricity distribution businesses to publish five-yearly resilience plans. Those plans will be submitted to Energy Safe Victoria, who will ensure that the plans are being implemented. This measure complements the national rule change which embeds resilience as a factor in the national framework for network planning. It also complements the existing national framework, ensuring that we hold distribution businesses to account while minimising additional processes. Combined, these two measures will force distribution businesses to spend money on upgrades and reduce outages. The bill also acquits recommendation 5 of the review by updating the life support customer protections framework to ensure that the most vulnerable people in our community are protected.

The bill will make minor amendments to the National Electricity (Victoria) Act 2005. These amendments will clarify language that was contained in two previous VicGrid bills. There is no change to the intent or application of existing legislation. Through the establishment of VicGrid the government has made transmission network planning more transparent, improved the way that we engage with communities and ensured proper accountability. The bill will also include minor amendments to the Victorian Energy Efficiency Target Amendment (Energy Upgrades for the Future) Act 2025 to repeal part 4 of that act, thereby enabling the current definitions of ‘scheme participant’ and ‘regulated action’ and associated offence provisions relating to undertaking prescribed activities under the Victorian energy upgrades program to continue in operation.

Finally, a house amendment will enable the compulsory easement acquisition process for transmission projects to run parallel with the environment effects statement process. I ask that my amendment now be circulated. The amendments do not change either process, Mrs McArthur. The EES will remain a robust and independent assessment of the environmental, economic and social impacts of major infrastructure projects. The changes will create more certainty for landowners and bring forward completion dates. We know that the sooner we connect low-cost renewables, the lower power prices will be for all Victorians. The changes will bring electricity infrastructure in line with road, rail and water infrastructure and indeed the arrangements in New South Wales. To be clear, it is the government’s expectation that every effort will be made to obtain voluntary agreements with landowners before compulsory acquisition is triggered, but we do know that, from the experience in New South Wales, the vast majority of easements are acquired on a voluntary basis once the compulsory acquisition process is triggered.

The bill continues this government’s proud record of building the critical infrastructure we need while delivering better outcomes for energy users. Through our rapid build-out of cheaper renewable energy, the establishment of VicGrid and programs such as the Victorian energy upgrades we continue to have the lowest wholesale and retail prices in the country. We have also done more to hold big energy companies to account, delivering better outcomes and stronger protections for Victorian households and communities. I commend the bill to the house, and I understand that members will have questions and amendments in committee.

**Council divided on motion:**

*Ayes (22):* 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, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

*Noes (17):* Melina Bath, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

**Motion agreed to.**

**Read second time.**

*Instruction to committee*

**The PRESIDENT (10:40):** There are two instruction motions to the committee. I have considered the amendments on sheet DD194C circulated by Mr Davis. In my view, amendments 1 and 7 are not within the scope of the bill. Therefore an instruction motion pursuant to standing order 14.11 is required. This will obviously trigger a procedural motion.

**David DAVIS (Southern Metropolitan) (10:40):** I move:

That it be an instruction to the committee that they have power to consider amendments and a new clause to amend the Electricity Industry Act 2000 to impose on electricity retailers, by statutory licence condition, a requirement to itemise on the first electricity bill of a customer issued in a calendar year, the proportion of that customer's charges (and the amount of that proportion) referable to amounts paid by a transmission company to VicGrid for payment into the Traditional Owners Fund, or to traditional owners or certain traditional owner entities, that the transmission company recovers through its charges.

This obviously is an instruction motion. It is not the actual amendment. People will have different views on the amendment, but we simply put the instruction motion at this point.

**Council divided on motion:**

*Ayes (24):* Melina Bath, Jeff Bourman, Gaelle Broad, Katherine Copsey, Georgie Crozier, David Davis, Moira Deeming, David Ettershank, Anasina Gray-Barberio, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Sarah Mansfield, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Rachel Payne, Aiv Puglielli, Georgie Purcell, Rikkie-Lee Tyrrell, Richard Welch

*Noes (15):* Ryan Batchelor, John Berger, Lizzie Blandthorn, Enver Erdogan, Jacinta Ermacora, Michael Galea, Shaun Leane, Tom McIntosh, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

**Motion agreed to.**

**The PRESIDENT (10:47):** I have considered the amendments circulated on sheet IS27C circulated by Minister Stitt. In my view the amendments are not within the scope of the bill. Therefore an instruction motion pursuant to standing order 14.11 is required. This will also trigger a procedural motion.

**Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs, Minister for Prevention of Family Violence) (10:47):** I move:

That it be an instruction to the committee that they have power to consider amendments and a new clause to amend the Electricity Industry Act 2000 to make further provision in relation to the compulsory acquisition of easements which are, or may be, required for the purposes of erecting or laying powerlines (or both) and maintaining powerlines.

**Motion agreed to.**

**Committed.**

*Committee***Clause 1 (10:49)**

**David DAVIS:** Perhaps, by leave of the committee, we could just ask some questions about a number of these points. The minister might like to tell us in the first instance with respect to her amendment when that was first considered by government – what date.

**Ingrid STITT:** The amendment is, as you are aware, being introduced by way of a house amendment. I think it is worth noting that members of the opposition, in particular Emma Kealy MP, called for it in Parliament, and this is not unusual in the course of legislative programs. 9 September 2025 was the date that the house amendment was considered and agreed on as a way forward. I beg your pardon, I misspoke: Ms Kealy made that statement on 9 September 2025.

**David DAVIS:** To be very clear, she did not call for this amendment. But my question is a different one. When did the government first consider this specific amendment?

**Ingrid STITT:** Mr Davis, this is not anything out of the ordinary. There are amendments that are brought through the legislative process regularly, whether that be through house amendments or through amendments from other members of either chamber. This is a standard part of a legislative program.

**David DAVIS:** So answer the question.

**Ingrid STITT:** The amendments are being brought to the upper house this week on the basis that this amendment has not only been called for by members of the opposition, but it is also considered by the government and the minister to be the most appropriate way in which we progress the important work of transforming our energy systems so that we are not leaving our network vulnerable to the coal-fired power stations which are withdrawing from the market and we are paving the way for the transition to renewable energy.

**David DAVIS:** I was not trying to be difficult about this. I just want to understand exactly what date the government first considered this. The answer, it seems to me, is at least last sitting week. I am trying to make a point here, but nonetheless the government appears unwilling to answer when it first considered this, so I will just stop, note that the government will not tell us when it first considered this and note that Emma Kealy did not call for this amendment. I will just put that on the record. But quite separate to that, I think it is a reasonable question to ask. I will just give up on that line, noting the government is refusing to answer it. If I can ask another point –

**Ingrid STITT:** I think it is a bit cheeky to verbal me. I have been clear that this house amendment is being brought as the most up-to-date way in which the government can fulfil its legislative ambition in this regard. It is not right to put words in my mouth. I have not refused to answer questions. I am answering the question in the best way that I can, given the way in which this house amendment has developed over a period of time, including, I might add, taking on board some of the contributions of members of the opposition.

**David DAVIS:** That just leaves me to restate the persistent refusal of the government to answer a very simple question. It is a date. If you do not know it, you can say that. You can go and ask at the box. They will either know it or not know it, but just a blanket refusal to answer is what it is. I am just going to stop there.

Another section of the bill, part 4, repeals the Victorian Energy Efficiency Target Amendment (Energy Upgrades for the Future) Act 2025. Part 4 was originally intended to strengthen the existing offence provisions and some definitions for the VEET, but it has now been removed. April I think is the point it came in; now it is going out. I also understand that a number of aspects around the energy upgrades have been reviewed by the department, and I would ask: is there a copy of the departmental review that is available? My understanding is it is not publicly available. The chamber would like a copy. I

would like a copy. We have amended the legislation once while the review was going on. Now we are reversing the changes that we made on that. Perhaps the minister might like to answer where the review is, if we can we have a copy and why the chaotic amendment then and then disamendment, as it were.

**Ingrid STITT:** I would not agree with Mr Davis's characterisation of what is occurring here. I just want to give a little bit of context to the strategic review, which aims to deliver an updated Victorian energy upgrades program that is fit for purpose and fully supports the government's policy objectives on electrification, energy affordability, emissions reduction targets and reliability. The strategic review will strengthen the VEU to ensure that it is fit for the future and it will deliver electrification and energy efficiency at scale. It is examining the changes needed to strengthen the program so it can better support households and businesses to reduce energy use and accelerate electrification, and this includes addressing current barriers and industry challenges. The review has also explored options to improve consumer protections, increase participation by households and businesses and strengthen the integrity of the scheme, and the government intends to legislate reforms later this year in line with this intent. Just by way of addressing your concerns about the review and access to information about it, in recent weeks Solar Victoria has communicated broadly to industry stakeholders the key themes arising from the review. There have been a series of webinars conducted to outline the key themes of the review and reforms that the government intends to bring to the Parliament later this year. The first of these was held yesterday in fact, and there were almost 200 people that attended that webinar.

**David DAVIS:** This just raises more questions than it answers. The simple question is: is the review, as I am informed, complete? And will the government make it available to the chamber?

**Ingrid STITT:** There is no single document, and the review is complete.

**David DAVIS:** Will the government make the review, in whatever format it is, available?

**Ingrid STITT:** We are communicating with the industry, and that is the appropriate way in which we will deal with this.

**David DAVIS:** But that means not the Parliament. Is that correct – you will not provide it to the Parliament?

**Ingrid STITT:** As I have already indicated, Mr Davis, there is not one 'it'. It is a series of documents, a body of work, and the government will be bringing legislation later in the year, as I have already outlined to the house.

**David DAVIS:** I am just going to make some comments then. Again, I think we have hit an impasse. It is a very reasonable thing. A government review has been undertaken by the department. Despite my criticism of the department reviewing itself, leaving that to one side, the review is now complete, in whatever format it is, and the government, the minister, is refusing to provide that to the chamber. You have to ask why that is. What is so secretive about it? Why can't the Parliament see aspects of the review? We are amending relevant legislation linked to the review, and it seems to me quite unreasonable – quite secretive in fact – that the government will not make available the review. I am going to stop at that. The minister may want to respond to that, but a preferable way would be to make the review available to the whole chamber. On the VicGrid reforms, these smooth the way, as it were, for a number of projects that are relatively advanced, but they strip out requirements for a full environment effects statement (EES) process. Before we get to your amendment, Minister, this bill introduces flexibility to the making of renewable energy zone orders and assessment of renewable energy zone scheme authorities. The bill is described as allowing for:

... renewable energy zones to be declared where there is existing sufficient transmission infrastructure or where there is not yet a proposed transmission project in the ... horizon.

Second, the bill will enable VicGrid to adopt a method of assessing and issuing REZ scheme authorities and so forth. Essentially it smooths the process for what are described as projects that have advanced a certain way along the track, essentially smoothing the EES process to the extent that it may

not have to be undertaken on many occasions. Will the minister confirm that some of these projects will proceed without a full EES?

**Ingrid STITT:** That is a matter that is solely for the Minister for Planning.

**David DAVIS:** That is part of this bill.

**Ingrid STITT:** As per the normal process, there will be no change to the EES process at all as a consequence of the amendments contained in this bill.

**David DAVIS:** So every single process will have an EES in the normal way?

**Ingrid STITT:** That is the instruction that I have, Mr Davis.

**David DAVIS:** I just put on record that that is not the understanding I had, but if the minister is assuring me that every project will have an EES, that makes me calmer about this section.

**Ingrid STITT:** I just want to clarify one nuance here, and that is that the planning minister assesses every project and then makes a determination as to whether an EES is required. If an EES is required, then nothing that we are bringing forward in this bill interferes with that process in full.

**David DAVIS:** Minister, will you then explain how this process smooths the way for certain transitional projects at an advanced developmental stage? Will you explain how that operates?

**Ingrid STITT:** Can I just get clarification, Mr Davis? Are you are talking about projects that have already commenced?

**David DAVIS:** No, projects that are in a planning stage – but a significant way, perhaps, along with that planning.

**Ingrid STITT:** I will just get some advice from the box.

I have very clear advice that nothing in the amendments around the VicGrid processes changes the EES procedures in any way. Just clarifying language – the amendments.

**David DAVIS:** And other planning and approvals processes – what impact will these amendments have on those planning and approval processes?

**Ingrid STITT:** None.

**David DAVIS:** Essentially this bill is claimed to make the process easier for that limited class of transitional projects at an advanced developmental stage. The minister is telling me it does not make any improvement in that process. Is that correct – it does not make it easier for any project at this section?

**Ingrid STITT:** I think that is jumping somewhat beyond what I said, Mr Davis. I said there was no change to the process. I did not comment at all on your assertion just then about efficiency of it. I just said it will not change the process of the EES.

**David DAVIS:** It is not just the EES, it is all the surrounding planning and approval processes. Is it the case that this section of the bill makes it easier for some projects to proceed with lesser hurdles?

**Ingrid STITT:** Perhaps this is what you are getting at: the previous bill accelerated projects' access to the grid – that is, the grid connection process – but that is nothing to do with the planning process.

**David DAVIS:** Again, I will just note that from what we understood of the bill, we are now getting quite a different response, and I am bemused. I will leave it at that.

**David ETTERS HANK:** Deputy President, with your indulgence, I would just like to comment on the fact that last night I provided a speech on this topic, and I attributed a quote to Ms Emma Kealy in the other place. It was suggested to me in forthright terms that I may have taken those comments out

of context. My quote was from *Hansard*, but I accept that Ms Kealy was not suggesting her endorsement of the bill or of the house amendment. I just want to clarify that, and I would hope that it is understood that I was not suggesting she was doing that.

**Melina BATH:** This relates to the amendments that the government has put forward. I am interested in the voluntary acquisition. In relation to a landholder who is considering a voluntary acquisition but is waiting for the completion of an EES so that they understand the final impact of the project – so there is a voluntary acquisition being considered – can the government still make a compulsory acquisition prior to EES completion?

**Ingrid STITT:** I think, as I indicated in my second-reading summing-up, Ms Bath, it is the government's preference that wherever possible these matters are dealt with on a voluntary basis, but the house amendment that the government is bringing gives the opportunity for compulsory acquisition to occur in parallel to the EES process.

**Melina BATH:** I do not feel I got an answer there. So this new piece of legislation overrules and does not need to consider any voluntary acquisition that is in process. It can usurp it, in effect.

**Ingrid STITT:** No, I do not accept that as a description of the process. The company concerned would also need to provide evidence that they have done everything that they can to obtain voluntary agreement. If the EES changes or the process cancels the project, the easement is returned.

**Melina BATH:** If the EES changes or cancels the project – so it has gone ahead and there has been a purchase, whether that be voluntary or compulsorily acquired – that money has been spent. Could you outline the process by which that money will be returned to the landholder?

**Ingrid STITT:** I will just take a minute to talk about the process of what occurs if the land is acquired but is then not needed for the final transmission project. Section 86 of the Electricity Industry Act 2000 empowers an electricity corporation with approval from the Governor in Council to compulsorily acquire an easement for the purpose of erecting and/or laying powerlines or maintaining powerlines. The approval of this power is tied to the specific easement and the purpose for which it is sought, so easements acquired under it cannot be repurposed for any other means. The risk of easements being acquired that following planning approval are no longer required is very low. Under the reforms, granting an electricity corporation the power to acquire an easement under the act requires the Governor in Council to be satisfied that the easement is or may be required for the purposes stated in section 86(1) of the Electricity Industry Act 2000, which would mean the transmission project has been able to demonstrate with reasonable certainty that the easement may form the final route of the transmission line. Ms Bath, I hope that answers your particular query. If not, I am happy to go to the box and get some further instructions.

**Melina BATH:** Minister, I need to understand, because there are people that this will be affecting out there in Victoria. What is the process, how are those funds attributed back and what is the government's involvement based on legislation or regulation?

**Ingrid STITT:** The power company would have to absorb those costs. Therefore it is a disincentive for them to be compulsorily acquiring easements that they do not need as part of any particular project. That is built into the process, and market forces being what they are, it would mean that if they got that wrong, they would cop the cost of that.

**Melina BATH:** I appreciate the disincentive nature, and I appreciate that power companies do not necessarily want to arbitrarily, without great consideration, compulsorily acquire land. But if the EES comes back and says that this is not the route, is there any jurisdiction, any regulation, any legal requirement – and if so, what is it – that the power companies refund the landholder?

**Ingrid STITT:** Where an easement is not required, the Land Acquisition and Compensation Act 1986 requires it to be offered back to the landholder for sale at its original purchase price, being the market value at the date of acquisition, and this requirement is binding on an electricity corporation

which seeks to dispose of an easement within 18 months of its acquisition. There would be no obligation on the landholder to purchase the easement back. If the landholder purchased the easement back, the easement would then be deregistered from the title, and if the landholder declined to purchase the easement back, the transmission network service provider could surrender the easement back to the landholder, with any associated costs sunk as project costs. In both of those scenarios, both avenues would ensure that the landholder does not continue to have restrictions on their property from an easement that is not required. I hope that is a little bit more detail for you. I am sure that people are wanting to know this detail, so I am happy to provide you an answer.

**Melina BATH:** My good colleague the Shadow Minister for Agriculture, who is very passionate about agriculture and concerned about the impact of transmission lines on farming land and on farming communities, I think asked this question in our briefing session yesterday morning – in fact when we were concurrently debating this. Her concerns were around market value. From memory, Emma Kealy related that compulsory acquisition could be made, and then the EES process could take a long time. It could be some months to years. In that time the pristine land value that was taken from the farmer then returns a net value that is now at a lower rate. So the market value in five years time – when the government has made a decision and the company has made a decision that it is not the route, and then it is sold back at market value – could be 10, 20, 30 or 50 per cent less than the value that it would have held had that land remained pristine or in very good working condition. What can the government do to ensure that farmers, in this case, or landholders are not overtly disadvantaged?

**Ingrid STITT:** Firstly, I would say that the reform does not allow the electricity company to stockpile easements that they do not ultimately require. I am taking your point to be more around the market value at the time of acquisition and then how long it takes to return or resolve. The return would be subject to negotiation so the landowner will not be out of pocket, and in practice the easement would be sold back at a lower rate so the landholder is not disadvantaged.

**Melina BATH:** I will move on to a couple of other questions. I am interested in the compulsory acquisition process around cultural heritage. At the moment there is an EES proceeding on a proposed site, and the company decides that they will compulsorily acquire that land. Will it bypass cultural heritage assessments in any way?

**Ingrid STITT:** As I have indicated a couple of times in committee this morning, there will be no change to that process.

**Melina BATH:** What protections are there to ensure that this proposed amendment will not be used by government now or in the future to actively acquire land under the guise of a power easement? What is to assure our community in regional Victoria that this will not happen?

**Ingrid STITT:** As I have already indicated, the position of the government is that we want to see, as much as is possible, voluntary acquisition agreed in the first instance, but a transmission company would have to prove that they require the land. The minister would have to be satisfied through the Governor in Council process, so the company would need to seek the minister's decision to recommend the compulsory acquisition of easements under section 86 of the Electricity Industry Act 2000, and they must provide sufficient evidence to demonstrate that the easements are required or may reasonably be required for the erecting, laying or maintenance of powerlines. The minister must also be satisfied that the electricity corporation has a reasonable basis on which to seek the compulsory acquisition of easements. This amendment will not allow for the stockpiling of easements on the chance that they may be required. There were some protections built into the bill in that regard.

**Melina BATH:** Going back to the land being returned to the landholders, I am just clarifying that the primary landholder from which the land was compulsorily acquired has the first right of repurchase. You have said it is at market value at that time – whatever market value is at that time. Is there any form of negotiation that can occur, and if so, is that in any legislation? Could you just unpack that a little bit more?

**Ingrid STITT:** Ms Bath, I think I indicated to you in answer to your previous question that it would be subject to negotiation, and that is a normal part of the process involving these sorts of scenarios under the act.

**Melina BATH:** If there is a discrepancy and a disagreement on the price of repurchase, can the landholder go to VCAT or another court? Is that prohibited? Or can they take their appeal through a process?

**Ingrid STITT:** As I am advised, there is a process through VCAT for disputes around compensation, and they can challenge the value of the land as part of that appeal process to VCAT as well. But as I said earlier, we are trying to incentivise through the architecture of this that it is not in the interests of transmission companies not to reach a settlement or an agreement, because they will ultimately bear the cost if they do not.

**Melina BATH:** Just rounding up some of this context of the National Electricity (Victoria) Amendment (VicGrid Stage 2 Reform) Act 2025 and before, the government has removed the right for landholders, farmers, to apply to VCAT if they do not believe that their land should be acquired. So the government has removed that right, but if then the company says, 'We're not going to go down that route' – if the EES has changed its mind and they have gone on a different route – then when they are trying to get their land back and the company says 'Lower' and the farmer says 'Higher', they can go through VCAT at the back end of the system. Is my understanding correct?

**Ingrid STITT:** Yes. As I indicated, they can go to VCAT to challenge the value of the land. There is no change to the compulsory access process, and VCAT appeal on compensation is still available.

**Melina BATH:** Just going back another step, with landholders, there is a fever out there. Victorian farmers are feeling like they are being disrespected by the government in that their rights are being taken away, and we have seen their right, in terms of VCAT, to oppose acquisition. What penalties will the government inflict for landholders who refuse to hand over their land, and what penalties will there be for landholders who block access to their land?

**Ingrid STITT:** Ms Bath, we dealt with those issues extensively when we debated the VicGrid bill. There are no changes proposed in this bill that would change any of those legislative arrangements that were passed – was it last year? Yes. So your question is out of scope for anything that we have before the house today.

**Melina BATH:** What tests are there for appropriate process prior to entering into compulsory access? The government has in effect sidelined the importance of the EES, because compulsory access can occur without the EES being completed. So what tests are there for appropriate process?

**Ingrid STITT:** As per the previous bill we debated and passed, the VicGrid bill.

**Gaelle BROAD:** I would like to just revisit the question that David Davis raised earlier: why did the government introduce this amendment after the bill was introduced? We were told during the department briefing yesterday that internal government processes only approved authorising its release the day before. This bill was fairly straightforward until this hand grenade was thrown in at the last minute, so what was the reason for holding back this amendment? Was it to avoid public scrutiny or media scrutiny, or was there another reason?

**Ingrid STITT:** I am not going to get into a big, long back-and-forth about a house amendment. The reality is that house amendments are brought often to this place, and amendments are a standard parliamentary practice. When we arrive at ways which we consider are appropriate to refine legislation during the legislative process, we are not going to apologise for using the practices of the house to advance those legislative programs. It is a standard part of how we transact legislation in this place.

**Gaelle BROAD:** I certainly would not say that this is a standard process. This is a significant reform that is eroding private property rights quite significantly. For it to not have parliamentary scrutiny or

to be pushed in at the last minute I think is astounding, and we should be given more time to consider these types of changes. How is it fair that farmers are losing their rights over their own properties?

**Ingrid STITT:** I just want to again remind the house that we dealt with all these matters in the VicGrid bill. Compulsory access was in that bill. The questions that you are asking are two different things. The house amendment deals with compulsory acquisition in terms of the timing of that part of the process and allows for compulsory acquisition to happen in tandem with the EES process. Rights have not changed at all. What this house amendment is about is the timing of when that can occur.

**Gaelle BROAD:** This bill seeks to pave the way to fast-track projects like VNI West. The original cost estimate for VNI West was \$3.2 billion. AEMO reports now show that that has doubled to \$7.6 billion, potentially up to \$11 billion. When is this project due to be constructed, and how much will it cost then?

**Ingrid STITT:** This is not a bill about individual projects. What I can go to, if it helps you, is what costs are associated with implementing these reforms that are before the house today. But the costs that you are asking about have nothing to do with this bill. These projects, in the government's very strong view, deliver clear benefits to the whole Victorian community, and we are all on the record in terms of our different views about these projects. Lower power prices and keeping the lights on are pretty important drivers for the government to pursue these arrangements. We believe that this set of reforms that we are bringing today will have a very modest impact when it comes to costs. It is more to do with the Australian Energy Regulator, the distribution companies and Energy Safe Victoria. These costs are very small compared to the potential savings from avoided outages and emergency responses in the aftermath of wild and woolly weather events that we are seeing more and more of because of climate change.

**Gaelle BROAD:** Minister, you mentioned lower power prices, but you also said earlier that when land is no longer required, power companies need to cover the cost. Ultimately, customers pay for the costs with higher power bills. Doesn't this bill just pave the way for higher energy bills?

**Ingrid STITT:** No, I completely reject the attempt by not just you but many of your colleagues to link these transition projects to higher power prices. The facts are that Victoria has the lowest power prices, both retail and wholesale, of any jurisdiction in the country, and we are absolutely committed to continuing driving down pressure on power prices through our transition plan.

**Gaelle BROAD:** The Victorian Energy Policy Centre has raised concerns about increased costs to residents' bills to pay for infrastructure. How much extra will residents be required to pay if projects like VNI West go ahead?

**Ingrid STITT:** As I have indicated, those matters are not within the scope of the bill today. But what I will say again about costs is there are benefits in a number of ways associated with these reforms. One is that having more resilient energy network and transmission lines means that with the ever-increasing extreme weather events that the country is experiencing of course there will be costs saved as a result of having a more resilient network. Also, I would say that more timely delivery of these massive projects reduces prices for consumers, and we have consistently been able to deliver the lowest wholesale and retail prices in the country. We are going to continue with this transition plan. It is a huge undertaking. None of the amendments that are before the house today will have a significant impact on costs. They will have a very modest impact on some regulatory arrangements that need to be in place.

**Gaelle BROAD:** Minister, you referred to the need for resilience, I believe you said. But the Auditor-General's report in December last year about the transition to renewables says it will be harder for the government to reach targets and it risks electricity shortfalls to meet peak demand and load shedding. The government has failed to address the risks. Does this bill put pressure on private power companies to take the blame for the government's policy and ideology by forcing them to pay for government's failures to provide reliable and affordable energy?

**Ingrid STITT:** I am just going to call that out as a ridiculous proposition. This bill is about ensuring that the private energy operators take on the responsibility of a more resilient network.

**Melina BATH:** My question to the minister relates to consultation. In this rushed amendment to a bill that was introduced to the Parliament this year, which we saw a day and a half ago, what consultation was conducted with key stakeholders, with the agricultural sector and with landholders in various proposed areas of transmission lines? And did that consultation include the VFF, the Victorian Farmers Federation?

**Ingrid STITT:** In terms of the bill before the house today, overall, stakeholders support the resilience reforms, and the bill was obviously closely drafted with input from stakeholders. Energy Safe Victoria, the Australian Energy Regulator and the Essential Services Commission have expressed their support for the reforms and have provided guidance on the preparation of the bill. The Victorian electricity distribution companies support the increased focus on resilience and have also been consulted in the drafting of the bill. Distribution companies did provide some feedback about potential duplication of existing reporting requirements, but both these issues have been addressed in the drafting of the bill in terms of any concerns around duplicating reporting. We have also, as a result of the work that VicGrid continues to do, consulted with community and industry on aspects of the regime with a view to continuing to progress these reforms across the community. In terms of the VFF, I will need to seek some advice from my friends in the box about that.

The advice that I have got, Ms Bath, is that the minister regularly engages with the VFF.

**Melina BATH:** You answered a very good question, just not the question that I asked. You explained all about who you had been speaking to prior to engaging in all of this stuff. But I asked, in relation to the amendment that we have seen in this last week and had the briefing on yesterday morning: did the government discuss this amendment, which has a significant impact on regional Victorians, on farmers, ask the opinion of or consult with – not community aspects of the regime but did you talk to – key stakeholders like VFF? I am not directing my anger at you, Minister, but it is wrong that you bring these things in when you have known about them. Clearly we did not know about them, and nor did the farming communities they are impacting know about them.

**Ingrid STITT:** Ms Bath, it is important to just keep clear in all our minds that we are not changing the process of compulsory acquisition. The amendment goes to it being able to be triggered alongside the EES process. We are not changing any of the processes that were debated at length in the VicGrid bill last year.

**Melina BATH:** Has the amendment that you put forward yesterday been discussed? The parallel processes of compulsory acquisition at the same time as an EES – did the government bother to talk to the VFF on this issue?

**David Davis** interjected.

**Melina BATH:** That is right – and if so, when? And if not, just come clean and say you did not.

**Ingrid STITT:** I have been clear in my answer. The answer that I gave you, Ms Bath, is that the minister regularly engages with the VFF, as she does with many, many other stakeholders across the state when it comes to these important issues, particularly when it comes to the rolling out of our transition to renewable energy and making sure that we have got the transmission for renewables and also resilience of the network.

**David ETTERS HANK:** A lot of the questions I wanted to ask, Minister, have been covered by the opposition, so I will just focus on a few of them. Ms Bath raised the question about the farmers federation. I just want to get your feedback if I could, please. There is a media release that went out this morning from the VFF that says:

The proposed amendment to the Energy and Other Legislation Amendment (Resilience Reforms and Other Matters) Bill 2026 creates a direct bypass around the state's environmental protection laws.

That is one thing. The second thing it says is:

It explicitly allows the government to force through transmission easements while an Environment Effects Statement (EES) is still underway.

Could you clarify that? I know you have spoken on this to some degree already.

**Ingrid STITT:** No, it does not.

**David ETTERS HANK:** Thank you for the succinctness and clarity of that, Minister. I just want to go a little bit into some of these acquisition questions if I could, please. As I understand it, there are a couple of elements to the acquisition process, in the context of a voluntary agreement, and that constitutes a progress payment and then a final acquisition payment. Perhaps the first question would be: can the final acquisition of the property occur prior to the EES being approved?

**Ingrid STITT:** It can, but it is unlikely that it would be the case. Technically it could, but it is highly unlikely. The reality is that I just want to reiterate –

**David Davis:** The answer is yes.

**Ingrid STITT:** No, Mr Davis, if you want to ask me a question, you get the right to do so, and I will answer honestly. The planning, as I have said a number of times, does not change the EES process. If the EES changes or cancels the route, easements are returned, and I think I got into that in a little bit of detail with Ms Bath in terms of how that process would work if a landholder wanted to get their land back. But it is an unlikely scenario is the advice that I have on your question.

**David ETTERS HANK:** I guess that invites the question: could you elaborate possibly, please, on what is that unlikely event or what would be that circumstance?

**Ingrid STITT:** The minister has to be convinced that the compulsory acquisition is required and that the private company would need that, and that has to go through a Governor in Council process.

**David ETTERS HANK:** I understand in the context of an acquisition there are sort of two lots of money, for want of a better term, that apply. There are progress payments that are made during the process, and then there is the final acquisition. Could I ask, please, in the scenario where it is found by the EES that acquisition is not appropriate, what happens to those progress payments? Are they refundable to the state, or do those progress payments remain with the owner concerned?

**Ingrid STITT:** In the case of voluntary agreements, including up-front payments, landowners would keep those payments. That is something that I do recall went back and forth a little bit when we were doing the VicGrid bill. Again, just to be clear, nothing in the bill before us today changes those procedures around compulsory acquisition that were debated and settled in the VicGrid bill, other than this change to when compulsory acquisition can occur in the sense of the timing.

**David ETTERS HANK:** I understand in the context of the voluntary acquisition that the payment that is offered is generally well above the actual market value. Is that correct?

**Ingrid STITT:** Correct.

**David ETTERS HANK:** So in that scenario, if indeed a transaction was not proceeding, would it be reasonable to characterise the effect of the transaction as being that progress payments would be retained by the property owner and that if there was then to be a requirement to purchase land back at the market price it is highly unlikely that the owner would be out of pocket?

**Ingrid STITT:** I think I have already answered that question previously and said that landowners under that scenario would keep the payments – that is correct. Again, there are incentives for companies not to unnecessarily seek to acquire easements either voluntarily or compulsorily, but there are also incentives to sign voluntary agreements where these projects are of state significance. I think we have been pretty up-front about that.

**Sarah MANSFIELD:** Thank you, Minister, for your responses. I think in different ways you might have covered off many of the questions that I have in response to other questions. But just for absolute clarity, can you assure us that the changes that are being made – all my questions relate to the amendment – by that amendment will not mean any shortcuts are taken with the EES process?

**Ingrid STITT:** I can assure you of that.

**Sarah MANSFIELD:** I think Ms Bath went through all the different scenarios about what might happen in the event that the EES for some reason is not approved – what happens for the landholders and the consequences of that – but I think what a number of us have been hearing is that this proposed amendment has created some confusion and a lot of uncertainty for landholders about what their potential financial exposure will be as of result of some of these changes, particularly in the event where an EES does not go ahead. So can you please explain whether landholders will be left financially exposed in these situations, particularly where an EES is not approved?

**Ingrid STITT:** Landholders will not be out of pocket.

**Sarah MANSFIELD:** I understand that a very similar process is already in place in New South Wales. Have there been any instances where an EES found that transmission could not go ahead on land that had already been either voluntarily or compulsorily acquired, and what happened in those situations? What have we learned from those experiences in New South Wales?

**Ingrid STITT:** None that we are aware of, but I also would like to add that it is not just the process in New South Wales; this process occurs in other portfolios with different types of infrastructure projects, including road and rail projects – that the compulsory acquisition can occur in tandem with the EES.

**Sarah MANSFIELD:** Going back to the comment I made earlier about the confusion on the ground and the concern that is being felt by communities, what support and information will be provided on the ground so that landholders are absolutely clear about all the steps in this process and their rights in all the different potential scenarios that could play out?

**Ingrid STITT:** VicGrid have got responsibility for making sure the community understands the transmission projects across the state. They have published information about the process, and obviously they have an ongoing responsibility to not only do that but work closely with communities around these very large and complex transmission projects. They have land liaison officers, and they will be briefed and provide answers to individual landowners should they have confusion or questions around any of these processes.

**David DAVIS:** I want to ask the minister about the new clause. Can the minister give the chamber some understanding of the impact that it might have in terms of the requirements of SARC? Has there been a note or report produced with respect to the amendment and the principles that the Scrutiny of Acts and Regulations Committee would normally consider?

**Ingrid STITT:** Do you mean in respect to the house amendment, Mr Davis?

**David DAVIS:** That is right. The amendment – your amendment.

**Ingrid STITT:** If it is okay, we will take that on notice and come back to you when we resume after question time.

**David DAVIS:** In doing so you might like to take into account some of the comments that are already made in the SARC report. It does seem to me that this has the obvious potential to deprive people of their property. That section of the SARC act is obviously engaged. You said before that there

is no change other than the relationship with the Environment Effects Act 1978. But clause 1 of your amendment does say something different. It says:

to amend the **Electricity Industry Act 2000** to make further provision in relation to the compulsory acquisition of easements which are, or may be, required for the purposes of erecting or laying power lines (or both) and maintaining power lines ...

Then it goes on, and the EES stuff is dealt with and so forth. It is the ‘or may be’. ‘In relation to compulsory acquisition of easements which are’ – I understand that. There is an intention to put an easement down there, there is an EES process happening and you are saying you are going to require it for that. But the ‘or may be’ seems to me to head into speculative territory. Would it be the intention of the government to acquire properties on the possibility, the ‘may be’ – ‘or may be, required for the purposes of erecting’. Let me give an example: there might be a transmission line and an intention to extend that transmission line into new territory on the chance that there may be further low-emission technology projects out in that area. ‘Or may be’: that means a speculative but not certain project, doesn’t it?

**Ingrid STITT:** I will say a few things. The minister still has to be satisfied that there is a demonstration that the acquisitions are required. The drafting of the clause is entirely consistent with the way in which this operates in road, rail and water. I have already given an answer in respect to something around this topic around not being able to stockpile. There is no room for speculation. They have to prove that there is a requirement associated with the transmission project for the minister to be satisfied that compulsory acquisition is appropriate.

**Business interrupted pursuant to standing orders.**

*Questions without notice and ministers statements*

**Suburban Rail Loop**

**Evan MULHOLLAND** (Northern Metropolitan) (12:00): (1253) My question is to the Minister for the Suburban Rail Loop. How many M Group companies, a business connected to Mick Gatto, are working on the SRL project?

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:01): Thank you, Mr Mulholland, for your question and your interest in Australia’s largest housing project that is occurring notwithstanding your 23 positions now, I think, on this particular project and your prevarication on what it means to pause and to review this project, because we all know what ‘pause and review’ means, Mr Mulholland; it means ‘stop’. It means sacking thousands of workers. It means letting tunnel-boring machines sink into the ground. It means that there will not be anybody working on a project. You do not like the truth, do you, Mr Mulholland?

**Evan Mulholland:** On a point of order, President, on relevance, there was no preamble to this question. It was simply: how many M Group companies, a business connected to Mick Gatto, are working on the SRL project?

**The PRESIDENT:** The reason I hesitated before I called the minister is the level of detail of any company that is aligned with any individual on a very large project –

*Members interjecting.*

**The PRESIDENT:** Let me finish. The level of detail, again, has been the subject of rulings by a number of previous Presidents. That is the bit that concerns me: the expectation of a minister in response to a question without notice, which would be served much better with a question on notice. But the minister is prepared to reply, and I will call the minister.

**Harriet SHING:** Thank you very much, Mr Mulholland. As I was saying, this is a project that we have only ever had one position on, and that is: we are building it. We are building it with the benefit

of the work, the contribution, the expertise and the dedication of tens of thousands of workers. These are workers who have high levels of expertise, and these are workers who are also deserving of terms and conditions that are safe and that are appropriate. We will never take a backward step from that, and that is why the independent agency the Labour Hire Authority has been undertaking work for months now and has in fact suspended, at last count, I think about 147 different companies and is in the process of continuing its work to understand the level and the extent to which contracting businesses are complying with the law.

Now, Mr Mulholland, again, I just want to say really, really clearly that should you or anybody else have any allegations or concerns about criminal, unlawful, unsafe or otherwise inappropriate conduct that may be occurring on any construction site, I would urge you or anybody else to get in touch with any number of different bodies: the construction complaints referral service, the Labour Hire Authority or Victoria Police. Again, the independent administrator has also taken action to make sure that individuals named in that report are no longer working for the union and those companies identified are no longer with licences. Mr Mulholland, it is always good to be able to take this opportunity before I do answer the question by saying: I am advised that there are none.

**Evan MULHOLLAND** (Northern Metropolitan) (12:04): Corruption on Victorian government projects has cost the Victorian taxpayer \$15 billion and exposed thousands of workers to organised criminals at their places of work. How many companies have been suspended from the SRL sites?

**The PRESIDENT:** I do not know how that is in line with the substantive question. There is the question about one company. It did not even mention – I do not think it was mentioned – what you have asked for in the supplementary. The reason I hesitate is because everyone, in the next term and the term after, wherever they are sitting, would not want precedents set by me that are not in line with what has been set in the house for decades. But ministers are always happy to assist, so I will call the minister.

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:05): Thank you very much, Mr Mulholland. Had you been listening to the answer that I gave to the substantive question, you would have heard very clearly about the work that the Victorian Labour Hire Authority is undertaking – again, 147 different organisations. Operation Hawk I think is continuing to make arrests. In fact I think there were arrests just yesterday as that work continues: around 70 charges laid against individuals. Again, these are the actual actions that are taking place, Mr Mulholland, rather than the unfounded and untested assertions upon which you have based an entire narrative about what is occurring on or around construction sites in Victoria. If you or anybody else has any specific allegation to make about criminal, unlawful or otherwise inappropriate conduct that may be occurring on construction sites, I would urge you to take the relevant action: Victoria Police, construction complaints referral, WorkSafe or anybody else.

### Water corporations

**Melina BATH** (Eastern Victoria) (12:07): (1254) My question is to the Minister for Water. Yesterday Goulburn–Murray Water said:

M1 Traffic Control and Labour Hire Goulburn Valley are not currently supplying any services to GMW and they have been suspended from entering any further contracts.

Minister, has M1 traffic control previously supplied services to Goulburn–Murray Water?

**The PRESIDENT:** I will call the minister, but once again it is one contractor out of, I imagine, many. But I am sure the minister is happy to assist the chamber as best she can.

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:07): I do thank Ms Bath for her question. She is accurate in that I am advised that M1 traffic control and labour hire Goulburn Valley are not currently supplying any services to Goulburn–Murray Water. I

am also further advised that it has been suspended from any procurement panel involvement. I can also further advise that the water corporation board has commissioned an internal review into the establishment of the contract. The important thing here is that due process needs to be followed at all times, and of course the fact of the matter is that I understand that the relevant Victorian regulator, the Labour Hire Authority, is currently taking enforcement action in relation to M1 traffic control and labour hire Goulburn Valley.

**Melina BATH** (Eastern Victoria) (12:09): Minister, has M1 traffic control or any other company affiliated with M Group supplied services to any other Victorian water authorities? And if so, please inform us.

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:09): Again, what I can say to Ms Bath and the chamber is that due process needs to be followed. It is very important, particularly when you are dealing with live investigations and in the arena of allegations. To that end, what I can inform the house is that I have commissioned the department to develop a probity procurement guidance update to guide water corporations on procurement probity decisions when there are live investigations underway in relation to the building and construction sector.

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

**Harriet SHING** (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:10): Last week I was in South Melbourne with the member for Albert Park, an excellent member, visiting the precinct at Dorcas Street. This is vacant land that previously had 64 old flats now being turned into 131 brand new social housing homes. This is being delivered in partnership with the Commonwealth government's Housing Australia Future Fund. That is a \$10 billion fund, which your friend the former leader Peter Dutton was going to scrap had he been given the opportunity. This is a project that will deliver so many families the housing that they need and that they deserve. This is just one of many projects that are being delivered right across Victoria – projects that those opposite promised to scrap, projects that the Liberal–One Nation alliance, alongside the Greens, have voted against and opposed time and time again.

Over the last year we have been building, commencing and completing more homes than both New South Wales and Queensland. Try as you might with a fictitious narrative about the work that we are doing, the work that we are doing is working. We are issuing more first home buyers grants than New South Wales and Queensland. In fact it is 11,900 more than New South Wales and about 16,000 more than Queensland. Melbourne is the only capital city where the time required for a first home buyer to save for a deposit for an entry-level home or unit has decreased in the last five years. That means more affordability. And when we talk about rental affordability, renting a home in Melbourne is also more affordable than in any other capital city. While we are building a future where more Victorians have the opportunity to live in our vibrant inner suburbs, the Liberals are plotting to keep people out, as we keep saying – anywhere but Brighton, keep out of Kew, stay out of Sandringham. While we are building more homes for people who deserve them, the Liberals are voting time and time again to oppose redevelopment, including of the high-rise towers. Come November, the choice is clear.

#### **Greyhound racing**

**Georgie PURCELL** (Northern Victoria) (12:12): (1255) My question is for the minister representing the Minister for Racing. In 2023 a greyhound was born without a tongue. Tongues are essential for dogs to regulate their body temperature, due to the fact that they cannot sweat. He should never have been allowed to race. Yet he was, even being given the racing name No Words. Earlier this month No Words broke his leg during a race at Shepparton. That makes him one of the over 400 greyhounds to sustain an injury on a Victorian racetrack this year. For most dogs who break a leg the future is grim, with many trainers quietly killing them away from the racetrack in the hours, days or weeks after so that they do not count towards the industry's official death toll. Will the minister intervene and ensure that No Words is not quietly killed by Greyhound Racing Victoria?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:13): I thank Ms Purcell for her question and her passion on these matters. I will make sure that is passed on to the Minister for Racing in the other place for a response.

**Georgie PURCELL** (Northern Victoria) (12:13): Thank you, Minister, for referring that on. A number of independent vets have warned that, without a tongue, dogs are not able to properly regulate their body temperature. It is well known that dogs rely on panting to cool themselves down. Greyhound Racing Victoria were gambling with No Words's life and ran the risk of him collapsing or dying from heat stress, especially in the recent summer months. It is clear that Greyhound Racing Victoria cannot be trusted, after they made a decision against this dog's welfare and against vet advice. To ensure that it never happens again, will the minister ban any future greyhounds born without a tongue from racing?

**Enver ERDOGAN** (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:14): I thank Ms Purcell for the supplementary question. I will make sure it is passed on to the Minister for Racing in the other place for a response.

### Construction industry

**Richard WELCH** (North-Eastern Metropolitan) (12:14): (1256) My question is to the Minister for Industrial Relations. Today's *Age* revealed that the Victorian Labour Hire Authority has begun moves to cancel the labour licence of a subsidiary Mick Gatto-linked entity, M2 group. When did the Labour Hire Authority begin this enforcement action?

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:15): I thank Mr Welch for his question. However, I believe you used the term 'M2'. I am familiar with an organisation called M1, but I think we are talking about the same organisation. The way to answer your question, Mr Welch, is to confirm the information that the Labour Hire Authority have put into the public domain, and they have done so because of legislative changes that you and I discussed recently in relation to enabling them to disclose matters in the public interest. As you would appreciate, an independent agency conducting an investigation should choose and be the decider of when that information comes through, and that is what the legislation changed. Before that they were unable to give a lot of information to the public about active investigations. I can confirm that the information from the Labour Hire Authority that has been made public is the same information that has been provided to me and my offices. In relation to this investigation, it has been ongoing for very many months. You would appreciate it is an independent agency. They are dealing with matters that I would never seek to interfere with as a minister.

**Richard WELCH** (North-Eastern Metropolitan) (12:16): Thank you, Minister, for the answer. Given that Mick Gatto's links to the M Group were publicly revealed in 2024, why did the Labour Hire Authority renew M Group's trades and labour licence in 2025?

**Jaclyn SYMES** (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (12:16): Thank you, Mr Welch, for your further question. I think I have answered your question in my response to your substantive question. It is not appropriate for me as a minister to seek individual information on investigations or individual matters, except at a very high level. The Labour Hire Authority of course have the ability to provide information to me, as they do to the public, but my role is certainly not to interfere in an active investigation and not to provide public comment.

### Ministers statements: Women and Mentoring

**Enver ERDOGAN** (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:17): I rise to update the house that once again Victoria has the lowest proportion of women in custody of any state – a remarkable effort. This has not happened by accident. It is the result of the hard work and determination of many of our partners

and organisations, like Women and Mentoring. That is why I was pleased to attend the launch of their most recent evaluation report last week. Since 2009 the program has been matching volunteer mentors with women and girls leaving prison or at risk of being involved with the criminal justice system. Each mentor provides participants with judgement-free social connection that fills a gap not addressed by traditional social work and clinical interventions, and it works. Independent evaluation shows that women involved in the program have a reoffending rate of less than 6 per cent, much lower than the state average. Let us not forget that behind each statistic is a human story. That might be a woman struggling with addiction, a survivor of family violence or sexual trauma, or someone who is at risk of being entrenched in the criminal justice system. Behind each woman is also a volunteer, someone who has given up their time, expertise and wisdom to connect with a stranger. And it does not stop there. Our support for lived-experience mentoring initiatives spreads far and wide across the criminal justice system. This includes the important work of 16 Yards and the Centre for Multicultural Youth, amongst many others. I want to commend all the staff and volunteers at Women and Mentoring for the work they do day in, day out, behind the scenes and out of the spotlight.

#### **Taha Humanity Association of Victoria**

**Evan MULHOLLAND** (Northern Metropolitan) (12:18): (1257) My question is to the Minister for Multicultural Affairs. Minister, we have all been shocked by reports that an Islamic community association in Dandenong, the Taha association, held a mourning service for the Iranian tyrant Ayatollah Ali Khamenei. The IRGC is responsible for carrying out the firebombing of the Adass Israel Synagogue, denying education rights for women and killing protesters, and the federal Labor government has rightly cancelled its election funding to this association. The Department of Premier and Cabinet 2024–25 annual report shows that your government gave \$149,380 in funding as a 2022 election commitment. Media reports suggest that the government is investigating this funding. What has the investigation found so far, and will it be made public?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs, Minister for Prevention of Family Violence) (12:19): Thank you for your question, Mr Mulholland. I do want to acknowledge that this is a really difficult time for many people in our community who are feeling the impacts of the conflict in Iran and beyond unfold. It is a difficult time. Many of our multicultural communities have family and friends caught up in this war. But I do not think that these events are appropriate, and our government has been very clear about that since these reports first emerged. As the federal Minister for Home Affairs has said this week, the appropriate federal agencies will monitor this situation closely.

Obviously the multicultural affairs division of the Department of Premier and Cabinet funds many, many, many community organisations in line with our grant management framework. I can confirm that funding was provided to Taha association in 2022 to renovate their facilities, and there was also an additional small grant of \$7500 provided through our multicultural festival and events program to support an Eid event, as I am advised. I have asked my department to investigate these matters further. It is certainly my strong expectation that taxpayer funds are all used appropriately. I want to also remind the house that we have recently implemented the social cohesion commitment. That is a commitment that recognises our proudly diverse communities and that social cohesion really is at the heart of who we are as a state and makes our state a great place to live. It will be an important mechanism for the management of our grants going forward, and it is acting on a key recommendation of the Lekakis review.

**Evan MULHOLLAND** (Northern Metropolitan) (12:21): Thank you, Minister, for that extensive answer. My supplementary is about the social cohesion pledge and whether it will be legislated or has already been implemented, to ensure that not a single cent of public money goes towards those who sympathise with regimes who murder protesters, deny women education rights and firebomb synagogues in Victoria.

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs, Minister for Prevention of Family Violence) (12:22): Thank you for your supplementary question, Mr Mulholland. The social cohesion commitment will form part of every funding contract entered into between the Department of Premier and Cabinet and those organisations that have successfully applied for grants under the relevant guidelines.

#### 1080 poison

**Jeff BOURMAN** (Eastern Victoria) (12:22): (1258) My question is for Minister Tierney, who I believe represents the Minister for Environment in the other place. A 1080 pest animal baiting program is scheduled to run from 1 March 2026 to 1 July 2026 across public land in the Gippsland and Hume regions. Hound hunters regularly exercise their lawful right to hunt sambar deer with scent-trained hounds and gundogs across these public land areas. The timing, method and administration of this baiting program raises serious concerns. The department's own communications acknowledge domestic animals, particularly dogs, are susceptible to both primary poisoning through direct ingestion of 1080 and secondary poisoning through the consumption of contaminated carcasses. This risk is acutely elevated for hounds used in sambar deer hunting. My question is: will the minister suspend all 1080 baiting programs before and during the 2026 hound hunting season?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:23): I thank Mr Bourman for his question in relation to 1080. That matter will be referred to the Minister for Environment, and he will provide a response consistent with the standing orders.

**Jeff BOURMAN** (Eastern Victoria) (12:24): I thank the minister. Despite years of representations to DEECA and other government departments on this issue, no meaningful preventative measures have been implemented. The administrative controls currently in place have proven wholly inadequate – specifically, a lack of integration and insufficient lead time, often only days before programs commence. Signage in baited areas is improper, inconsistent and frequently absent. The maps and web links provided in notifications have been at times non-functional or inaccessible to the public. Minister, if you cannot suspend this round of baiting on public land, will you ensure that basic procedures and standards are adequate to ensure hunters can plan for the safety of their hounds?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:24): Again I thank Mr Bourman for his supplementary, which will be referred to the Minister for Environment for a response.

#### Ministers statements: TAFE sector

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:24): This week is the seventh anniversary of free TAFE in Victoria. Victoria began free TAFE in 2019. Now it is truly a national export, and I believe it will become a national treasure alongside Medicare. On the seventh birthday of free TAFE, I present the chamber with seven reasons why free TAFE is a game changer: (1) free TAFE is removing the cost barrier to quality training for over 229,000 Victorians and counting, (2) free TAFE is a cost-of-living measure saving Victorians an average of \$3300 per course, (3) free TAFE is breaking down the gender barrier, with women the clear majority of students, and is helping women re-enter the workforce and transition to new careers, (4) free TAFE boosts our regional economies, with over 57,000 regional students and counting, (5) free TAFE is addressing skill shortages in key areas, including housing, agriculture, business and the tech sector, (6) free TAFE is boosting the apprenticeship completion rate through a new foundation skills free TAFE course that is supporting apprentices with literacy, numeracy and digital skills and (7) free TAFE is delivering world-class campuses, including a growing number of centres of excellence, empowering students with cutting-edge, real world skills. I could go on, but for the sake of time: Labor is proudly delivering over 80 courses on the free TAFE list, because it is only Labor that truly supports public education for Victorian families. That is why we are protecting TAFE funding and enshrining the free TAFE program in law. Happy birthday, free TAFE. William Angliss students have baked us a birthday cake, and you can join us at 3:30 in the annexe.

**Greater Western Water**

**Bev McARTHUR** (Western Victoria) (12:27): (1259) My question is to Minister Tierney. Minister, it was revealed last week that over 120,000 customers of Greater Western Water may receive up to six bills at once, covering a period over the last 18 months. This is a consequence of the bungled billing system project, as identified in the Greater Western Water annual report released on Christmas Eve last year. Minister, what are you doing to manage this unfair situation for customers who face water bills – six at once for some – costing in the thousands, through no fault of their own?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:28): This is not the first time that this matter has been raised, and it is certainly not the first time that I have responded. My response today will be similar to responses I have given in the past. Essentially GWW recognise that what they have done is completely unacceptable, and they have committed and recognised that it is their responsibility to fix it. As I said, I think in the last parliamentary sitting, the new managing director Cameron FitzGerald is absolutely focused on delivering the return-to-service plan and rebuilding trust with its customers. GWW has offered the independent regulator the Essential Services Commission a \$130 million remediation package for its customers. This is the largest undertaking the commission has ever accepted across the water and energy sector, and it reflects GWW's commitment to take responsibility, resolve issues and make lasting improvements. Customers do not need to contact GWW to receive a credit or waived charges; they are automatically applied with extended payment terms and flexible payment options. GWW will continue to proactively communicate with its customers throughout this process, and of course to support this GWW has also hired additional staff. It has increased the volume of calls that can be taken and is also providing in-person support at a number of its offices. We are absolutely committed to making sure that GWW does deliver a customer focus in the issues that have been in play for a period of time. We had the Noone review, we have got the return-to-work plan, we have put on additional staff, and GWW is taking all steps to ensure that customers are at the centre and absolutely at the core of their business operation.

**Bev McARTHUR** (Western Victoria) (12:30): Thank you, Minister. When talking about the bungled billing system rollout in the annual report, Greater Western Water chair Lisa Neville – former water minister, no less – said:

The system did not work as it should and has caused widespread problems in billing and payments, customer service and support, developer services, information statement applications, approvals processing, account management and privacy. We know this has caused stress and inconvenience, and we're truly sorry.

Minister, you are the minister. Like the chair, will you apologise?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:31): Goodness me, it is almost like having to go back to primary school – about the distinction between what the minister's role is and what the role of water corporations are. It is not that simple, Mrs McArthur, and you know that. You try to blur the lines. The fact of the matter is that this is a problem that originated from the merging of two IT systems, and since that time there have been systemic issues. We know that it has been repeated, and indeed there have been a number of proactive activities undertaken by GWW in respect to this matter.

**Bev McArthur:** On a point of order, President, the question was really simple. Like the former water minister and chair Lisa Neville, will you apologise?

**The PRESIDENT:** A point of order is not for repeating the question. The minister was answering the question in terms of where her responsibilities to the authority lie.

**Gayle TIERNEY:** Indeed various people connected with GWW management have apologised to customers of GWW, and they have assured customers of GWW that they are taking all efforts to ensure that what can be done to rectify the situation can be made.

**Gendered violence**

**Anasina GRAY-BARBERIO** (Northern Metropolitan) (12:32): (1260) My question is for the Minister for Prevention of Family Violence. Just-in-case forensic examinations give victim-survivors of sexual assault the choice to have forensic evidence collected without first making a police report and to have it stored for up to 12 months. In Victoria this specific service is only available at Monash Medical Centre. However, the suite at this medical centre is undergoing a renovation, and that means right now there is nowhere Victorian women can go to conduct a just-in-case forensic examination as a result of sexual violence. Every other state across Australia offers just-in-case forensic examinations on a routine basis. Sexual Assault Services Victoria have said expansion of this service in Victoria would change the experience for victim-survivors enormously. Of the newly announced \$89 million of Commonwealth funding to end gender-based violence, Minister, how much of this will be allocated to forensic medical examination services like just-in-case examinations?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs, Minister for Prevention of Family Violence) (12:33): I thank Ms Gray-Barberio for her question and her advocacy around these very important issues. It was, I must say, really pleasing to renew our agreement under the Victorian Commonwealth federation funding agreement. As I reported to the house on Tuesday, that will provide \$89.68 million in Commonwealth funding over five years, and the Victorian government will be matching that funding. I will probably need to take the very detailed aspects of your question around those issues on notice. With the indulgence of the President, I would be very happy to provide that information for you. That is a level of detail that I am just not entirely across today, but I am happy to do that either under the standing orders, President, or outside the standing orders, as you see fit.

**Anasina GRAY-BARBERIO** (Northern Metropolitan) (12:35): Thank you, Minister. In 2025, of the just over 17,000 people who reported sexual offences to the police, only 496 undertook forensic medical examinations. It is estimated that up to 90 per cent of sexual violence offences are never reported. Minister, with so many Victorian women and gender-diverse people affected by this, how will you and your department make it a priority that just-in-case forensic examinations are a gap in the service delivery that will be filled?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs, Minister for Prevention of Family Violence) (12:35): Thank you for your supplementary question, Ms Gray-Barberio. Of course we are absolutely committed to ensuring that every victim-survivor of sexual assault can access the critical services that they need to recover, and this year’s budget did invest an additional \$26.5 million over two years to maintain our specialist sexual violence support services and sexually abusive behaviour treatment services. Again, in respect to the specifics you are asking about – those elements of support – I am very happy to provide that detail when I provide a written response to your substantive question.

**Ministers statements: family violence**

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs, Minister for Prevention of Family Violence) (12:36): I rise to update the house on the next steps in the implementation of Respect Ballarat, which is Victoria’s nation-leading whole-of-community effort to prevent gendered violence. Every woman and child deserves to be safe and live free from violence at home and in their community. That is why the Allan Labor government is investing in prevention, backing local organisations and strengthening frontline responses to family violence. Last Wednesday I had the honour to announce that 11 local partnerships will share in \$1 million to deliver prevention programs across the Ballarat community over the next 12 months. The successful programs include working with young people in sports clubs to challenge harmful gender stereotypes, supporting new parents to build safe and healthy families and delivering prevention programs in construction and trade industries.

To build on this work I also announced a new Respect Ballarat competitive grant program delivered by Respect Victoria, with \$3.76 million available over two years. These grants will support prevention initiatives in four priority settings identified through the community co-design: early years, community sport, education and workplaces. As part of the next phase, Women’s Health Grampians will receive \$1.2 million to support local implementation, including engaging men in preventing gendered violence and strengthening prevention for women with disabilities, and a further \$430,000 will be provided to support initiatives led by First Peoples organisations, self-determined by local First Peoples communities. Alongside this prevention work, we are strengthening frontline responses in Ballarat and in Caroline Springs, and I have announced the next sites for the Alexis family violence response model, to open by June this year, in those two locations. Together these investments reflect our commitment to preventing family violence before it starts and supporting safer communities.

**Written responses**

**The PRESIDENT** (12:38): Can I thank Minister Stitt for her commitment to Ms Gray-Barberio to give her more detailed responses in line with the standing orders and maybe further to that at a later date. Mr Bourman, Minister Tierney will get answers in line with the standing orders from the Minister for Environment. Minister Erdogan will get answers for Ms Purcell from the Minister for Racing.

*Constituency questions*

**Southern Metropolitan Region**

**Ryan BATCHELOR** (Southern Metropolitan) (12:39): (2203) My question today is to the Minister for Community Sport. How is the Allan Labor government supporting our local sporting clubs in the Southern Metropolitan Region to help them thrive? The Labor government is backing local community sport clubs right across Victoria, investing in kit, equipment and first aid. Through the local sporting clubs program 47 excellent sports and recreation clubs in Southern Metro have been awarded vital funding, and one of the successful organisations was the Hampton Hammers footy club in Highett, who through that program will receive Indigenous jumpers for their under-19 team. The Hampton Hammers play their matches at the Peterson Reserve, with the state government investing \$250,000 to support upgrades for better facilities in partnership with the City of Bayside. More funding, better equipment, healthier communities – that is how the Allan Labor government invests in local sport.

**Eastern Victoria Region**

**Melina BATH** (Eastern Victoria) (12:40): (2204) My constituency question is for the Minister for Roads and Road Safety. In January I made an urgent representation to you, without response, and it is VicRoads case number VR0712862. It relates to Steve, who is a Toongabbie farmer who was applying for a truck licence and underwent a medical. The doctor ticked the box saying possible sleep apnoea after Steven mentioned that he snores a little. The truck licence was denied, but shockingly also his drivers licence was cancelled, requiring further tests. The cardiologist came back and said that he was medically fit on 9 February. On 27 February he called VicRoads saying please could he have his licence back, and they said no, he could wait for another few weeks at least. He needs his licence for work, and he is emotionally and financially distressed. Minister, will you intervene and make sure – fast-track – that Steven can get his licence back?

**Western Victoria Region**

**Sarah MANSFIELD** (Western Victoria) (12:41): (2205) My question is for the Minister for Local Government. In the past week I have been contacted by numerous constituents who are incredibly upset about the City of Greater Geelong’s decision to close creches at council gyms across the region. This service, staffed by skilled educators, allows parents and carers of young children to participate in even just a little bit of exercise. It is a small thing, but it has a huge health and wellbeing benefit for not just the individual parent but also the entire family. Councils across Victoria have been financially squeezed by this state government for years, with rate capping, cost shifting and dwindling grants, and

the real-world impact is that they are having to cut key services like this. Minister, will you urgently review council funding to ensure services like Geelong council's creches in gyms can continue to operate?

### **Southern Metropolitan Region**

**John BERGER** (Southern Metropolitan) (12:42): (2206) My constituency question is directed to the Minister for Education in the other place Minister Carroll. Victoria is the Education State, and nobody understands that better than this Allan Labor government, which has invested in our public schools and students. We have a proud record of opening over 100 schools in 10 years across this state, ensuring students have the facilities and the resources they need for a good education, because on this side of the chamber we believe everyone deserves a fair go and a good education, no matter their background and no matter their postcode. As a member for Southern Metro, I have been proud to see this Labor government invest in uplifting facilities in my local community. My question to the minister is: how much has the Allan Labor government invested in upgrading public school facilities in my community of Southern Metro?

### **Southern Metropolitan Region**

**David DAVIS** (Southern Metropolitan) (12:43): (2207) My constituency question today is a matter for the Minister for Police. I am very concerned that the state government is about to strip police, PSOs specifically, from railway stations in my electorate. It was a policy of the Baillieu government before 2010. We put them in. They were called 'plastic police' by the then police minister; that is what he called them. But they are loved by the community. They do make people safer. People feel able to go to railway stations at night and to the car parks. They feel safer. And these PSOs are being stripped out by this government. They will not come clean about which stations are about to lose the PSOs.

**Tom McIntosh** interjected.

**David DAVIS:** You may think this is unimportant, but I think it is very important, so what I am asking the Minister for Police to do is to come clean and publish the list of Southern Metro railway stations he intends to strip the PSOs from.

### **South-Eastern Metropolitan Region**

**Rachel PAYNE** (South-Eastern Metropolitan) (12:44): (2208) My constituency question is for the Minister for Local Government. My constituent is a resident of Scoresby. She works at Knox library, where she is proud to welcome up to 3000 visitors per day. In addition to standard library facilities, Knox library also features a youth hive. This service helps foster community connection among those aged 10 to 25 through social groups and linking with local supports. My constituent has raised concerns that funding has decreased yearly, and she is concerned about the future sustainability of Knox library's valuable programs. We know that libraries are essential in combating loneliness by building community connections and providing access to services in a safe space. This is particularly crucial for the most vulnerable members of our community. So my constituent asks: will the minister commit to sustainable funding for Knox library?

### **Western Victoria Region**

**Bev McARTHUR** (Western Victoria) (12:45): (2209) My constituency question is to the Minister for Police. Early on Sunday morning a Geelong restaurant was targeted in yet another brazen break-in, with CCTV capturing a thief entering the premises and stealing from the business. This is the third time in less than two years that this business has been broken into. Incidents like this are becoming sadly typical of what traders in Geelong and across Victoria are experiencing. Retail crime has been rising sharply, with more than 41,000 retail theft offences recorded in Victoria in the year to June 2025, a significant increase on the previous year. For small businesses already struggling with rising costs, taxes, energy prices and regulatory burdens, repeated theft and break-ins are often the final straw.

What additional measures will the government take to protect small businesses in Geelong and ensure that repeat offenders targeting local traders are properly deterred?

**Northern Victoria Region**

**Georgie PURCELL** (Northern Victoria) (12:46): (2210) My question is for the Minister for Community Safety. Sarah Gibbs was assaulted by a man as she hiked in Daylesford on 27 January this year. While sitting down, a man sat next to her, placed his hand on her thigh, touched her hair and grabbed her hand and held it to his face. He then stood up next to her and swayed into her body so heavily she felt he was about to push her into the bush. Authorities did not take a statement from Sarah and later said no offence had been detected. Police have since said another investigation is underway, and I note a man has been charged. However, Daylesford locals feel so let down by police that a private Facebook group has been set up for women to share information about how to protect themselves in the area. What is being done to ensure police complaints in regional areas like Daylesford and other parts of Northern Victoria are being taken seriously?

**Eastern Victoria Region**

**Tom McINTOSH** (Eastern Victoria) (12:47): (2211) My question is for the Minister for Multicultural Affairs: how is the Allan Labor government supporting multicultural communities in Eastern Victoria? I recently had the pleasure of attending the Warragul regional iftar dinner. It was a fantastic night. There were more than 200 people that joined together to share in a meal after a long day of fasting. A huge shout-out to Baw Baw Islamic Network Australia for organising the event and all the fantastic volunteers that decorated the hall; up on the stage the decorations were fantastic. With the meal that was prepared for everyone, there was more than enough food to go around. A big shout-out to everyone who was involved in that and to the Islamic Council of Victoria for all the work that they did in making an incredible night and bringing people from across Eastern Victoria and even some from Cobram who attended. It is great to see diversity in our regions and to celebrate it.

**Northern Victoria Region**

**Wendy LOVELL** (Northern Victoria) (12:48): (2212) My question is for the Minister for Mental Health: will the minister commit to provide funding in the 2026–27 state budget for a youth mental health service in the Macedon electorate? There is a troubling increase in mental health issues for young people in Victoria, but Labor’s response is falling far short, especially in regional Victoria. There is a significant gap in youth mental health services in the Macedon electorate, with large distances between the towns and a patchy public transport service making it difficult for young people to access the services they need. Macedon Ranges council has a plan to address that gap, but they need support from the state government. Council has already identified a preferred location and will partner with Headspace to deliver an integrated youth mental health service. They require \$2 million to fit out the facility and staff the service, and I urge the minister to provide the funding for this vital project in the state budget.

**Northern Victoria Region**

**Rikkie-Lee TYRRELL** (Northern Victoria) (12:49): (2213) My constituency question today is for the Minister for Health. My constituents ask the minister to investigate the viability of a dedicated residential palliative care unit at Goulburn Valley Health in Shepparton. A constituent recently reached out to inform me of the current standards of palliative care at GV Health in Shepparton. They could not fault the palliative care team at the hospital, but the lack of a dedicated residential palliative care unit made the last days of their loved one very difficult. There are currently 12 palliative care beds in total at GV Health: four at Mary Coram and eight in the ward of the hospital itself. Only a few of these rooms have a fold-out single bed for patients’ loved ones to sleep on; the rest only have chairs. Mary Coram is better fitted out, with a family room, a kitchenette and an outdoor courtyard for families to take a moment to breathe. With the patients situated in the wards of the hospital, their relatives have little to no access to kitchen or bathroom facilities, with some going many days without a proper

shower, as they do not want to leave their ailing loved ones. The time spent in palliative care with a loved one is distressing enough, but to be without the small comforts of a shower, a hot cuppa or even a comfortable place to sleep beside their loved ones just adds to this distress. Let me stress again: the staff do an absolutely amazing job making sure their patients are cared for and that grieving families have that same care. It is the lack of a dedicated facility that is the issue.

#### **Northern Victoria Region**

**Gaelle BROAD** (Northern Victoria) (12:50): (2214) My question is to the Minister for Emergency Services. As the minister would be aware, the Mount Alexander transmission site provides television and radio services to Bendigo, Castlemaine and surrounding communities and suffered significant damage during the January bushfires. Reports indicate that antennae, power systems and backup infrastructure were destroyed and that temporary arrangements are in place, and the full restoration may take a considerable amount of time. Many residents are currently receiving only a limited set of channels, and some broadcast services remain unavailable. What steps is the government taking to support the rapid restoration of full broadcast services, when will all services be restored and what work is being done to prevent a similar outage from occurring again, which left residents unable to access news, emergency information and public broadcasting?

#### **North-Eastern Metropolitan Region**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:51): (2215) My question today is to the Minister for Environment, and it relates to the development licence that was granted to Recycal for their Ringwood facility by the Environment Protection Authority. Many locals in the Ringwood area as well as Whitehorse and Maroondah councils have expressed concerns about the operational safety of this facility, and they want to be given assurances regarding clear considerations for local environmental impacts as well as any impacts that could be presented for local residents. Minister, can you assure the community that this approval will ensure the facility operates in a safe way that respects the local environment and residents?

#### **Northern Metropolitan Region**

**Evan MULHOLLAND** (Northern Metropolitan) (12:52): (2216) My constituency question is to the Minister for Roads and Road Safety, and it once again concerns Somerton Road in my electorate. Somerton Road is a vital east–west link between Greenvale, Roxburgh Park, Craigieburn and Epping carrying thousands of local residents each day as they travel to work, school, medical appointments and connecting arterial roads. Significant long stretches of Somerton Road still have only one lane in each direction, despite the rapid population growth across Melbourne’s northern suburbs caused by this government’s policies and the lack of infrastructure. Congestion during peak periods has worsened considerably, and safety risks have actually increased by a lot. Minister, community feedback took place four years ago, and the planning work took place in 2023. Will the minister end delays and finally get on with upgrading and improving Somerton Road?

**Sitting suspended 12:53 pm until 2:03 pm.**

#### ***Bills***

#### **Energy and Other Legislation Amendment (Resilience Reforms and Other Matters) Bill 2026**

#### ***Committee***

**Resumed.**

**Clause 1 further considered (14:03)**

**Melina BATH:** In relation to the amendment on compulsory acquisition, I am just interested to understand. We received a briefing yesterday morning at 8:30. Did the government brief the Greens and members of the crossbench at a different time? I know they were not in that briefing. When did

they inform the Greens and the crossbench about this? Can the minister explain if it was earlier or later than for the Liberals and Nationals?

**Ingrid STITT:** Ms Bath, as this is not my bill per se, I will just check those details for you.

**The DEPUTY PRESIDENT:** We welcome former member for Warrandyte Ryan Smith to the chamber.

**Ingrid STITT:** All members of the opposition and crossbench were offered a briefing. I also understand that with some members of the opposition there have been discussions ongoing for some time with the government.

**Melina BATH:** That was not my question. My question was in relation to the Greens and the crossbench. And if you are alluding to the fact that Mr Davis – and he has popped it on the record during the debate – asked the Minister for Environment a couple of weeks ago, ‘Is this amendment happening? What’s happening with it?’ the minister said, ‘No, it’s not happening.’ And then, lo and behold, we were told on Tuesday afternoon that this amendment was happening. I just would like clarity for the sake of the house and the Victorian people whether certain members and certain parties are being informed before the Liberals and Nationals – just some clarity around it. It was not to do with discussions with Mr Davis. It was in relation to when they were told and when they were briefed.

**Ingrid STITT:** It is not really within the scope of the bill before us, but I understand that all parties were briefed or were offered a briefing. I understand that it might have been the case that opposition members actually were aware of this quite early in the piece. Also, just correcting the record: this is not the environment minister’s bill, it is the energy minister’s.

**Melina BATH:** I am so used to saying the environment minister in my shadow portfolio; it is the automatic default. Yes, it was the energy minister. Minister, the Victorian Farmers Federation (VFF) have put out a statement, and they are most upset by this new amendment. One of their concerns is around the imperative, and it is very important, that if there is a proposal going through a landholder’s property, when there is an environment effects statement underway, they use time, they use effort, they use energy and they use resources to make a very sound submission to an EES. As you have said here, this new amendment then makes a parallel process for compulsory acquisition. I want to understand what support you are providing and what information the government is going to provide to these farmers, who are growing our food and fibre but are also potentially using time and resources on two parallel processes. How are you assisting them in this process?

**Ingrid STITT:** I did answer a sort of similar question from Dr Mansfield just before the break. Of course VicGrid have got responsibilities for ensuring that communities are cognisant of these arrangements, but you can still make a submission; there are no changes there. There will also be a process to be gone through for voluntary negotiations. So that is already a parallel process. Also, transmission companies pay for independent legal advice and land valuations for landholders as part of that process. But again, I would just reiterate that the timing or the parallel processes that are undertaken does not mean that the EES processes can be curtailed in any way. The same process must be followed.

**Melina BATH:** I appreciate that. That was not the subject of my discussion. It was about acknowledging the fact that farmers are going to be duplicating their time and effort, energy and resources on potentially making two submissions, which are quite fulsome, now that this has been introduced and that in effect it could be potentially mandatory and every single farmer could be having a duplicate process of EES and compulsory acquisition. That is the potential of this bill, is it not?

**Ingrid STITT:** I am not in a position to be definitive about whether all cases would have that concurrent position happening. Again, there is already a duplicate position that occurs for a voluntary process, so I would not want to pre-empt what the results of those discussions between landowners and transmission companies would be. But as we debated last year in relation to the VicGrid bill, there

are a range of safeguards contained in that bill. Also – I think we have mentioned this a couple of times in committee today – the minister would still have to be satisfied that compulsory acquisition was warranted.

**Melina BATH:** I want to move on to renewable energy zones and VicGrid's power, and I want to look at some questions in relation to understanding how VicGrid can set or shift boundaries and the fact that these have a significant impact on regional communities and farms which the transmission lines can run through. My concern is that the bill vests VicGrid with a discretion to nominate or alter these renewable energy zones. I want to understand the criteria by which VicGrid can do that. So my question goes to: can you define in the bill the powers that VicGrid has to designate or alter renewable energy zones, and what criteria are used to do that? I ask that beyond having regard to what set of objectives and criteria VicGrid would use.

**Ingrid STITT:** The bill before us today does not do any of that. The renewable energy zones were dealt with in detail in the last VicGrid bill, and nothing about that process changes.

**Melina BATH:** In relation to biosecurity, I am interested in, certainly when you have got people making assessments on farmland and you have authorised officers that are now allowed to come in and cut bolts and cut fencing and access the property – can the minister describe in more detail a biosecurity plan that needs to happen for those authorised officers to come on ground? Will there be, for example, a biosecurity access code that those authorised officers will have, and what would that look like?

**Ingrid STITT:** Ms Bath, again, these are matters that were dealt with in the last VicGrid bill in respect to the powers of authorised officers and biosecurity arrangements. I remember distinctly we had quite a bit of back and forth about those arrangements. Those matters are out of scope and not covered at all by these amendments.

**Melina BATH:** Again, I raise the issue in relation to the importance of recognising the work and the productivity of farmers and the fact that there will be impact and there is impact on farmers out in the regions because of this bill. You said to me earlier that the EES is going to be parallel; you said to me that the cultural heritage management plans will continue on in conjunction with anything to do with EES or in relation to the assessment and anything to do with compulsory acquisition. Has the Minister for Energy and Resources considered looking at statutory agricultural impact assessments when viewing and considering this bill?

**Ingrid STITT:** A number of factors need to be taken into consideration and assessed as part of an EES process. Again, these are not things that are dealt with in the bill before us today. I would certainly, on your earlier comments, note that VicGrid have got an ongoing role in supporting communities with rolling out these transmission projects. VicGrid already did agricultural mapping when they developed the Victorian transmission plan, which you will recall contained all of the various maps of the renewable energy zones; plus there were multiple rounds of consultation associated with that work. That happened, if I am recalling correctly, before the VicGrid bill was debated.

**Melina BATH:** I appreciate that. Other states have them, I believe. New South Wales has an agricultural impact assessment, and Queensland has one in a slightly different form. In relation to this bill – it is about resilience and reforms – as part of the reforms, has the government considered a statutory agricultural impact assessment?

**Ingrid STITT:** I just need to clarify whether you are asking about the resilience plans that energy companies need to submit. Are you asking about agricultural considerations in that work, or are you asking about the EES process and the renewable energy zone allocations? There are two different elements to this, potentially.

**Melina BATH:** The latter, Minister. I would appreciate it if you could respond on the latter.

**Ingrid STITT:** On the latter, I refer you to my previous answer about the fact that there was extensive agricultural mapping done in developing the Victorian transmission plan.

**Melina BATH:** I would like to move to the section in the bill that relates to traditional owners and the new treaty bill and the enactment of the Self-Determination Fund fulfilling, I guess you would say, the treaty bill. My understanding is that companies will be asked to pay into the Self-Determination Fund, and then traditional owners can decide what they would do with those funds. You can correct me if I am wrong there, but that is my understanding of the bill. When the government was drawing up this bill, did it make consideration – and if it did, what did it investigate, and if it did not, why not – of the community benefits side of this? And how did it separate them, because my understanding is companies will pay a sum, and that is to be formalised, but why did the government decide just to enact the treaty section and not look at the community benefits?

**Ingrid STITT:** The amendment to the Advancing the Treaty Process with Aboriginal Victorians Act 2018 is about clarifying that should the state and Aboriginal representative bodies agree, there is flexibility for the composition or structure of the Self-Determination Fund to change. This includes to allow one or more funds or one or more legal forms such as body corporates or trusts, and the state and the Aboriginal representative body agreed to establish the Self-Determination Fund as a charitable trust in October 2022. However, now that the Self-Determination Fund will receive funds under section 95 of the National Electricity (Victoria) Amendment (VicGrid Stage 2 Reform) Act 2025, and consistent with that broad purposes of the Advancing the Treaty Process with Aboriginal Victorians Act, it may be appropriate for the state and the Assembly to agree to changes to the Self-Determination Fund to ensure that it has the suitable composition and structure in relation to this new funding. I would add that traditional owners are rights holders and we support that self-determination. I think I have heard broad support for self-determination in the chamber. And community benefits will also be provided.

**Melina BATH:** In relation to ‘and community benefits will also be provided’, can the minister outline more of what the government is planning to do in relation to community benefits? Did it consider that in inserting this into this piece of legislation, and if it did not, why did it not consider that?

**Ingrid STITT:** Ms Bath, there are payments that will be made to different groups as a result of these reforms, including landowners and including the community through the community fund and the traditional owners. And that is something that we settled in the VicGrid bill – was it that bill or was it a different bill? That bill, last year – sometimes they blur, but those matters were dealt with in the last bill. And there will be further legislation to formalise community EO later this year and the traditional owner benefits. So there will be, as I am advised, further legislation to formalise all of those arrangements. But the amendment before us, as I said, was just to clarify those matters that I went through a couple of minutes ago. I hope that is clear.

**Melina BATH:** For establishing the funding source for this Self-Determination Fund, can you confirm if the revenue is generated from the renewable energy zone? Is it generated from access fees? Is it generated from access payments? It is deposited into the Traditional Owners Fund, and that fund will be split over different traditional owners. Can you just unpack that? The funding source is what I am wanting to understand.

**Ingrid STITT:** As I said, there will be further legislation later this year to formalise both the community fund and the Traditional Owners Fund arrangements. But the framework, I should add, is already in place for the community benefits fund, and we dealt with that in previous legislation. Just let me check in with the advisers on your question around how the funds are derived.

The way in which the funds will flow is the same for the community fund as the Traditional Owners Fund, and it will be derived from the renewable energy projects and the renewable energy transmission companies.

**Gaelle BROAD:** The bill gives additional functions to Energy Safe Victoria (ESV) to regulate, monitor and enforce compliance with network resilience plans. Will ESV need any additional resources to complete this work? Will any additional resources be required, such as staff or funding?

**Ingrid STITT:** I am advised not.

**Gaelle BROAD:** The bill refers to an accepted network resilience plan as accepted by ESV. What happens if they do not accept the plan? What is the process?

**Ingrid STITT:** In order to accept a resilience plan Energy Safe Victoria would need to confirm with the distribution company that the plans meet all the regulatory, technical and reporting requirements before implementation begins, and this ensures that the projects included in the plan are delivered as intended and remain consistent with the Australian Energy Regulator's final determination for that regulatory period. If the Australian Energy Regulator considers that proposed resilience expenditure does not meet the National Electricity Law, National Electricity Rules or relevant guidance on resilience, it may reject the proposed resilience expenditure or approve only part of the expenditure sought. Where partial approval is given, the Australian Energy Regulator's notice will specify the approved scope, volumes and unit rates of the resilience project and will form part of the distribution company's network resilience plan.

**Gaelle BROAD:** It talks about the penalties that apply to businesses who do not comply with these plans; I note 600 penalty units in the case of a person or 3000 penalty units in another case. What does the financial penalty equate to?

**Ingrid STITT:** As I understand it, it is the standard legislation. But just let me double-check that with the box on this particular penalty unit.

Each unit is \$203, and it is reviewed annually.

**Gaelle BROAD:** The bill talks about providing flexibility for the settling of retailer obligations to life support customers. I would appreciate your explanation of what that means and what the impact will be on those customers to provide assurance that it is providing greater support and protections for life support customers.

**Ingrid STITT:** I have just got to find that answer in my vast array of information. As you probably already have worked through, the bill amends definitions relevant to the life support framework in the Electricity Industry Act 2000 and the Gas Industry Act 2001 so that an order in council will determine the definitions of those relevant terms. These definitions include 'life support customer', 'life support equipment', 'life support customer details', 'life support resident' and 'registered life support customer'. We are making these amendments to respond to findings from the network resilience review and the network outage review, which identified opportunities to improve the accuracy and management of Victoria's life support register. Allowing definitions to be updated by order in council gives greater flexibility to keep the register accurate and responsive so it is easier to identify customers with critical needs and to provide them with appropriate support during planned or unplanned outages. The Department of Energy, Environment and Climate Action and the Essential Services Commission will align the changes with national reforms progressing concurrently.

I move:

1. Clause 1, page 2, after line 9 insert –

“(ba) to amend the **Electricity Industry Act 2000** to make further provision in relation to the compulsory acquisition of easements which are, or may be, required for the purposes of erecting or laying power lines (or both) and maintaining power lines; and”.

This amendment would allow the acquisition process to run in parallel with the EES process, and this would create more certainty for landowners and bring forward completion dates, but it does not change either process.

**David DAVIS:** The Liberals and the Nationals will strongly oppose the addition of this new clause. I have discussed the process by which the clause came to the chamber, and we are leaving that and setting that aside for the moment. The substance of the clause is such that it will breach longstanding democratic practice. It will deprive people, in effect, of rights, so they will potentially have their property compulsorily acquired before the environment effects statement is completed. This in my

view is a travesty. It is an unnecessary step. It is an overreach, an imperial overreach almost, by a government that actually is increasingly out of touch. It wants to force its way forward against community opposition and against good process and practice.

What are we being told here? We are being told that if a place has already been compulsorily acquired – a farm, let us be clear, in most cases, or some other land – and then the environment effects statement says ‘Actually, this route is not suitable’ as there may be some flora or fauna element that is there or other matter that says that it is not a suitable place for this construction, the route will have to be rejigged. Then that would occur, you would imagine, but perhaps not with this government. They might just reject the EES process because they have now committed. It is like a juggernaut that is going forward. It is forcing its way forward, whether the community wants it or not and whether the independent environment effects process believes it is correct or not. This is a sign of a government that has become increasingly out of touch, increasingly undemocratic; authoritarian I think is a fair description of this government’s approach here. Normal democratic approaches that Victoria has been used to here are being increasingly torn up by this government as it bypasses proper checks and proper balances and pushes forward with its agenda, come what may.

**The DEPUTY PRESIDENT:** The question is that Minister Stitt’s amendment 1, which tests all of her remaining amendments, be agreed to.

**Council divided on amendment:**

*Ayes (22):* 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, Harriet Shing, Ingrid Stitt, Jaelyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

*Noes (17):* Melina Bath, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

**Amendment agreed to.**

**David DAVIS:** I move:

1. Clause 1, page 2, lines 16 and 17, omit all words and expressions on these lines.

This first amendment seeks to remove some of the advantages that are put here for certain projects that are somewhat advanced.

**Ingrid STITT:** The government will not be supporting Mr Davis’s amendments. These are important projects and are a key part of our transition to renewable energy. We do not support the amendment.

**Amendment negated.**

**The DEPUTY PRESIDENT:** Mr Davis, I invite you to move your amendment 2, which tests your amendment 7.

**David DAVIS:** I move:

2. Clause 1, page 2, after line 24 insert –

“(ca) to amend the **Electricity Industry Act 2000** to impose on electricity retailers, by statutory licence condition, a requirement to itemise on the first electricity bill of a customer issued in a calendar year, the proportion of that customer’s charges (and the amount of that proportion) referable to amounts paid by a transmission company to VicGrid for payment into the Traditional Owners Fund, or to traditional owners or certain traditional owner entities, that the transmission company recovers through its charges; and”.

This amendment is a transparency amendment. It is our view that wherever additional charges are levied on a bill, as they are increasingly, whether they be for payments to landholders, VEU payments,

traditional owner payments or whatever, there should be transparency. If people are paying these amounts, they deserve to know how much they are paying. So there should at least be an annual reckoning on the bill. And we will say this wherever the source of these additional charges comes from.

**Ingrid STITT:** The government will not be supporting Mr Davis's amendment. This amendment would specifically target traditional owners. That is completely inappropriate. Landowners already receive substantial compensation packages, and we have legislated for those benefits. We have also indicated our intention to provide benefit payments to local communities and traditional owners who host transmission infrastructure. But the Liberal amendment makes no mention of those other groups, just traditional owners. We do not support Mr Davis's amendment.

**Sheena WATT:** I have a few remarks on that. I just want to perhaps share with the chamber the deep hurt, actually, that this proposal brought forth by Mr Davis has already caused in traditional owner communities across the state, and I encourage him to think very deeply about the hurt, division and stoking of flames of further, frankly, racist attacks towards First Nations people that this particular amendment I feel delivers to the Victorian community.

**Amendment negated; amended clause agreed to.**

**Clause 2 (14:43)**

**Ingrid STITT:** I move:

2. Clause 2, line 20, after "5," insert "section 12A,".

**Amendment agreed to; amended clause agreed to; clauses 3 to 12 agreed to.**

**New clause (14:44)**

**Ingrid STITT:** I move:

3. Insert the following New Clause to follow clause 12 –

**'12A Power to acquire easements with approval of Governor in Council**

- (1) In section 86(1) of the **Electricity Industry Act 2000**, after "easement" insert "which is, or may be, required".
- (2) After section 86(2) of the **Electricity Industry Act 2000** insert –
  - “(2A) Nothing in section 8C(1) of the **Environment Effects Act 1978** prevents –
    - (a) the Governor in Council approving an acquisition of an easement under this section; or
    - (b) the acquisition of an easement under this section.”.

**New clause agreed to; clauses 13 to 15 agreed to.**

**Clause 16 (14:44)**

**The DEPUTY PRESIDENT:** Mr Davis's amendment 3 is to omit this clause.

**Ingrid STITT:** We will not be supporting Mr Davis's amendment to omit the clause.

**Clause agreed to; clauses 17 to 34 agreed to.**

**Reported to house with amendments.**

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs, Minister for Prevention of Family Violence) (14:46): I move:

That the report be now adopted.

**Motion agreed to.**

**Report adopted.**

*Third reading*

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs, Minister for Prevention of Family Violence) (14:46): I move:

That the bill be now read a third time and do pass.

**Council divided on motion:**

*Ayes (22):* 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, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

*Noes (17):* Melina Bath, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

**Motion agreed to.****Read third time.**

**The PRESIDENT:** Pursuant to standing order 14.28, the bill will be returned to the Assembly with a message informing them that the Council has agreed to the bill with amendments.

**Crimes Amendment Bill 2026***Second reading***Debate resumed on motion of Lizzie Blandthorn:**

That the bill be now read a second time.

**Evan MULHOLLAND** (Northern Metropolitan) (14:53): Well, here we are again, speaking on the Crimes Amendment Bill 2026. I think this is about the third or fourth time I have spoken on the actual mechanisms in this bill, and hopefully this time we actually get it right. This bill is simple, and this bill is narrow in scope. It removes the requirement for the Director of Public Prosecutions' consent before serious hate speech charges can proceed, a single measure correcting a flaw in the original anti-vilification legislation – amendments we actually voted on at the time. I remember who stood up for those amendments and who did not, because you did a deal with the Greens political party.

*Members interjecting.*

**Evan MULHOLLAND:** You did. Instead of doing what was right and addressing a flaw in the reasonable person test that we took issue with, they went to where I think they wanted to be in their heart of hearts and changed the legislation.

This should have been included when the government brought in the legislation. The amendment fixes a structural problem that made the laws ineffective. The government knows it made the previous laws ineffective and made these laws ineffective. The government had originally inserted the DPP consent requirement, and then the government publicly admitted this was done to secure Greens support. The Liberals and Nationals warned at the time that the consent provision would make the laws unworkable. The former Shadow Attorney-General the member for Malvern attempted to work constructively with both the Attorney-General and the Premier, and the Liberals and Nationals did offer cooperation to ensure workable anti-vilification laws, but the government refused to accept amendments that would remove the consent requirement. The number of convictions under these provisions is said to be zero. The number of charges laid under these provisions is zero, as confirmed by the Attorney-General's office to the member for Brighton. So in effect the law has not operated at all. Despite government claims, the laws have provided no actual protection, and the Premier claimed the reforms would fix the hate speech problem. The outcome shows that the laws did not work. We called out Labor's deal

with the Greens during the original debate, warning clearly that the consent provision would negate the law. We said the law would not function in practice. Both the member for Malvern and I predicted that no prosecutions would result. That turned out to be true. We offered to support a model without the consent requirement. We sought laws that worked, not symbolic legislation. The government ignored those warnings, and as clearly shown by the practical outcomes, created symbolic legislation.

The ongoing antisemitism and hate speech we have seen on Victorian streets have been appalling. The community has been calling out for action for a long time. We see outrageous and illegal behaviour occurring weekly, and the Jewish community has been particularly affected. We have seen hate speech described as 'vile' and 'rampant', and the lack of prosecutions undermines community confidence. Passing ineffective legislation amounts to accepting the status quo. The government created an illusion of protection without the actual enforcement behind it. We are supportive of this legislation, and as we have consistently stated, we want to see it passed. No-one on this side of the house was surprised when the government got up and said, 'We got it wrong.' It took months after enactment for them to admit error. There was not any apology for doing a deal with the Greens, just an implicit acknowledgement through amendment, which suggests stubbornness. I know they have got a pattern of difficulty in admitting mistakes, and this is a pattern of delayed accountability. What you have done is you have created a law that has resulted in zero prosecutions, and you have created a law that is simply symbolic.

On the omnibus bill that we heard about, the government inserted this amendment into a broader justice bill. This bill was otherwise supported by the Liberals and Nationals. No-one should have been surprised to hear that members of the other house felt that, because it was just an omnibus bill. They had the opportunity to add other amendments to it because it was an omnibus bill. The upper house decided to attach amendments strengthening IBAC powers. The government opposed those IBAC amendments, which resulted in a bit of a stalemate. The government further blocked debate on the omnibus bill. The government adjourned it off, stopping debate of that particular amendment, effectively shelving the content of this bill to avoid a successful amendment on follow-the-money powers. I say to the government: we will get those follow-the-money powers. Regardless of what scheming is done, we will get those follow-the-money powers passed through the upper house this year, and it will be on the government to accept them in the lower house. That will happen.

It is extraordinary that this kind of reform was delayed to avoid anti-corruption scrutiny and to avoid IBAC having the powers to follow the money to contractors to get to the bottom of the biggest corruption scandal in Victorian history. You have to ask: what have they got to hide? What have they got to hide in not giving IBAC the follow-the-money powers to investigate the corruption that is going on on Victorian construction sites, corruption that the government has been scrambling to get on top of on our construction sites? Let us just give IBAC the powers to follow the money. But no, they had to create an entirely new piece of separate legislation to avoid an actual debate on the follow-the-money powers. The anti-corruption agency publicly called for those powers in a parliamentary committee, and the government has been unwilling to allow Parliament to consider those amendments. We have raised serious concerns about the government's priorities. The Liberals and Nationals support both. You can support both these hate speech reforms and stronger IBAC powers; it is not one or the other. The government created a false choice between the two.

I am a little bit concerned by other consequences of the government's action as well. The omnibus bill included an extension of the Drug Court, and with that bill shelved, the Drug Court extension is at risk.

**Jaelyn Symes:** On a point of order, President, whilst there is merit in this chamber in discussing topics that Mr Mulholland is talking about, they are outside the scope of this bill. This bill is a really important bill. It would have passed last week if people had been committed to getting this outcome. I am actually really interested in Mr Mulholland's position on the bill, as are, I know, many people watching online. If his comments could come back to the bill, that would be appreciated.

**The PRESIDENT:** In upholding the point of order I do say that the first speaker has some latitude. But it seems to be outside the scope of the bill, so I would ask the member to come back.

**Evan MULHOLLAND:** I know that people are interested in our views on this bill. I was merely explaining the wider consequences of introducing this legislation instead of the other one. Of course we are supportive of the swift passage of this particular bill. If people go back and search *Hansard*, they will see that we have consistently voted in favour of this change on amendment after amendment, which I think is a good change and a worthwhile change. I think the breakdown in social cohesion we have seen in this state has been deeply troubling. I know I, the Leader of the Opposition Jess Wilson and my colleague the member for Caulfield David Southwick visited Caulfield Hebrew Congregation the morning after the Bondi terrorist attack. Hearing from some of the community leaders, but particularly the young people and their stories, was heartbreaking. The Jewish community is not as big as other communities. They are more like one big family in that everyone knows each other in that community, and everyone knew someone that was affected and had a personal story. Anything we can do, we should, to support them at their time of need, particularly with some of the concerning incidents that we have seen. Jewish kids going on a school excursion should not have to put up with the behaviour that we saw at a museum here in this state. Jewish kids should not have to cop graffiti of any kind on the outside of their schools. As has been discussed widely, it is an indictment on all of us that Jewish schools need to have security around the clock.

I think as a society we should do better and we should enact laws that work, that respond to the community need, and we certainly think that hate speech must be confronted by enforceable laws. The government's drafting failure led to zero charges and zero convictions, but it is important that the government now corrects this error. Victorians deserve protections that operate in reality and not just on paper – and unfortunately, the previous amendment was merely symbolic. We need real consequences for hate speech in this state. I will leave my remarks there to ensure the swift passage of this legislation.

**Katherine COPSEY** (Southern Metropolitan) (15:07): I rise to speak on the Crimes Amendment Bill 2026. In this Parliament we have become, sadly, very accustomed to Labor trying to rush through bills. But this today is something else. Let us be very clear about why this bill is before us today: because Jacinta Allan's Labor government is running scared. Just last sitting week a broader omnibus bill, the Justice Legislation Further Amendment (Miscellaneous) Bill 2025, was before us. Then the government realised part way through its debate that it did not have the numbers to block Greens amendments to strengthen IBAC – sensible reforms that our integrity agencies themselves have been calling for for years, sensible reforms that would finally give our anti-corruption watchdog the basic tools it needs to do its job and prevent catastrophic corruption within this state – so Labor adjourned debate on that bill.

This week we see this copy-paste, five-page bill brought forward on its own, and Labor are asking Parliament to pretend that this is about good lawmaking. But actually what this is about is avoiding accountability. Victorians expect our integrity agencies to be able to follow public money wherever it goes. ICAC in New South Wales can do that. The federal NACC can do that nationally. But in Victoria, once public money flows to a private contractor, which it often does given the extent of privatisation in this state, IBAC's jurisdiction can fall away, and that is not good enough. It is not nearly good enough, and our integrity agencies have told us that themselves repeatedly. Now we see Labor is desperate to keep it that way. At a time when billions of dollars have blown out on major infrastructure projects and integrity scandals keep piling up, people in this state are entitled to ask: what is Labor trying to hide?

While Labor is running away from IBAC, running away from its responsibility for good governance, it is doing something else that is deeply cynical and dangerous: teaming up with the Liberals to rip out a safeguard that the Greens secured for our hate speech laws less than six months ago in our anti-vilification laws. That safeguard is the requirement for the consent of the Director of Public Prosecutions, the DPP, before prosecution of the most serious vilification offences. Labor now wants to strip that safeguard away from adults. That safeguard matters, and the Greens continue to maintain that it matters. Without DPP consent, police can arrest, charge and prosecute someone without any

independent oversight. Legal and human rights experts warned this Parliament during the debate on the original bills that, unchecked, these powers can be weaponised. They can be used to intimidate and to silence political communication; they can be turned against the very communities that these laws are meant to protect. When we were passing hate speech laws just months ago, the Greens maintained DPP oversight – based on that expert advice from community legal centres, the Victorian Aboriginal Legal Service and the Human Rights Law Centre, among others – because we know how laws operate in the real world. Overpolicing, racial profiling and discriminatory enforcement are not abstract concepts but lived realities, particularly in a state that still does not have an independent police ombudsman and where police investigate police in more than 98 per cent of cases of complaints against police behaviour, and that is tied also to the underfunding of our integrity agencies.

DPP consent is a basic integrity check. It ensures an independent authority reviews the evidence, assesses the public interest of charges and weighs human rights implications, including freedom of assembly and freedom of political communication, before a prosecution proceeds. It keeps these serious offences for serious cases with consistency and oversight, rather than becoming a tool for overpolicing or political strongarming, which is not what anyone wants. Everyone wants these laws used for their intended purpose. When Parliament criminalises speech, safeguards are not a technicality; they are the difference between targeted protection and political oppression. This government's sneaky, visionless flip-flopping – negotiating safeguards with the Greens and then tearing them out with the Liberals – breaks trust, and it tells communities that their protections can be traded away the minute that those become politically inconvenient for Labor.

We have already seen the negative consequences playing out from Jacinta Allan's backflips on justice policy: our courts jammed with the predictable backlog of cases resulting from Labor's regressive bail laws, police cells overflowing with unsentenced people and the police unable to facilitate transfers of accused people to court. Children as young as 14 are facing life in prison when we all know, and we have been told time and time again, that early contact with the criminal justice system only increases the chance of later reoffending. Of course, as predicted, already marginalised communities are bearing the brunt of these changes, with Aboriginal women most at risk. We know that 65 per cent of Aboriginal women who are denied bail will be released without serving any time under sentence, and since Premier Jacinta Allan introduced punitive bail laws, the rate of women being remanded has increased more than men despite the fact that men are more likely to commit violent offences. Happy International Women's Day for this week, by the way. Jacinta Allan has handed increased stop-and-search police powers to Victoria Police despite evidence that racial profiling continues to persist. The racial profiling data monitoring project found that in 2024 alone Victoria Police were 10 times more likely to use force against a person that they perceived to be Aboriginal. The data also showed that Aboriginal people were 15 times more likely to be searched than white people, African people were nine times more likely to be searched than white people and Middle Eastern and Pacific Islander people were five times more likely to be searched than white people.

This week we see yet another rushed, hastily put together, regressive change to our justice system from Jacinta Allan's Labor. In their desperation to avoid the success of the Greens amendments to strengthen IBAC and improve integrity in our state, this cut-and-paste bill has been pulled out of the omnibus legislation already before this chamber. This bill is Labor on the run from accountability. As I have said, the DPP consent requirement was a sensible and necessary oversight mechanism, given the patterns we have seen with use of police powers in this state, and the government agreed to that just months ago. Now Jacinta Allan flip-flops, negotiating safeguards with the Greens and then tearing them out with the Liberals once more in a desperate attempt to look like she is taking action, all while the recommendations of the Greens-initiated inquiry into countering extremism sit unactioned. The Greens do not support this state of government from Labor, and we will not support this bill.

**Jacinta ERMACORA** (Western Victoria) (15:15): I am pleased to make a contribution on the Crimes Amendment Bill 2026 before us today. We know that words lead to actions, and we also know that hateful words lead to hateful actions and divisive discourse leads to division. As leaders in this

state it is incumbent upon all of us, particularly in this chamber, to bring our diverse Victorian communities together and celebrate difference rather than fostering hate and division. That is why the changes in this bill are so critical and form an important part of the implementation of the Allan government's response to hate crimes. This bill will allow police officers to prosecute adults for serious vilification offences without the consent of the Director of Public Prosecutions, the DPP. It will also provide that a prosecution for a serious vilification offence may only be commenced by the DPP or a police officer, not any other party or individual. It will also remove the requirement for the DPP to explicitly consider all the social, cultural and historical factors when deciding whether to commence a prosecution.

This is now the third time this important amendment has been before this place. It is disappointing for our Jewish community that government needs to continually bring in this important change. The opposition voted against these stronger protections only 12 months ago. They have allowed themselves to be wedged by the Greens into not supporting our miscellaneous bill, which also contained this change. Mr Mulholland just said that we need real laws to combat hate speech. Well, those were the anti-vilification laws that went through this chamber last year, which they voted against.

We know that the Greens do not support this change. They have attempted to prevent this change from happening through their attempts to stall the Justice Legislation Further Amendment (Miscellaneous) Bill 2025. But Victorians deserve to live free from hate, discrimination and intimidation. This must be so frustrating for our Jewish community, that both the opposition and the Greens teamed up to block a bill which was designed to crack down on people who want to whip up racism and hate against their fellow Victorians just because of who they are. We now know that the amendment proposed by the Greens 12 months ago has the potential to create substantial delays in these hate crimes being heard in court. This is because Victoria Police are currently required to get consent from the DPP in every case before it can proceed to court. In reality, this means that alleged offenders will have more time to continue to commit these unlawful offences.

Justice should be swift and transparent. We need to remove the requirement that the DPP consent to police prosecutions for criminal vilification unless the alleged offender is under 18 years of age. The changes we are making now reflect the serious acts of hate we have seen against Jewish people in Sydney and more recently in Melbourne. We know this change will ensure that offenders face justice as quickly as possible, rather than avoiding accountability for longer due process and bureaucratic paperwork. One of the important principles in being able to implement a law is that it can actually be policed and practically implemented, and this amendment does exactly that.

The government is committed to doing what is within our power to prevent extremism, combat antisemitism and keep our state safe, strong, proud and united. Bondi laid bare the need to legislate against the shocking rise in racist and antisemitic incidents, which have been increasing over the last two years. As the Premier said on 22 December 2025:

As a Government, we feel a profound sense of duty to stand with the Jewish community in its darkest hour. We are acting to stop hate and anti-Semitism everywhere.

She went on to say:

We also need a long-term path to normal, with big, clear goals to reduce hate and elevate visible Jewish participation in society – goals that are up in lights for everyone in the state to see, own and be a part of.

Stronger laws are designed to keep all of us in our community safer. There are no easy solutions to youth crime, but as parents we know that children need firm boundaries. They need guidance to keep them on track and consequences when they do something wrong, and these boundaries need reinforcing at home and school and on the streets and in the justice system.

This is another example of our work in the community safety and crime prevention space. That is why our government is backing police resourcing. We will always give Victoria Police what they need to keep the community safe. Victoria's police force is larger than that of every other state and territory,

and we have invested over \$45 billion in giving Victoria Police the resources they need. We have funded more than 3600 police. Since 2014 the government has provided more than \$1 billion to build 19 new police stations and upgrade 15 more as well as building and refurbishing other essential police facilities.

Tough new bail laws have also recently come into effect, making it much harder to get bail if you have been charged with the worst of crimes. There has been a 26 per cent increase in adults on remand and a 71 per cent increase in young people on remand. We have hired a thousand new staff across youth justice and corrections in the past year. Last year's budget had a \$727 million investment to create a further 320 roles in youth justice and 400 roles in corrections to respond to our tough new bail changes.

We have banned machetes under our laws, and you can now go to jail for owning one. We have taken over 35,000 dangerous weapons off the streets thanks to our machete ban and Victoria Police's stop-and-search powers, and we have legislated adult time for violent crime. Children 14 and over charged with violent crimes like home invasions and carjacking will face adult sentencing in adult courts. We have changed the law to make community safety an overarching principle in sentencing decisions by judges, because that is what matters. Under our plan we will put more police where the crime is, like shopping centres. Armed PSOs have been deployed in major shopping centres over the summer in a new trial protecting families and workers across the state. We also have established the violence reduction unit, and in addition we are dealing proactively with retail crime with another piece of recent legislation.

In conclusion, the Crimes Amendment Bill strengthens Victoria's response to serious vilification offences by removing unnecessary barriers that delay justice, and it does so in the context of the list of other law and order changes that we have made in recent months and years. We will continue to work in that space to make Victorians safe. By allowing Victoria Police to prosecute these offences without requiring prior consent from the Director of Public Prosecutions, the bill ensures that cases can proceed more quickly and offenders will be held accountable sooner. Victorians deserve to live free from crimes of hate and discrimination and free of intimidation, and those who do not respect our laws will face consequences.

**Melina BATH** (Eastern Victoria) (15:25): I am pleased to rise today to speak on the Crimes Amendment Bill 2026. Indeed I follow Mr Mulholland as our lead speaker. The Nationals, along with the Liberals, will be supporting this piece of legislation. Reforming Victoria's hate speech laws has been a long time coming. It is a long time overdue and urgently needed. The original law was flawed from day one. The government has a lot to answer for for the lack of safety, the lack of security, the lack of respect and the lack of action in this state.

I will make some comments in relation to the Labor Party member of Parliament who has just spoken, because she actually had quite a wide remit, which was permitted by the Chair, so I am happy to respond. One of the things that she said that was really important was that words matter. Words do matter, but actions matter even more than words. They need to go side by side. What we saw with the government over time is that the law that is in place requiring the DPP to consent before prosecution was flawed. That barrier made the legislation effectively useless. Since commencement there have been zero charges and zero convictions, leaving vulnerable people and vulnerable communities unprotected. This was predictable. This was always going to happen. The writing was on the wall.

*Members interjecting.*

**Melina BATH:** Members will have a chance to have their say, and I am sure they will. It is my turn at the moment. They were repeatedly warned that consent being required would not stop these sorts of events; that was ignored. Communities were left exposed, and escalating hate speech was functioning to an alarming degree. Since October a few years ago we have seen it flourishing. If you ever end up in Melbourne on a Sunday, you see it flourishing in a variety of capacities. That is driving people out of the city – that is one by-product. It is shutting down businesses – that is another

by-product. Does that matter? Well, it does to small businesses, who generate wealth and employ people in our regions and in our city.

Police were not empowered to intervene directly. Officers could not initiate prosecutions for serious hate speech incidents on our streets, as I have said, at rallies and in public spaces. They went unchecked. The law in practice protected offenders and not the victims. The government's delays were worsening the problem. Months passed before the whole issue was even acknowledged. Talk about 'words matter' – well, actions matter. Fixes were bundled into an omnibus bill that we saw with unrelated integrity issues and integrity disputes. The bill stalled, the government withdrew it and communities continued to suffer. For six years inquiries and experts recommended removing the DPP consent barrier. Again, that advice was ignored. Opportunities to fix the problem just sat and were rejected. The consequences have been real.

We know that our Jewish Australians have been vilified in the most frightening way. I have sent my children to primary school in regional Victoria. How would it be if there had to be security guards stationed outside of the local school to protect those children due to threats that were live and real? That is not Australia, it is not Victoria, yet these are the consequences of what we have been seeing. Vulnerable groups also – women, LGBTI people, First Nations people and people with disability – have faced different forms of hatred and sustained threats. Not a single prosecution has occurred under the previous framework. Private citizens have often been left to pursue civil action, when it was almost like they are punished again. They are exhausted. They have been threatened, they have been vilified, and yet the only thing they felt able to do was to take it to civil action. The bill finally acknowledges this failure today. It empowers police to act, it restores a sense of common sense – I find it hard even to say that for the Labor Party, but it does, finally – and this is the right space to be in. Hate speech across the board – I am sure we have all said this before – should have no place in Victoria. Communities deserve to be protected. They deserve laws that work, not laws that fail from day one after they were introduced.

In relation to the former speaker, I just want to go through a couple of the points that she raised and make some contribution and give some thoughts on those. The member spoke about community safety and youth diversion programs. As part of those youth diversion programs from the government, if words matter, they should actually uphold what they said they were going to do, and that is uphold and introduce youth crime prevention and early intervention programs. The member said it before: we need early intervention. Well, we are still waiting in regional Victoria for a program that was slated in 2024. Nothing has come. It is very important to divert youth. It is very important to give them opportunities to hold on to positivity in their life and to turn away from negativity and maybe a highly traumatised childhood with drugs, alcohol, whatever that be. That is not the child's fault, but they need direction and they need support, and there are fantastic people out in our communities doing good work on this. This government promised it right across a number of city-based and regional centres, including the Latrobe Valley – crickets. Nothing – not there. If words matter, actions matter too, and return for this matters.

The Nationals and the Liberals understand that you need intervention. You need youth focus. You need to see education, opportunity, confidence building and also respect building, and that comes from within and comes with good leadership, good direction and mentoring. This is one program that apparently works, and there are other great examples that I said I know of in my region. But there is nothing; it does not exist. We talk about deterring people from hate speech. Part of that should be about early implementation and turning people to a solid, supportive, productive and stable life. Part of that is youth diversion. We have seen youth crime – and I could talk about that until the cows come home – unfortunately, rising in my Eastern Victoria electorate as well. It is across the board. We heard the member talk about machetes. Well, if you want to find a way to waste a lot of money, go and spend multimillions of dollars on tin boxes and call that reform. Only the people who were prepared to put their machetes in the bin – only the law-abiding, responsible people – decided to do that. There are still machetes out on our streets. I might say there has been a devastating case again in Morwell – and

I had the honour to go to the funeral – where a machete took the life of a young man, whose family are heartbroken and whose community are heartbroken. They do not feel that this government has served them well with the laws. They want retrospective laws, but unfortunately we cannot give those to them. But I so feel for their pain and their passion and their loss – and this has happened during this government's watch.

The member also spoke about Victoria Police. If you go and have a chat to Victoria Police – pick a space, pick a station – many of those stations have been closed or have had their hours incredibly diminished, and I could list them in my electorate as well. The government speaks to increasing Victoria Police members. There is a list of about 1200 gaps and losses in police shifts that policemen and policewomen cannot fill. You have got around 2000 officers that are off the beat. That is not productive. That is not supportive. I also heard the member talk about resources. Again, if you look to the facts, there have been cuts in the budget of Victoria Police. These are some of the things that we are dealing with.

I take the opportunity to round out my contribution on this very important bill. We need to stamp out hate laws. We need to ensure that prosecutions occur through Victoria Police or, if there is a chance, through the DPP, and that they receive the full weight of the law, that there is a responsibility out there and that there is action. This bill should at least begin the action that all Victorians need.

**Ryan BATCHELOR** (Southern Metropolitan) (15:36): I am pleased to rise to speak on the Crimes Amendment Bill 2026 today. I do not want to give a long contribution, but I do want to say a few things. We are here today because when the government tried to pass the anti-hate speech laws in March last year the Liberal Party voted against them. The Liberal Party last year decided what was most important was to try and prevent anti-hate speech laws, the criminalisation of hate speech and anti-vilification laws from passing the Parliament, contrary to the expressed views of people like the Jewish Community Council of Victoria, who called for the Parliament to pass those laws. Instead of leaving laws to criminalise hate speech stuck in the Parliament, the government secured their passage. As part of securing their passage we had to make amendments. Fundamentally, we would prefer the substantive laws – the anti-vilification laws and the anti-hate speech laws that the Liberal Party voted against – to not have the provision that this amendment bill seeks to withdraw. We brought this legislation to the Parliament today to overcome the problem that was created last year when the Liberal Party voted against our anti-vilification and anti-hate speech laws.

Forgive me if it is a little difficult to sit here and listen to the hypocrisy spewing from the mouths of the Liberal Party, who claim to want to see action against hate speech in our society. But when they got the opportunity to vote against hate speech and when they got the opportunity to criminalise hate speech they said no. When they have got the opportunity in this place to stand up for multicultural communities in this state they sit down. That is their track record: the Liberal Party vote against laws to criminalise hate speech and vote against laws to try and stop racial vilification, religious vilification and vilification against people on the basis of their sexuality. That is the Liberal Party's track record. They are too afraid to get up and admit they were wrong last year. They are too afraid to get up and admit that the Liberal Party made a mistake in March last year when they voted against the government's laws to criminalise hate speech. Ever since they took that vote last year to vote against the laws to criminalise hate speech they have been unable to go outside these walls into the community and tell the truth about what they did and about their desire to make it legal for people to vilify people on the basis of race, to vilify people on the basis of their sexuality and to vilify people on the basis of their religion.

That is the reality of what we are seeing from today's Liberal Party. I do not know if the Liberal Party's position against hate speech laws and against anti-vilification laws is because they are trying to do all they can to get the preferences of Pauline Hanson and One Nation at the upcoming election. I do not know what the price of the deal is that the Liberal Party is doing with One Nation, but I suspect, based on their voting record of opposing Labor's laws to criminalise hate speech, that the price the Liberal Party have to pay is letting people spout hatred in our community. I can reassure the multicultural

communities of Victoria, I can reassure the faith communities of Victoria and I can reassure the LGBTQIA+ communities of Victoria that Labor stands with them. Labor stands with them against vilification. Labor stands with them against hate speech. The Liberal Party lets them down every single time. When the Liberal Party has the opportunity to stand up against hate speech in Victoria, they sit down. If the next speaker from the Liberal Party wants to get up and explain to this chamber why they voted against Labor's anti-hate speech laws last year, I will be listening.

**Richard WELCH** (North-Eastern Metropolitan) (15:41): I am pleased to rise and speak on this bill. It goes without saying and I think the whole chamber would agree that the level of hate speech in our state has risen and risen to horrendous and horrible levels – unprecedented levels, probably. It is unrecognisable to any right-thinking person in the state, whether it is against our Jewish community, LGBT community or any community. It is probably the product of creeping tolerance; when you tolerate the intolerable, when you walk past certain standards, you suddenly find yourself in deeper and deeper water. If you had just had the moral fortitude to do something about it in the first place, you would never have got to the state you are in, and then you would not need such draconian reactions to address it. It is a cultural problem, ultimately. I think most people who work in organisations – the organisation in this case being the state or the government – know that the fish stinks from the head, as they say, and the culture comes from the top down in the way they represent themselves and the way they take difficult decisions when they need to be taken. The reason we are here debating this today is because the government has completely lost its moral anchor around law and justice issues.

**John Berger:** Coming from you – you have got no morals.

**Richard WELCH:** No, we are not talking about me. We are not. It is not my bill, it is your bill. We are talking about you. We are talking about your government. I have been in this Parliament just two years and the litany of things that have gone out and come back in and that have had to come back in again, where the government has gone from one position to another position – this bill is just the latest version of that. They are at pains to say what they believe. The Greens and the Liberals and the Nationals will not agree on much, but at least we stand by it. We stood by what we believed; we did not flip-flop for the convenience of the polls or for impressions of how we were going to put bills through.

You flip-flop. The very first thing in my experience was the machetes: 'Machetes are fine; machetes aren't the problem.' We were told, week after week, 'Why are you going on about machetes?' Then, lo and behold, machetes are terrible: 'Wow, we must ban machetes. Look, we're acting fast. We're being really tough.' Bail laws – 'Bail laws aren't the problem. How horrendous that we're locking up young people. It's morally repugnant, the idea of locking up young people.' And then before I knew it the super-fast, most impressive 'lock 'em up' bailing bill came before us. All Labor bills these days start with 'better' and end with 'faster' – it was the 'better lock 'em up better, quicker, faster bill'. I reckon you can apply the suffix and the prefix to every new bill going forward – the 'better machetes, lock them up faster bill' et cetera, every single one – which is the window dressing of it. Then of course we had hate speech, which was not really hate speech – but it does not just apply to the legislation. It is prison closures: 'We're closing all these prisons', but now, 'We're not closing all these prisons.' Well, that is a sudden and interesting turnaround: 'Oh, we love PSOs'. Except now they are not going to be on stations anymore. We had IBAC powers: 'Oh, we're going to get to the bottom of all this CFMEU corruption. Oh my word, are we ever going to get to the bottom of this.' But 'Oh, hang on; not so fast. We're not going to put IBAC powers into it.'

I am not trying to make it humorous. It is really actually more serious than that. But it all points to the fact that if you do not have an anchor about what you truly believe, you are going to flip-flop with the breeze. If the level of conviction was so great, as we just heard from Mr Batchelor – that adamant conviction – then you should have put the bill through and said, 'Well, it's going to sit or fall on its own merits, and if the Greens don't vote for it, they don't vote for it.' You could have done that. But the conviction was not there, because 'We can massage our way through this problem.' It is the massaging and the tolerance – that is what has got us here, and the lack of moral clarity in what you have done.

To the matter of the IBAC powers yesterday: the bill was there. We could have put the powers in. To hear Mr Batchelor literally twist himself into a human pretzel to avoid explaining why he was not supporting and why the government could not support further powers for IBAC, it was extraordinary how convoluted it was. The cognitive dissonance that had to occur to explain why you did not want IBAC to have follow-the-money powers, not just yet, because you know –

**Katherine Copsey** interjected.

**Richard WELCH:** It's very complex! But suddenly, within weeks, it will not be complex anymore and they will bring it through – because they will have to, because that will be the next line of retreat that they will have to make before we get to a royal commission. That will be the 'Maybe we won't have to do a royal commission if we give them that.' But again, it is about deal making. It is about massaging your way through the problem. It is not about an actual point of belief or where you stand or genuine conviction on any of this. So we come to a point where the community does not really know where it stands; it does not know what half these bills are going to mean or what they are going to do in practice. All the stakeholders are upset on all sides of the equation. Everyone is frustrated. It has actually harmed and created more division. In your cack-handed attempts to solve the problem you have just sown the seeds of deeper and deeper antagonism between groups. It is the sign of a very poor government, and not a poor government in one instance; I am talking now – in my experience – about two years around this whole justice and crime issue. It has been a mess, an appalling mess, because at any given point the government could have just stood up and taken control of it. And do you know what, people might have disagreed with some of it, but they would have had at least the respect to say, 'We're taking a definitive direction on this.'

But the flip-flop and the flip-flop means that I do not believe any of it. I do not believe anything the government says comes from a point of actual conviction or principle or science or approaches that people who know best believe. It is 'What can we get through with our agenda?' And they put it through in an omnibus bill. What better example do you need of it? It came through as an omnibus bill. Omnibus bills maybe have their place when you are talking about administrative and trivial things, but this was not trivial stuff. An omnibus bill by definition is an insult to the chamber. It is an insult to the intellect of everyone here and to the community as well. When you play with fire on omnibus bills with a lack of conviction, that is a nice meeting point, because this is what happens. You will get voted down by one side, and then you will get voted down by the other side, and it is your own fault. It is your own fault, because you thought you were smarter than you were. You really think you are smarter than you are. You think you are playing this game really well because you have been in government for 10 years. Well, guess what, you are not that smart. You are not that clever. The game has been decoded. Your incompetence has overtaken you such that the whole process, the whole gameplay, has fallen apart for you.

I am glad this bill is going through today, even if the Greens are not, because I know that I have conviction that this is the right thing to do. I will not waver from that. The examples of hate we have seen in our streets will finally be addressed. Well, let us see if it gets implemented properly, because we had the 'sooner, faster, better bail laws bill' and people are still getting bailed after doing violent crime. So I will reserve some judgement till I see this actually implemented in practice, but it is certainly a step in the correct direction, because I want my Melbourne back. I want my Victoria back. I think every person in Victoria wants a sense of civility back in our society: the ability to disagree agreeably. We want the right to protest preserved. We want the right to freedom of speech preserved. It is unfortunate that it takes laws to do it, because there are lots of conventions in our society that do not need laws. The convention that you get out of the way of an ambulance does not need a law. That you should respect other people regardless of their race, religion, sexuality or anything of this nature should be a convention that does not require a law. If we were a genuinely civilised country with good education, we would not require it.

But sadly we are not, and every step we take in having to codify these things leads us further away from the true principles of these things, the classical liberal principles. It is a bit like living between an

analogue and a digital world. A digital world is very mathematically precise. We can put things in neat silos, but it does not have the freedom of an analogue Rome, which is more flexible and more human and brings out the best in us. We are correcting and solving for the worst of us instead of inspiring and leading towards the best of us, and that is sobering. It has happened within a generation. I am going into the realm of reflection, so I will end there. I commend the bill.

**Rachel PAYNE** (South-Eastern Metropolitan) (15:53): I rise to speak on the Crimes Amendment Bill 2026 on behalf of Legalise Cannabis Victoria. I would like to begin by reminding the chamber that the right to peaceful protest is central to both our political system and our way of life. We must preserve this right in both theory and practice. Legalise Cannabis Victoria is a party that is built on protest, and I say that with immense pride. While the conservative media and some sections of this chamber deride protest, without it, great and necessary progress would never have been achieved. Whether it be Black Lives Matter, the Me Too movement or the brave protesters standing up against immigration and customs enforcement agents in the US right now, protest matters. Without protest, it is likely that the Berlin Wall would still be standing. Apartheid would remain in South Africa. We would not have anything like an 8-hour working day, and many women in this chamber would not only be unable to work but be unable to vote. Protest is disruptive; that is the point. It creates discomfort. But that does not mean it should be criminal. Safety and community harmony are also important.

In 2025 I was proud to be part of the changes to the anti-vilification laws passed by this Parliament. I am a proud member of the LGBTIQ+ community, and I assure you that I understand firsthand how important those changes are. At the time I supported an amendment by the Greens to these laws that required the consent of the Director of Public Prosecutions to commence a prosecution for certain vilification offences. We supported this amendment because it provided real and necessary checks and balances on these new powers, making sure that they were not misused by police to, among other things, crack down on peaceful protesters. Now the government say they need to get rid of this amendment on the basis that it will make it easier to prosecute these offences. Firstly, what behaviour are we talking about? It should be noted that no member of government has been able, in media or elsewhere, to answer exactly what behaviour would be easier to prosecute. Does this mean that certain chants at protests could lead to jail time? In a recent interview with Raf Epstein the Attorney-General herself could not answer specific questions about scenarios that were currently taking place in protests around Melbourne, which are happening right here and right now. This simply is not good enough. Without clear guidance on exactly why it is necessary to remove the amendment, we are left with the conclusion that this is power for the sake of itself. I would like the chamber to keep that in mind and that the original amendment has been in effect for only six months. We have not seen any evidence that the consent requirement is creating any delay in prosecuting offenders. In fact, as far as we understand it, in the six months since the amendment has been in effect no charges and no prosecutions have been made. To now roll back safeguards, absent from evidence and community consultation, is unjustified, and we cannot support it.

To be clear, we understand that this is a balancing act. Legalise Cannabis Victoria wholeheartedly supports the anti-vilification measures that were enacted by the Parliament in 2024, indeed with support from us at the time. We are proud to have been part of creating new serious criminal vilification offences where someone intentionally or recklessly, on the grounds of a protected attribute, incites hatred against, serious contempt for, revulsion towards or severe ridicule of a person or group that threatens physical harm towards another person or group or threatens damage to a property. Those changes also introduced a civil harm-based protection to restrict hateful, serious, contemptuous, reviling or severely ridiculing public conduct that is directed at any person or group because of their protected attribute. That bill incorporated a five-year statutory review to allow us to understand how the changes in the bill operate in practice and whether it is operating as intended. The checks and balances were already built in. Anti-vilification legislation recognises that we cannot allow hatred to be spread. We know inaction allows hate to fester and our most marginalised communities suffer the brunt of that harm, but we also recognise that marginalised groups are almost always subject to greater

abuses of power than the mainstream. Marginalised people protest. Oftentimes protest is their only way to be heard in the corridors of power. And yes, sometimes people protest on their behalf, as they should if and when they see injustice.

The intention of anti-vilification legislation is to protect vulnerable communities, not to silence them. It is certainly not intended to give police the power to shut them down. Victoria Police should never be granted powers that could be used against peaceful protesters. No matter if you think the protesters are courageous and just or fringe elements and out of step, they must be allowed to have their say. The 2025 Greens amendment to protect the rights of protesters should remain intact. I remind the chamber that it has been in place for six months with zero issues. To repeal it now is empty symbolism at best, chronic overreach at worst. To this end we cannot support this bill.

**David LIMBRICK** (South-Eastern Metropolitan) (15:59): I also rise to speak on this bill, the Crimes Amendment Bill 2026. Part of me is quite tempted to support this bill, but seeing as I am pretty much the only person in this Parliament with a perfect record on protecting free speech, I do not feel that I can support it. Let us think about how we got here, shall we? Last year, when the original bill passed, the Liberal Party at the time, the opposition, did something great. I know that the government keeps deriding the Liberal Party for opposing the social cohesion laws, but actually at that point in time – I will give the coalition credit – they stood up for free speech by opposing this bill. Despite what the government say, that they are going to protect these communities and all this sort of stuff, the government's track record on their legislation actually protecting people is abysmal. There is no evidence whatsoever that any of the government's actions are doing anything good. In fact there is ample evidence of them doing the exact opposite. The obvious case in point is the Nazi salute ban, which has created more Nazis in Melbourne – totally ineffective and counterproductive. But at that point in time the Liberal Party said they were going to stand up for free speech and were going to oppose it.

On the other side of the chamber the Greens have been pushing for these sorts of laws for years. In fact in the last term of Parliament they had been pushing for these laws. They have been pushing and pushing and pushing through inquiries, and almost every week in Parliament in the last term and in this term the Greens would stand up, pressure the Attorney-General and say that they wanted to get these laws through because they want to protect all these communities. Then when we actually come to this bill coming to Parliament, the Greens start to worry, because they start to think – which is what I have been saying all along – that maybe the libertarians are right, because the Greens' supporters are going to be the first victims of these laws, and actually I think that is totally true. Their supporters will be the first victims of these laws. All of a sudden the Greens get really worried and they do a deal with the government to try and make it more difficult to use the very laws that they have been pushing for for years, by requiring it to go through the DPP, which makes it much more difficult, as the government has pointed out, to actually use these laws. The Greens wanted to put a handbrake on the laws that they had been pushing for for years, because they were worried that their own people were going to become victims of these laws, and I think that they are right – they will be. That is why I am tempted to support them, because it would be fun, but I cannot do that.

Ms Payne was speaking about examples of what sorts of things would be criminalised, and she could not come up with any examples. I can come up with a number of examples. At many of these protests – not just pro-Palestine protests; other different protests – many people attend who are supporters of the Greens, and they have said things that might fall well foul of these laws. Let me give you an example. There have been many protests by women about women's spaces, gender medicine for children and this sort of thing, and one of the common things that the Greens and their supporters call women in a derogatory way is this term 'TERF', which stands for 'trans-exclusionary radical feminist'. What it really means is a woman that believes only women can be women. When you see these signs that they carry at the protests, and I have seen them with my own eyes, that say 'Punch a TERF' what they are really saying is 'Punch a woman'. That is what they are talking about. When you see it in that context, you start to see how evil some of these people really are. There are some other examples which would

fall foul of this. The Greens had better explain to their supporters that they can no longer say stuff like this, and that will be an uncomfortable conversation, because when that conversation happens, their supporters will be saying, 'Who are the evil right-wing fascists who campaigned for and brought in these laws?' and they will have to say, 'It was us. It was the Greens that did it.'

There are some other expressions that I think will fall well foul of these laws – in fact they will almost certainly be inciting revulsion, contempt or hatred based on a protected characteristic. Many times we hear the expression 'From the river to the sea, Palestine will be free.' What they are really talking about there is the area of land between the Jordan River and the Mediterranean Sea, which is currently occupied by the State of Israel. What they are calling for is effectively – or it could be interpreted this way; in fact I think it is how they interpret it, and it is certainly how Hamas interprets it – the annihilation of the State of Israel and everyone in it. That is what they are calling for. 'Globalise the intifada' – well, 'intifada' can mean many things to many people, but in the Second Intifada it meant sending in children with suicide jackets and in fact that happened many times. 'Globalise the intifada' could also mean something like what happened at Bondi. It could also mean IS-inspired jihadists bashing gay people, which we have also seen in New South Wales. Other things: 'Glory to the resistance' could very easily be interpreted to mean 'Glory to Hamas'. It could very well mean that. 'All Zionists are terrorists' is another expression we have heard. Someone used that recently in a case, only a few days ago actually, and that was found under the old Racial and Religious Tolerance Act 2001 to be a breach. Another one they say is 'Glory to the martyrs'. I think what they could interpret that to mean is 'Glory to those who have committed terror acts against the Israeli state'. These are just some examples – I am sure there are many, many more if we wanted to use our imagination – of inciting contempt or hatred based on protected characteristics, which Greens supporters do themselves.

It will almost certainly be open season on the people that supported these laws in the first place. I for one am all here for it. In fact that is why I supported the amendment to bring forward these laws to June this year. I think that the people of Victoria need to see how this works before the election. I am very happy that the government is bringing forward even closer, to April this year, the civil component of these laws. It is true that we have not had any prosecutions under the criminal components of these laws yet, but maybe now, after this bill passes today – not with my support and not with the Greens support either – police all over the state will be able to use these laws. I think everyone knows what the police are going to do with these laws. The Greens supporters, these protesters, are going to have the book thrown at them. That is what is going to happen. I look forward to seeing what happens when these laws come in without my support, but I look forward even more to the Greens trying to explain to their supporters what they have actually done.

**Enver ERDOGAN** (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (16:07): I want to thank all members for their quite colourful contributions to this debate – I was not expecting that today – as we respond to such an urgent matter and a matter that really does deserve the utmost importance in this chamber today. I might add there was quite a bit of revisionist history there, for those of you who enjoy your history, during that debate. I think for the efficacy of this chamber we have had quite robust debate, which is healthy for a well-functioning democracy like the state of Victoria.

In that spirit I will say that these changes at their core are about ensuring the laws we passed last year operate as originally intended by the Attorney-General at the time and that our justice system can respond swiftly to serious vilification when it occurs. This bill makes amendments to ensure criminal vilification matters can proceed without unnecessary delay. The current legislation creates an additional procedural barrier to respond quickly to serious acts of hate. When the anti-vilification legislation was debated in this place in April last year, amendments made in this chamber by the Greens introduced the requirement that the DPP consent to any prosecution for a serious vilification offence. That requirement was not the intent or a part of the government's original bill, I might add, and I think that is important to state.

It is important to also state that the opposition's lack of support for the broader reforms meant that amendment had to be accepted to secure passage of legislation that was way too important. The protection of people from hate is too important. That legislation was more encompassing and had many elements, which I know some in this chamber have touched upon, but they are about protecting people from antisemitism, from racism and with any protected attribute. Those anti-vilification laws were vital, and ultimately this amendment was moved without the support of those opposite. I am pleased to hear that those opposite had the opportunity to reflect and recognise that they had made an error last year, and now they are supporting our changes today and supporting this bill today.

I think this bill restores the framework to the original form introduced by the government. Currently prosecutions for serious vilification offences require the consent of the DPP, and this bill removes that, in particular for adults. That means that when Victoria Police choose to prosecute, the process can begin immediately, and it will streamline the system and ensure alleged offenders are brought before the courts as quickly as possible. Importantly, the safeguard will remain for those accused under 18. I think this is a recognition that children have particular vulnerabilities and in many cases an educative approach is best rather than a punitive one for people so young. The reforms enshrined in the Justice Legislation Amendment (Anti-vilification and Social Cohesion) Act 2025 deliver stronger protections for Victorians to live free from hate, discrimination and intimidation. This bill builds on that work, and it reinforces the government's commitment to combating extremism, tackling antisemitism and keeping Victoria safe, strong and united. I commend the bill to the house.

**Council divided on motion:**

*Ayes (31):* Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaele 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, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

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

**Motion agreed to.**

**Read second time.**

*Third reading*

**Enver ERDOGAN** (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (16:17): I move, by leave:

That the bill be now read a third time and do pass.

**Council divided on motion:**

*Ayes (31):* Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaele 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, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

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

**Motion agreed to.**

**Read third time.**

**The PRESIDENT:** Pursuant to standing order 14.28, the bill will be returned to the Assembly with a message informing them that the Council has agreed to the bill without amendment.

*Business of the house*

**Sessional orders**

**Sonja TERPSTRA** (North-Eastern Metropolitan) (16:21): I move:

That until the end of the session, unless otherwise ordered by the Council, the following sessional order be adopted, to come into operation at the end of the sitting week:

**X. Variation of scope of orders for the production of documents**

After Standing Order 10.01 insert:

- (1) The Secretary, Department of Premier and Cabinet, may write to the Clerk at any time up to and including the seventh day prior to the date for the return of documents and request that the scope of an order be varied.
- (2) A request to vary the scope of an order for the production of documents must include reasons why the scope of the order should be varied, which may include but are not limited to –
  - (a) why the timeframe for the production of the documents cannot be met; and/or
  - (b) why the terms of the order are likely to result in the production of a large number of documents reasonably believed to be irrelevant to the intent of the order for documents.
- (3) The Clerk will provide the request and any accompanying documents to the President and the member who moved the original order for documents. The Clerk will advise all members and publish notification that a request has been received.
- (4) When a request under this Sessional Order is received –
  - (a) the original order and the date for return of documents is suspended; and
  - (b) if –
    - (i) the request is rejected, the original order stands and the documents ordered are to be produced to the House by the original due date, or if that date has passed, within a further seven calendar days, and the Clerk will advise all members and publish any correspondence received relating to the rejection;
    - (ii) agreement is not reached within 14 calendar days, the original order stands and the documents ordered are to be produced to the House by the original due date, or if that date has passed, within a further seven calendar days, and the Clerk will advise all members and publish notification that the request has lapsed;
    - (iii) an agreement is reached between the member and the Secretary, Department of Premier and Cabinet, and is certified by the President, the Clerk will advise all members and publish the terms of the agreement, the President's certification, and any correspondence received relating to the agreement.
- (5) On the next sitting day, at the start of formal business, the President will report the agreement to the House and table all relevant documents.
- (6) The President will then propose the question to the House "That the varied terms of the order be agreed to". This question may not be amended or debated except for the member who moved the original order and a Minister may make a statement of up to 5 minutes each.
- (7) If the question is resolved in the negative, the original order remains in force.

I rise to make a contribution on motion 1239 in Lizzie Blandthorn's name. It is on the notice paper, and it relates to our government motion in regard to variation of the scope of documents motions. Members in this chamber would be aware that on numerous occasions we regularly come together to debate documents motions in the house, and there has for some time now been some conjecture about the scope of documents motions – the number of documents that are being sought. Members in this chamber would also be aware that it is the government's position to not oppose documents motions. We never oppose those documents motions, but I think we can all agree on one thing: the way in which the current procedures for this chamber have been framed has not been satisfactory for not only the people who are moving those motions, whether it is crossbenchers or those opposite, but also those on

the government benches. We have routinely said in this chamber that there are difficulties with complying with those documents motions because, given sometimes the scope of those motions can be quite broad and quite wide, we just do not know how many documents might be captured by that, so that then creates a problem in terms of compliance.

Just for those who might be playing along at home and those who might need a bit of reminding in this chamber, this house did refer it to the Procedure Committee – Mr Davis, I know you were a member of that at the time – for the Procedure Committee to inquire into and report back to the Parliament about what other jurisdictions might do in terms of their documents motions. I am also a member of the Procedure Committee, and as part of the work of that committee we did in fact take a deep dive into all things procedural in other jurisdictions. I found it quite interesting, personally; I learned a lot about procedure. I want to thank the boffins in New South Wales and certainly our own boffins here in Victoria for making sure we were across all of the detail, because it is something that is quite detailed in terms of its application. There are certain nuances that are existent in New South Wales that are not the same for us here in Victoria, so it was quite illuminating to get reports from different jurisdictions on what they are doing.

What I can say is that the motion that is before the house right now, motion 1239, is a lengthy motion. If you read it, it is very lengthy. But cutting to the chase of what it does, effectively it allows the government to basically engage with the mover of the motion to say, ‘Look, we understand this is the motion, but could we propose something that might narrow the scope?’ For example, the scope of a documents motion could be quite wide; there could be thousands and thousands of documents, some of them quite irrelevant. If someone were to reply to an email just saying ‘Noted’, for example, or had a line that pertained to the subject that the person was after, that could be captured. I know that there is scepticism that exists within this chamber about the way that governments deal with these things, but at a practical level somebody somewhere has to physically go through mountains of documents, and that takes time. The reality is that there are a number of documents motions that are coming out of this chamber on a very frequent basis and quite regularly. Again, somebody somewhere in some department has to take the time to gather those documents. It might depend on whether documents are kept onsite or not onsite. There might be a time when they have to retrieve documents, so that can take time as well. Then there is advice that we seek from the government solicitor about whether certain documents are in scope or out of scope, whether there are cabinet-in-confidence documents and the like. I know there is scepticism about that, but there are a range of moving parts to those things. It is not a matter of someone just clicking their fingers and saying, ‘Right, let’s get 30,000 documents delivered on the day.’

As I was saying, the motion before the chamber today is indeed lengthy, but the mechanism of it is quite straightforward. The change simply allows for the government to propose to vary the scope of the documents order. As I said, this might occur in instances where the mover of the documents order has drafted language to their motion to be quite broad, which might then inadvertently capture many, many documents that are really not relevant – potentially thousands of irrelevant documents. I talked about emails and the like. If it is just someone saying ‘Noted’, it is not really relevant. No-one cares about someone saying ‘Noted’. It is great they have acknowledged your email, but it is not really what you are looking for in this chamber. As I said, it causes significant strain on government resources to get that together. I have worked as a solicitor, and I have also ordered documents and tried to get discovery and things like that. It does take time, and the documents can be voluminous. Someone has to go through that and read that. Then the person who proposed the motion has got to go through when they receive those documents and determine whether they are happy with the result.

The current standing orders in the chamber make no provision for the government to amend the scope of orders once they have actually gone through this chamber. The effect of the motion that is before us today will allow an interactive practice between the government and the mover of the motion to talk about what the person is actually after. Again, I will go to the mechanics of the motion in a minute. I think it is reasonable – and of course this is what the key result of the Procedure Committee was – to

actually come up with this motion based on the information that we were provided. I am pleased to say that everyone who was on the Procedure Committee was unanimous in our position on this, so it should come as no surprise. I know Mr Davis might grumble along the way, but you were there and you agreed too. I am just saying we all reached a unanimous position, which is a good thing as well.

Ultimately, as I said, there is really no scope for the government once the documents motion has been passed in here to work with the mover to try and amend that and to say, 'Rather than seeking truckloads, you might only want one box. Is this really what you want?' The nature of the scope can be varied to such an extent that it is more useful to the mover, but there is no other practice or opportunity for those discussions to take place. In the event that the government wants to offer a varied scope of documents to the mover, it is a two-way street. The government can offer that, but the mover, if they are not interested, does not have to take up that opportunity. If the mover of the documents motion is not interested or does not agree with the government's proposed middle ground, they are well within their rights to refuse the request, in which case the original order remains in force and nothing changes. I think it is always useful and helpful where there can be an opportunity for conversations to happen so that we can both agree on what is actually being sought. The situation that we have actually got now in the chamber is not satisfactory to everyone, so there is genuine desire I think on the government's part to try and make this more workable for everybody.

I want to just remind everybody in the chamber of the journey that we have all been on with this thing. The government have spoken previously in this chamber about the difficulties that we are experiencing in complying with documents motions. We did previously propose these sorts of changes, but they were not really met with much interest. But we initially did propose this change publicly, and we had read it into the notice paper and allowed members time to consider it as well. A motion was moved, referring it back to the Procedure Committee to interrogate and report back, as I outlined earlier, so we did that work as the Procedure Committee, and the Procedure Committee, as I said, did achieve a unanimous decision in regard to that. So now, after receiving the committee's endorsement, we are proceeding with this motion today.

I just want to remind those in the chamber, though, it has taken a bit of a long time, and maybe that might suit some people's purposes over on the opposition benches. But Mr Davis, when this original sessional order establishing short-form documents motions was originally done, did not support that concept. We did try and have a conversation around this and allude to the problems that might be associated with the approach that Mr Davis was pursuing, and I understand that there were discussions with the crossbench that there was really nothing to see here and that we could just follow what New South Wales did to the letter. But again what was missed in that position was that there are differences in New South Wales. They do have some differences, and we could not just have adopted theirs because it would not have worked for us here in Victoria. So we have got to the situation where there is probably a bit of a record that has been set for the number of times that the sessional orders discussion has returned to the chamber to be debated and amended – maybe three, four times; I do not know. But we have tried in genuine good faith to alert the chamber and Mr Davis to the fact that what was going to be created would also not be workable.

The other problem was that we had to do it the hard way after rejecting the government's request to have this go before the Procedure Committee. We did eventually get there because the sessional order effectively gutted their own general business day, so then we had crossbenchers, if they were unlucky, drawing the short straw and getting the third slot in general business, which meant they got crunched at the end of the day. So that was pretty unfortunate. They then risked being gagged by the very sessional order that they had been convinced to support by Mr Davis – so perhaps a bit of sleight of hand there with the crossbench and maybe not such transparency there. But again we tried to say to Mr Davis at that time and explain to the crossbench that there were these problems and there would be unintended consequences from the approach that was being put forward by Mr Davis.

Anyway, here we are, and again I know that often the government members on this side, when we try and explain things in good faith, are viewed with scepticism. I think that is sad, because this situation

that we are dealing with now demonstrates the fact that if people listened in good faith and actually saw what we were talking about and that it was not a sleight-of-hand situation – again, we are just trying to be of assistance to the chamber. As I said, our position on documents motions is that we do not oppose them. We let them go by and we try and comply with them, but the sheer volume of documents is the problem. In any event, our response as I said to documents motions is that we consistently uphold our obligations to the Parliament to provide responses to motions whenever they are passed. I note that the standing orders in the Parliament have also been changed, which means the government only gets a very short amount of time to respond to documents motions. I know that is the want of the chamber, but I still think it is an unfair situation to the government to not be able to respond to those things in a reasonable amount of time. Five minutes is not a lot of time to be able to respond to those things. It is actually quite challenging to be able to cover all of the ground that you might like to cover in a 5-minute period. Again, that is the will of the chamber, but I can see that some people actually like the fact that they might get to bully and kick the government around when they get an opportunity, and I think this is one of those circumstances. Again, we should be trying to work in a much more collaborative fashion rather than scoring cheap points, but that is where we are.

Nevertheless the sessional order changes that were implemented by Mr Davis – again there is a turbocharging of the amount of documents orders. Now we see there are two per sitting week in an effort to bog down departments and the Victorian Government Solicitor's Office. If you are getting two documents motions a week, bureaucrats somewhere in a government department, as I said, have to order these documents. If they are not held onsite, they might be in offsite storage somewhere. That costs money as well. If you have to get your document storage people to go and retrieve something from a long way away, that is money and resources that the government is being forced to expend. These things take time. Not only does someone have to go through and see whether each document complies with the terms sought – the net that has been cast, if you like, by the mover of the motion – but then on whether some of the information contained in that should be redacted or not, somebody has to apply consistently the tests that go along with production of documents.

There could be documents that will not be disclosed due to executive privilege or the like. I know Mr Davis hates that term, but it is definitely a thing. We get advice from the government solicitor on those matters. The government solicitor is also a very busy public service entity, and it does take time for those things to be done. It is an accepted principle that in some circumstances, as I said, the government may withhold documents when disclosure would be contrary to the public interest, and the basis for withholding that is called executive privilege. I know Mr Davis does not like that. But in any event, the government receives legal advice, including from the Victorian Government Solicitor's Office, to inform its decisions to claim executive privilege. Like I said, these things all take time. I understand it can be frustrating for those people who are in fact waiting for those documents to be produced, but it takes time. Someone somewhere has to do it, and that takes time. Tying up finite government department resources is frustrating for everyone. These are some of the things the government might consider as to whether things should be in or out: matters like whether things would reveal, directly or indirectly, the deliberative processes of cabinet – so cabinet-in-confidence documents are out – or reveal high-level, confidential deliberative processes of the executive government or otherwise genuinely jeopardise the necessary relationships of trust and confidence between a minister and public officials. Somebody has to go through and consistently apply these tests. There are quite a number of points that go into these matters. Someone somewhere has to sit there and apply these tests.

Also what would be excluded is where there is information revealed that might have been obtained by the executive government on the basis that it would be kept confidential, including because the documents are subject to statutory confidentiality provisions that apply to the Parliament, and also where the documents might reveal confidential legal advice to the executive government, because government does seek legal advice on a whole range of matters. So those matters are provided to the government, which would be the client, on a confidential basis. Especially if something is prepared for the purpose of legal proceedings, for example, that is definitely something that would be

confidential between the parties. Other documents might otherwise jeopardise the public interest on an established basis, in particular where disclosure would prejudice national security or public safety, prejudice law enforcement investigations or materially damage the state's financial or commercial interests, such as ongoing tender processes or changes in taxation policy, and also whether it would prejudice intergovernmental and diplomatic relations or prejudice legal proceedings. Those things make sense to me. They do not seem controversial, and I do not think the government should be viewed with scepticism when we are saying that if a document might enliven some of these objections, it should not be provided. These are principles that are well founded, well tested and have been stable principles really for quite some period of time. It is not appropriate to comment on the merits of individual government decisions to claim executive privilege in respect of particular documents either.

What the motion does is propose that a mechanism be inserted into the standing orders. As I said, it is a very long and lengthy motion. What it provides for is the following thing: once the mover of the motion has got their motion together and is seeking documents, the proposal is to insert after standing order 10.01:

- (1) The Secretary, Department of Premier and Cabinet, may write to the Clerk at any time up to and including the seventh day prior to the date for the return of documents and request that the scope of an order be varied.

I am going to go through the technical stuff in here in terms of the mechanisms that are proposed to be inserted. Secondly:

- (2) A request to vary the scope of an order for the production of documents must include reasons why the scope of the order should be varied, which may include but are not limited to –
  - (a) why the timeframe for the production of the documents cannot be met; and/or
  - (b) why the terms of the order are likely to result in the production of a large number of documents reasonably believed to be irrelevant to the intent of the order for documents.
- (3) The Clerk will provide the request and any accompanying documents to the President and the member who moved the original order for documents. The Clerk will advise all members and publish notification that a request has been received.

So there is that iterative process where people are actually talking to each other about what is required.

- (4) When a request under this Sessional Order is received –
  - (a) the original order and the date for return of documents is suspended; and
  - (b) if –
    - (i) the request is rejected, the original order stands and the documents ordered are to be produced to the House by the original due date, or if that date has passed, within a further seven calendar days, and the Clerk will advise all members and publish any correspondence received relating to the rejection ...

So I think what is being proposed and what the committee landed on – and this is what was proposed by the committee – is a sensible approach where parties can actually discuss what is being sought and a mechanism whereby documents can be produced but, if the mover of the motion is not satisfied with what the government is proposing in terms of an amendment, that can be rejected by the mover of the motion. I think that is sensible, and the timeframes involved in this, as I have just read out, are reasonable as well. It is definitely not a motion that seeks to delay matters. If documents are to be produced to the house and the original due date has gone by, there will be only a further seven calendar days and members will be advised and any correspondence received relating to the rejection will be published. It is a reasonable timeframe for all parties to deal with this in a sensible and comprehensive way, and you can see the mechanisms that work there. The next part is if:

- (ii) agreement is not reached within 14 calendar days, the original order stands and the documents ordered are to be produced to the House by the original due date, or if that date has passed, within a further seven calendar days, and the Clerk will advise all members and publish notification that the request has lapsed;

- (iii) an agreement is reached between the member and the Secretary, Department of Premier and Cabinet, and is certified by the President, the Clerk will advise all members and publish the terms of the agreement, the President's certification, and any correspondence received relating to the agreement.

There are a few other things there, but it shows that there is a genuine desire, and again the Procedure Committee landed on this. Members of the crossbench and members of the opposition were on that committee and reached an agreement. I think it is something that is reasonable in the circumstances. It will, as I said, allow everybody in here to have a discussion about what is actually being sought and then hopefully streamline the processes. It will alleviate that burden on our public servants and any government departments, where a lot of time and effort goes into these things, especially if there is a large volume of documents. You cannot tell at the time a motion lands here how many documents might actually be in scope. It is unknown at the time. Once an analysis of that is done by the relevant government departments, there might be boxes and boxes and boxes. And I do not think that is what members who move these documents motions want either. I do not think you want that. If you want to go through 30,000 pages, it might take you a little bit of time to actually get to what you want, so that is really not what you want. I know sometimes these things can be looked at as a little bit of a fishing exercise. I have been around long enough to have been involved with the production of documents in my lifetime in other iterations, so I know there are certain ways that people like to try and see what they can get: 'Oh, look, a surprise. I wasn't expecting that, but there's something that's interesting.' It is a waste of government resources and it is a waste of government time. As I said, the government's intention is that we do want to cooperate, but we need a proper process where we can have discussions and basically assist. I have lost count of the number of documents motions that have been approved by this chamber. Someone might somewhere have kept count. But for the purpose of speaking on this motion, I have not had the opportunity to keep a tally. Nevertheless there have been a lot. As I said earlier, there are at least two documents motions that are moved every Wednesday of every sitting week and possibly more, so there are a lot that get moved.

I will just talk about the record of those opposite for a moment. It is important to contrast this, because as I said, our position is we do not oppose documents motions. This government, here on these benches, does not oppose documents motions. In the 57th Parliament the Legislative Council passed six documents motions. The LNP government responded by providing documents in part for three of those motions – only three. The LNP government provided no documents for 50 per cent of those motions, and no documents at all were provided in response to requests by Labor seeking orders for documents on ambulance response times, the Patrick Stevedores relocation and the east–west link business case, for which just an executive summary was released.

**Harriet Shing** interjected.

**Sonja TERPSTRA:** It was a cracker. But again, those documents contained none of the details of the project. So it is a little bit rich for the government to be accused of things when we have just got to look at the record of those opposite. On questions without notice, in the 57th Parliament the LNP left 1174 questions without notice unanswered.

**A member** interjected.

**Sonja TERPSTRA:** Yes, let me repeat that: 1174 questions without notice unanswered. That is nearly double the amount of questions without notice unanswered by Labor in the 58th Parliament.

*Members interjecting.*

**The ACTING PRESIDENT (Jacinta Ermacora):** Mr Davis, if you are going to interject, do so from your place, please.

**David Davis** interjected.

**The ACTING PRESIDENT (Jacinta Ermacora):** That is not an appropriate excuse.

**Sonja TERPSTRA:** On a point of order, Acting President, Mr Davis should return to his place if he is going to interject. He is not in his place.

**David Davis:** I wasn't interjecting. I was having a conversation.

**Sonja TERPSTRA:** Regardless, return to your place if you are going to interject or make some sort of interruption while the debate is ongoing. Acting President, there is a point of order there for you.

**The ACTING PRESIDENT (Jacinta Ermacora):** I uphold that point of order and request that you continue your contribution uninterrupted.

**Sonja TERPSTRA:** Without assistance of course. Again, on the contrast of those opposite with this government, 3282 individual FOI requests were denied in full by the LNP government. There were repeatedly refused departmental briefings with Labor members on the FOI commissioner bill. It is important to remind people in this chamber about this, because history is important. It is good to contrast what our government is doing and the record of those opposite. They also underfunded and understaffed the FOI commissioner, refused to grant them powers needed to hold the government to account and then cut their budget by almost 25 per cent a year later. We know it is in their DNA to cut and we know that government departments would be stripped of important resources and funding that they would need to operate, and there is a perfect example of what I just mentioned about that. They also continued using advisers to oversee FOI processes and then deny access to information. That is not the role and approach of this government. We use government departments, not advisers, and we certainly use proper cabinet processes, and those processes are assessed by the government solicitor. Then, I can say, the coalition denied Labor leave to debate a bill that would require the quarterly release of hospital, paramedics and firefighters performance data. There was a deliberate attempt by those opposite when they were in government to restrict access to information and very important data about hospitals, paramedics and firefighters performance data, because they wanted to hide from public scrutiny. But here we are today debating something where they want access to information and data. I find it very, very interesting, to say the least. Of course David Davis was the health minister at the time, and at one point health performance data was held back for 18 months. I will say it again – 18 months.

There are some very interesting numbers in that latter part of my contribution on this motion. It is very interesting and revealing that those opposite now seek to have a rolled-gold process around this. But nevertheless I want to thank all the members who are on the Procedure Committee. We did an important piece of work on that Procedure Committee. I also want to thank the clerks of the New South Wales Parliament for taking time to speak to all of us and go through all of the nuances in regard to their situation in New South Wales, because it is quite different, so it was pretty clear we could not just adopt whatever they were doing. I think the position that the Procedure Committee has landed on, and the proposed amendment to standing order 10.01, is appropriate. I hope that all parties in this chamber, when these documents motions are debated, there can be a genuine engagement between parties, whether it is the crossbench or those opposite, about what is actually being sought, rather than seeking to embark on massive fishing expeditions for thousands and thousands of documents just to waste finite resources of government and the time of many, many a public servant. I think I will leave my contribution there with about 5 seconds to go on the clock, and I commend the motion.

**David DAVIS (Southern Metropolitan) (16:51):** I am pleased to rise and make a brief contribution to motion 1239, after that extraordinary ramble that we just heard. But let us be clear here: this is a modest change to the standing orders. It is a change to the standing orders that the Procedure Committee has recommended. It is a change to the standing orders that, as far as I know, everyone agrees with, including the Liberals and Nationals. I also do want to say something about the broader context of document motions, and I will come to that in a moment. What this does is it makes some modest changes on the advice of officials and MPs in the New South Wales Parliament. To give people some history, our standing orders are modelled directly on the New South Wales Legislative Council ones. When we introduced those, they were shamelessly lifted to put the framework in place here for

production of documents motions. These current standing orders came into effect in the Parliament beginning after the election in 2014. So I just want to be very clear to Ms Terpstra that these current standing orders were not in place prior to that point, so the codification of the standing orders did not occur until the 2014 period onwards, after the state election.

I also want to say something about the input of the New South Wales officials and the New South Wales MPs of a number of political parties. That was very helpful. We were impressed, and what it gives us is a modest, iterative process, modelled on New South Wales, that enables the refining of requests for documents with input from the head of the Department of Premier and Cabinet. We have no objection to that concept. We have no objection to the proposed mechanism. As I say, the standing orders are modelled on the New South Wales Legislative Council, but since the time that they were put into our standing orders here in that period, from December 2014 onwards, New South Wales has changed its standing orders and has had learnings and different approaches. That is all good.

I will summarise the method, or the mechanism – perhaps a little more succinctly than Ms Terpstra did. A motion is passed and then an iterative process can commence, and that is formalised and structured. If the secretary of DPC is able to convince the mover of the motion that it can be refined in a sensible way, that can be done straightforwardly, and I think that makes absolute sense. As I say, New South Wales has adopted this approach, and so should we.

**Michael Galea:** Why didn't you fix it properly in the first place? Why didn't you use the Procedure Committee?

**David DAVIS:** We are relaxed about the way it has occurred. We are relaxed about the input. We are relaxed about the points that occurred from New South Wales, the material presented by the –

**Michael Galea** interjected.

**David DAVIS:** We are very calm about the way the new changes have been made. But what I would say is that we are not calm and we are not relaxed about the government's routine non-provision of documents. So this should be seen as one side. Ms Terpstra said there could be thousands of documents, but on some occasions somebody has moved a motion and sought a single document – one, just one document. And then the government goes up hill, down dale and around and all of that to try and prevent the release of a single document, and it delays and obfuscates – everything that you can imagine under the sun, every excuse known to man, things that would make Sir Humphrey proud of the approach adopted. But of course we do know what is going on here. The state government have become masters at blocking the release of documents, and the only reason they can do that of course is that the chamber is yet to take a firm view with them. And if we take a firm view with them, there will be a consequence of some type for those who are responsible for providing the documents but have not provided them.

I do want to say the powers of the chamber are very clear – the powers of the House of Commons in 1856, the power to call for people and documents. If Ms Terpstra wants to go and read the *Constitution of Victoria* book, she will get a sense of it. Or she could just walk to the papers office and get a copy of the legal opinion – actually, two legal opinions – obtained by the chamber from Bret Walker. Bret Walker is the foremost constitutional lawyer in this area, the one who ran the Sydney Water case that went to the High Court, and the High Court has given very clear enunciation of the powers of Legislative Council chambers around the country. Arguably, Victoria's are slightly sharper than New South Wales's, but I will leave that to the constitutional boffins to argue. It is clear that we have the ability to call for documents and people. The government does have certain prerogatives. I accept this completely, and I have been in the same position that the Leader of the Government is in, having been on the relevant committee, considering documents motions coming from this chamber and dealing with that. I also understand the challenges that she faces when it comes to the approach and attitudes of lower house ministers, who tend to have a lower understanding of what occurs in our chamber and

the importance of it for our democracy more broadly. I say that very clearly. I understand that, and I do not diminish the challenge that she faces in any regard either.

There is a huge list of documents that are outstanding currently, and this is separate from the mild and sensible iterative process that we are establishing through this motion. It is a separate matter that the government has not provided documents when it should have. It could have and it should have, and it has chosen not to. I can go back to the period through the last Parliament, when the most extraordinary resistance was encountered when we tried to seek COVID documents, and this government or its predecessor was determined not to provide those. Many of those are still not in the public domain. Many are there because of long FOI processes, some that we have run. One went to the Court of Appeal, and in that case the documents were ordered released by the Court of Appeal of Victoria. But those documents were not provided to the chamber. They could have been provided to the chamber. The government was able to find the documents for FOI. There was a defined list of documents. All of those things eventually, when they get to the Court of Appeal, are ordered to be provided. They could have been provided to this chamber and should have been provided to this chamber concurrently with the public health orders that were being made at the time through that period of COVID. I am a former health minister. I was not against the exercising of the public health powers by the chief health officer in a proper way, but I always believed that there should have been proper exposition of the decisions. There should have been proper information about the decisions. The reasons for the decisions ought to have always been in the public domain because that would have meant the quality of the decision-making improved, and that is part of what we are trying to do here. We are trying to actually get better quality government decisions by the scrutiny of them and by the accountability that comes from providing that overlay of scrutiny that this chamber does successfully provide and ought to continue to provide.

To the extent that these new orders refine that process in light of New South Wales's experience, I support that. Let me just point to one thing here. There is one glaring difference. In New South Wales they have an arbiter, so where a dispute occurs and a claim of executive privilege is made by a minister there is an ability to have the arbiter come in – an independent person, usually a former Supreme Court judge, a person of impeccable quality, impeccable legal training and impeccable independence, jointly chosen by the chamber. However, we have never been able to have the arbiter work here. I am going to call it for what it is: the Andrews Labor government and the Allan Labor government have never allowed the arbiter to act or be involved. It is in there; people can read it in the standing orders, and this, again, is copied directly from New South Wales. In chapter 10, on page 39, it lays out the process by which an arbiter can be called, the report of an independent arbiter and the appointment of an independent arbiter. Appointed by the President, they must be a Queen's Counsel – we probably should change that to 'King's Counsel' now – a Senior Counsel or a retired Supreme Court judge. These are persons of impeccable quality and impeccable independence. Why will the government not allow its claims of executive privilege to be tested by an independent arbiter? It is an absolute outrage.

Ms Terpstra said, 'There are a lot of documents. There are too many documents' – blah, blah, blah. This is well after that. Of the Commonwealth Games documents that Mr Limbrick moved by motion with the support of the Commonwealth Games committee – 153 I think was the number of documents – three were provided, 150 were not, and executive privilege was claimed over the lot of them. We asked for the arbiter to be appointed. They just would not do it. No-one would do it. The government would not allow an arbiter to be appointed, in direct defiance –

**Sonja Terpstra:** It doesn't work.

**David DAVIS:** Well, it was not about finding the documents. It was not that they were voluminous. They had been found, they had been listed and executive privilege had been claimed. Nobody believed that these documents were all executively privileged. No-one believed that. No sane person believed that. People believed that maybe a few of them genuinely had executive privilege, but people wanted it tested by the arbiter. Why wouldn't we?

**Sonja Terpstra** interjected.

**David DAVIS:** I beg your pardon?

**The ACTING PRESIDENT (John Berger):** Order! Mr Davis to continue.

**David DAVIS:** I am being provoked here, Acting President. Just let me also be quite clear here: New South Wales has made some changes to its standing orders; we are now copying those standing order changes in large measure. In large measure we are, and that is a good thing. It sets up a way forward and it makes sure that we can actually test some of these things in a reasonable way. My challenge to the government now is that we will in good faith pass these changes, and there will then be an iterative process to check and test some of those points. However, I say to the government: get a move on, provide that big backlog of documents and allow an arbiter to be appointed so that there can be a testing of these matters where there is a dispute. I think that is a very reasonable demand and a very reasonable request. I do want to say something about the opportunities for improvement of the process here. I am keen to see the arbiter appointed, I am keen to see this improved and I am keen to see some penalties for ministers who do not work in good faith on this matter. There has to be some clear indication that the minister is not doing the right thing. It might be that the minister is no longer allowed to give ministerial statements in this chamber. It might be that the minister has other certain privileges withdrawn in the chamber so that we make sure the minister who is responsible, whoever that might be in a particular documents motion, is incentivised to begin providing the documents that are in the public interest. It is in the public interest that that scrutiny and oversight is there.

**Sarah MANSFIELD (Western Victoria) (17:06):** I rise to speak on this motion and welcome it finally coming to the chamber. We are very much in support of this motion. I appreciate the process that we went through to get to this point via the Procedure Committee. As Ms Terpstra outlined, I think there was broad agreement about the changes that have been outlined here. They are, as Mr Davis said, fairly modest changes. By way of context, we have had disputes about documents since I first came to this place. While at some level I find the fact that I have got to stand up and speak on this again incredibly tedious, it is actually vitally important, this issue, and it is something that we still have not completely resolved. But I think hopefully today there is a small step in the right direction.

Every time we have a dispute about documents the standard response from the government is that there has not been enough time allowed to produce the document, and then we are told that sometimes the scope is too wide, even though, as has been identified, quite a number of the requests are for a single document – a single report that we know exists. So some of those excuses around why it cannot be provided around timing or scope do not entirely add up. But we accept that in some instances perhaps that has been an issue, and, as written, the standing orders do not allow for any kind of sensible discussion or rescoping of the request between the government and other parties. This sessional order change will allow for that discussion to take place. The mover of the motion is well within their rights to refuse whatever terms the government is offering. I think it is a very reasonable compromise. It is based on a process they went through in New South Wales. We had the opportunity, via the Procedure Committee, to speak to a number of people, who have either been MPs or clerks in New South Wales, who were able to attest to how the process there has been beneficial and been used by all parties to find a way through where there is a bit of disagreement about the scope and timing of documents.

Putting that aside, I think there are some ongoing concerns about what happens with these documents disputes. Mr Davis has already touched on it and has spoken about the need to have access to an arbiter. But before we even get to the point of having an arbiter – and this was with reference to the issue of executive privilege. I might go back a step. The issue of executive privilege was not something we looked at in the Procedure Committee, and that was quite deliberate, because we already have standing orders in this Parliament that are perfectly adequate. They are well written. They are essentially identical to New South Wales's. They outline a process when a claim is made around executive privilege. I am pretty sure it is standing order 10.03. We have talked about it that many times, I think

I remember the standing order. I do not have a great memory for numbers, but I think it is 10.03. It is well outlined, the process for what should happen when a claim of executive privilege is made.

There is nothing wrong with our standing orders. The problem is that the government refuses to follow the standing orders when it comes to a claim of executive privilege. So what will happen if we ever do get a documents request replied to? The vast majority of documents have claims of executive privilege made over them. Whenever we bring this issue up, we hear from the government 'We have a right to claim executive privilege' and we get lectures about the history of executive privilege and cabinet in confidence and all sorts of things. No-one here has ever disputed the government's right to claim executive privilege. The government has a right to claim executive privilege. However, the Parliament has a right to challenge that claim, and that is what that standing order 10.03 process is about. It is about allowing the Parliament, the mover of that motion, to challenge that claim.

Before we even get to the point of an arbiter coming into any kind of dispute, there is a step before that that has meant we have never even been able to make a challenge, because the step before that never occurs. The step before that is for the government to provide the documents to the mover of the motion. Where privilege is claimed, the mover of the motion can request the documents to see whether they believe that claim of privilege is reasonable. That is done in confidence. It obviously requires a level of trust and respect that clearly the government does not hold for the rest of the Parliament, but that is what is meant to occur. If the mover of the motion agrees with the claim of privilege, end of story. If the mover of the motion does not believe that privilege is appropriate, at that point they can raise a dispute and an arbiter can be appointed. But the government does not even engage with the process; they do not follow the standing orders at all. I do wonder: if the government does not agree with that, then maybe they should be pushing to abolish that part of the standing orders. But they are the rules of the Parliament that this Parliament has agreed upon, and they should be followed.

**David Davis** interjected.

**Sarah MANSFIELD:** It is what happens in New South Wales. Yes, it took a court case to force that process, but we should be able to look at that process and go, 'It works there. We can do that here.' As we have said, this is a vitally important issue when it comes to transparency. These discussions in any of these debates can sometimes feel a lot like inside baseball. No-one is really paying attention to the detail of a lot of these discussions unless they have got a keen interest in integrity and parliamentary process. But when I explain what this actually means in practical terms to members of the public who have an interest in some of the documents we are trying to acquire, they are outraged. They cannot believe what occurs with this government when it comes to the production of documents – or the lack thereof – with their outrageous claims of privilege and the total lack of respect for the Parliament. They cannot believe it. They are outraged. They wonder what they can do about it and how on earth the government gets away with it.

We have tried very hard to be reasonable about these things as a Parliament and have held off on any kind of serious sanctions for members of the government. But the reality is, aside from kicking someone out, there are not a lot of options we have got to create some kind of consequence for this behaviour. Whenever this issue comes up and we float the idea that there has to be a consequence it is turned around on us and it is made out as though we are the problem and we are the ones behaving badly when it is actually the government who are not following the rules of the Parliament. They are not showing respect to the Parliament, and in doing so, they are not showing respect for the Victorian people. I really, really hope that through agreeing to this change in the sessional orders, through the approach we have taken to work collaboratively and constructively – to go down this path, not go down the path of kicking people out – we will see an improvement in the government's attitude towards these documents requests. We have a right to request these documents. The government has a right to claim privilege. We have a right to challenge that if we so wish.

I feel like this really should not be so hard. I would love to think I will never have to get up and speak on this issue ever again. I am so sick of speaking about this issue in this chamber. I fear that it may not

be the last time I get up and speak about it, but let us see how we go. I really look forward to having some good discussions with the government – sensible, genuinely good faith discussions – around things like scope and timing. Hopefully it makes their job a little bit easier, and we will start to see some documents being produced, as has been requested. For those reasons I commend the motion. We will be supporting it strongly, but I think there is still a fair way to go before I have full faith that we have addressed the problem of production of documents in this Parliament.

**Ryan BATCHELOR** (Southern Metropolitan) (17:15): I am very pleased to rise to make a brief contribution today. Obviously we make contributions most weeks on short-form documents motions, which as a feature of our standing orders have certainly increased quite considerably the number of motions passed by this chamber seeking documents out of the government, given we now basically have two short debates every sitting week which present motions that often are quite expansive and quite detailed in the breadth and depth of documents that are being sought. We have articulated in the chamber previously that sometimes the scope of or the net that is cast by those documents motions is exceptionally wide. Given the state and nature of contemporary communications within government, when things like ‘all correspondence’ are put into a request for documents, dutifully in response the public service is required then to go through every single email that a public servant may have sent on a particular topic. The volume of material that is created in today’s public service far exceeds the historical practice that may have seen short briefing files that may have occurred in the past.

One of the really important things that this motion is seeking to do today is to vary the scope of the documents orders to take account of the way that modern information is generated inside government. I think it is a good thing that this chamber is adapting its procedures to reflect the realities of modern communication. Hopefully it will result in better motions that are more targeted, and hopefully it will result in a process that allows, when wide nets are cast, for the scope to be narrowed to the things that people actually care about. That is what this motion seeks to do. There has been a pretty wideranging debate on other things people find infuriating about the documents process, which stem fundamentally back to questions about whether the executive and the Crown have a right to exert privilege –

*Members interjecting.*

**Ryan BATCHELOR:** If you would let me finish before interjecting, Mr Davis, you might understand the point I am trying to make. People are suggesting that claims of executive privilege are unreasonably being used to withhold documents, and what it comes down to I think is a disagreement between the Parliament and the executive about who makes determinations about whether executive privilege applies. That goes back to the way that interpretations are made about the way this power descended from the House of Commons. The problem is – as Dr Mansfield walks out, not willing to listen to this debate –

**David Davis** interjected.

**Ryan BATCHELOR:** It is not nonsense, because it goes to a question about who determines whether documents have executive privilege. It strikes me as passing strange that the way you determine that is by the way the Parliament suggests or the way people advocate, which is that you would seek to go through a process that in effect, it could be argued, abrogates the privilege by engaging in the process. I think that is what people are concerned about here, and it has been articulated again and again and again. I think that it is quite clear that the executive believes that determinations of executive privilege are matters that should be determined by the executive, and that is consistent with historical practice and procedure and process. Just because something is done in New South Wales does not necessarily mean the same applies here. I have got very good friends in the New South Wales Parliament; I have got people very dear to me who have distinguished records serving in the New South Wales Legislative Council. I do not think they are in any way, shape or form always the oracle on all issues. I think it is perfectly legitimate for us here in Victoria to have a view about these matters. I think it is perfectly legitimate for this Council to have a view about this matter, and it is

perfectly legitimate for the executive to have a view about the extent and scope and determinations of privilege. That is not what this motion is about.

I think the motion before us today is a very good addition to the processes that exist to ensure that the requests that are made are made in a way that can be efficiently resolved and wide nets that are cast can be narrowed in scope to get to the heart of what people are wanting to do. Hopefully we can improve the way these processes work so that people do not feel like they are exasperated because their version of the system does not exist.

**Evan MULHOLLAND** (Northern Metropolitan) (17:21): I am very pleased to speak on notice of motion 1239, and I am looking forward to hearing Minister Blandthorn's extensive views on the topic as well. This came from a Procedure Committee inquiry, which I was a part of. I did very much enjoy taking part in this Procedure Committee inquiry looking into the standing orders and how documents motions work. For a bit of that inquiry I was on paternity leave, but still I was able to Zoom in and take part. I really enjoyed hearing from all sorts of experts on this and people with lived experience, including the now senator David Shoebridge, who was a member of the New South Wales upper house, and also Damien Tudehope, a former Leader of the Government in the New South Wales Legislative Assembly and now Leader of the Opposition, and his staff, all of whom have extensive experience in how the situation works up there.

I think, to be frank, the current system here is not working, and too many of us have had documents that have had executive privilege claimed. Too many of us have been waiting for documents for years. We are coming up to the second birthday of Ms Crozier's Albury–Wodonga documents motion. The same documents were achieved through a documents motion in New South Wales; they were provided, but here we cannot get access to the same documents about the same hospital. I think something is not quite right there. We do, as has been discussed in conversation in this chamber, have a process whereby an arbiter can be appointed to decide if executive privilege is correct. Under it, the mover of the documents motion should be able to see those documents and decide for themselves whether executive privilege can be claimed and is correct, and if they have a different view, then they should be able to initiate that process. But as my colleague Dr Mansfield has said, the government has never allowed that process to occur, and it should happen. We have seen a lot of attempts by the government to stymie the release of documents. I would say the king of FOIs and VCAT is of course my colleague Mr Davis, but I am learning quickly.

I had an interesting case last week where I was – as I have tried to do in documents motions – trying to get the legal fees from the government that the Victorian Managed Insurance Authority spent trying to stop young families from getting their deposits back. It was a pretty simple thing and something that other departments have been able to provide me: what they have spent on legal fees. In this particular case I thought it was quite egregious because they were going after young families with top-tier law firms, people that were paying basically two mortgages because one of their home builders collapsed. The government and VCAT kept extending it and extending it and extending it. They then said, as another move to try to extend it, that the IP for those documents no longer sat with the VMIA, it was with the Building and Plumbing Commission. And so the VMIA, in another extension tactic, withdrew from the case. The problem was the Building and Plumbing Commission tried to join the case 24 hours after the VMIA withdrew, so according to VCAT the case was withdrawn. There was no-one attached to the case, so the government was actually forced to give me those documents. But it was not forced to give me those documents because it wanted to, it was forced to give me those documents because it is incompetent.

There are many other documents motions that we still have not seen. I commend my colleague Ms Gray-Barberio, who moved a motion last year calling on the government to release its business case for the Upfield, Somerton and Wallan service enhancement and planning feasibility study, which was a 2017–18 study. I thought it was quite important, because the federal government at the election announced about \$6 million to go to the state government to do the very same study, but the government has already done one – so what I want to see is those documents. Yet we keep getting

letter after letter after letter saying the government needs more time to be able to provide us with those documents, even though the federal government, as recently as last year, announced money for the state government to do the very same review. A feasibility study is something that government often announces when it does not actually want to commit to something, and this is something that is really important to public transport in my community in the northern suburbs. The Upfield and Craigieburn lines and up to Wallan extend through my entire electorate, so this is a very important issue and we should be able to know why the government has not released that planning feasibility study when it has accepted money from the federal government, about \$6 million, to do the very same study it already has done. Instead, we are spending \$34 billion – let us face it, \$50 billion – on a rail line from Cheltenham to Box Hill when people in Beveridge and Wallan and Kalkallo would rather like electrified trains. Similar to people in Tarneit and Wyndham Vale, they are pretty sick of getting on a very packed V/Line service. I will tell you what, everyone from Brunswick on the Upfield line and from Gowrie all the way to Wallan is very interested in seeing that planning feasibility study – interested in seeing what it says and interested in how much it will cost. And yet last year the federal government announced money for the state government for the very same document.

We heard wideranging comments from those opposite about where to draw the line between a disagreement between the executive and the Parliament over privilege. Well, let us put in place an actual process. We have one – it is in the standing orders. If there is a disagreement between the executive and the Parliament, we have an arbiter process – let us actually use it. We heard all these complaints about document searches and the public service being overloaded and that the public service might need to travel to some far-flung suburb to find documents. This Parliament, which is elected by the people of Victoria to represent our communities in this place, has those powers to order document release, and yet we have the executive just deciding that it does not have to listen to the Parliament and it does not have to release those documents. And yes, some people have been pretty cautious about the only option we have, which is to suspend the Leader of the Government. I think that is something we should consider. Something other crossbench colleagues should also consider is, when the government comes to them on another piece of legislation, refusing to support it until the government provides certain documents. Instead of asking for something else in a piece of legislation, my colleagues on the crossbench could also say, ‘I’m happy to support it if I get my documents,’ and then watch how quickly the government finds out it has these documents – watch how quickly they run. We have seen documents motion after documents motion refused under claims of executive privilege, only for the government to wash their hands.

We are in a time period when the public are fed up with politicians. The public are fed up with elected representatives making excuse after excuse. I truly believe that more transparency on government and what government does is important – it is why we have committed to a charter of budget honesty; it is why we have committed to a real-time tracker of public finances – and we should be looking at new ways we can use new technologies to open up government and be even more transparent than we are. I think that is really important and a good accountability measure. At a time when our trust in politics has never been so low, we need to be looking at ways we can show the public as a Parliament that we are an open Parliament and an open and transparent government that does not hide things away under the carpet but actually comes forward and says, ‘Yes, here are the documents. Here’s what was done.’ It is important to make those kinds of things public. I think their success rate for these documents motions is getting very low – it is getting extremely low – and I know that both the opposition and my friends on the crossbench are getting quite frustrated with this, because it was an important moment of unity for most of us to actually put in place the non-government business day documents motion procedure in the standing orders. It took a couple of goes, but we got there. I think that is really important. We do have a process in place that this Parliament has agreed to, and it should work for everyone. We do not just put through documents motions to have a 20-minute discussion about them, we put them through to actually get the documents.

I think this motion is a good one. It gives us at least a pathway, a path forward. It seems to be working in New South Wales. I am optimistic and pessimistic, because we do have standing orders that deal

with these situations already. As I talked about with the arbiter process, we do have standing orders that deal with this already, but it would be very useful to have a process that provides even more clarity. But if past performance is an indicator of future performance, I am a little bit pessimistic about how we will go with this process. But at least the government is coming to the table with something, and so we are willing to give it a go. I would caution, however, that this process, which hopefully starts today, is not an excuse to keep delaying documents motions that we all have passed. If you think putting in place this motion, these changes, absolves responsibility for the countless other documents that the house has ordered, you are wrong, and we as a Parliament will continue to prosecute the case on why those documents should be released in the public interest.

**David LIMBRICK** (South-Eastern Metropolitan) (17:35): I would also like to say a few words about this motion regarding documents orders from this Parliament. I share the frustrations of the opposition and crossbench on the current system and how this works. What normally happens when a documents motion gets passed in this Parliament? They routinely get passed. The government does not oppose them. A period of time later, you get a letter from the Attorney-General saying, 'It's taking too long to collect the documents,' and then that is the last you ever hear of it. Nothing happens beyond that point. Another thing that can happen is rather more rare, although I forced it during the Commonwealth Games inquiry when we knew that there were documents that the government had claimed executive privilege on; therefore, they could not say that it was too hard to collect them, because they would have already identified them, classified them and determined privilege on them. What is meant to happen is to go through this process, which is already in the standing orders, as Dr Mansfield outlined, to hand the documents over to the mover of the motion in confidence. The mover of the motion can choose to challenge that claim of executive privilege or not. I think that the tensions in this process are very considered, because the mover of the motion, if they challenge the executive privilege and there is no basis for that claim, then when the arbiter decides that, the mover of the motion will look rather foolish if they challenge it with no basis. So I think that the tensions in that process are quite smart and intelligent. But it is rare that the government actually claims privilege because they usually just say, 'Well, it's too hard to get these documents and it's going to take a while and you'll have to wait.'

What the government does when it does claim executive privilege is, frankly, just ignore the standing orders of Parliament. Mr Batchelor said he thinks that the government should be the ones that decide whether or not we have executive privilege. Well, why doesn't the government just move to abolish the arbiter process in the standing orders? If they do not think that it should ever be challenged, why don't they just get rid of it? They are basically just ignoring it at the moment. As Mr Mulholland pointed out, there are limited sanctions that the Parliament can bring upon the government in order to provide some sort of penalty for disagreeing with this. I think, due to the history on this, suspending a member of Parliament is a very serious thing. You are taking away democratic representation for that person that has been elected. I would like to think that we think very, very seriously about that before suspending a member of Parliament, even if it is for something that is justified.

Basically there are two issues. There is one issue around privilege, which this motion today does not address. We already have a system for that that the government ignores. The other issue is around the scope. Now, I do accept that sometimes the scope on these motions may be excessive. I think that this process of allowing the government to negotiate with the mover of the motion, with the consent of the mover of the motion, to narrow the scope, is a sensible thing. But I do not accept that every time the government has claimed that there are too many documents that it is in fact true. In fact the last documents motion that I moved was asking for a single document. I intentionally asked for one document that we know exists, because it was reported on. I very specifically asked for one document, and then the government comes back with this nonsense that 'It's taking too long to collate the documents and process them', which is obviously untrue. It is not true, because it is a single document. And I know that other members of this place have moved documents motions that were asking for a single document. Sometimes they ask for a document and all of the drafts of the document and all the

email communications around the document, and I accept that maybe in some of these cases there are too many and the scope should be adjusted.

Nevertheless, I am pessimistic about whether this is going to fix anything, because the current standing orders the government is ignoring. I am not convinced that adding new standing orders will not just be more things that the government can ignore, and we will not end up in the same situation. I suspect the reason that the government comes back and we get these letters that say there are too many things and it is taking too long is because then they cannot be accused of ignoring the executive privilege dispute process. I think that that is actually what is going on here. Nevertheless we will find out soon enough, once this comes into effect and there are more documents orders. Frankly, if the government comes back and we get a letter from the Attorney-General saying there are too many and it is taking too long to do this, instead of actually starting and using this new negotiation process, then we can know that this was not actually done in good faith. I am hoping it is in good faith. I am hoping that the government does want to see this process work. As was stated by others in this debate, it is already operating in New South Wales. It is very similar. They have an arbiter process that they use in New South Wales, and it works quite well, on my understanding. If this process is engaged by the government, it can work well. I think it is well designed. But the government has to be willing to use it, and that has been the problem all along.

**Bev McARTHUR** (Western Victoria) (17:41): I rise to speak on this motion. As others before me will have said, we are supporting this motion. This is a sort of last chance for the government in this place: you either make this system work so we get documents in a timely and productive fashion that gives us the information required or you do not, so you are on notice to make this system work. But it is not retrospective. There are a huge number of documents that have not been forthcoming from this government, because they are not the least bit interested in transparency or accountability. Obfuscation is the name of the game here with this government. It does bring back memories of the Coate inquiry: 'As soon as possible,' 'I don't recall' and 'I don't know' seem to be the usual excuses for why you cannot produce information that this Parliament has a right to ask you for.

I thought it was worth recalling some of the documents that you have failed to give us information on. On 6 March 2024 Wendy Lovell asked for the production of documents relating to Albury Wodonga Health. The due date was 27 March 2024, and 'insufficient time' was claimed – that was their reason for not producing them. That has not come forward. On 31 July 2024 Sarah Mansfield asked for the production of documents relating to the transition out of commercial native forest logging. That was due on 21 August 2024. Again, 'insufficient time' was claimed. I mean, how much time do you people need? On 30 October 2024 Moira Deeming asked for the production of documents relating to road and rail bridge infrastructure. That was due on 27 November 2024. Again, 'insufficient time' was claimed. The unprotection of dingoes order in council that Georgie Purcell asked for on 13 November 2024 was due on 22 January 2025 – again, 'insufficient time' was claimed. Then on 27 November 2024, land use in the Grampians and Arapiles region is what David Limbrick asked about. That was due on 20 January 2025 – again, 'insufficient time'. On 5 March 2025 it was the native bird hunting 2025 season that Georgie Purcell asked about. That was due on 2 April 2025 – again, 'insufficient time'. On 5 March 2025 David Davis asked about amendments to the Victoria Planning Provisions. That was due on 26 March 2025 – again, 'insufficient time'. On 19 March 2025 Evan Mulholland asked for the production of documents relating to the Suburban Rail Loop Authority. That was due on 9 April, but 'insufficient time' was claimed. On 2 April 2025 it was the production of documents relating to the 2022 rollout of HEPA purifiers in government schools that David Limbrick asked for. That was due on 30 June 2025. Again, there was still not enough time.

On 2 April 2025 energy documents were required by David Davis. They were due on 23 April 2025 – again, insufficient time. On 14 May 2025 there were the briefings provided to the Treasurer David Davis asked for. They were due on 4 June 2025 – no, insufficient time. On 14 May 2025 there was an Upfield, Somerton and Wallan service enhancement planning feasibility study Anasina Gray-Barberio asked about. They were due on 4 June 2025 – no, insufficient time again. On 28 May 2025 there was

the Great Outdoors Taskforce production of documents Georgie Purcell asked about. They were due on 9 July 2025. You claimed insufficient time. On 28 May 2025 there was the payroll tax for general practitioners and other health professionals David Davis asked about. It was due on 18 June 2025 – no time available. On 18 June 2025 there were the planning scheme amendments David Davis asked about. They were due on 9 July – insufficient time claimed. On 30 July 2025 there was the initial review of Victoria’s working with children scheme Rachel Payne asked about. That was due on 29 August 2025 – insufficient time. On 13 August 2025 there were the energy costs David Davis asked about. Due on 3 September 2025 – no time.

On 27 August 2025 there were the worker screening unit and working with children checks David Davis asked about. They were due on the 10th of the 9th 2025 – no time. On 27 August 2025 there were the Suburban Rail Loop costings David Davis asked about. They were due on the 26th of the 9th 2025 – no time available. On the 10th of the 9th 2025 I asked for documents relating to the four-bin waste and recycling system. That information was due on the 8th of the 10th 2025 – still no time available. On 15 October 2025 there were the alternatives to the demolition of public housing sites Anasina Gray-Barberio asked about. That was due on the 15th of the 12th 2025 – insufficient time claimed. On 15 October corruption in the construction industry – who would have thought. David Davis asked for those documents, due on the 12th of the 11th 2025, but there was no time for that.

On 29 October 2025 there was the production of documents relating to the container deposit scheme I asked about. They were due on the 26th of the 11th 2025. You still have not had time to find that information. On the 29th of the 10th again David Ettershank asked about the production of documents relating to waste-to-energy cap licences. They were due on the 28th of the 11th 2025; no time was available for that. On the 13th of the 11th 2025 there was a Victorian roads production of documents Rikkie-Lee Tyrrell wanted to know about. They were due on the 13th of the 12th – no time available. On the 13th of the 11th State Electricity Commission meetings documents were asked for by David Davis. They were due on the 11th of the 12th 2025 – no time. On the 19th of the 11th 2025 the Department of Premier and Cabinet opinion polling documents were asked for by David Davis. They were due on the 17th of the 12th 2025 – no time for that.

On the 19th of the 11th again there was the proposed animal care and protection legislation Georgie Purcell wanted to know about. It was due on the 28th of the 1st – no time for that either. On the 3rd of the 12th 2025 there was the market research for the machete prohibition campaign – how about that? – David Limbrick asked about. It was due on the 26th of the 1st and is now redundant of course, I would have thought. Anyway, there was no time available for that. The production of documents relating to the CFA board management I asked about – they were due on the 25th of the 2nd. I have not even got a reply about that. On the 4th of the 2nd David Davis asked about the withdrawal of compressed natural gas. That was due on the 25th of the 2nd 2026. We do not even have an excuse for that.

On the 18th of the 2nd 2026, Sarah Mansfield asked for production of documents on the Greater Avalon employment precinct. That was due on 11 March. We have not heard an answer to that. On the 18th of the 2nd, production of documents was sought on the Geoffrey Watson SC report, which David Davis asked about. It was due on 11 March. We have not heard anything. I asked for the production of documents relating to the board statement of the CFA. That was due on the 25th of the 2nd. Insufficient time for that to be produced of course is your excuse. On the 4th of the 2nd 2026, the withdrawal of compressed natural gas – David Davis asked about that. That was due on 25 February. There was still insufficient time to find that information. On the 18th of the 2nd, again Sarah Mansfield asked about the Greater Avalon employment precinct. That is due on 11 March – insufficient time. On 4 March 2026 the production of documents relating to ISIS brides – Evan Mulholland asked about it – due on 25 March.

I just want to go to how ridiculous this nonsense is that you have not got enough time to find documents. I will just go to the Greens Avalon documents motion:

- ... that the Victorian Planning Authority (VPA) engaged Alluvium consultants to prepare a drainage and flood strategy for the proposed future development area known as the Greater Avalon employment precinct (GAEP), including undertaking a drainage and flood assessment for the proposed growth areas, and determining existing and future drainage and flooding issues and/or constraints affecting the site and surrounds;
- (2) further notes that apart from a brief memo by Alluvium published on the VPA project website titled 'Greater Avalon employment precinct – existing conditions flood modelling report – technical memorandum – (Alluvium) May 2024', none of the other reporting completed by Alluvium has been publicly released, including work that details potential future impacts of proposed developments in the precinct on the Ramsar wetland in the vicinity of the GAEP; and
  - (3) in accordance with standing order 10.01, requires the Leader of the Government to table in the Council within three weeks of the house agreeing to this resolution, all reports prepared by Alluvium related to the GAEP.

Just one consultancy firm, just the final reports – that did not require decades of emails to be trawled or redacted, just a simple search for drainage and flood strategy reports. Quite a simple request, but you come back with 'insufficient time'. This is complete obfuscation. This is a worked example of how you are totally disregarding the directions of this chamber, how you take no interest in what the public, through us, want to know about and have a right to know about. You disregard the democratic system; you disregard the Westminster system. The ministers are totally unaccountable. You hide behind this obfuscation. This is a process in this chamber that allows members of the opposition and the crossbench to get information that is absolutely relevant to the work we carry out on behalf of our constituents. It is total garbage that you cannot supply these documents. These are the ones in the backlog that you still have to supply the information for. I personally, and I am sure others, will put you on notice that if this information is not coming forward, then look for a censure motion, because that is what will happen. We support the motion that is trying to improve the system here and we will work to ensure that we do try to improve the release-of-documents system, but do not use it as an excuse not to fulfil your obligation to provide the existing material that is in a backlog going back to 2024. It is quite disgraceful.

**David ETTERSHANK** (Western Metropolitan) (17:54): I would like to make a very brief contribution. Before getting into that, however, could I just thank Mrs McArthur for that walk down memory lane. My, doesn't time fly when you are waiting for that document motion to be processed? Not at all. Legalise Cannabis welcome this proposition, and we are appreciative of the work that was put in by the Procedure Committee in bringing it before the chamber. Like I think everyone else from the opposition and the crossbench who has spoken on this debate, Legalise Cannabis has been profoundly – profoundly – frustrated at the results that have come from these very important democratic mechanisms that we call documents motions. We have consciously chosen to try and keep our requests very simple and the number of documents sought very limited, and we have always sought to provide plenty of time. And we have virtually nothing to show for it. I guess we therefore embrace this proposal with great expectations but very limited optimism. Dr Mansfield has eloquently I think described the confounder that I guess is the next layer on this cake, the use of executive privilege and commercial in confidence, so I will not go into that other than just to say that if we have got this new process and all we get is the next brick wall arising from those uses of privilege, it would be a pretty depressing test of the government's bona fides and its commitment to transparency. We will of course support this motion. Let us suck it and see, and if it fails, as Mrs McArthur alluded to, we will no doubt look to what our other options are to try and pry open the apparent confidentiality of government on these very modest matters.

**Motion agreed to.**

**Adjournment**

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (17:57):  
I move:

That the Council, at its rising, adjourn until Tuesday 17 March 2026.

**Motion agreed to.**

**Bills****Education and Training Reform Amendment (Free TAFE Guarantee) Bill 2026***Introduction and first reading*

**The PRESIDENT** (17:57): I have received the following message from the Legislative Assembly:

The Legislative Assembly presents for the agreement of the Legislative Council ‘A Bill for an Act to amend the **Education and Training Reform Act 2006** in relation to the TAFE network, to guarantee the provision of certain courses of vocational education and training free of tuition fee, to provide for the TAFE Funding Guarantee and for other purposes.’

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (17:58):  
I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**

**Gayle TIERNEY**: I move, by leave:

That the second reading be taken forthwith.

**Motion agreed to.**

*Statement of compatibility*

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (17:58):  
I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the Charter), I make this statement of compatibility with respect to the Education and Training Reform Amendment (Free TAFE Guarantee) Bill 2026 (the Bill).

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

**Overview of the Bill**

The Bill amends the *Education and Training Reform Act 2006* (the Act) to provide for:

- the objectives of the TAFE network;
- the Minister’s powers in relation to the TAFE network;
- a new strategic planning framework for TAFE network providers;
- guaranteed provision of certain courses of vocational education and training (VET) on a tuition-free basis; and
- the TAFE Funding Guarantee, which requires a minimum of 70 percent of VET funding to be paid to TAFE institutes and dual sector universities.

**Human rights issues**

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

- The right to equality (section 8);
- The right to privacy (section 13(a));

- The rights of children (section 17(2)); and
- The right to take part in public life (section 18).

#### ***The TAFE network***

Clause 5 of the Bill, which inserts new Division 1A of Part 3.1 into the Act, provides for the objectives of the TAFE network, which include but are not limited to:

- Increasing equity of access to VET for persons who face social and economic barriers when accessing education and employment opportunities;
- Delivering VET to school students; and
- Providing learning pathways from secondary education to VET and between VET and university education.

#### ***Rights of children***

Section 17(2) of the Charter provides that every child has the right, without discrimination, to such protection as is in their best interests and is needed by them by reason of being a child.

Given the above objectives, which are directed towards improving educational and employment opportunities for young people, including young people from disadvantaged backgrounds, the Bill promotes the rights of children in so far as it applies to them.

The ‘TAFE network’ is defined in new Division 1A of Part 3.1 as the principal provider of VET in Victoria, and as consisting of TAFE institutes and participating dual sector universities.

New section 3.1.9A provides that the Minister may, by Ministerial Order, declare a dual sector university to be a participating dual sector university in the TAFE network. New sections 3.1.9B and 3.1.9C further provide that, at either the instigation of the dual sector university or the Minister, the Minister may, by Ministerial Order, revoke a declaration that a dual sector university is a participating dual sector university.

While the act of revocation pursuant to these provisions has the potential to engage the section 17(2) Charter right, I consider that any future limitations on this right are likely to be reasonably justified as there needs to be a mechanism in the Act for a dual sector university to stop participating in the TAFE Network, noting there may be circumstances where it is no longer appropriate or suitable for the dual sector university to be part of the Network. There are also safeguards built into proposed new sections 3.1.9B and 3.1.9C, including consultation requirements and a requirement that, as part of the consultation process, the council of the university notify the Minister of the university’s proposed arrangements for leaving the TAFE network. Further, as a public authority for the purposes of the Charter, the Minister will be required to give proper consideration to Charter rights, and to act compatibly with Charter rights, when exercising the power to revoke. These obligations operate as constraints upon any interference with the section 17(2) Charter right.

Accordingly, I am satisfied that these provisions are compatible with the right under section 17(2) of the Charter.

#### ***Appointment of Minister’s representative***

Clause 12 of the Bill, which amends section 3.1.19 of the Act, expands the Minister’s reserve powers to provide for the appointment of a Minister’s representative in relation to a TAFE institute board. New Division 3 of Part 3.1 of the Act, which is inserted by clause 16, introduces eligibility criteria for appointing a Minister’s representative, based principally on their skills, experience, education, training or occupation. Further, new section 3.1.28(2) provides that persons are ineligible for appointment if they are a board member of a TAFE institute; employed in the Department of Jobs, Skills, Industry and Regions under Part 3 of the *Public Administration Act 2004*; or a ministerial officer employed under Division 1 of Part 6 of that Act.

#### ***Taking part in public life and equality***

Section 18(2)(b) of the Charter relevantly provides that every eligible person has the right, and is to have the opportunity, without discrimination, to have access, on general terms of equality, to public office.

Section 8(2) of the Charter provides that every person has the right to enjoy their human rights without discrimination. This aspect of the right prohibits discrimination against a person with respect to their enjoyment of other substantive human rights. Section 8(3) of the Charter provides that every person is entitled to the equal protection of the law without discrimination and has the right to equal and effective protection against discrimination. This component of the right ensures that laws and policies are applied equally and do not have a discriminatory effect.

‘Discrimination’ under the Charter has the same meaning as in the *Equal Opportunity Act 2010*. Direct discrimination occurs when a person treats, or proposes to treat, another person with an attribute listed in section 6 of that Act unfavourably because of that attribute.

It is not clear whether section 18(2)(b) will be engaged by new section 3.1.28 of the Act. In order for section 18(2)(b) to apply, a person must be an 'eligible person'. The term 'eligible person' is not defined in the Charter. The commentary suggests two possible interpretations: either that persons are 'eligible' under section 18(2)(b) if they are eligible under the current law of Victoria, or alternatively that 'eligibility' takes on an independent meaning in the context of the Charter that is not confined to the conditions of eligibility under existing law. Under the former construction, section 18(2)(b) would not be engaged where a person does not meet the eligibility criteria for appointment as Minister's representative under new section 3.1.28 of the Act.

If 'eligible person' were to take on an independent meaning in the context of section 18(2) of the Charter, it would mean an adult with the relevant connection to Victoria, such as residency. If this interpretation is adopted, the right to have access to public office without discrimination would apply to a person irrespective of whether that person meets the eligibility criteria in new section 3.1.28 of the Act and section 18(2)(b) may be engaged.

If section 18(2)(b) is engaged by new section 3.1.28, that right will only be limited where the eligibility criteria give rise to 'discrimination', meaning discrimination on the basis of an attribute within the meaning of the *Equal Opportunity Act 2010* (which includes a person's profession, trade or occupation). On its face, this new provision may involve unfavourable treatment on the basis of a person not having knowledge of or experience in one of the professions or occupations listed in new section 3.1.28 or not being employed in a particular profession or occupation. New section 3.1.28 may also involve unfavourable treatment in so far as subsection (2) prohibits persons from being appointed if they are a board member of a TAFE institute; employed in the Department of Jobs, Skills, Industry and Regions under Part 3 of the *Public Administration Act 2004*; or a ministerial officer employed under Division 1 of Part 6 of that Act. For this reason, the eligibility criteria in new section 3.1.28 also engage the right to equality in section 8(3) of the Charter.

However, I consider any limitations on the rights in sections 18(2)(b) or 8(3) to be justified given that the eligibility criteria serve legitimate and important purposes:

- By requiring Minister's representatives to have the requisite knowledge, skills and experience to perform their functions under new section 3.1.31, new section 3.1.28 facilitates the objectives of the Minister's power to appoint a Minister's representative, being to assist the board to efficiently or competently govern the institute; improve the institute's performance; or comply with its VET funding contract. The provision functions as a protective mechanism to ensure appointees are appropriately qualified in a role that assumes significant responsibilities concerning matters of public importance, being the proper governance of a TAFE institute.
- The exclusions in new section 3.1.28(2) are directed at ensuring that the independence required for the role of Minister's representative is not undermined and that the appointee is able to provide independent and impartial advice to the Minister or the Secretary in relation to a TAFE Board.

I therefore consider that the Bill is compatible with the rights to participate in public life and equality in sections 18 and 8 of the Charter.

#### ***Power to require provision of information***

Clause 17 of the Bill, which inserts new section 5.2.1(2)(g) into the Act, empowers the Minister to require a TAFE institute to provide to the Minister any information the Minister may reasonably require for the effective monitoring, development and planning of education and training in or related to Victoria, including in relation to the commercial arrangements and activities of the TAFE institute and any other third party contract that relates to the TAFE institute.

#### ***Right to privacy***

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

To the extent that information collected under these provisions includes personal information, the right to privacy will be engaged. However, any impacts on the right to privacy will not be unlawful or arbitrary. The collection of information is authorised under the legislation and is for the purpose of clarifying that TAFE institutes must provide information if required by the Minister, particularly in the context of the proposed provisions creating a stronger oversight role for the Minister and Department in relation to TAFE institutes' financial management, for the effective monitoring, development and planning of education and training in Victoria. Further, it is intended that the information collected by the Minister will be only used for the effective monitoring, development and planning of education and training in Victoria. It is not intended that the information would otherwise be disclosed or shared by the Minister. The Minister must also act compatibly with the right to privacy and give proper consideration to privacy when determining the scope of an

information request made pursuant to these provisions. I am therefore of the view that the section 13 Charter right is not limited.

#### ***Free TAFE Guarantee***

The Bill inserts new section 3.1.1A into the Principal Act, which enshrines the Free TAFE Guarantee. New section 3.1.1A requires the Minister to determine in each year a list of courses of vocational education and training that are to be provided by TAFE institutes and dual sector universities on a tuition-free basis to vocational education and training students. The Minister must determine a class of vocational education and training student who is eligible to undertake courses on this list. The provision recognises the importance of Free TAFE as a pillar of Victoria's education and training sector and protects its continuation in the future for the benefit of young people, including young people from disadvantaged backgrounds. As such, in my view, new section 3.1.1A promotes the section 8 and 17(2) Charter rights.

#### ***TAFE Funding Guarantee***

Clause 21 of the Bill inserts new section 3.1.2A into the Principal Act. New section 3.1.2A legislates the TAFE Funding Guarantee, pursuant to which at least 70% of the total amount of training and skills funding paid by the Secretary to TAFE institutes, dual sector universities and other RTOs in a target year must be paid to TAFE institutes and dual sector universities. This provision legislates funding arrangements which already exist. To the extent it could be said to engage rights, this provision promotes the right to equality and the rights of children in so far as it applies to them.

#### ***Conclusion***

I am therefore of the view that the Bill is compatible with the Charter.

**The Hon. Gayle Tierney MP**  
**Minister for Skills and TAFE**  
**Minister for Water**

#### *Second reading*

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (17:58):

I move:

That the bill be now read a second time.

#### **Ordered that second-reading speech be incorporated into *Hansard*:**

Today, I introduce an amendment to the *Education and Training Reform Act 2006* which re-affirms the Government's commitment to put TAFE at the heart of the VET sector, and enshrines in legislation Victoria's nation-leading Free TAFE program. These amendments back up the significant investment made to date to rebuild TAFE and unlock the value of the TAFE Network to deliver Victoria's ambitious growth agenda.

The *Education and Training Reform Amendment (Free TAFE Guarantee) Bill 2026* (the Bill) enshrines the value and purpose of Victoria's public TAFE Network, ensures the continuation of this Government's flagship Free TAFE Program, and guarantees a proportion of Training and Skills Funding to TAFE so that it can continue to be effective in its public service, efficient in its delivery and confident in its future.

We have invested over \$16 billion new and base funding into our TAFE and training system since 2014; introduced and expanded access to Free TAFE, built world-class TAFE campuses and facilities and established a more integrated, responsive and industry-aligned training system.

We have put in place the architecture to meet skills demand head on. This includes the establishment of the Victorian Skills Authority, Apprenticeships Victoria and a TAFE Network approach supported by the Office of TAFE Coordination and Delivery.

Our reforms to date have seen the TAFE Network operate more efficiently and collaboratively to deliver services that draw on the full capability of the Network, maximising value for money and student outcomes.

This legislative reform is the next step to ensure the gains that have been achieved are protected.

Victoria is the birthplace of Free TAFE and this legislative reform will ensure that Free TAFE is here to stay.

Victorians have said a resounding yes to Free TAFE at the State elections in 2018 and 2022 and again in the Federal elections in 2022 and 2025.

Free TAFE is changing lives by removing the financial barrier to training for an in-demand, reliable and well-paying job.

The amendments in this Bill are key to securing the future of TAFE at the heart of our training system.

**Bill provisions***Free TAFE Guarantee*

Firstly, this Bill will enshrine in legislation Victoria's nation-leading Free TAFE program, by establishing a guarantee to Free TAFE for eligible learners.

This legislation enshrines a lasting requirement for Government to offer a list of Free TAFE courses each year that are to be offered by TAFEs and dual sector universities to eligible students free of tuition fees.

The Free TAFE Guarantee recognises the importance of Free TAFE as a pillar of Victoria's education and training sector and cements its legacy into the future.

Free TAFE has been a game changer since its introduction in 2019, providing Victorians with access to training, without tuition fees, and delivering real skills for learners in courses aligned with government priorities and skills demand to support economic growth and productivity.

Since Free TAFE's establishment, more than 225,300 learners have taken up a Free TAFE course, saving Victorian learners more than \$727 million in tuition fees.

The day-to-day operation of Free TAFE, including student eligibility and numbers of available training places will continue to be managed by the Victorian Government.

*TAFE Funding Guarantee*

Secondly, the Bill ensures the continued sustainability and centrality of TAFE at the centre of our high quality skills and training system by establishing the TAFE Funding Guarantee.

This Bill will amend the Act to ensure that a baseline of 70 per cent of Training and Skills Funding is delivered to TAFEs and dual sector universities, giving the sector the security it needs into the future.

The inclusion of the TAFE Funding Guarantee fulfils a commitment made by this Government in 2022 to ensure that TAFE is guaranteed a minimum of 70% of VET funding.

*TAFE Network*

Thirdly, the Bill creates an enduring legacy for public VET provision in Victoria by enshrining the value, role and purpose of the TAFE Network in the Act. The Bill formally recognises Victoria's unique TAFE Network as comprising TAFE institutes and participating dual sector universities.

This Bill carves out a role for participating dual sector universities to be part of the Network while preserving their unique and independent governing arrangements.

Working as a single, strengthened Network of public VET providers we can harness the collective expertise, scale and reach of our institutes to realise efficiencies, reduce sector fragmentation, and enable shared resource solutions between TAFEs to create a training system that is responsive to the demands of our growing economy.

These changes are not just symbolic. They will provide the clarity and direction our TAFE leaders have been asking for, aligned to government's strategic priorities.

The Bill establishes clear, common objectives for the TAFE Network to ensure better public value by leveraging and replicating the systems' strengths and establishing shared systems and processes – without losing local and regional connections to communities, employers and industry.

In particular, the Bill will reaffirm TAFE's role in providing access to high quality and relevant training and skills for all Victorians, informed by the Victorian Skills Plan as well as its role in supporting innovation and applied research in priority and emerging skills areas.

The Bill also articulates TAFEs' central role in supporting lifelong learning for Victorians and its critical contribution to equity and equality, including support for students facing barriers to education and employment.

*Strategic planning framework*

Fourth, changes will enable Government to more clearly set the strategic direction and priorities for the Network as a whole by establishing a new strategic planning framework through the TAFE Network Statement of Priorities.

The Statement of Priorities improves on the current legislative framework by better linking government priorities for the Network with individual institute strategic and operational responses to drive Network alignment, supporting TAFEs to achieve greater impact, outcomes and efficiency through Network alignment, not competition.

*Direct and coordinate*

Fifth, this Bill supports Government to direct the TAFE Network as a whole to achieve greater impact, outcomes and efficiency.

Through expanded Ministerial guidelines we will be able to bring greater consistency and alignment to Network services, resources and activities.

TAFE Network guidelines will support Government to deliver on its response to the *Independent Review of the Victorian Public Service* to mandate and accelerate shared service reforms over the coming years.

They will also be used to support Victoria's planning of training delivery. Guidelines will set the direction for how the TAFE Network aligns its service delivery to Government priorities as outlined in the Victorian Skills Plan, to create a Victorian TAFE Network offering that efficiently meets the skills needs of Victorians and their employers and communities across the state.

Guidelines will be mandatory for TAFE institutes and participating dual sector universities will be required to consider guidelines. It is not intended that guidelines limit the power of Vice Chancellors or dual sector university Councils or otherwise contradict university Acts.

Greater consistency and collaboration across the TAFE Network will ensure that every Victorian – no matter where they live – has access to consistent, high-quality training that aligns with industry needs.

The Bill also strengthens financial oversight to enable Ministerial approval of TAFE institutes' annual budgets to send a strong message to TAFE leaders regarding our new financial sustainability expectations.

The Bill enables more proactive measures to support improved TAFE institute board performance and accountability – for example, where a TAFE Board has failed to comply with guidelines. Here we have drawn from the approach the Minister for Health can take under the *Health Services Act 1988*, to develop an option which will enable the Minister to appoint a representative to a TAFE Board to assist them to improve the institute's performance.

*Other amendments*

Finally, the Bill also makes some other minor and technical amendments to the Act. For example, we are changing the maximum number of Directors on a TAFE Board from 15 to 12. This approach balances the need for flexibility to bring on additional expertise if required, allows for consistency across TAFE Boards and preserves good governance and public sector management outcomes by limiting the overall size of TAFE Boards.

**Consultation**

This Bill is the direct result of extensive stakeholder feedback and meaningful consultation with TAFE institutes, dual sector universities, unions, students, and industry. We have listened carefully to those who understand the challenges and opportunities within our training system, and their insights have shaped the reforms we are introducing today.

This Bill will strengthen Victoria's TAFE system, ensuring it remains a leader in skills and training for generations to come. By improving coordination, enhancing quality, and making TAFE more responsive to industry needs, we are creating better opportunities for students and a stronger workforce for Victoria. These reforms mean more Victorians will have access to high-quality, job-ready training – supporting businesses, driving economic growth, and securing the future of skills and education in our state.

I commend the Bill to the house.

**Evan MULHOLLAND** (Northern Metropolitan) (17:58): I move:

That debate on this bill be adjourned for one week.

**Motion agreed to and debate adjourned for one week.**

**Electoral Amendment Bill 2025***Introduction and first reading*

**The PRESIDENT** (17:59): I have received the following message from the Legislative Assembly:

The Legislative Assembly presents for the agreement of the Legislative Council 'A Bill for an Act to amend the **Electoral Act 2002** and for other purposes.'

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (17:59):  
I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**

**Gayle TIERNEY:** I move, by leave:

That the second reading be taken forthwith.

**Motion agreed to.**

*Statement of compatibility*

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (17:59):  
I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

**Opening paragraphs**

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (**Charter**), I make this Statement of Compatibility with respect to the Electoral Amendment Bill 2025.

In my opinion, the Electoral Amendment Bill 2025 (**Bill**), as introduced to the Legislative Council, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

**Overview**

The Bill amends the *Electoral Act 2002* (**Act**) to implement recommendations and findings from a range of independent reports relating to the Victorian electoral system released since the last significant reform of the Act in 2018, as well as issues identified by government and the Victorian Electoral Commission (**VEC**). The changes are aimed at modernising the Act to ensure the smooth running of elections and enhancing public trust in the democratic process through increased transparency and accountability.

The Bill's amendments implement recommendations from:

- the Electoral Matters Committee of Parliament's (**EMC**) report on its inquiry into the conduct of the 2022 Victorian State election (**EMC Report**); and
- the VEC's Report to Parliament on the 2022 Victorian State election and 2023 Narracan District supplementary election (**VEC Report**).

The Bill implements one recommendation from the Electoral Review Expert Panel's (**EREP**) Main Report on its Independent review of Victoria's electoral and political donations system (**EREP Report**).

Key reforms in the Bill include:

- introducing measures to increase the clarity and transparency of information voters receive at the point of casting their vote, including by tightening requirements for the registration of party names and logos, and amending the nomination process to ensure the dis-endorsement of a candidate by a registered political party or a change to a grouping of candidates is reflected on the ballot paper;
- clarifying the legislated process for supplementary elections and re-elections, to provide greater certainty about the requirements for the conduct of supplementary elections and re-elections and protect against future legal challenges arising from gaps in the Act regarding processes and timings;
- amending legislated timings and other outdated requirements for electoral processes to ensure the continued efficient conduct of elections in the context of modern State elections and minimise the risk of failed elections; and
- making minor and technical amendments to improve the overall clarity and operation of the Act, including modernising and simplifying language and updated definitions as necessary.

**Human Rights Issues**

In my opinion, the human rights under the Charter engaged by the Bill are the:

- right to privacy (section 13 of the Charter);

- right to protection of families and children (section 17 of the Charter); and
- right to take part in public life (section 18 of the Charter).

For the reasons outlined below, I am of the view that the Bill is compatible with the Charter because, to the extent that some provisions may limit human rights, those limitations are reasonable and demonstrably justified in a free and democratic society. I consider that other provisions of the Bill promote human rights.

#### **Right to privacy (section 13) and right to protection of families and children (section 17)**

Section 13 of the Charter states that a person has the right not to have their privacy unlawfully or arbitrarily interfered with. Section 13 is intended to be interpreted consistently with Victoria's existing information privacy and health records framework, including Victoria's Information Privacy Principles enshrined in Schedule 1 of the *Privacy and Data Protection Act 2014* (**Privacy and Data Protection Act**).

Section 17 of the Charter states that families, as the fundamental group unit of society, are entitled to be protected by society and the State, and that every child has the right, without discrimination, to such protection as is in the child's best interest and is needed by the child by reason of being a child.

#### Expanded protection for silent electors

Clause 16 expands the existing requirement under section 31 of the Act for the VEC to ensure that the address of any person who successfully applies to be a silent elector is not entered on any electoral roll and this information is removed from existing electoral roll products. The amendment requires the VEC to remove the address of the requester from any previously published or issued document over which it has control. The effect of this amendment is to provide the VEC with a legislative basis for removing previously published confidential information to ensure stronger protection of the personal information of silent electors.

This amendment promotes the right to privacy under section 13 of the Charter by enhancing the VEC's ability under the Act to protect the personal information of silent electors. As the ability to become a silent elector is contingent on the VEC's satisfaction of a risk to the personal safety of a person or of their family if their principal place of residence were to be shown on an electoral roll, on the same basis, the amendment also promotes the right to protection of families and children under section 17 of the Charter, by expanding the protection of the safety of silent electors and their families, which section 31 of the Act is intended to provide.

The proposed House Amendments to clause 45 clarifies the application of the expanded protections for silent electors during supplementary elections, confirming that the protections apply to persons who have become silent electors between the close of the roll of the failed election and the day before the issue of the writ.

I therefore consider that the Bill is compatible with the right to privacy and reputation under section 13 of the Charter and the right to right to protection of families and children under section 17 of the Charter.

#### **Right to take part in public life (section 18)**

Section 18 of the Charter states that a person has the right, and is to have the opportunity, without discrimination, to participate in the conduct of public affairs, directly or through freely chosen representatives. Further, every eligible person has the right, and is to have the opportunity, without discrimination to vote and be elected at periodic State and municipal elections that guarantee the free expression of the will of the electors.

#### Changes to the early voting period

Clause 53 of the Bill amends section 99 of the Act to prescribe the length of the 'early voting period', which is the period before an election day during which a person who has applied to do so may vote at an early voting centre. Currently, the early voting period for all elections must begin at 9 a.m. on the Monday before the final nomination day and end at 6 p.m. on the day before the election day. In practice, this has normally resulted in an early voting period of approximately two weeks. Clause 53 will amend section 99 so that the early voting period is 10 days' duration, beginning from the Wednesday 10 days before the election day.

This amendment engages and may limit the right to take part in public life under section 18 of the Charter in potentially limiting access to voting for electors who are unable to vote on the election day by enabling a reduction in the period in which they can do so. However, I consider any limitation of the right to be reasonable and justified in accordance with section 7(2) of the Charter.

In forming that view, I take into consideration the fundamental importance of the right provided by section 18 of the Charter, which is modelled on article 25(a) of the International Covenant on Civil and Political Rights, considered to lie 'at the core of democratic government'.<sup>1</sup> The exercise of the right to take part in public life through voting in elections is also protected in Australia by the implied freedom of political communication under the Commonwealth Constitution and in Victoria by section 48 of the *Constitution Act 1975*.

However, I also take into consideration the modest extent to which the Bill's amendment will limit the right provided by section 18 in order to achieve the purpose of ensuring that voting centres remain a safe and secure

environment for electoral participants and members of the public. The amendment of section 99 of the Act will reduce, rather than remove, the opportunity for electors who are unable to vote on the election day from doing so before the election, by setting an early voting period of 10 days, encompassing both weekdays and a weekend.

#### Strengthened restrictions on party names and logos

Clauses 23 and 24 of the Bill amend sections 47 and 47A of the Act respectively to extend the existing restrictions on the registration of party names or logos similar to those of an existing registered political party name or logo to encompass abbreviations or acronyms, and other names or logos which are likely to mislead, including by suggesting that a relationship with an existing registered political party exists which does not in fact exist, or the holding of a parliamentary office. The amendments will also prohibit the registration of a name or part of the name of any political party that has been registered at any time within the past 10 years. Certain words used commonly in the context of political party names will be exempt from the restrictions.

The amendments address findings of Parliament's Electoral Matters Committee that some electors' votes in the 2022 State election were not directed as intended due to the confusing way in which some parties' names appeared on the ballot paper.

The amendments strengthen restrictions aimed at ensuring information on ballot-papers for elections is clear and registered political parties are clearly identified and distinguished, so that electors can be confident their vote as indicated on the ballot-paper will reflect their intentions, and election results in aggregate reflect electors' intentions. Consequently, the amendments promote the right to take part in public life through voting at State elections that guarantee the free expression of the will of the electors as expressed in section 18(2)(a) of the Charter.

#### Alternative voting centres

Clauses 51 and 52 amend the Act to provide greater flexibility for the VEC to make alternative arrangements in the event of unexpected circumstances affecting the conduct of an election at particular locations, by providing a new power for the VEC to appoint an alternative voting centre. Clause 51 amends section 97A to provide that, if voting has been suspended at an election day voting centre and cannot be resumed on the election day, the VEC may either adjourn the election in accordance with current section 97, or appoint an alternative voting centre at which voting can be resumed. Clause 52 inserts new section 98 empowering the VEC to, if due to a past or ongoing event it is, or is likely to be, impossible, unsafe or impracticable for an election day voting centre to open by the day before the return day for the election, close the voting centre or decide not to open it for voting, and instead open an alternative voting centre. The alternative voting centre will be subject to the same advertising and notification requirements as other voting centres under section 65(1) of the Act.

Clauses 51 and 52 also amend the Act to make clear that the VEC may exercise its new and existing powers in any order or combination as appropriate in the circumstances.

By providing an additional power for the VEC to make arrangements to ensure that an election may be held in localities affected by unanticipated events, such as flooding or fires, and introducing greater flexibility to the exercise of existing powers, these amendments promote the right to take part in public life under section 18(2)(a) of the Charter by supporting access to voting of electors in affected areas.

I therefore consider that the Bill is compatible with the right to take part in public life under section 18 of the Charter.

#### Conclusion

I consider that the Bill is compatible with the Charter because, to the extent that some of the provisions may limit human rights, those limitations are reasonable and demonstrably justified in a free and democratic society in accordance with section 7(2) of the Charter.

I commend the Bill to the House.

**Jaelyn Symes MP**

**Treasurer**

**Minister for Industrial Relations**

**Minister for Regional Development**

<sup>1</sup> UN Human Rights Committee, *CCPR General Comment No 25: Article 25 (Participation in Public Affairs and the Right to Vote)*, 57<sup>th</sup> sess, 12 July 1996.

*Second reading*

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (17:59):  
I move:

That the bill be now read a second time.

**Ordered that second-reading speech be incorporated into *Hansard*:**

The *Electoral Act 2002* (the Act) is a fundamental piece of legislation supporting our democracy by legislating for fair, transparent and efficient elections in Victoria. It is vital that this legislation is up-to-date and can support the operational realities of conducting elections.

The Bill before the House makes amendments to the Act to implement recommendations of various reports on Victoria's electoral system released since the last significant reform of the Act in 2018. These include:

- the Electoral Matters Committee of Parliament's (EMC) report on its Inquiry into the conduct of the 2022 Victorian State election (EMC Report); and
- the Victorian Electoral Commission's (VEC) Report to Parliament on the 2022 Victorian State election and 2023 Narracan District supplementary election (VEC Report).

The Bill also capitalises upon opportunities to improve and modernise the Act identified by the Government and the VEC, to ensure the Act is up-to-date and fit-for-purpose in the context of modern State elections.

*Political finance reforms*

One of the key areas of reform in the Bill relates to the political finance scheme in Part 12 of the Act. The Bill will address an operational deficiency by enabling the VEC to enforce residual financial obligations of former registered political parties and former elected members. Due to the current drafting of the Act, the VEC is not able to recover overpayments of administrative expenditure funding from a former registered political party after it has been deregistered, or a former independent elected member after they have left Parliament. This issue also applies to the recovery of excess payments of public funding and policy development funding to registered political parties. Like administrative expenditure funding overpayments, if a registered political party is deregistered before an obligation to repay excess funding payments arises or before the VEC may seek to recover any overpayment in court, the VEC has no means of enforcing these debts.

The Bill will amend the Act to reduce the possibility of these scenarios occurring by:

- inserting an additional step into the process for deregistration of a registered political party which requires registered political parties to disclose to the VEC all relevant information for the calculation of administrative expenditure funding, public funding, and/or policy development funding entitlements for the relevant reporting period and repay any overpayments to the VEC before deregistration takes effect; and
- inserting requirements for former independent members to submit an annual return in relation to administrative expenditure funding within 30 days of ceasing to be a member and extending the requirement to repay any overpayments of administrative expenditure funding to former independent members.

The Bill will extend the offences and penalties for non-compliance with existing disclosure obligations in relation to funding received under the Act to the new disclosure obligations for registered political parties in the process of deregistering. However, the amendments to the deregistration process for registered political parties will not completely preclude the possibility of a party being deregistered before any funding overpayments are repaid, as they will include a requirement for the VEC to complete the deregistration after a certain period has elapsed, regardless of whether the repayment has been made. This is to balance the aim of increasing the VEC's capacity to recover outstanding debts with the need to ensure that the Register of Political Parties remains up-to-date and accurate, in line with the purpose of the VEC's obligations to deregister parties in various circumstances under the Act.

Another important reform of Part 12 of the Act is to enable the VEC to exclude GST from claimable expenditure for which funding may be claimed under the Act. The Bill will address a gap in the current Act which prevents the VEC from excluding GST from the expenditure for which electoral participants may claim any of the three funding streams. The VEC is currently prevented from excluding GST from this expenditure even in circumstances where the claimant is eligible to receive a tax credit in relation to that GST expenditure. The VEC has calculated that the requirement to calculate claimable expenditure inclusive of GST costs an additional \$60,000 per State election on such payments for the public funding stream alone. To address this issue, the Bill will amend the definitions of 'electoral expenditure' and 'political expenditure' in the Act, to specifically exclude expenditure for which an entity is entitled to any credit, rebate, refund, reimbursement or

other kind of reduction in tax liability under any law. This will have the effect of preventing expenditure on GST for which a claimant may claim a tax credit from also being claimed for the purposes of calculating an entitlement to administrative expenditure funding, public funding or policy development funding.

The Bill will also insert a provision in Part 12 of the Act to clarify that nothing in the Act is intended to make the internal documents or disputes of political parties justiciable. This is intended to ensure that the Bill and any future amendments of the Act do not have the unintended consequence of disturbing the well-established precedent that an unincorporated political party's internal conduct does not give rise to any cause of action in an Australian court, on the basis that political parties are voluntary associations, and, unlike corporations, their creation and membership are not intended to create legal relations. The Bill will insert an express provision into the Act which provides that nothing in the Act has the effect of making the constitution, rules, resolutions or other internal documents or decisions of a registered political party, in and of themselves, enforceable in an Australian court. This amendment is based on a similar provision in the Commonwealth Electoral Act 1918.

The Bill also contains amendments to the nominated entities provisions in Part 12 of the Act to address any risk that those provisions produce unfairness in the electoral system by creating a disparity in electoral participants' ability to fund political communication.

In broad terms, these reforms will:

- allow all registered political parties, independent candidates and independent members to appoint a nominated entity, on the same eligibility criteria; and
- prohibit funds received from nominated entities from being placed in a State campaign account, so that those funds cannot be used for political expenditure; and
- introduce transfer caps to set a limit for how much funding a nominated entity can transfer to a registered political party or independent.

The Bill will extend the ability to appoint a nominated entity to independent candidates and independent elected members ('independents'). An independent will be eligible to appoint a nominated entity on the same basis as a registered political party. To ensure equal access to a nominated entity, the Bill will remove the differential eligibility criteria for the appointment of a nominated entity, so that the less stringent criteria applying to nominated entities appointed before 1 July 2020 will apply to the appointment of all nominated entities. Registered political parties and independents will not be able to appoint an entity as a nominated entity if the entity already appears on the Register of Nominated Entities – that is, no entity can be the nominated entity for more than one registered political party or independent, nor can an entity be the nominated entity for both a registered political party and an independent.

The Bill will prohibit funds transferred from a nominated entity to a registered political party or independent from being placed in a State campaign account. This will prevent funds from nominated entities being used to incur political expenditure, reducing the advantage of electoral participants with nominated entities in funding political communication. It will also make clear that that such funds are intended to be used for administrative and operational expenses incurred.

The Bill will also introduce a cap on transfers that can be made from nominated entities to the appointing registered political party or independent, to further mitigate the risk of financial advantage that electoral participants with nominated entities may have over electoral participants without. The cap will initially be set at \$500,000 for registered political parties and \$50,000 for independents, aggregated over an election period. This cap for registered political parties is likely to be a fraction of the actual administrative and operational costs incurred by the major political parties in Victoria, balancing the independence of political parties to decide how to finance their operations with their access to other sources to fund administrative expenditure, such as membership fees and levies. The cap for independents is lower than that for registered political parties to reflect that an independent has lower administrative and operating costs. The Bill will also allow the Governor in Council on the Minister's recommendation to prescribe a different cap in regulations in the future. This supports flexibility to ensure the cap remains reasonable and proportionate with reference to actual administrative costs in the future. Any transfers that are above the cap must be repaid to the nominated entity within 30 days or forfeited and recoverable as a debt to the State from the registered political party.

The cap will apply to transfers of money only, and will not apply to:

- transfers made for Commonwealth purposes;
- transfers made from a registered political party or independent to the nominated entity;
- loans on commercial terms from a nominated entity to the registered political party or independent and required to be repaid within 6 months after the next general election.

The existing anti-circumvention offence will also be amended to make clear that it prevents registered political parties and independents from accepting real property from their nominated entity for the purpose of placing money derived from liquidating that property in their State campaign account.

Key amendments in relation to nominated entities will apply retrospectively to the date of the Bill's second reading, so that no funds received from a nominated entity from that date may be placed into a State campaign account and no amounts already held by a registered political party from a nominated entity in the State campaign account can be used to incur political expenditure.

The Bill will also require registered political parties to remove from their State campaign account, within one month after the date that the Bill receives Royal Assent, any funds received from a nominated entity that:

- were paid in after 1 September 2023;
- remain in the State campaign account at the date of the Bill's second reading; and
- are above the general cap on political donations.

September 1 2023 is the cut-off date by which all costs and debts related to the 2022 general election were to be acquitted by. This means that any contributions to the State campaign account of a registered political party from a nominated entity after this date are no longer related to the previous general election and should be paid out. Any such funds that continue to be held in the State campaign account after this date will be forfeited and recoverable by the VEC as a debt owed to the State.

To ensure that funds from nominated entities can still be used to fund expenditure on office accommodation (other than the purchase or gift of ownership of premises) and expenditure on staff and volunteers, the Bill will amend the definition of political expenditure to expressly exclude those kinds of expenditure. The Bill will also amend the definition of claimable expenditure in section 207G of the Act to expressly include these kinds of expenditure, so that eligible registered political parties and eligible independent members of Parliament can claim these expenses under their administrative expenditure funding entitlements.

This reform will mean that expenditure on office accommodation and staff and volunteers can no longer be paid for using public funding claimable under section 211 of the Act, except in limited circumstances. An electoral participant who is not otherwise eligible to receive administrative expenditure funding (for example, an independent candidate who has not been elected and so does not receive administrative expenditure funding) will continue to be able to claim public funding for these kinds of expenditure to the extent that they are incurred in relation to an election.

The Bill will also amend the definition of 'gift' in section 206(1) of Part 12 to clarify that any political or electoral expenditure incurred by any person or entity that benefits another person or entity is not a gift, and therefore does not count towards the general cap on political donations for the beneficiary. This amendment provides clear permission for all persons and entities to engage in political communication and the political process directly, including in ways that benefit a political party or candidate, whether or not that is the intention, without any related expenditure being regarded as a political donation to that political party or candidate. It is not intended that this clarifying amendment of the definition of 'gift' has any impact on the existing definition of third party campaigner or the limit on political donations to third party campaigners.

#### Delivering safe and secure elections

The Bill changes the commencement day of the early voting period to be the Wednesday that is 10 days before the election day.

The current length of the early voting period (which in practice is usually approximately two weeks for elections other than by-elections) is unnecessarily lengthy and increases the resource demand of delivering elections, including providing adequate security arrangements for early voting centres throughout the early voting period. The Bill will amend the Act to create an early voting period of 10 days. This is considered an appropriate duration for the early voting period, to balance the need to provide sufficient opportunity to vote for electors who are not able to do so on the election day, while minimising the demand on security resources.

#### Privacy Protections

The Bill will increase protections for personal information of silent electors. Currently, a person can request to become a silent elector if the person considers that the appearance of their principal residential address on the electoral roll places or would place their personal safety or that of their family at risk. If the VEC is satisfied that this risk exists, it must ensure that the person's address is not entered on any electoral roll. However, this requirement applies prospectively and will not prevent a silent elector's address from being publicly available on past electoral rolls. The Bill will amend the Act to provide a legislative basis for the VEC to remove the information of a silent elector from documents that it has published or issued before the person became a silent elector, by inserting a requirement for the VEC, as soon as and to the extent practicable after a request to become a silent elector is approved, to ensure that any confidential information of the silent elector does

not appear in any documents which the VEC has previously published or issues, or which the VEC is required to make available for public inspection under the Act, and over which the VEC has control.

#### Improving voter information

To support informed voting and reduce the possibility of confusing information on ballot papers and other election materials, the Bill will strengthen restrictions on the political party names and logos that can be registered. The EMC Report found that it was likely that during the 2022 State election, some electors' votes were not directed as they intended because they were confused by the way parties' names appeared on the ballot paper. Some party names were overly similar to those of other, more well-known parties and other party names suggested party affiliations that did not in fact exist. The Bill will address this issue by strengthening existing restrictions on the registration of political party names and logos that are similar those of existing registered political parties by extending the restrictions to encompass abbreviations and acronyms of party names and similarities to the name of any registered political party that was registered within the previous 10 years. The Bill will also prohibit the registration of any party name or logo likely to mislead because it falsely suggests a relationship with an existing registered political party or the holding of a parliamentary office.

A further amendment made by the Bill that will help ensure that the way political party and candidate affiliations are presented clearly and accurately on the ballot-paper is the insertion of a provision to enable a registered political party to formally withdraw, by providing written notice to the VEC, the nomination of a candidate that it has endorsed. Currently, only a candidate may withdraw their own nomination, so that, in circumstances where a political party has dis-endorsed or ceased supporting a candidate between the final nomination day and the election, if the candidate does not withdraw the nomination, the candidate will nevertheless appear on the ballot-paper as being endorsed by the party. To ensure fairness to a dis-endorsed candidate, the registered political party will be required to provide notice to the candidate of its intention to lodge the notice before doing so.

#### Operational improvements

While the Act clearly sets out requirements for the processes and timings for State general elections and by-elections, there are gaps in respect of many of those requirements in relation to supplementary elections and re-elections. The Bill will clarify and provide missing details for the processes that must be followed for supplementary elections and re-elections. Timings and requirements for the conduct of supplementary elections and re-elections have been developed in consultation with the VEC on its operational requirements.

The Bill's other amendments to update timings for electoral processes will provide for the more efficient conduct of elections, support access to voting and control the risk of failed elections. The EMC Report identified numerous legislative barriers to efficient election delivery by the VEC. In particular, tight statutory timeframes for electoral processes, which do not take into account the increased complexity and scale of modern State elections, heighten the risk of failed elections in the future. The Bill will reduce these risks to Victorian elections by amending the Act to update timings for electoral processes, allowing more time for the VEC to complete various mandatory processes in the conduct of elections. These include:

- bringing forward the deadline for applications for registration of political parties from 120 days to 180 days before the day of a general election resulting from the expiration of the Assembly;
- bringing forward the day for the closure of the roll from seven days after the issue of the writ to the day that the writ is issued, providing an additional seven days for the VEC to complete processes such as enrolment processing;
- bringing forward the final nomination day forward from 10 days after the expiration or dissolution of the Assembly to six days after the issue of the writ, providing additional time for the VEC to design, print and distribute all the materials needed for commencement of early voting;
- amending provisions in relation to postal voting such as ensuring that the VEC may send ballot papers to all postal voters as soon as practicable after the final nomination day and before the commencement of early and mobile voting, clarifying an existing ambiguity which creates a risk that some voters may not receive their ballot pack in time to vote in an election.

Other amendments that will improve the operation of the Act include:

- Providing more flexible powers to the VEC to make alternative arrangements in the event of an emergency preventing voting at an election day voting centre. The Bill will create a new power of the VEC to appoint an alternative voting centre, including a mobile voting centre, if the VEC considers that it is not possible, safe or practicable for the election to be held at a particular election day voting centre.

- Clarifying that, pursuant to the arrangement with the Commonwealth for a joint enrolment process and the exchange of information necessary to support that arrangement, the VEC may apply administrative decisions of the Australian Electoral Commission (AEC) relating to a roll maintained under the Commonwealth Electoral Act 1918 to electoral roll products prepared or maintained under the Victorian Act. This amendment will reduce unnecessary double-handling of routine administrative decision-making by allowing the VEC to simply apply decisions relating to enrolment, such as on requests to become a silent elector, already considered and made by the AEC, without the need to re-make the decision independently.
- Modernising requirements for electoral materials by removing any requirement to display the name and place of business of a printer or publisher and providing greater clarity in relation to the electoral materials to which authorisation requirements apply.
- Other minor and technical amendments such as modernising and simplifying language, updating provisions to ensure that processes and transactions can be performed via electronic communication and requiring the VEC to publish determinations on its website to increase the transparency of its operations.

#### Conclusion

The Bill makes significant improvements to current electoral processes to ensure that elections continue to be conducted with the greatest regard to transparency, accessibility, and efficiency. The Bill will go a long way to ensuring that Victorians retain trust and confidence in the electoral system.

I commend the Bill to the House.

**Gayle TIERNEY:** I advise the house that amendments to the Electoral Amendment Bill 2025 were passed in the Legislative Assembly. There are three key changes: (1) removing provisions to formalise arrangements for the secondment of public servants to the VEC to assist with elections – these provisions were requested by the VEC, but in the interests of moving forward with the bill, we are removing the provisions; (2) amendments to enable the commencement of the bill to be on the day or the days to be proclaimed – this will allow the Nepean district by-election processes to proceed on the current requirements of the Electoral Act 2002, removing any ambiguity; and (3) amendments dealing with nominated entities, because a case is pending in the High Court on these provisions, which means it is prudent to wait until after the court delivers its judgement. I commend the bill to the house.

**Evan MULHOLLAND** (Northern Metropolitan) (18:01): I move:

That debate on this bill be adjourned for one week.

**Motion agreed to and debate adjourned for one week.**

### **National Gas (Victoria) Amendment Bill 2025**

#### *Introduction and first reading*

**The PRESIDENT** (18:01): I have a further message from the Assembly.

The Legislative Assembly presents for the agreement of the Legislative Council ‘A Bill for an Act to amend the **National Gas (Victoria) Act 2008** and for other purposes.’

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (18:01): I move:

That the bill be now read a first time.

**Motion agreed to.**

**Read first time.**

**Gayle TIERNEY:** I move, by leave:

That the second reading be taken forthwith.

**Motion agreed to.**

*Statement of compatibility*

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (18:02): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

**Opening paragraphs**

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006* (the Charter), I make this statement of compatibility with respect to the National Gas (Victoria) Amendment Bill 2025 (the Bill).

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

**Overview**

This Bill amends the *National Gas (Victoria) Act 2008* to support the improvement and expansion of Victoria's declared gas transmission system in the interests of ongoing security and reliability of Victorian energy supply.

The Bill introduces a new head of power for the Minister responsible for the administration of the *National Gas (Victoria) Act 2008* to make Orders under proposed new section 58B, which require a declared transmission system service provider or prospective declared transmission system service provider to plan, carry out or operate specified improvements to Victoria's declared gas transmission system, or to facilitate others' doing so.

The Orders will be able to modify the application of, or disapply provisions of the National Gas Law and the National Gas Rules with respect to improving Victoria's declared gas transmission system, and related services.

The Bill provides that Orders, made under new section 58B, are not to be considered a decision in relation to works for the purposes of section 8C of the *Environment Effects Act 1978*. This amendment in the Bill is limited to dealing with the procedure for making such a decision, rather than the substantive effects of such a decision and therefore does not engage relevant human rights.

The Bill provides for amendments to improve the civil penalty arrangements for a breach of a declared system provision prescribed to be a civil penalty provision under the *National Gas (Victoria Act) 2008*. The amendments alter the compliance and enforcement arrangements to ensure that the Australian Energy Regulator may enforce civil penalties in Victoria for such breaches under the Act.

The Bill in new section 58H enables the Supreme Court of Victoria to restrain persons with obligations under these Orders from undertaking conduct contravening them, or require them to take actions to prevent contraventions, in relation to enforceable provisions under Ministerial Orders. The Court orders are likely to be directed at the entities who are directed to carry out improvements to the Victorian declared gas transmission system, as provided under Ministerial Orders.

**Human Rights Issues**

Section 6(1) of the Charter provides that only persons have human rights. A person is defined as a human being. A note to section 6(1) clarifies that corporations do not have human rights.

The entities that will be subject to requirements under a Ministerial Order made under the new provisions set out in this Bill are declared transmission network service providers, prospective declared transmission network service providers, the Australian Energy Market Operator, and the Australian Energy Regulator. All are large and sophisticated commercial entities, and not natural persons.

*Civil penalties including Court order in relation to contraventions of enforceable provisions*

The imposition of civil penalties will generally not engage the right under sections 24 (fair hearing) or 25 (presumption of innocence) or 26 (Right not to be tried or punished more than once) the Charter, unless the penalty is in the nature of a punishment. Section 26 of the Charter provides that a person must not be tried or punished more than once for an offence in respect of which he or she has already been finally convicted or acquitted in accordance with law. This rule only applies in respect of criminal punishment. Breach of a civil penalty provision is not an offence.

To the very limited extent that these civil penalties provisions in the Bill apply to a natural person, the penalties (including new section 58G), which are civil penalty provisions for the purposes of the National Gas (Victoria) Law, and the powers of the Court to make orders set out in section 58H, serve the purpose of ensuring that a person upholds their duties in an order under section 58B. These provisions are largely protective in nature with the aim of ensuring compliance with the regulatory scheme in a reasonable and proportionate way and are not punitive in nature. The amendment provides that the Supreme Court may issue orders against any person who has contravened or proposes to contravene an Order, or any person who

engages in certain accessorial civil breaching conduct to that contravention or proposed contravention of the Order. That is, conduct whereby a person has been in any way, directly or indirectly, knowingly concerned in, or party to, a contravention or proposed contravention; or aided, abetted, counselled or procured such a contravention; or induced, whether by threats or promises or otherwise, such a contravention; or directly or indirectly, knowingly concerned in, or party to such a contravention; or conspired with others to effect such a contravention. In these instances, a natural person will likely be employed by or acting on behalf of the legal person, such as a corporate entity, directed to undertake improvement work under a Ministerial Order. Regardless, as the order will be decided by the Supreme Court, any impact on an individual person will be a matter for consideration by the Court in determining the application made by the Minister. Applications for orders are subject to the independent determination of the Supreme Court based on rules of evidence in a civil proceeding. The Court decision is subject to any appeal or judicial review. The Court may rescind or vary, an order or interim order. These matters afford further procedural fairness.

As such, I conclude that the rights in sections 24(1), 25 and 26 of the Charter are not limited by the provisions referred to above.

#### **Consideration of reasonable limitations**

I am satisfied that the Bill does not limit any human rights and therefore it is not necessary to consider section 7(2) of the Charter. If to the extent that that any limitation is imposed on the rights in sections 24(1), 25 and 26 of the Charter, any such limitation is reasonable and justified under section 7(2) of the Charter, as the civil orders are protective in nature and afford procedural fairness to serve the purpose of ensuring that a person upholds their duties in an order under proposed new section 58B under the *National Gas (Victoria Act) 2008*, for the reasons above.

#### **Conclusion**

I am of the view that the Bill is compatible with the Charter.

**Ingrid Stitt MP**

**Minister for Mental Health**

**Minister for Ageing**

**Minister for Multicultural Affairs**

**Minister for Prevention of Family Violence**

#### *Second reading*

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (18:02):  
I move:

That the bill be now read a second time.

#### **Ordered that second-reading speech be incorporated into *Hansard*:**

Victoria is moving ahead with its transition to net-zero and expanding our power networks to connect Victorian homes, power our industry and support our economy.

Gas will continue to play a role in the economy as we meet our legislated renewable electricity and emission reduction targets. Critical uses for gas include providing firming capacity through gas-powered-generation of electricity and as an input in our manufacturing sector.

By 2029, the Australian Energy Market Operator (AEMO) has projected the East Coast and Victoria will experience annual gas supply shortages. There is also a risk of seasonal and peak-day shortages happening ahead of this time. We are seeing sharper demand spikes as coal-fired generators close and renewable energy requires gas-powered firming, particularly in winter.

The current backbone of the gas transmission pipeline network in Victoria, also called the Victorian Declared Transmission System or DTS, plays a key role in ensuring enough gas supply can get to where it is needed. But the DTS was built for an earlier time when Victoria sourced most of its gas from the east of the state and Longford. It now needs timely and effective upgrades to allow available and projected supply to come in from other parts of the network to support ongoing secure and reliable energy supply. Having appropriate transmission infrastructure in place is a key piece in firming the electricity network through gas-powered-generation of electricity. Any network expansions or upgrades must also be properly targeted so only necessary upgrades are made that benefit all consumers and to reduce the risk of asset stranding.

The Government has already supported key pipeline investments to strengthen the DTS, including rigorous oversight of delivery of the Western Outer Ring Main, which was completed in 2023, and supporting compression upgrades to increase the capacity of the South West Pipeline. These upgrades have contributed to an increase in system capacity so it can better serve Victoria's peak demand. They have proved invaluable

over the past three winters. But more work will be needed to ensure the DTS can support Victoria's energy security and reliability needs, including supporting the electricity system.

That is why the Government is introducing powers to shore up supply and ensure our DTS has the transportation flexibility and capacity to meet demand.

### **Overview of the Bill**

#### *Ministerial Orders*

The Bill will introduce the power for the Minister to make Orders to direct the regulated transmission pipeline owner to make specific augmentations to the DTS under a new Division 6 in Part 6 of the *National Gas (Victoria) Act 2008*.

A Ministerial Order will be able to modify, or disapply, provisions of the National Gas Law and National Gas Rules to deliver the DTS upgrades to or direct services relating to the declared transmission pipeline network where these changes are needed for the reliability and security of gas supply.

For example, an Order may direct a declared network asset owner to undertake upgrades to its transmission pipeline network to increase capacity or to support improved resilience and operability of the network to ensure ongoing security of gas supply.

An Order may also ask AEMO to provide its expertise to help identify which changes to the DTS would best help avert shortfall risks and in a way that best supports the effective operation of the market. The Bill also confers powers on the Australian Energy Regulator to monitor and enforce compliance with any potential Orders and provides for civil penalties as an enforcement tool.

Before making an Order, the Minister will be required to consult with the Premier, the Treasurer, AEMO and the DTS owner. In this way, the Orders will be based on carefully considered advice to ensure that changes are made only when and where they are needed, that projects will be at an efficient cost and that they will deliver value for Victorians. The responsible Minister will also be required to publish the Order, together with the reasons for making the Order, in the Government Gazette and the Department's internet site.

These Orders will be an important measure of last resort. They will only be used where the market fails to find a solution.

These reforms are prudent and proportionate and will support the effective delivery of the energy transition to the benefit of all Victorians.

I commend the Bill to the house.

**Evan MULHOLLAND** (Northern Metropolitan) (18:02): I move:

That debate on this bill be adjourned for one week.

**Motion agreed to and debate adjourned for one week.**

## **Energy and Other Legislation Amendment (Resilience Reforms and Other Matters) Bill 2026**

### *Council's amendments*

**The PRESIDENT** (18:02): I have received a message from the Legislative Assembly in respect of the Energy and Other Legislation Amendment (Resilience Reforms and Other Matters) Bill 2026:

The Legislative Assembly informs the Legislative Council that, in relation to 'A Bill for an Act to amend the **Electricity Safety Act 1998**, the **Electricity Industry Act 2000**, the **Gas Industry Act 2001**, the **National Electricity (Victoria) Act 2005**, the **Energy and Land Legislation Amendment (Energy Safety) Act 2025**, the **Victorian Energy Efficiency Target Amendment (Energy Upgrades for the Future) Act 2025**, the **National Electricity (Victoria) Amendment (VicGrid Stage 2 Reform) Act 2025** and the **Advancing the Treaty Process with Aboriginal Victorians Act 2018** and for other purposes' the amendments made by the Council have been agreed to.

*Adjournment*

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Water) (18:03): I move:

That the house do now adjourn.

**Australian Open**

**Sonja TERPSTRA** (North-Eastern Metropolitan) (18:03): (2388) My adjournment matter is for the Minister for Tourism, Sport and Major Events in the other place, and the action I seek is for the minister to provide an update on how successful the 2026 Australian Open was here in Victoria. Melbourne has a lot of excellent titles, be it one of the most livable cities in the world or the coffee capital; we are also the events capital of Australia and the sporting capital of the world, and at no time is that more apparent than during the Australian Open. Over January we saw hundreds of thousands of people descend on Melbourne and Olympic parks to enjoy the tennis, entertainment and culture that Melbourne Park offered. The Australian Open is the largest economic driver in sports in Australia, and it brought in \$565.8 million to the Victorian economy in 2025. Anecdotally, many have said that this Australian Open broke many records in terms of attendance and economic activity and definitely in terms of the amount of fun had. I thank the Minister for Tourism, Sport and Major Events, or as we like to call him, the minister for fun, for all of his hard work in continuing to show Victoria in such a great light, not just to the rest of Australia but to the rest of the world, through events like the Australian Open. I look forward to his response.

**Suburban Rail Loop**

**Richard WELCH** (North-Eastern Metropolitan) (18:04): (2389) My adjournment matter is for the Minister for the Suburban Rail Loop. In Box Hill, within the Box Hill activity centre around the perimeter of the privately held Box Hill brickworks site in Federation Street, I have been alerted to the fact that new fencing and hoardings around the perimeter of that site have begun to be erected with Suburban Rail Loop branding. Given that we are not yet in receipt of the final consultation responses and report and given that there has been no public statement as to things proceeding there, I am curious as to why that hoarding is going up, why it is SRL branded and who is paying for it. The action I seek from the minister is to please explain, in the context of the SRL project plan and scope of works and schedule of works, what this hoarding is for, why and who is paying for it.

**Deepak Vinayak JP**

**Evan MULHOLLAND** (Northern Metropolitan) (18:05): (2390) My adjournment tonight is for the Attorney-General. We have seen Premier Jacinta Allan's Instagram following more than triple in days, jumping from an initial 34,500 on Friday to more than 120,000 on Wednesday night. This has sparked all sorts of speculation about bots, so that is the topic of my adjournment. The *Herald Sun* is saying it was from a follower purchase service, and I just want to speak about bots and fake followers because there is a prominent Labor Party member and self-described community leader, Mr Deepak Vinayak JP, who has amassed a whopping 386,000 followers on Facebook. This is someone who has been awarded the inaugural Multicultural Champion award by former Minister for Multicultural Affairs Robin Scott, has an Order of Australia, is a justice of the peace, no less, and in 2018 launched Victoria's India strategy for Daniel Andrews – an impressive resume.

Justice of the peace is a significant service and duty. It is where people have the power to attest to copies of original documents and certify that they are correct and honest. I notice some of his posts on Facebook have one like, and then another post a month later has 5000 likes but zero shares and zero comments. I am told Facebook usually averages about one comment per 10 to 50 likes. In March 2016 he was thanking his audience for achieving 500 likes, and then sometime in 2017 his follower rate jumped to over 350,000. He has also got about 60,000 Twitter followers, double that of the Premier. The code of conduct for a justice of the peace requires honesty. The action I seek from the Attorney-General is to review whether Mr Deepak Vinayak meets the threshold for removal as justice of the

peace by possible breach of the code of conduct. He was chosen to speak at the launch of Victoria's India strategy in 2018. I think, funnily enough, this particular individual also uses the credibility he appears to have gained through fake followers to influence people to vote for the Labor Party in the northern suburbs, and as I have been told, he says some pretty wild untruths about the Liberal Party within the Indian diaspora in the north. This is coming from someone who appears to have been quite untruthful about social media followers, something we have seen be particularly relevant in the news.

### **South-Eastern Metropolitan Region transport infrastructure**

**David LIMBRICK** (South-Eastern Metropolitan) (18:08): (2391) My adjournment matter this evening is for the attention of the Minister for Transport Infrastructure. Residents of Clyde, Clyde North and Cranbourne East have been waiting for the promised rail extension for decades. As these areas have expanded with new developments, the people now making these areas their home have been paying into infrastructure contribution funds. These funds are supposed to be for ensuring that these areas have the relevant infrastructure that they need. There is a rail corridor and existing plans that detail where several new train stations would be built, but they are still waiting. Promises and election commitments have been made, only to be shelved after the election is completed. These areas, whilst lovely places to live, are a transport nightmare, with bottlenecks and traffic jams throughout the day leading to long travel times simply to make it to a freeway. The rail extension would provide significant relief as more people could shift to alternative transportation. There is overwhelming support in the local community for this project to succeed. It is time to move it up the priority list. The south-east has been short-changed for too long. My request to the minister is to ensure that the relevant funding is made available and that this project proceed as soon as possible.

### **Ambulance services**

**Jacinta ERMACORA** (Western Victoria) (18:10): (2392) My adjournment matter is for the Minister for Ambulance Services Mary-Anne Thomas. There are more MICA paramedic interns than ever to strengthen specialised emergency care. The action I seek is an update on how this investment is improving response times and delivering better outcomes for Victorians when they need urgent care.

### **Health workforce**

**Georgie CROZIER** (Southern Metropolitan) (18:10): (2393) My adjournment matter is also for the Minister for Health, and it is in relation to graduate nurse and paramedic positions. Despite what the minister said in the Parliament today, there are thousands of graduate nurses and paramedics that cannot get a job in this state. There were thousands last year and there are thousands this year. This is not setting up the workforce for the future. I receive emails from concerned parents, family members and others – and nurses themselves – around their inability to get into a graduate placement program in this state. As one concerned mother wrote to me just on Wednesday:

In September 2025 more than 2,000 Victorian Nursing and Midwifery students did not secure a 2026 Graduate year position. As you know a Graduate year is crucial to cementing knowledge and securing a role in a hospital. None of the current advertised Nursing positions will consider someone with no experience, and very few state they will accept less than 12 months experience.

Nursing Employment Agencies currently advertise for 'Experienced Nurses' to fill casual and relief positions in understaffed hospitals. This is false economy and poor planning for predicted Nursing shortages in the future.

This woman is absolutely spot on. This is absolutely a false economy and poor planning for predicted nursing shortages in the future, because in just two or three years time we are not going to have the nurses that we need in our health system. We need these nurses in these positions now so that they are trained and they are in the system. It is just a disgrace to say, 'Yes, we've got nurses now,' but in three years time, let me tell you, we are not going to have the nurses we need. This government has failed these graduates. They continue to fail the health system and, more importantly, the Victorian community through the lack of planning and the mismanagement that is going on in health. What is the minister doing for these young women and others? She talked about women today in the Parliament – about how they are the majority in the healthcare sector, which is true – but it is not just

women, it is others. The action I seek is: what is she doing for these young people who have done their training, who have done their studies and who want a career in nursing or paramedicine?

### Corrections system

**Katherine COPSEY** (Southern Metropolitan) (18:13): (2394) My adjournment this evening is for the Minister for Police, and the action I seek is to end the illegal shuffling of people between police stations to manage overcrowding and enforce the 14-day limit on detaining people in police stations. Media reports have made it clear Victoria Police is moving people between stations, inappropriately calling it ‘decanting’, to extend the time that they can keep people in police cells beyond the 14-day gazetted limit. This is a human rights failure happening under the Allan government.

The Victorian Aboriginal Legal Service, VALS, has described the case of Nathan, an Aboriginal man held for 26 days in police custody and moved 200 kilometres away from family and community, who suffered multiple medical emergencies in police stations. The VALS custody notification system made over 200 welfare checks during Nathan’s time in custody, and Nathan’s health deteriorated in police custody so much that VALS was forced to take emergency legal action to transfer him out of the police station. Shortly after Nathan was transferred out he suffered two cardiac arrests, and he is now in hospital. This is exactly the kind of neglect and disconnection from care and culture that puts Aboriginal people at heightened risk in custody. We know this practice of shuffling people is putting people who have been denied bail at risk of dying in custody, with Aboriginal women particularly vulnerable, and we know that hundreds of uncharged Victorians are being moved around each night.

The conditions in police stations are not meant for longer term custody, and they are exposing people to inadequate medical care, overcrowding, sleep deprivation, unhygienic conditions, and there is no access to fresh air or sunlight. We must be doing everything possible to prevent and end deaths in custody, not normalising conditions that make this more likely. So the action I seek is that the minister end this inhumane shuffling of people between police stations and enforce the 14-day limit on people in police custody.

### Housing

**Michael GALEA** (South-Eastern Metropolitan) (18:15): (2395) My adjournment is for the Minister for Housing and Building, and the action that I am seeking is for the minister to provide me with an update on how the Allan Labor government is delivering housing that Victorians need. Last week we finally saw the Liberals come out with their housing plan, and what a shocker it was: 300,000 less homes than under the government’s plans. They want to reverse the planning reforms that we are undertaking, the planning reforms that are already seeing Melbourne property prices now amongst the lowest of all the capital cities, making it actually a little bit more accessible for young people to get into housing. Earlier this week, as many members often do, I was delighted to welcome students in from the broader south-east – high school students – and they know all too well the challenges that they are going to face in getting into the housing market. There is a government here that is actually taking action to make housing more affordable by making the supply of housing broader and making it so that if you want to live in the outer suburbs, in the regions or – yes – even in the inner suburbs, you can do so. And that is what happens when you have the planning reforms, including the activity centres that those opposite are so determined to block. They do not want to give young Victorians any opportunity to get into that market or any opportunity to live where they may want to live, whether that be near their parents – even if that is in Preston or Brighton or Camberwell. This government, on the other hand, supports the housing aspirations of young Victorians.

What is even worse about the Liberals’ announcement last week is that, yes, there will be some densification they want to do in the very core of the city, but apart from that, there is no further support for development anywhere else in Melbourne until you get to the growing outer suburbs. What they want to do is unlock all the precinct structure plans in one go, bring that forward, with no plan to deliver the infrastructure or the services they need. These growing communities, some of which I am proud to represent, know all too well of the growing challenges. In Clyde North, for example, we have

opened six new schools – six new public, primary and secondary schools – in the last three and a half years, and in that time the demand has fully gone up to fulfil those schools. And it is continuing to happen. We see it with roads, with the new hospitals that we are building, with the expanded hospitals and with the public transport upgrades. We are seeing huge growth in these areas, and we are meeting that demand as much as we can. But we acknowledge it is very hard to keep pace, and that is why we are shifting the balance, putting more of that support for Victorians in growing the middle- and inner-ring suburbs. But the Liberals just have a plan for putting more Victorians into the outer suburbs of Melbourne, with no plan for how to provide the services or infrastructure for them to get around.

### **Bushfires**

**Melina BATH** (Eastern Victoria) (18:18): (2396) My adjournment matter this evening is for the Minister for Environment, and it relates to bushfire risk management transparency. When we think about the fires that we have had over the summer period and the devastation that has caused not only for communities, individuals and their homes and their stock but also for flora and fauna, our native environment and our forests, we hear from the benches opposite how this government is focused on protecting Victorians and improving the welfare of Victorians. Well, some of that protection and some of that welfare needs to be borne out by the government providing what it should from a legislative point of view. The government needs the Department of Energy, Environment and Climate Action, together with Forest Fire Management Victoria, to produce a full bushfire risk management report for this current year. It has produced a thing called a ‘snapshot’, and a snapshot is code for ‘We’ll tell you a little bit so that we’re giving you a bit of information, but we’re hiding the truth that we are not looking after Victorian forests or Victorian families.’ This government has not produced that. It has produced some data on a regional level, but it is hiding the district level. Communities deserve to have a document that provides the level of fuel-driven risk in their districts, and they are leaving people in the dark. The localised, fuel-driven bushfire risk assessments for each FFMV district have not been released, preventing farmers, families, emergency volunteers and local governments from making informed decisions about extreme fire danger periods.

Again, we also know that the bushfire risk is elevating, many will say because of climate change. But many in the regions know it is because fuel hazards are going up and up due to mismanagement of our forests. It is a simple thing. This government is supposed to produce these maps, these documents. It is not a snapshot we want; we want the full, comprehensive overview of the reality in this region and in this state. So I call on the minister, and the action I seek is for him to release the full bushfire risk management report, including district-level risk assessments, fuel management delivery results and ecosystem resilience measurements. Tell us what you are hiding from us.

### **Whittlesea youth services**

**Wendy LOVELL** (Northern Victoria) (18:22): (2397) My adjournment matter is for the Minister for Youth, and the action I seek is for the minister to commit to allocating \$3 million in the 2026–27 state budget for a new purpose-built youth hub in the City of Whittlesea. In June 2023 the minister announced that Whittlesea City Council would receive funding through the youth hubs grant program for a feasibility study into a youth hub service. The study was completed a year later and detailed the urgent need for a dedicated youth hub that can cater to the changing needs of young people in the municipality. Local service providers say that there are four key issues facing young people in the City of Whittlesea. First, there is a growing amount of loneliness and social isolation. Second, there are significant issues with poor mental health, including conditions such as minor anxiety all the way to serious self-harm. Third, there is a problem with school refusal and behavioural issues while at school. Fourth and finally, family violence rates are increasing, leading to many other issues such as homelessness. Young people facing these issues have been intimately involved in the process of imaging and planning for a local youth hub. They have been backed by parents, support workers and community leaders, who are all calling for the state government to invest in this vital social service.

The City of Whittlesea is a recognised growth area and has one of the fastest growing populations in all of Australia. It attracts many young families who move to the area in search of the Australian dream, but they are often finding it turning into a nightmare as they struggle with the congested roads and under-resourced local services. Whittlesea council is now seeking \$3 million in funding for the establishment of a new purpose-built youth hub. The city anticipates that the service would operate in a hub-and-spoke model, combining a central hub offering extensive programs and specialist support with satellite locations that will extend into the community and schools. Young people often feel disconnected and lonely when they move to a new and unfamiliar area, and a youth hub service is critical to serving the needs of the growing youth population in the area. A youth hub will help young people connect with their peers and build social skills and emotional capacity. It would deliver improved mental health outcomes by providing early-stage interventions to identify and treat issues before they become more serious and require more intensive services. The youth hub will promote social inclusion and engagement and, by catching problems early, will reduce hospitalisation rates. This is a critical social service for the Whittlesea municipality, and the government's own feasibility study has shown how great the need is. I urge the minister to commit to provide funding for a purpose-built youth hub.

### Ambulance services

**Gaelle BROAD** (Northern Victoria) (18:25): (2398) My question is to the Minister for Health. I have spoken in this chamber about the challenges we face accessing ambulance services across Northern Victoria Region and the impacts on families, including a resident in Donald that had to wait hours for an ambulance and passed away the following day. I was contacted by a family member, who just expressed their utmost frustration and sorrow at what had happened. But just last year the member for Ripon Martha Haylett talked up the government's election commitments, including:

... building a new ambulance station in Wedderburn very soon as well.

That was in May last year. An article today in the *Loddon Herald* says:

Loddon Shire CEO Lincoln Fitzgerald said Ambulance Victoria had approached council in March 2023 to discuss land options for a new station. The CERT team is based out of the former police residence.

Council agreed to hive off part of land in Wilson Street for the new station and did works on the former school site ahead of finalising the sale – surveying, preparation of a planning report seeking subdivision, establishment of a new Coliban Water connection, project management and administrative preparation of property for transfer.

“The cost of this work is in the order of \$21,000 excluding council staff time and project management,” Mr Fitzgerald said.

Council was last week told Ambulance Victoria had walked away from the project and left the shire more than \$20,000 out of pocket.

The action I seek is for the minister to explain why less than a year later work on this new station has not started and it is not going to be built as promised, with Ambulance Victoria cancelling plans for an ambulance station in Wedderburn. Have the funds been allocated to another project, or is it because the state is running out of money? What is being done to meet community need for these services?

### Energy policy

**Bev McARTHUR** (Western Victoria) (18:27): (2399) My adjournment matter tonight is for the Minister for Energy and Resources and concerns the government's late amendments this week to the Energy and Other Legislation Amendment (Resilience Reforms and Other Matters) Bill 2026, which allow compulsory acquisition of transmission easements to proceed before the environment effects statement process has been completed. These amendments were introduced at the eleventh hour. Members of this house were given minimal notice and limited opportunity to scrutinise what are very significant changes to Victoria's compulsory acquisition and environmental approval framework. The process alone should concern every member of this Parliament. A briefing that had previously been scheduled was cancelled. Nothing was provided during the non-sitting week. Then suddenly the

government produced amendments of a deeply consequential nature with barely any time for proper examination. That is not how serious legislation should be handled.

But the substance of the amendments is even more troubling. The change broadens the power to compulsorily acquire easements so that land may be taken where it may be required, not where it is demonstrably required. More significantly, it allows compulsory acquisition to proceed while the environment effects statement process is still underway. In effect, landowners may now face compulsory acquisition over their property before the environmental assessment has determined whether the project should even proceed or whether the alignment itself is appropriate. That reverses the logic of the environmental safeguards that Parliament put in place. This is not a technical change, it is a massive weakening of the existing regulations. Compulsory acquisition is one of the most coercive powers any government holds. It must be exercised cautiously and transparently. Instead this government has chosen to expand that power while bypassing the very process designed to test whether the infrastructure should go ahead in the first place.

Regional communities were already deeply concerned about the way transmission projects have been rolled out across western Victoria. They feel decisions are being made centrally and imposed on them afterwards. Amendments like this only reinforce that perception. Even for a fair-minded observer, it would now be pretty hard to deny that the government has got it in for regional communities. My request to the minister is simple: I ask that the minister come with me to visit western Victoria areas affected by these transmission corridors and explain directly to farmers, landholders and residents why this change was necessary and why it was introduced in the dishonest way it was. These communities deserve answers.

### Corrections system

**Renee HEATH** (Eastern Victoria) (18:30): (2400) My adjournment matter tonight is for the Minister for Corrections. The action that I seek is this: that the government stop paying lip-service to victims of crime and start showing some consistency when it comes to criminals and their victims. Last week the Allan Labor government spent days congratulating itself for announcing something that has not yet come into law. On 27 February the Attorney-General announced that good character references will no longer be considered when criminals are being sentenced. Most Victorians would support this, but there are two problems. The first one is this announcement comes without legislation or detail; it is yet another headline without any substance. Victims who raise concerns about crime are often ignored. In the last budget this government even cut funding to the victims of crime financial assistance scheme.

The second problem is the government hypocrisy is staggering. Last week the Attorney-General said perpetrators must be held accountable for their actions, without any excuses. This is something that the opposition completely agrees with. But if this government was truly serious about holding offenders accountable, it would start by fixing a policy that allows violent and high-risk offenders to get out of prison early, because right now violent and high-risk offenders are still having their sentences cut short by something called emergency management days. These days allow prisoners to have time deducted from their sentences when prison operations are disrupted, meaning offenders can be released earlier than the court ordered. We know that during lockdown many prisoners had years cut off their sentences. Katie Haley's murderer had 427 days cut off his sentence. Celeste Manno's murderer had over 50 days knocked off his sentence before he was even sentenced. While the government talks about accountability, violent offenders are still getting out of prison early. This is the reality.

For years this government has been more concerned about criminals than it has about victims, and this continues to this day – the emergency management days absolutely prove that. But this is an election year and it is approaching and suddenly the government seems to be interested in victims. Minister, if you are serious about putting victims first and holding offenders accountable, when will you abolish

emergency management days for violent and high-risk offenders, or at the very least ensure that none of them will get out of jail before their non-parole periods?

### Responses

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (18:33): Ms Terpstra raised a matter for the Minister for Tourism, Sport and Major Events, Mr Welch raised a matter for the Minister for the Suburban Rail Loop, Mr Mulholland raised a matter for the Attorney-General, Mr Limbrick raised a matter for the Minister for Transport Infrastructure, Mr Galea raised a matter for the Minister for Housing and Building and Ms Ermacora raised a matter for the Minister for Health and Minister for Ambulance Services, as did Ms Crozier and Mrs Broad. Ms Copsey raised a matter for the Minister for Police, Ms Bath raised a matter for the Minister for Environment, Mrs McArthur raised a matter for the Minister for Energy and Resources, Ms Lovell raised a matter for the Minister for Youth and Dr Heath raised a matter for the Minister for Corrections. I will refer them accordingly.

**Bev McARTHUR** (Western Victoria) (18:34): I raise a point about adjournment matters that have not been actioned. I go to the one starting on 15 May 2025. It is a cost-of-living adjournment matter, 1640. Then we go to 14 August 2025 about a congestion levy, adjournment 1855. The Drought Response Taskforce adjournment matter, 2066, was asked on 30 October 2025 and the Geelong regional history mural, 2248, was asked on 3 February.

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (18:35): Thank you, Mrs McArthur, for drawing those to the attention of the house. I am happy to follow them up with the relevant ministers.

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

**House adjourned 6:35 pm.**