Hansard

LEGISLATIVE COUNCIL

60th Parliament

Thursday 18 June 2026

By authority of the Victorian Government Printer

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[1]	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[2]	Western Metropolitan	Lib	Ratnam, Samantha[5]	Northern Metropolitan	Greens
Erdogan, Enver	Northern Metropolitan	ALP	Shing, Harriet	Eastern Victoria	ALP
Ermacora, Jacinta	Western Victoria	ALP	Somyurek, Adem[6]	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[3]	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[4]	South-Eastern Metropolitan	LP	Watt, Sheena	Northern Metropolitan	ALP
Lovell, Wendy	Northern Victoria	Lib	Welch, Richard[7]	North-Eastern Metropolitan	Lib

[1] Resigned 7 December 2023
[2] IndLib from 28 March 2023 until 27 December 2024
[3] Appointed 14 November 2024
[4] LDP until 26 July 2023
[5] Resigned 8 November 2024
[6] DLP until 25 March 2024
[7] 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 18 June 2026

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

Committees

House Committee

Membership

The PRESIDENT (09:33): I advise the house that I have received a letter from Pauline Richards, member for Cranbourne, resigning from the House Committee, effective today.

Environment and Planning Committee

Membership

The PRESIDENT (09:33): I also advise that I have received a letter from Jacinta Ermacora resigning from the Environment and Planning Committee, effective from today.

Petitions

Wodonga Golf Club

Wendy LOVELL (Northern Victoria) presented a petition bearing 3154 signatures:

> The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the proposed rezoning of the Wodonga Golf Course for a housing development. The Wodonga Golf Course is a vital part of the community, providing recreational, social, and health benefits to a wide cross-section of the community, including families, juniors, golfers, walkers, and local residents. Reducing the course to fewer than 18 holes would fundamentally compromise its viability, making it less attractive for members, visitors, competitions, and ultimately threatening its long-term future.
>
> Open green space should not be measured solely by development yield or economic return. The course delivers significant environmental, social, and public health value that would be permanently lost if rezoned. The course is an important part of Wodonga's identity and heritage, with long-standing community connections that cannot be replicated elsewhere. Once this land is rezoned and developed, it cannot be replaced. Future generations will lose access to this space forever. While there are many areas already available for housing development, there are no suitable alternative sites for a golf course of this scale within the region.
>
> **The petitioners therefore request that the Legislative Council to call on the Government to reject any proposal to rezone the Wodonga Golf Course for non-recreational use and ensure the long-term protection of this land under its current zoning for community recreation and environmental benefit.**

Wendy LOVELL: As this is a petition qualifying for debate under standing order 11.03(10), I give notice that I intend to move 'That the petition be taken into consideration' on Wednesday of next sitting week.

Papers

Department of Premier and Cabinet

Victorian Government Aboriginal Affairs Report 2025

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (09:35): I move, by leave:

> That the *Victorian Government Aboriginal Affairs Report 2025*, domain 1 to 6 data tables and 2025 Closing the Gap tables be tabled.

Motion agreed to.

Department of Families, Fairness and Housing

Victorian Government Response to the Community Visitors Annual Report 2024–25

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (09:35): I move, by leave:

That the *Victorian Government Response to the Community Visitors Annual Report 2024–25* be tabled.

Motion agreed to.

Committees

Environment and Planning Committee

Inquiry into Decommissioning Oil and Gas Infrastructure

Ryan BATCHELOR (Southern Metropolitan) (09:35): Under standing order 23.22, I table a report on the inquiry into the decommissioning of oil and gas infrastructure, including an appendix, extracts of proceedings and a minority report, from the Environment and Planning Committee, and I present the transcripts of evidence. I move:

That the transcripts of evidence be tabled and the report be published.

Motion agreed to.

Ryan BATCHELOR: I move:

That the Council take note of the report.

The Environment and Planning Committee has undertaken an inquiry into the decommissioning of oil and gas infrastructure in Victoria. As I am sure members will know, Victoria has been well served by plentiful reserves of oil and gas, particularly in the Bass Strait, for the last 60 years, but those reserves are finishing. They are dwindling. The extraction phase of much of that natural resource is now complete, particularly with oil but also soon with gas. As a result, there is significant existing oil and gas infrastructure in the Bass Strait that needs to be decommissioned. The Environment and Planning Committee over the last year and a bit has undertaken a detailed inquiry into how that process should occur. The committee went down to the Barry Beach marine terminal and held public hearings in Leongatha, as well as some public hearings in Melbourne, hearing from local industry, hearing from experts, hearing from unions and hearing from local government and regulators about this important issue.

There is a jurisdictional complexity here. Most of the well infrastructure and a lot of the pipelines in the Bass Strait sit in Commonwealth waters and are regulated by the Commonwealth. However, much of the pipeline and onshore infrastructure associated with these facilities obviously passes through Victorian waters and will end up being dismantled in Victorian jurisdiction, so this is one of these cases where there is enormous jurisdictional complexity. The committee has recommended that end-of-life offshore oil and gas infrastructure should be fully removed unless leaving it in place can be shown to deliver better environmental outcomes. The report contains 38 findings and 24 recommendations and recognises and underscores the scale of the task ahead. It is an enormous effort to get the wells, get the jackets and get the pipes out of the water, safely returned to shore, dismantled and, as the committee recommends, recycled to the fullest extent possible. Much of the steel that is involved in these pipelines and on the wells, jackets and topsides can be used in steel recycling, and there are tremendous opportunities for value-adding in the circular economy here in the state of Victoria from this significant undertaking.

These opportunities, however, should come to Victoria and to Victorian workers. We recommend that there be an investment in development of an industry plan for the offshore oil and gas decommissioning industry, that there be dedicated training and skills development provided to the workforce to ensure that this work is done safely, that the monitoring of the decommissioned wells

and the decommissioned infrastructure is ongoing and that there is an ongoing assurance provided to the Victorian people that there is no longer any environmental risk from this former infrastructure and this extractive industry. To do that the committee recommends that the bill should not be borne by Victorian taxpayers but that a trailing liability scheme be introduced in the state of Victoria, mirrored on the approach that the Commonwealth already has in law, to ensure that the licence holders, who for so many decades have made substantial profits out of the natural resources that exist here and off the coast of Victoria, foot the bill for the clean-up and that that ongoing assurance that there is environmental safety following the decommissioning process is one that is borne by those companies.

I want to thank all the members of the committee for what I think was an extremely collegiate approach to this inquiry. We visited these facilities together. The inquiry was conducted I think in a really positive spirit. I want to particularly thank the committee secretariat for the enormous work that they did, particularly on untangling the regulatory complexity that exists here. I think understanding and appreciating which regulator, Commonwealth or state, has control over what part of regulation, whether it is occupational health and safety or environmental concerns, when you are dealing with things that exist in Commonwealth waters, Victorian waters and onshore, is no mean feat. I think the report that the secretariat has helped us to produce does service to these important issues, and I commend it to the house.

Sarah MANSFIELD (Western Victoria) (09:41): I too just want to thank the committee for the work on this – the secretariat, the chair and my fellow committee members – and echo the words of the chair that this was I think a really collaborative inquiry that was undertaken. It was incredibly valuable in shedding a light on the urgent need to step up oversight and regulation of oil and gas infrastructure decommissioning, particularly in Victoria. There are significant volumes of oil and gas infrastructure, especially offshore, reaching end of life right now, and what happens to these platforms, wells and pipelines is critical for our environment, communities and the economy. But the inquiry made it clear that much more work is required to address issues around all of these areas. In particular there is a lack of public information about exactly what infrastructure exists, where it is, who owns it and what condition it is in, and this inquiry calls for a public register of all of that information.

Additionally, one of the key findings and recommendations of this committee relates to a trailing liability scheme for Victoria. At the moment there is a potential loophole that could expose taxpayers to the risk of footing the bill for decommissioning if an oil and gas company sells off its liabilities and cannot cover them. So this inquiry report calls for a trailing liability scheme to cover infrastructure in Victorian waters and onshore.

It is clear that oil and gas companies have a strong preference to leave infrastructure in situ, but the committee found that the longer infrastructure remains in situ, the higher the risk of degradation and toxic leaks that cause harm to the environment, so it reaffirms that full removal should be the base case. We need greater transparency about what is out there and the risks we are exposed to. Oil and gas companies must be required to clean up after themselves and not leave taxpayers and the environment to pay the price, and I think the committee did a really good job of identifying practical ways to deal with that.

Melina BATH (Eastern Victoria) (09:43): This is a very important industry. It has been a very important industry for my Eastern Victoria electorate and in Gippsland and the Gippsland Basin for 60 years. Of course it has been the industry that has created vital energy sources, both oil and gas, for Victoria, and it has also been the source of prosperity and jobs and been vital to communities, not only Sale and Longford but down at Barry Beach at Welshpool. This has been a great source of pride for the people of Gippsland and fuelled the rest of the state. We believe of course that gas has a significant role not only now but into the future. We know that it is vital for peaking in electricity supply but also as feedstock. As the decommissioning of oil and gas wells occurs, there are opportunities in that decommissioning, disassembling and deconstruction but also in recycling. I think that certainly in our region, in Gippsland – and I know that we went down to Barry Beach and saw the opportunities there – for many, many decades there has been a balance between sitting on a Ramsar wetland and still

conducting safe operations. But into the future, where there is this decommissioning and additional traffic on roads, both companies and government can ensure that it can happen and our regions are not disadvantaged. I want to thank the South Gippsland shire and all of the Gippsland representatives and good people who made submissions to this very important inquiry and also thank the committee. Yes, I do believe it was very collegial and largely constructive. There is a small minority report, and I invite people to look at that as well.

Tom McINTOSH (Eastern Victoria) (09:45): Oil and gas out of Bass Strait have supported our state economically with energy and with jobs for decades, particularly in Gippsland. We know from these hearings that oil in the Bass Strait has run out and gas supplies have about one decade to go. It is critical that we deal with the infrastructure that is there and that we deal with it appropriately so that our local habitat, our fish stocks and our water supplies come out of this process as they should for future generations. It is important that all infrastructure is identified so that we know what we are dealing with. It is important that that infrastructure is decommissioned to a standard where we are not seeing adverse impacts. It is important that there are ongoing trailing liabilities for the decommissioning of this infrastructure and to ensure that that infrastructure is not causing issues going forward. As for jobs going forward with the recycling of this material, there is an incredible opportunity to see this material reused in our economy here in Victoria and indeed around Australia. There are incredible quantities of steel and other products. Having visited Barry Beach, I have seen what the opportunities are at Barry Beach and in South Gippsland and Gippsland more broadly, and indeed Victoria, and recycling and reselling that product is a big part of the findings to come out of this inquiry as well.

I thank everyone on the committee for the work they did establishing the hearings in South Gippsland and all those that presented information, whether that be the companies involved, the communities or the unions – all that came along who have a strong interest in that workforce and ensuring that the infrastructure that comes out of decades of industry is decommissioned safely and appropriately and that materials are used well into the future.

Wendy LOVELL (Northern Victoria) (09:47): I also rise to speak on the committee report. This was an extremely interesting inquiry into the decommissioning of oil and gas. I would like to thank, firstly, our secretariat for all of the hard work that they put into assisting us to do our job and then into writing the report. But I would also like to particularly thank those who took the time to share their expertise with us about the decommissioning of oil and gas: the people who wrote submissions, the companies who presented to us and the organisations who presented to us as well. Oil and gas have been a very important part of the Victorian economy, and Victoria has benefited greatly. Businesses in Victoria have benefited greatly from having reliable and cheap energy supplies through the reserves in Bass Strait, but it is right as we finish up those oil and gas reserves there that the infrastructure is removed responsibly. I think that this has been a great exercise for the state to look at the decommissioning of this particular industry but also to look forward and to now think about the decommissioning of other energy sources – renewable energy projects like solar and wind farms. As we move forward they will also need to be decommissioned, and there should be a plan put in place that does not leave the impost of cost on the landowner but rather on the people who benefited from the energy that was generated due to those facilities and profited from it – the companies that run those facilities.

David DAVIS (Southern Metropolitan) (09:50): *(By leave)* Can I just make a few comments on this report. It is an important report. The opposition is very aware of the issues raised here and compliments the committee on the work that has been done. What is clear from reading the report is that by and large ExxonMobil are working very well to go through this process of decommissioning. There are recommendations here for improvements, but by and large there is a sincere attempt by the relevant groups to make sure that the decommissioning is done in a proper way. There are a number of recommendations I note that the Liberals and Nationals did not support, and I certainly think that they are relevant to be singled out as ones we would not support.

Motion agreed to.

Papers

Papers

Tabled by Clerk:

Gambling Regulation Act 2003 –

Amendment to the Public Lottery Licence and Ancillary Agreement with Tattersall's Sweeps Pty Ltd, of 4 May 2026, under section 5.3.19(4) of the Act.

Monitoring Licence and Monitoring Licence Related Agreement with Intralot Gaming Services Pty Ltd, of 21 April 2026, under section 3.4.53(1) of the Act.

Report of Independent Review Panel: Public Lotteries Licencing Project, June 2026, under section 10.2A.11(3) of the Act.

Multicultural Victoria Act 2011 – Victorian Government report on multicultural affairs, 2024–25.

Subordinate Legislation Act 1994 – Documents under section 15 in relation to Statutory Rule Nos. 69, 71, 72 and 77.

Business of the house

Notices

Notices of motion given.

Invitation from Legislative Assembly

The PRESIDENT (10:06): I have a message from the Legislative Assembly:

The Legislative Assembly has agreed to the following resolution –

(1) The Legislative Assembly invites members of the Legislative Council to attend a sitting of the Assembly in the Legislative Assembly Chamber on Thursday 30 July 2026 at 11.30 am for the consideration of the motion endorsing the statement of apology to victims of historical child sexual abuse in Victorian government schools;

(2) The lower public gallery on the non-Government side of the House be deemed part of the Legislative Assembly Chamber and the Assembly standing orders be applied for the time that Council members are invited onto the floor of the House.

Standing and sessional orders

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Environment, Minister for Outdoor Recreation) (10:07): I move, by leave:

That so much of standing and sessional orders be suspended to the extent necessary to allow:

(1) the sitting of the Council on Thursday 30 July 2025 to commence at 9:30 am and the following order of business to apply:

Messages

Formal business

Members statements (up to 15 members)

Government business

At 2:00 pm Questions

Government business (continues)

At 6:30 pm Meal break

Government business (continues)

At 10:00 pm Adjournment (up to 20 members);

(2) the President to suspend the sitting of the Council to allow members to attend the Assembly chamber at 11:30 am for a special sitting for an apology to victims of historical child sexual abuse in Victorian government schools and resume the sitting of the Council at 2:00 pm; and

(3) any business under discussion at the time the President suspends the sitting to continue at the resumption of the sitting.

Motion agreed to.

Committees

Environment and Planning Committee

Membership

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Environment, Minister for Outdoor Recreation) (10:09): I move, by leave:

That Michael Galea be a member of the Environment and Planning Standing Committee.

Motion agreed to.

Members statements

Western Victoria Region tourism

Gayle TIERNEY (Western Victoria) (10:09): I rise to acknowledge two outstanding western Victorian businesses that continue to showcase the very best of regional tourism and hospitality. The Victoria Hotel in Dimboola was recently named Victoria's best bush pub at the Australian Hotels Association's 2026 awards for excellence. The Vic has become one of the favourite places to stop at when travelling through western Victoria, and it certainly is the case for my family. Stoph and Meron Pilmore, along with their team, have created a welcoming destination full of character and community spirit. I encourage all members to drop in for a beer or a meal or to stay the night when they are next in Dimboola. It is a little bit different, it is a little bit quirky, but it is also great fun. I also want to congratulate Julian and Dianne Benson of Apostle Whey Cheese at Cooriemungle on receiving a Lifetime Achievement Award at the Victorian Small Business Awards. Julian and Dianne have created an amazing business. From cheese and milk to gelato and gin, Apostle Whey showcases the very best of regional Victoria while supporting local producers, local jobs and tourism along the way. I can confidently advise all members here that no good cheese platter is complete without a bit of their cheese on it. Congratulations again, and thank you for all of your hard work and shining a fantastic light on the very best of what is offered in western Victoria.

John Sipek OAM

Evan MULHOLLAND (Northern Metropolitan) (10:10): I would like to congratulate Cr John Sipek OAM on receiving the Order of Australia Medal for his service as a councillor and mayor of Moonee Valley City Council. Anyone who has been around that part of the world knows the work that he does in the community. He is particularly a great friend of both the Italian and Croatian communities of Niddrie and Airport West. Congratulations to him.

Festa della Repubblica

Evan MULHOLLAND (Northern Metropolitan) (10:11): It was a great pleasure to join many fellow members of the Victorian Italian community at the Festa della Repubblica 80th anniversary celebrations hosted by Chiara Mauri, the Consul General of Italy, at the state library a couple of weeks ago. Melbourne is home to one of the state's most vibrant, passionate and hardworking Italian communities and diasporas in the world.

Australian Jasmine Families

Evan MULHOLLAND (Northern Metropolitan) (10:11): It was fantastic to join the Australian Jasmine Families association and community in Reservoir over the weekend. I would like to thank the president Dr Osama Nasab and the hardworking committee. It was great to hear many stories of families who have come from Syria to Australia to start a better life.

Kali Mata Mandir

Evan MULHOLLAND (Northern Metropolitan) (10:12): It was great to join the Kali Mata Mandir community here in Parliament last week with their visiting guests Renuka Goswami and His Holiness Shri Rajrajeshwar Guruji, and also join Renuka and Bhawna at Kali Mata Mandir Craigieburn temple on Saturday night for a fantastic celebration.

Diversity

David LIMBRICK (South-Eastern Metropolitan) (10:12): Yesterday we heard a vision for Australia of a monoculture. I asked people on social media to explain to me what that means, and no-one could really give a good explanation, although I copped lots of abuse. There has never been a monoculture in Australia. The first settlers came from many cultures, and they came to a land that already had hundreds of languages and belief systems. I love the culture of Melbourne, where I grew up, and it is not the same culture, for example, of someone from South Australia or Queensland. We do not do potato scallops and schooners in Victoria. I meet lots of people throughout my electorate who come from many different cultures, and some of them must be wondering if they are going to be excluded from this new monoculture. Indeed I am wondering myself whether I would be excluded. I tell people when I get invited to citizenship ceremonies to take their pledge seriously and that they should share our democratic beliefs, uphold and obey our laws and respect our rights and liberties. I think that we should care way less about culture than values, because these values are the glue that has held Australia together. As a libertarian I do not believe that there is such a thing as a monoculture, but I do believe in the rights of the individual to follow their own beliefs, to eat their own food and to make their own choices, and so long as we share some basic values, we can be proud of our culture and whatever we choose to do.

Diversity

Tom McINTOSH (Eastern Victoria) (10:13): I am actually going to change tack for a minute and support Mr Limbrick's members statement, because that is absolutely spot-on. The Liberals and the Nationals have been dog whistling for years, and the language we heard yesterday has come exactly from that. We should value and support –

David Davis: On a point of order, President, there was an imputation made about the Liberals and Nationals, which is not true and is also offensive.

The PRESIDENT: It cannot be offensive if it is about a collective –

David Davis interjected.

The PRESIDENT: Well, I cannot ask for it to be withdrawn if it is about a collective.

Tom McINTOSH: I want to put on the record my absolute love for this state, this country and the diversity and everything that it brings for all of us to enjoy.

Electricity infrastructure

Tom McINTOSH (Eastern Victoria) (10:14): But I also want to put on the record the absolute disgrace that the Nationals are looking to cut 300 jobs in constructing 200 megawatts of power generation 3 kilometres from Hazelwood pit mine. The Nationals believe in nothing. They do not offer jobs and they do not offer solutions, and that is absolutely clear in this petition that they have raised to cut 300 jobs dead in their tracks. They are going to push power prices up. That is 200 megawatts of power that will not be in the grid pushing prices down for Victorians, for businesses, for households and for jobs that are in Gippsland – as I said, 3 kilometres from Hazelwood pit – or supporting local jobs and supporting local businesses while this is built, and ongoing jobs as well. Similar to the point Mr Limbrick made, it is very clear what the Nationals and their coalition partners the Liberals are against, but when it comes to actually building things in this state, when it comes to economic productivity and when it comes to uniting people, they offer nothing but division and negativity.

Government performance

Joe McCRACKEN (Western Victoria) (10:15): I am really pleased to talk about literacy and numeracy this morning, because obviously Victoria purports to be the Education State. Firstly, about literacy, I know I had a great experience as a teacher and that many other teachers, both new and experienced teachers, have a great experience. Literacy skills are important. They help our young people grow and prosper, and hopefully they have a great experience when they grow forward into the future. Just a quick reminder for those opposite on how to spell experience: E-X-P-E-R-I-E-N-C-E. It is not that hard, but apparently four of your MPs struggle with that. But let us go towards numeracy. I noticed yesterday in the chamber that the minister had a very novel way of measuring certain things. She brought out numbering beads. I do not know if there are 15 billion beads to bring out, because that might be the number that is needed to count the level of corruption in this state. Maybe the government could bring out some new literacy and numeracy measures to count the level of corruption in this state, because wouldn't that be a great experience for them.

Deer control

Jeff BOURMAN (Eastern Victoria) (10:17): I rise to address the growing push to declare Victoria's deer a pest species and to put on record why this is the wrong call. Nobody in this chamber disputes that deer numbers need an active management solution. Landholders across eastern Victoria deal with fence damage and crop loss, and that is very real. But 'pest species' is a blunt instrument, and blunt instruments do not fix targeted problems. It also means that less deer can be killed, which is against the stated object of those making the call. Right now deer sit under the Wildlife Act 1975 as a managed game resource – that means trained, accredited, accountable hunters doing the culling, not an unregulated free-for-all. Strip that framework away and you do not get fewer deer faster; you get unaccountable shooting, no data, no coordination and farmers and Landcare groups losing the very system that currently lets them call in professional harvesters with GPS tracking and proper recording. There is a better path that can lead to programs like Hunters for the Hungry turning culled deer into food relief instead of waste whilst keeping management regulated and effective. That is what real deer control looks like – practical, accountable – and it gets results without throwing out a system that is actually functioning. I urge members to back evidence-based deer management, not a kneejerk reclassification that makes the problem worse, not better.

Chinese community

Richard WELCH (North-Eastern Metropolitan) (10:18): This week Leader of the Opposition Jess Wilson and I invited some of our local Chinese Australian journalists and WeChat influencers to Parliament for a round table. The discussion was practical. It covered community safety, housing, investment, technology and how Victoria can turn its advantages into a real opportunity. On safety, the feedback was that the community no longer feels secure. One journalist said they lost about $100,000 worth of media equipment, and while they found the police were very competent and helpful, they were stretched too thinly to properly deal with the report. Victorians have also seen footage of a broad daylight attack near Box Hill Central this week. These incidents change how people move through their own community. On housing, people raised the pressure facing families, young people and new arrivals trying to build a stable life in Victoria and how crime actually turns away investment. Jess Wilson spoke about the need to streamline approval processes, because confidence is lost when people face delay, disruption and red tape instead of clear decisions. On technology, we spoke about backing data centres, digital infrastructure and the industries that will drive future productivity. A government that is serious about growth would restore safety, fix the housing supply, reduce approval friction and give Victoria a clearer economic direction.

Refugee Week

Rachel PAYNE (South-Eastern Metropolitan) (10:20): This week is Refugee Week, a time to recognise the resilience and determination of people who have been displaced and who have rebuilt their lives in a new country. We forget that the refugee movement started after the horrors of World

War II, an international call to offer a future to people with nowhere to call home. One million refugees have been welcomed to Australia since that time. It is about celebrating the contributions refugees have made to Australia, and with the incredible win of the Socceroos over the weekend against Türkiye – wow, what a game and what a team. The Socceroos are leading the charge in celebrating the diversity of their team, and quite a few members have been public about their journey to Australia as refugees. I think we are all sick of hearing from certain political puppets about immigrants and burqa stunts. This week is a reminder that we are a nation of immigrants. I see every day the incredible contributions that people from refugee and migrant backgrounds make to the community I represent. They are our neighbours, friends, small business owners, students, essential workers and volunteers, to name a few. They help make our region the vibrant, welcoming, diverse place that it is. Watching the Socceroos celebrate was a reminder of what modern Australia looks like. They are made up of players with family stories that are humbling and show how much resilience it takes to seek a better life. The diversity of our communities is our greatest strength. Our multicultural society is the envy of the world. We bring together different cultures, languages and experiences in pursuit of a common goal. Our diversity is not just something to acknowledge, it is to be celebrated.

Bendigo Symphony Orchestra

Gaelle BROAD (Northern Victoria) (10:22): Congratulations to the Bendigo Symphony Orchestra on their 45th anniversary celebrations. The BSO has built an outstanding reputation and made a significant contribution to the regional arts sector. I particularly acknowledge president Nigel McGuckian, partnership director Anna Hill, artistic director Luke Severn and the board for their leadership and commitment to ensuring the orchestra continues to thrive. It was a pleasure to attend the anniversary milestone during the three-day Beethoven festival. The performance of Beethoven's Symphony No 9 was incredible. It showcased the remarkable talent, passion and dedication of the conductors, the musicians, the volunteers and the supporters. The Bendigo Symphony Orchestra Chorus made their debut led by Shanti Michael, and they were outstanding. The BSO continues to provide audiences with an exceptional music program, and its commitment to artistic excellence is evident in the consistently strong support it receives from the region. Performances at the Ulumbarra Theatre can sell out very quickly, so book early. I thank the BSO for their enduring contribution to the creative arts and for enriching the cultural life of our region and wish the orchestra continued success for many years to come. Regional Victoria is home to fantastic galleries and amazing theatre, like the Bendigo Theatre Company, and if you live in the city, it is just another reason to come and enjoy marvellous regional Victoria.

JOY Media

Aiv PUGLIELLI (North-Eastern Metropolitan) (10:23): I want to give a shout-out to JOY. They are this country's longest running non-profit LGBTIQA+ media organisation. Their radio and podcast programs provide queer people a platform to be out and loud and proud about who they are and who they love. I am pleased to have again been able to make a donation on behalf of my Greens colleagues to this organisation as part of their radiothon. Congratulations to the team at JOY on this successful fundraising effort. It has been so important to be able to regularly join the team at *Saturday Magazine* with Macca, Paul, Nevena and Kenny. Craig from the *Open Table* I have joined on air also. Before I was an MP I even used to volunteer at JOY. They have been on the airwaves since 1993, but they need more funding and more support to ensure they can keep doing the fantastic work that they do. Lifting up voices in our community has never been more important than it is right now. I encourage everyone to donate to this fantastic organisation supporting LGBTIQA+ people.

Heritage College

Renee HEATH (Eastern Victoria) (10:24): I refer to the words of principal Sonny Aiono from Heritage College in Officer at their Holocaust memorial ceremony, who said that when we remember the Holocaust we are not simply remembering a tragic event from the past, we are remembering what can happen when prejudice is allowed to grow, when people are dehumanised and too many people

choose silence. This event was run and organised by students with the help of Katy Matteo and Sarah Perry, and I especially want to thank Jeda and Zoe for their incredible hospitality. Students retold accounts of the Holocaust and the incredible resilience of Jewish people who, in the midst of what was the most horrendous thing that our minds cannot even comprehend, continued to go on. We heard from Holocaust survivor Peter Gaspar, born in Czechoslovakia in 1937. His early years were subject to the horrors of the Nazi regime, and this was his message to the students:

> … you are smart and you have a voice. You have the power to make a difference with your voice – power to be an agent of change. You are not being kind, friendly or polite by keeping quiet when you … witness stereotyping, prejudice and discrimination. Don't let such talk … slide by you … unchallenged, pretending it is not your concern … That is your business. Call it out … right there and then …

This is such a vital message for today, and I want to thank this incredible college, particularly Sarah Perry, for their amazing leadership.

Crime

David DAVIS (Southern Metropolitan) (10:26): I want to draw the chamber's attention to the horrific crime figures that have come out today. In my area in the cities of Boroondara and Monash the figures are deeply concerning. In the period since Jacinta Allan became Premier in September 2023 through to the end of March 2026 there has been a significant increase in aggravated robbery in Boroondara – 11.43 per cent; motor vehicle theft is up 71.5 per cent; and stealing from motor vehicles is up 46 per cent. In the City of Monash aggravated robbery is up 15 per cent, motor vehicle theft is up 43 per cent and stealing from a motor car is up 36.15 per cent. But it is also at train stations. Crimes around train stations are up massively, by 58 per cent in the City of Boroondara and 118 per cent in the City of Monash. These are massive increases in offence numbers, and this is at a time when the state government is stripping PSOs from railway stations. Crime has been going up in the City of Monash and in the City of Boroondara around train stations since Jacinta Allan became Premier, and her response to the rising crime is to strip out the PSOs and leave the stations empty, without protection. That is going to frighten people, women especially, who want to catch the train. The crime surge is down to the government's failure – its failure to provide police – *(Time expired)*

Israel Independence Day

Bev McARTHUR (Western Victoria) (10:27): Last night I was very pleased in Melbourne to attend the 78th Israel independence celebration. We joined the leadership of the Jewish community. It was in the presence of the Ambassador of Israel Dr Hillel Newman. It was also in the presence of the Premier of Victoria and the Leader of the Opposition Jess Wilson. I want to congratulate Jess Wilson on her absolutely outstanding speech, which was incredibly well received by everybody present. But I do comment on and am very concerned about a comment that the Premier made:

> I do believe that young Australians are in danger of permanently judging the nation of Israel and the people of Israel by the actions of its government.

Israel is the Jewish homeland. The Premier's statement was ignorant. It reflected on Jews and was borderline antisemitic, but it also totally begged the question about her own leadership. If you want to judge another country by its leadership, I am sure the people of Victoria are working very hard to judge this government by the leadership that Jacinta Allan is currently portraying. Of course they will have their say on 28 November, but I do say it was most disappointing to hear what the Premier said about Israel last night.

Business of the house

Notices of motion

Michael GALEA (South-Eastern Metropolitan) (10:29): I move:

> That the consideration of notices of motion, government business, 278 to 1498, be postponed until later this day.

Motion agreed to.

Bills

Outdoor Recreation Victoria Bill 2026

Second reading

Debate resumed on motion of Harriet Shing:

That the bill be now read a second time.

Ryan BATCHELOR (Southern Metropolitan) (10:29): I am pleased to rise to speak on the bill before us today. The bill is seeking to establish a new statutory authority and sole regulator for fishing and game hunting in Victoria and to repeal the acts associated with the Game Management Authority and the Victorian Fisheries Authority. I am not going to talk for very long today. Obviously in past committee inquiries we have spent a long time traversing many of the issues around the regulation of recreational hunting in the state of Victoria. I think that I have made some reflections in this place on that prior work, and I do not propose to add to them today substantively, other than to say that I think it is of importance to all Victorians that we have an effective regulator of recreational hunting and fishing here in Victoria. I am certainly hopeful that the measures proposed in this bill will continue to strengthen the regulation and enforcement of hunting and fishing activities here in Victoria.

There has been a degree of public debate and discussion about some of the measures in the bill, and particularly some of the additions to the objects of the new authority that make it consistent with the objects that had existed prior in the fisheries side of these two pursuits. Certainly there had been an expression made to many of us, including me, that there was some concern that these changes would in some way lead to a diminution of the new authority's focus on compliance and enforcement activities. They were put to me. I listen, obviously, to everyone who puts concerns to me, and obviously people are aware of the prior work that I did as a member of the select committee in 2023 on some of these issues.

In response to the concerns that were raised with me, I raised concerns with the former minister, Minister Dimopoulos, and wrote to him in late March. I just thought it would probably be helpful to put on the record some of the content of the letter that I sent to the minister and his response. Amongst introductory paragraphs, the letter that I wrote says:

> As the new entity gets established, it will be important that the new promotion functions can exist alongside the existing regulatory and compliance functions, that there is no opportunity for conflict between the two functions, and that enforcement and compliance of the law and regulations remains a clear priority of the government.

The letter goes on to say:

> The OECD has some useful guidance on these issues, as outlined in their 2014 paper *The Governance of Regulators, OECD Best Practice Principles for Regulatory Policy:*
>
> *If competing functions are allocated to one entity, it is important that the legislation is clear that the regulator is required to make trade-offs and may make these in the context of a framework of considerations and priorities that is specified in the legislation or developed with the minister. The regulator may either be given scope to decide, or be provided with guidance as to how these issues should be resolved. In either case, the process and the reasoning underlying particular positions adopted by the regulator should be transparent.*

I asked the minister for any advice that he had on these issues, including how the minister might use the statement of expectation provided to the incoming board to be clear about the continued importance of their compliance and enforcement functions. Minister Dimopoulos, who was then the environment minister, wrote back to me in April, and said in the following terms:

> As a core responsibility, ORV will continue to deliver the regulatory functions of the Victorian Fisheries Authority and the Game Management Authority for recreational fishing, commercial fishing, aquaculture, game hunting and alongside Safe Transport Victoria, recreational boating. In addition to this, it will promote participation in outdoor recreation, promote and support access to public land and optimise the benefits of outdoor recreation in a safe, responsible and sustainable manner.

> To support ORV's role clarity, the Outdoor Recreation Victoria Bill 2026 (the Bill) distinguishes the regulatory functions, powers or duties of ORV from non-regulatory functions. The Bill also includes a governance structure that will ensure that ORV's Board has the requisite governance skills in financial administration, risk management, strategic planning, as well as regulatory and legal experience. This governance structure will support ORV to put in place effective processes to manage and mitigate potential or perceived conflicts between its regulatory and promotional functions.

I think this is the most important part of the letter for me. Minister Dimopoulos said:

> As the responsible Minister, I will have oversight of ORV and guide its priorities at establishment, including through its Statement of Expectations. This will highlight the importance of maintaining robust compliance and enforcement and the need to ensure appropriate internal structures and procedures are in place to manage all its objects and functions.

To me, that sets out quite clearly that the compliance and enforcement functions of the new regulator will continue to be a priority. The then minister said quite clearly that he intended to use the statement of expectations provided to the new board of this regulator to make the expectation clear that the new regulator would continue to give priority to its enforcement and compliance functions. I am very pleased to have received that assurance from the previous minister and would hope and assume, based on conversations that we have had, that the new minister, who is in the chamber today, shares that commitment. With those words and with that exchange, I think we can be assured that compliance and enforcement will continue to be important functions of this new authority.

Jeff BOURMAN (Eastern Victoria) (10:36): I might just make a comment on Mr Batchelor's contribution, then – I actually completely agree. The abilities of the new – I am not sure what its name is going to be at the moment – authority, department or whatever must prioritise enforcement. Yes, it should be able to promote proper, sustainable hunting and fishing and so on. But in the end, for better or for worse, their job is also to enforce what goes on in the various arenas. What must not be lost in the chatter here is that this is not just about duck hunting; there is all sorts of hunting that goes on in this state, and it is very important. The other comment I will make is that apparently no-one else other than Mr Batchelor wanted to go first. There has been a lot of jockeying for position to see what everyone else has got to say. Well, here it is – I am going to have at it. The Shooters, Fishers and Farmers Party welcomes and supports this bill and congratulates the government on taking this important step through the establishment of what is currently named Outdoor Recreation Victoria. In particular the Premier, the current minister and the former minister responsible for outdoor recreation deserve credit for backing and progressing this reform and seeing it through this chamber.

We, the Shooters, Fishers and Farmers Party of Victoria, are the only political party whose reason for existing is to support recreational shooters, hunters and fishers; we do what it says on the wrapper. To be fair, the Animal Justice Party does too. They are open and consistent in opposing hunting, fishing and the sustainable use of animals. We know where they stand. We know where we stand. We know where the Premier and the government stand. What remains genuinely difficult to work out is where the Liberal–National parties stand, and I will get to this.

We have before us two shadow ministers who would carry responsibility for Outdoor Recreation Victoria under an alternative government, and they appear to be saying fundamentally contradictory things about hunting. Presumably one reflects coalition policy and one does not. When this matter goes to a division, we may finally get an answer. Either members will vote differently or they will vote together, and *Hansard* will record that someone has spent this debate saying one thing and voting another. When I say 'debate', I do not necessarily mean the debate in the house. The Shooters, Fishers and Farmers Party may move amendments not because we think this bill is deficient but because we think a good bill can be made better. There has been some movement behind the scenes with other amendments, so that is why I say 'may'. We will see how that works out.

Today I want to do three things: address some of the myths and distortions that have already emerged about Outdoor Recreation Victoria, talk briefly about the pathway that got us here and speak to the opportunity this bill creates. So much has been said about this bill, including reporting by the national

broadcaster that in my view omitted important context. The ABC implied that the Game Management Authority had exposed the identity of a protester. What readers were not told was that the court had already released the material and another outlet had already published the man's name, town and unobscured image. The GMA did neither – it obscured the face and did not identify the individual – yet we have a member of this house describing that as doxxing. That is curious, given that the same member previously used parliamentary privilege in this chamber to publicly identify a GMA staff member and later chose to redact that person's identity when posting the footage online. Yet all the details of that staff member remain in *Hansard* and are available to anyone on the internet. Members are entitled to strong views, but they should apply the same standards to public servants as they demand of others.

The article also relied on selective excerpts from a clandestine recording made of remarks by a GMA officer and used them to imply a bias. The proposition that regulators should not have subject matter expertise, including familiarity with hunting, is difficult to take seriously. Some GMA officers hunt and some do not. What matters is that they fairly enforce the law. Should we preclude traffic police from driving? Should we preclude cybercriminal investigators from having computers? The Civil Aviation Safety Authority, CASA, promote involvement in aviation, yet they enforce the rules. The real problem here is not about regulation or anything; it is about people not liking hunting. The data does not support the narrative presented anyway. Across the 2025 and 2026 duck seasons approximately 93.5 per cent of GMA compliance action related to hunting offences and only 6.5 per cent to public safety offences – protester offences. That is not evidence of a regulator protecting hunters; it is evidence of a regulator regulating hunters.

The article also relied on selective excerpts of a clandestine recording of remarks made by the GMA officer about letting children break the law. That is incorrect. It gets a bit complex here. The comments related to narrow public safety restrictions only applying at specified hunting times and areas, not a general prohibition on unlicensed people being present. Section 58C of the Wildlife Act 1975 specifies that a person must not enter on or remain in any specified hunting area and so on, and there is a fairly hefty punishment of 60 penalty units. That is pretty straightforward. But the article ignored that Victorian criminal responsibility laws apply. Children under 12 cannot commit an offence. Removing a child from an area, rather than issuing a penalty that cannot be lawfully imposed, is not selective enforcement; it is applying the law as made by this Parliament. I note those baying about how bad this situation is are the very same people who supported raising the age of responsibility from 10 to 12. Well, here you are. In case you are wondering, I voted against that change.

The ABC article also cited the 2017 Pegasus review as evidence of systemic failure within the GMA and incorrectly stated it was commissioned by the government. It was not. The review was commissioned by the GMA board following the marshes incident – a regulator voluntarily submitting itself to scrutiny. The article also admitted what happened next: all the accepted recommendations were implemented and substantial reform followed. The article then relied heavily on George Bucchorn and treated his criticisms as authoritative evidence of the current culture within the GMA. Mr Bucchorn is entitled to his views, but the readers deserve context. The context is that Mr Bucchorn was the head of GMA compliance at the time the problems were occurring.

During the parliamentary inquiry into native bird hunting, committee members questioned why compliance and prosecution outcomes were lower during Mr Bucchorn's own tenure, rather than before and after it. He disputed that proposition, but the data does not lie. The inquiry also established that the ministerial engagement he relied on had been facilitated through the Animal Justice Party, hardly an unbiased witness. Imagine the carry-on if I had done a similar thing – it would all be about the fearsome gun lobby. More broadly Mr Bucchorn's credibility has been publicly tested before. During IBAC's Operation Gloucester counsel assisting described aspects of his evidence as 'the height of ridiculousness' before proceedings were adjourned after Mr Bucchorn did not return from a break. I invite anyone who wants to to look up what Operation Gloucester was about. I actually have a personal connection to that, but anyway.

Criticism is easy; reform is harder. The leadership that followed Mr Bucchorn did the hard work of cleaning up his mess, implementing the Pegasus recommendations and building a stronger regulator. The article also relied on commentary from former GMA board member Dr Bronwyn Orr, suggesting regulation and promotion cannot comfortably sit together. I disagree. Regulators should be judged on governance, transparency, decisions and outcomes. But if Dr Orr genuinely believes promotion and regulation are incompatible, perhaps the RSPCA can explain which functions it intends to stop performing. More fundamentally I do not think the objection here is governance. If this bill removed the hunting promotion from Outdoor Recreation Victoria tomorrow and instead created a separate statutory authority solely responsible for promoting lawful, ethical and sustainable hunting, I do not believe those critics would suddenly support this model. The objection is not promotion by a regulator; it is the promotion of hunting itself. If that is your political position, then it should be argued openly.

The GMA did not have an easy start. It was created to give hunting specialist independent regulation, but its early years were difficult and the marshes incidents represented its greatest test. To its and former Minister Pulford's credit the response was not abolition; it was reform. Governance improved, compliance expanded, education increased and the organisation matured into the independent regulator it was intended to become. The Victorian Fisheries Authority took a different path but proved the value of specialist agencies focused on participation and delivery.

Victoria has developed a distinctive model. Recreational participants are recognised as the primary use of the resource, while commercial activity, though important, is secondary. That reflects the broader idea our natural resources should create environmental, economic and social value for the greatest possible number of Victorians, not just the cultural elites inside the goat's cheese curtain. This is why the ministry for outdoor recreation, or whatever it turns out to be, matters. Hunting and fishing are no longer square pegs awkwardly fitted into the environment and agriculture portfolios. They are recognised as important recreational activities and critical economic drivers, particularly in regional communities like eastern Victoria.

This bill is an institutional reform bill. It does not change who can hunt or fish or where they can do it. It establishes an organisation whose job is to regulate, promote participation and improve access. For me the most exciting part is the Land Access Panel. Access is not just permission; it is roads, signs, facilities, information and confidence. Done properly, this could quietly become one of the most significant land access reforms in decades. We may move amendments to the bill not because I oppose the direction of the bill, obviously, but because it is a once-in-a-generation reform and getting the settings right now matters.

I am going to conclude. This bill recognises something many Victorians already understand. Hunting, fishing, outdoor recreation and commercial fishing of course matter. Today I have spoken about the facts, because criticism should be fair; the history, because the institutions can improve; and the future, because Outdoor Recreation Victoria can be better than what came before it. The direction of this bill is right. The Shooters, Fishers and Farmers Party supports this bill and commends it to the house.

Evan MULHOLLAND (Northern Metropolitan) (10:47): I rise to speak on the Outdoor Recreation Victoria Bill 2026. Can I start by saying that we will not be opposing this particular bill. We do, or did, have a number of amendments to make the bill better – to improve governance and ensure the voices of those affected by these changes are properly heard – and I look forward to continuing to support Ms Bath in that process. I thank Ms Bath, who has done a fantastic job with stakeholders that would be impacted by this bill. I am of the understanding that the previous Minister for Outdoor Recreation Mr Dimopoulos completely stuffed up the stakeholder engagement in regard to this bill and it has been left to the new minister to clean it all up, which is not surprising given the incompetence of this tired, old Labor government.

I would also point out and make comment – he was not particularly keen to promote it; he just mentioned previous views – that we had the original speaker Mr Batchelor speak of previous views but not articulate them. I note that both Mr Batchelor and Mr Galea voted in favour – there was a

majority vote in favour – of banning completely recreational duck and quail hunting by the start of 2024. Had they got their way, duck hunting would be completely banned here in the state of Victoria and would have been banned for over two years now. Thankfully, a few things got in the way of that, which means that recreational outdoor activities – generational activities – like duck hunting can continue into the future. My concern – and we know it through the established data and polling – is that at best all the Labor government can hope for is a thin hung Parliament with the Greens, and it ought to frighten Victorians what that means for duck hunting here in the state of Victoria, what that means for outdoor recreation and what that means for our national parks. It ought to frighten the bejesus out of all Victorians who cherish the great outdoors, because we know from the record the views of colleagues like Mr Batchelor and Mr Galea. What we do not know is how far this government would be willing to go in a deal with the Greens in order to hang on to government. That is frightening, and I know it is frightening for many Victorians. The only way that Victorians can avoid that is by voting for the Liberals and Nationals.

At its core this bill proposes to merge the Game Management Authority and the Victorian Fisheries Authority into a new body known as Outdoor Recreation Victoria. The government will streamline this administration, improve coordination and create a single point of oversight for a range of outdoor recreation activities. While there might be merit in reducing duplication and improving efficiency, the Allan Labor government has once again fallen into a similar pattern, unfortunately: announcing significant structural reform before properly consulting many of the people who will actually be affected by it. Outdoor recreation is more than just a pastime; it is a way of life for hundreds of thousands of Victorians, whether it be recreational fishing, hunting, camping, prospecting, trail bike riding, horseriding or four-wheel driving. These activities connect people with the great outdoors. They strengthen communities and support regional economies.

I had the privilege of being on the native bird hunting inquiry, and some of the arguments in questioning put forward by Mr Batchelor but other groups as well seemed to suggest we could just ban things like duck and quail hunting and regional economies would not suffer, because there might be some ecotourism. There might be people coming to take photos of birds. By the way, all the areas in native parkland where duck hunting happens – areas around Sale that we went to – that used to be sand are now tropical oases. I did not see any ecotourists volunteering to change deserts into tropical parklands. We saw some incredible parkland around Gippsland and around Geelong. We only needed to speak to some of the local chambers of commerce that spoke to the inquiry about the uptick in activity they get during duck-hunting season and the commerce that goes through the town, the uplift in the accommodation bookings and the uplift in people going to the local milk bar or the local bakeries. The local bakeries do a roaring trade during duck-hunting season.

We also heard the personal stories of generational duck hunters, which I found quite moving. Of course Mr Batchelor and Mr Galea want to take that away, but I found them quite moving. I will be honest: I am not a duck hunter. I have never hunted ducks, I have never taken an interest in ducks and, despite the many invitations, I still have not taken it up. It is not something that interests me. But what interests me is my admiration for the generational activity that is duck hunting. I was not going to let it slide. I was not going to allow people like Mr Batchelor and Mr Galea to have their way and completely ban duck hunting, so what I did was I got organised with colleagues like Ms Bath – and Ms Kealy as well, I have to say. We organised a duck hunting forum up in Craigieburn. While this issue obviously affects those in the regions, it is a huge issue in the growth areas of Melbourne. They love their recreational duck hunting. I actually organised a forum in Craigieburn. The Hume Global Learning Centre in Craigieburn was full. We sold out. We could only take 400 people. We had to double the room. It was 420 people in the end – standing room only. It was a huge crowd of really, really passionate salt-of-the-earth people. There were many people there in Electrical Trades Union hoodies. There were many people there who had just come off a Big Build worksite and come straight to the forum because their generational recreational activity was going to be taken away by Mr Batchelor and Mr Galea. I was not willing to make that happen. I know there were many forums like those hosted by Ms Bath, Mrs McArthur, Danny O'Brien and Emma Kealy. These kinds of issues always seem like a fait

accompli. Whether it be duck hunting or the Lord's Prayer, by standing up we are able to make a real difference for people and force the government to backflip on a significant issue.

Again, this fight is not over. There are significant risks should Labor's best-case scenario happen, which is a minority government with the Greens. For the chance of holding on to power they will do a dirty deal to ban duck hunting. They will do a dirty deal to impost and create more national parks and limit the opportunities for outdoor recreation in our regional areas. That is a huge risk, and I think many duck hunters know it. They fought tooth and nail to force a backflip, but there is a huge risk coming in November.

As I said, I am not personally a duck hunter – I have no interest in it – but I do absolutely support the people that enjoy it as a pastime. I have had many invitations to go and see for myself some of the activities they do. I was privileged to go and visit the working dogs club in Riddells Creek, I believe, in the seat of Macedon, to see some of the training of the working dogs involved in hunting. It was absolutely brilliant to see the training that goes into training these dogs and the care with which they deal with the ducks and quail themselves. I really want to again put on the record my support for the great outdoors, my support for outdoor recreation in general and my support for good, hardworking people who take part in a generational family tradition like duck hunting.

Melina Bath interjected.

Evan MULHOLLAND: Absolutely they do, Ms Bath. I think they know that the risk is that in Labor's best-case scenario of a hung Parliament with the Greens they will absolutely fold and ban duck hunting in this state if people like Mr Batchelor and Mr Galea get their way. That is the risk coming in November, and it is one that all duck hunters and people that love the great outdoors should be wary of.

David LIMBRICK (South-Eastern Metropolitan) (10:59): I would like to also say a few words on the Outdoor Recreation Victoria Bill 2026. I will start by saying that the Libertarian Party will not be opposing this bill. In fact the idea of merging agencies and hopefully creating some efficiencies is a good idea.

I would like to outline a few things actually from Libertarian Party policy. We have had a lot to do with developing our own policy on the great outdoors. In Victoria we have a beautiful natural environment, and millions of Victorians enjoy outdoor recreation activities every year. But as we have seen, since my time in Parliament, many of these activities are under threat or have been cancelled. We have seen the Mallee Rally, rock climbing in the Grampians and Arapiles and lots of activities being shut down. There was a threat to duck hunting, and the government actually made a good decision – to keep the status quo, effectively. The Libertarian Party helped organise several public protests around these issues around land access and opposing new national parks. But many people who enjoy our natural environment are also concerned about closures and restrictions to that environment. It is not that we do not value the natural environment. Some of the people who speak at these protests are wildlife rescuers and others who volunteer their own time doing habitat restoration, as do many duck hunters.

The government themselves have a poor track record of environmental management. The criticism of national parks as breeding grounds for pest species is a valid one, but the government can also shield companies that are causing pollution problems. As long as they are operating within their licence conditions, people can be prevented from suing for nuisance. There was recent reporting about a recycling plant in Reservoir that was causing issues for local residents. Causing pollution and other problems for neighbours is a violation of their property rights, and the government acts as a shield for this violation.

Natural asset management should leverage some sort of user-pays systems wherever possible, like we see with fishing. It is quite well managed, and I do not really get complaints from constituents about the fishing system or complaints from the fishing community. It should also be decentralised and

involve local communities wherever possible. We are yet to see where the discussions around land access at Mount Arapiles land, but through public pressure a more comprehensive consultation process was undertaken. Local people and the diversity of user groups should be involved in helping to shape policy around the spaces that they use, rather than government or favoured groups being able to simply dictate terms.

This bill makes some small moves in that direction, which we support. Environmental regulation should be simplified and streamlined wherever possible. The gap between idea and implementation can sometimes be vast, but what the government is proposing through consolidating different areas of governance is probably a good idea. Whether it leads to better outcomes, though, may come down to implementation.

Radical data transparency can also assist in better land management and better environmental outcomes. The government seems to have an allergic reaction to transparency on these issues. Nobody has been able to get even basic information about how many non-disclosure agreements have been signed with groups engaging with this government. While some of this might be appropriate, the sheer scale of it seems to be a uniquely Victorian issue. Some other parties have proposed amendments to improve transparency, and this is something that I have generally supported in my time here and will again with this bill.

The Libertarian Party supports hunters, fishers and the vast variety of parks users. Whilst there are some things that we would like to do differently, this bill moves very slightly in the right direction, and we will not be opposing it. Some other parties have put forward some proposals to improve it, and we will give those due consideration in the committee stage of debate.

Ann-Marie HERMANS (South-Eastern Metropolitan) (11:03): I also rise today to speak on the Outdoor Recreation Victoria Bill 2026, and I would like to start by thanking my colleague and the shadow minister Melina Bath for all the work that she has been doing on this particular bill. She has been working very hard to make amendments, which now the government has seen the importance of, recognising that this is a rather rushed bill that has not been thought through as well as it could have been. As Mr Limbrick said, it is going to come down to the level of implementation. It is not just a matter of having the structure of a bill and restructuring something but also how that is going to work out in lived experience for people.

First of all, I want to say that obviously hunting is a recreational sport. I have a very diverse family, particularly on my husband's side. He has a lot of siblings, and some of them are very keen environmentalists and others have been keen hunters, so it is an extremely diverse background. I know that hunting is not always widely accepted by some of the public, but it is well loved by those who are engaged in it, and for those, often in rural areas or on the periphery of the rural areas, there is a lot of history behind that. So while I have tremendous empathy for animals, I am also very empathetic towards the desire of people who have that hunting background and who wish to continue. I think that we live in a free country, and part of our Liberal values is to support people's freedom of choice.

At the same time, I want to speak in particular on the issues of fisheries. I have three sand-belt seats in the south-east and a number of fishing areas, like the Patterson Lakes area, but also a number of people that will travel not too far away to go into regional Victoria to enjoy recreational sports, and of course this bill is impacting them as well. I want to speak in particular to put on the record the importance of situations to do with enforcement and compliance. I think that is of the greatest importance in terms of how things are going to be worked out in fishing. Remember in the fishing industry we have the commercial fisheries, which have to be sustainable and have to be regulated, but we also have recreational fishing, and recreational fishing is enjoyed by at least half a million Victorians. That is a lot of people. It could be more. I think the number of people that are estimated to have licences might be about half that, about a quarter of a million. But given that the government handed out fishing rods, my guess would be that the number of people who consider themselves to be recreational fishers could be well into the 800,000s, and we want to continue to encourage that. This is a very good pastime. It

has obviously got good mental health properties, and people having that opportunity to sit still in nature and just be patient and fish is a wonderful thing for people to enjoy, and to enjoy as a family.

The Victorian recreational fishing body VRFish is a fishing community advocacy body to the government, and VRFish's concerns are that the Victorian Fisheries Authority's major cutbacks of fishery officer positions and sacking of science staff et cetera have led to higher levels of illegal intake and inadequate regulation in Victoria. Most importantly, VRFish was to provide the government with further evidence of the fishing community's major concerns, and I think VRFish surveyed about 2000 recreational fishers and prioritised their findings into what the community values most. The issue of greatest importance was enforcement and compliance.

With the government getting rid of fisheries officer enforcement, for example, by closing two stations – one in the Bayside area, the other in Altona; each had about four or five fishery officers based there – recreational fishing in Port Phillip Bay is now not being properly regulated. I want to put that on the record, because I think, as we said, it is how this is going to work out in compiling all these groups together. It is important that these things are noted, and so I want to put these things on the record. Recreational fishing needs well-resourced fisheries to be sustainable, and that goes for commercial fishing as well. If it is not well resourced and if it is not properly regulated, then it is not sustainable.

Victoria had the reputation of being exemplary in this area. They were working very, very hard to maintain through scientific process the levels of fishery intake and stock so that there was enough fish around of different types for people to be able to access and so that it was always working within a system that was really well monitored. When you take that monitoring away, what happens? It is no longer regulated. There are certain species that can come under threat, and suddenly, instead of being a state which everybody is looking at and thinking, 'Gee, they're doing a good job', we become a state that becomes a basket case. And just about everything in Victoria has become a basket case under this government, because they are continually making changes and shifting things around without consulting the people that need to be consulted. I think that this is another one of those cases. I am very thankful that our shadow minister Melina Bath has been listening to people and working with them.

The need for well-resourced fisheries also relates to the second-greatest concern of the recreational fishers, and this is the significance and importance of good fisheries management. Scientists, until now, have been monitoring the sustainability of fish stock. Now they are under-resourced and there are not enough of them. They were using an evidence-based approach to ensure fish stocks were sustainable and sustainably managed. Now the government are axing the scientists. I met one when they came out to Parliament. There is only one left that I think is overseeing a large area, and he seemed to be incredibly stressed with the burden on him. Now that they have been axed, there is no-one monitoring the sustainability or providing good management for recreational fisheries.

Filling a fishery department with subjective Labor operatives who are not trained or, because of their own ambitions or allegiances, are unable to provide genuine, objective, evidence-based clarity on what recreational fisheries require, will be problematic for sustainability. I want that to be on the record as well. I think it is really important that we understand the restructure reduced the number of fishery officers from 69 to 39. It was a 44 per cent reduction from what we can gather. But as I said, I met one person doing a huge area. He seemed to be quite stressed, and he said he was once part of a full department of people working adequately in this area.

For us to continue to be a leading state in this area, where people can look to us and look up to us, we need to look at what is working, or was working, rather than trying to rearrange everything so that it no longer works. I understand that this decision has been made, and we have worked through some of the changes that are going to take place, but I do want that on the record so that we can be aware of the issues and make informed decisions and choices when we are moving forward. I think that we need to be looking at the Victorian Fisheries Authority's sustainable management, and we need to make sure that Victoria's marine and freshwater resources are sustainable for the long term. I think

that we need to consider that the cost saving the government is looking at is going to, in the long run, affect the millions of fish and the stock that we have. We need to consider too the loss of coverage reducing the capacity to enforce regulations and respond to illegal fishing activity. We need to consider the impact that we have had with the reduction of the fishery officers.

While I am aware that there is this restructuring happening, that it is important to look at all the aspects and that people think we can just lump all this together, I am not sure in the long term how sustainable it is going to be. It will depend on how it takes place in terms of the rollout and working it out in the community. If it is not structured effectively, if the money does not go where it needs to go and if it is not considered – and let us say there are 5000 hunters and there are 800,000 people recreationally fishing, and then you have got commercial fishing as well – I do not know that a 'six months here and six months there' approach is going to be effective. I think that it needs to be well thought through. I am all for outdoor recreational things being put together if it is going to be workable, but I am not sure how this is going to work. It remains to be seen.

My father was once employed by the government when I was young in what was called the Forests Commission Victoria, and that was all about having the wildlife sustained and looking at how the forests could be maintained. I wonder when we try to lump things together and restructure things whether we really consider all of the impacts that is going to have in the long term.

My time is still going, but I am going to wind up. I just want it to be recorded that we do need to pay careful attention to recreational fishing, because it does concern a large number of people in Victoria, and we do need to have sustainable fisheries. Not only is this a source of income for a lot of people, but also it has been so enjoyed by Victorians. We have amazing fish, and we have such an abundance of them when they are well looked after. But when the industry is depleted and it cannot look after its stock, then we have issues and we have challenges. I know that under a Liberals and Nationals government we will be in great hands under Melina Bath, who hopefully will be our minister moving forward next year. I know that it will be a big task to roll out all the changes, but I can guarantee that the Liberals and Nationals coalition will be listening to the industry experts and to the people so that we can provide the best possible opportunities moving forward and keep these industries sustainable, keep our fisheries sustainable, keep our wildlife and opportunities sustainable and do our very best. You cannot keep everybody happy all the time, but we will do our very best to make sure that the compliance is working in a way that is fair and reasonable for every Victorian.

Katherine COPSEY (Southern Metropolitan) (11:16): I rise today on behalf of the Greens to speak in opposition to the Outdoor Recreation Victoria Bill 2026. This bill abolishes the Game Management Authority and the Victorian Fisheries Authority and it transfers their responsibilities to a new body, Outdoor Recreation Victoria. This new authority will regulate game hunting, recreational fishing and boating, commercial fisheries and aquaculture. At the same time, it will be responsible for increasing participation, developing recreational sectors, facilitating access to public land and maximising the benefits produced by outdoor recreation.

There is nothing objectionable inherently about reviewing the machinery of government or consolidating agencies whose responsibilities intersect, nor is there any dispute that Victorians should be supported to spend time outdoors. The question that this bill puts to us is much more specific. Does this bill establish a regulator with clear responsibilities, proper independence and strong environmental and public interest safeguards? It does not. The government describes what it is doing here as integration, but integration without institutional safeguards can simply concentrate conflicting responsibilities inside a larger organisation.

The problem with this bill begins with the objects in clause 7. Outdoor Recreation Victoria is directed to promote participation, support access to public land, develop recreational sectors and optimise the social, cultural and economic benefits of outdoor recreation, and it must act in the manner it considers best achieves these objectives. There is no equivalent freestanding objective in this bill requiring the authority to, for example, conserve biodiversity, protect ecological integrity or safeguard cultural

heritage. The bill refers to sustainability but largely as a qualification on the pursuit of recreational and economic activity. Environmental protection is not established as an equal institutional purpose in its own right. That matters because objects shape organisational priorities. They will guide decisions about staffing, budgets, grants, performance measures and ministerial expectations. When access and participation are expressed as organisational objectives but ecological protection is primarily just something to be taken into consideration, the legislation creates an imbalance from the beginning.

The minister's second-reading speech asserts that access will only be supported within the sustainable capacity of the land and that the rights and responsibilities of land managers will be respected. But those statements are not a substitute for enshrining these objectives in legislation. Parliament should assess what the bill requires, not what the current minister says the authority intends to do, because ministers change, priorities change and administrative guidance changes, so the protections that endure and the ones that matter are the ones that we place into the act today.

This bill also gives the minister of the day substantial influence over Outdoor Recreation Victoria. The authority will be subject to written ministerial directions, and those directions need only be disclosed through the annual reporting process. The board will consist entirely of ministerial appointees. The legislation does not establish any kind of independent compliance commissioner, and it does not create a separately accountable enforcement division. It does not require separate compliance funding, and it does not establish an independent board committee responsible for regulatory integrity.

These omissions are particularly serious given the history of the Game Management Authority itself. In 2017 we saw the Pegasus review into the GMA, and the 2017 Pegasus review found that the GMA had not effectively fulfilled its compliance and its enforcement responsibilities. It found widespread noncompliance by the GMA and a lack of effective sanctions handed out. It found vulnerability to regulatory capture and, importantly in relation to this bill, the Pegasus review found that there was tension between the authority's regulatory responsibilities and its advisory and promotional activities. We have been here before, and we have done the work before to unwind the kind of conflict that this bill creates for the new authority. Pegasus did contemplate placing regulation within a larger organisation, but that recommendation from the Pegasus review came with an essential safeguard. Compliance and enforcement functions should be separated from advisory, developmental and promotional work.

We are going back to the future today, with the government putting before us a consolidation and discarding the safeguards that would have made consolidation of these two functions of the authority defensible, because there is nothing in this bill requiring operational separation between Outdoor Recreation Victoria's promotional responsibilities and its regulatory decisions. All of those responsibilities ultimately sit within the same authority and under the same board. The government may say that the internal administrative arrangements can manage the conflict, but in our view that is not enough – and in part based on past experience that is not enough. If separation is necessary to preserve regulatory integrity, then it should be required by the act, it should be visible to Parliament and it should be visible to the public to create confidence in the authority's ability to carry out its role.

Turning to part 5 of the bill, part 5 is the section that establishes the Land Access Panel. This is going to be an important panel. It is going to advise the minister about community access to public land, restrictions on access and ways of improving access for outdoor recreation as defined under the bill. The way that the government conceives of outdoor recreation, though, is problematic in that what is drafted into this bill does not actually reflect how most Victorians currently use and value our national parks and public land. This bill expressly defines outdoor recreation as hunting, fishing, boating, mountain biking and four-wheel driving alongside camping and walking. But this is a pretty narrow set of activities, and it does not align with how Victorians today use our national parks.

Of course all of those activities are undertaken, but how about some of the other popular activities that we know are highly valued by Victorians – things like picnicking, birdwatching, wildlife observation, photography and art, swimming, nature appreciation and the simple enjoyment of the peace and quiet

of our wild and natural spaces. The government may argue that this definition is not exhaustive, the definition that it has written into the bill, and I certainly support that interpretation and hope that it is interpreted that way and that that is the case. The activities that the government has chosen for express recognition reveal its priorities and its favouritism of certain cohorts within the Victorian community. I note as well that many of the activities that the government has defined often require much more exclusive use, especially, as we have noted, with hunting seasons, which lock huge portions of the community out of our public spaces for many months of the year. The activities that the government has chosen for express recognition will inevitably shape the work of Outdoor Recreation Victoria and of the Land Access Panel.

As I have said, the evidence tells a very different story about what Victorians value, and this is not just assertion on my part or a brainstorming that I have done of other things that people like to do in our wild spaces. RedBridge polling has found that short bushwalks are by far the most common activity and are undertaken by 48 per cent of Victorians, followed by picnics at 36 per cent. Photography is at 21 per cent, and camping and bird watching are at 11 per cent each. Shooting and hunting are actually among the least common activities that Victorians use public spaces for. More than half of respondents, importantly, said that peace and quiet, appreciating waterfalls and rivers and accessing public facilities like toilets and short walking tracks are the kinds of priorities that would encourage them to visit national parks more often. These are not marginal interests. Victoria's national and state parks recorded 54.7 million visits in the most recent statewide visitor survey, but this bill gives special legislative prominence and a new access advisory structure to a narrow group of interests – interests that are quite extractive in nature and contain higher impact activities such as operation of motorised vehicles – without properly representing the millions of people who visit our parks to walk, to picnic, to observe wildlife or to spend time with their family and connect quietly with nature.

Public land access decisions do have major consequences, and they can affect habitat, threatened species, fire management practices, biosecurity, cultural heritage, water quality, visitor safety and the capacity of traditional owners and public authorities to care for country. Despite that, the Land Access Panel envisaged by this bill is almost entirely a creature of ministerial discretion rather than public input. The minister appoints every member of the Land Access Panel. The minister may determine its terms of reference. The minister may give it additional functions. The minister may determine its procedures, its objectives and its reporting arrangements. And the only general qualification for appointment is knowledge or experience relevant to the panel's function.

A huge oversight of this bill, and one that I am quite shocked to see, frankly, given that our state has just made a major step forward with treaty, is that this bill does not guarantee representation for traditional owners, it does not require ecological or conservation expertise for the Land Access Panel and it does not guarantee representation for public land managers or for the many Victorians whose recreation depends on healthy, peaceful and well-protected natural places. The government says that it intends to appoint traditional owners, land and waterway managers and other stakeholders. I do have a number of amendments, which I will circulate shortly, and one of the issues that the amendments will go towards is remedying this omission.

Another major oversight with relation to the Land Access Panel is that the bill does not require its advice to be made public, it does not require the minister to publish a response to the panel's advice and it does not establish a specific conflict-of-interest framework for panel members. This panel could consequently become really influential in relation to public access to land in Victoria without it being meaningfully transparent or accountable. The concern around this is reinforced by clause 18, which the government has described as a transparency principle. That clause refers to decision-making involving game hunting, recreational fishing and boating, commercial fishing and aquaculture. It does not expressly cover the authority's decisions concerning public land access or the operation and recommendations of the Land Access Panel, so it is deficient. It is a significant omission because if the government genuinely intends public land access decisions to be evidence based, to be consultative

and to be transparent, it should state that explicitly in the legislation. We are suspicious that that is not the case, given this omission.

As I said, the treatment of First Nations people by this bill is shockingly inadequate. The panel's collective skills should, as far as practicable, include knowledge of First Peoples' culture, community leadership and principles. But I will make the point that knowledge of First Peoples is not the same as First Peoples' representation. It does not guarantee traditional owner representation or a position on the Land Access Panel, and it is not shared therefore I do not think it goes far enough to effect shared decision-making and self-determination. A body making decisions about access to country should not merely have someone who the minister considers knowledgeable about First Peoples' perspectives. Traditional owners should have a guaranteed role in the governance and decision-making structures themselves.

Commercial fishing and aquaculture raise different but equally serious concerns. These are primary production industries that involve food production, employment, exports, resource allocation and long-term management of natural assets, so they are not simply additional forms of outdoor recreation. Seafood Industry Victoria has warned that primary producers should not be regulated by an agency focused on recreation, which is a reasonable concern. Commercial regulation must be scientifically rigorous. It needs to be properly resourced and protected from pressure to pursue recreational participation or sector promotion. This concern should not be dismissed simply by saying that existing regulatory staff will simply move into the new authority. Organisational purpose matters, governance structures matter and the allocation of resources matters. The way also that an agency measures its own success or its success is measured against performance indicators also matters. So what are the indicators that are going to be measured here? Will success be measured by increased participation, more access and sector growth, or will it be measured by compliance, ecosystem health, sustainable catch levels, cultural outcomes and protection of the public interest?

A big oversight is that the bill does not resolve that tension. It arrives in a broader political context in which organised shooting and hunting interests have repeatedly sought and received privileged access to government decision-making, particularly in the latter part of this term of this Parliament. A very live example of that is the government's decision-making around the rapid review of Victoria's firearms laws, which has been recently undertaken and where, despite significant expert evidence and competency in conducting that review, Ken Lay provided the government with his review recommendations on the completion of his rapid review into Victoria's firearms laws and this Premier responded by rejecting out of hand one of the key recommendations of that inquiry report, flying in the face of evidence, flying in the face of the recommendations provided by Mr Lay and aligning instead with the interests of shooters in this state. The government is going to move on 15 of the 16 recommendations, but key to its rejection is the recommendation that there be an enforceable cap on the number of guns that someone can own in Victoria.

The context in which this bill arrives does not give us great comfort that the Premier and this government have landed on the right balance when so clearly we see that the interests of the small minority of Victorians that are interested in gun ownership get such a willing ear and such a permissive framework from this government. We are now being asked in this place to establish an authority that will actively promote game hunting while, we are told, also regulating it without the statutory separation that the government's own previous review in relation to Pegasus recommended. This is very significant.

Far earlier in this term of Parliament we had the Select Committee on Victoria's Recreational Native Bird Hunting. That committee heard extensively about the failures of regulation, the failures of the GMA and the massive destruction of our wildlife, which led to terrible, terrible scenes where thousands of native waterbirds were shot, killed, wounded and left to die painful, horrible deaths. We had a regulator at that time that was so subject to capture and so conflicted in its own internal priorities that it was not able to prevent this mass destruction of our wildlife – this impact on, destruction of and damage to our beautiful wetlands and wild places.

We are, I fear, under this Premier and under this government, going to repeat the mistakes of history. We had made progress in Victoria. We had seen a declining proportion of Victorians participating, particularly in relation to the killing of our precious native waterbirds. That is a diminishing activity. Victorians do not want to see our wildlife shot for sport – that is just the fact of the matter. This government, in establishing this bill, I fear is again taking a narrow set of interests and casting that as the primary way that people engage in outdoor recreation, when it does not bear out the facts and it does not bear out the attitudes of the Victorian public.

The other thing that this finger on the scales for shooting interests under this government does is potentially narrow access to our wild places for other Victorians who want to use them and want to use them safely. Another thing that we heard consistently throughout the committee's evidence was how poorly regional Victorians are affected by annual shooting seasons and about the impact that has on residents' use of public land that they are able to access the rest of the year – able to go and walk through with their families, spend time with their families, seek quiet contemplation and solace and get their steps up in a beautiful natural environment. We see access for ordinary Victorians shut off for months of the year because of a narrow sector of interests going in and using that land in a way that creates real safety risks. As well as just shutting people off, it creates real safety risks for people who want to use that land and also who live close by it. We have seen, with the expansion of residential encroachment into areas that are close to existing wetlands, people who would normally be able to access public lands freely very concerned that they will encounter shooters. We have even seen stray bullets from these activities go close to people's properties and in some cases impact people's properties. These are real tensions that exist in the community at the moment. Our deep fear is that they are going to be inflamed by the conflicted tension that the government is reinstating in this new Outdoor Recreation Victoria body. We are concerned that the narrow set of interests that the government has defined are going to take further precedence and exacerbate a situation that we know is already causing not only consternation, annoyance and frustration but real fear and safety concerns for people who live adjacent to some of these public lands if we see a regulator then become a promoter and seeking to increase shooting and slaughter activities on our native biosphere and public lands. That is the core of our concern around the way that the government is defining outdoor recreation.

I have spoken about the fact that no comfort is given in the way that the Land Access Panel is constructed. It appears secretive, like it is going to be a black box, with little knowledge of actually who is providing advice to the minister in relation to these matters, what that advice is and what considerations have informed it, and we will not know the minister's consideration of those matters either. As I mentioned, I do have amendments to the bill on behalf of the Greens, and I ask that they now be circulated. These amendments, which I am putting forward on behalf of the Greens, go to some of the concerns that I have outlined and seek to remedy some of the oversights that we believe the government has made. I want to be clear that we do not consider that these are the only problems with the bill. We still have serious concerns about the way in which the government has approached this issue. However, we think that these would be sensible improvements that would remedy some of the oversights, and we would welcome engagement with the government on these. We think that they are worthwhile improvements to the bill – and all parties, please do consider these.

We seek to expand, firstly, the definition of 'outdoor recreation'. I know that this is similar in nature to amendments that may have been foreshadowed by Ms Bath. As I said, there are a number of activities that we know are extremely popular and undertaken by in some cases a majority of Victorians, and we think that those should be included in the definition of 'outdoor recreation' that this bill seeks to legislate. The activities that we would insert into the expanded definition of 'outdoor recreation' include picnicking, birdwatching, photography, swimming and quiet enjoyment of nature. As I said – and I will speak to this a little bit more when we come to speak to the amendments in committee – we have looked into some of the research that is available on what activities people actually undertake, and we found that this is a set of activities that are very popular, that are already undertaken and that should be considered and represented in the Land Access Panel's consideration

of outdoor recreation promotion activities and also in the organisational remit of Outdoor Recreation Victoria. That is our first amendment.

The second and third amendments that I am moving go to the inadequate representation of First Nations voices within Outdoor Recreation Victoria. I want to acknowledge and thank the Federation of Victorian Traditional Owner Corporations for their engagement on this bill. I know that they have been in contact with the minister as well regarding their concerns about this bill. The amendments that we have drafted would require traditional owner groups to be involved in the integrated decision-making that the bill outlines through engagement principles, and they would also require the Land Access Panel to include both a traditional owner representative and members with experience across all listed outdoor recreation activities. I will speak more to the amendments in the committee stage, but that is their function.

As I wind up and come to the end of my time, I want to reiterate our deep concerns about the government's approach to this matter, and they are concerns that I have heard mirrored across the community. I have received and I am sure members of Parliament on all sides of this chamber have received hundreds of emails from people very concerned about the lopsided consideration of interests that this government is seeking to institute and the conflicted nature of the authority that it is seeking to create. There is real community concern about this that the government has not allayed. We think that the government should give serious consideration to the amendments that we have circulated, and that would go some of the way, but we do not think that the government has actually got the approach on this bill and on this entity right at all.

The Outdoor Recreation Victoria Bill does nothing to establish environmental protection and care for country as explicit and equal objectives of the authority. It does nothing to guarantee traditional owner representation or to require ecological and conservation expertise on the board and the Land Access Panel. It does not establish clear statutory separation between the compliance and enforcement work and the promotional or sector development functions of this new authority. It does not require publication of ministerial directions within a prompt period, rather it leaves disclosure just to a minimum in the annual report. It does not require Land Access Panel advice or the minister's response to be published, creating a black box. It does not ensure that public land access recommendations are subject to transparent ecological, cultural or safety criteria. It does not explain why commercial primary industries are being governed within an organisation publicly constituted and named around outdoor recreation. The government has not included those protections. This Parliament should not establish a powerful new authority on the basis that deficiencies in this legislation can later be repaired through goodwill, internal policies or ministerial promises. We have not seen a track record from this government that warrants that kind of trust. The issue is not whether, as I have said, Victorians value outdoor recreation. Of course they do. We know that. The issue is whether that recreation will be governed within ecological limits; with independent regulation; with proper traditional owner authority; with free, informed and prior consent; and with transparent public decision-making. It is also whether the government's conception of outdoor recreation even matches the way that Victorians like to recreate in outdoor spaces. We do not think it does. We think they have defined it too narrowly and they are deliberately prioritising a narrow set of interests.

This bill does not provide any guarantees on these matters. The Greens are deeply concerned about the way that the government has approached this. There are significant community consternation and a lack of trust, and so there should be. Labor have proven time and time again that they cannot be trusted to put the interests of the community and the interests of our wild spaces ahead of the interests of the shooting lobby, so the lack of trust is warranted. The Greens do not think that the bill is correct. We urge the government to engage with us on the sensible amendments that we have put forward, and we will not be supporting this bill.

Bev McARTHUR (Western Victoria) (11:46): I want to say at the outset that we are not opposing this bill, but we are not waving it through either. This bill abolishes two specialist regulators and rolls them into one centralised body under tighter ministerial control. The Game Management Authority

and the Victorian Fisheries Authority were built on expertise. The bill bets that bigger is better. We will support sensible reform, but we will not sign a blank cheque for bureaucracy. At the outset I want to congratulate our shadow minister Melina Bath, the Shadow Minister for Outdoor Recreation. She has done an exceptional job in working through this bill and working with the government to make sure we get a good outcome for outdoor recreation in Victoria. I also want to congratulate the minister, Enver Erdogan, for fixing up the mess of his predecessors who got this completely wrong.

I support all Victorians to use and utilise and enjoy the great outdoors – all of them – but the government's approach has been to lock up the forests and parks and throw away the keys. That is a totally hopeless way of operating, and worse still, they do not actually manage the state's resources they have. Vermin and noxious weeds are out of control in most of the parks and forests that the government are meant to maintain. They have reduced the number of Parks Victoria staff that actually do work to maintain the area, but of course they have increased them in head office.

Mr Limbrick referred to this, the way that we lock up the forests and throw away the keys, when he was talking about the closure of Mount Arapiles in the Grampians to rock climbers. I remember distinctly that the minister at the time, I think it was Ms D'Ambrosio, blamed the rock climbers for the damage to rock art in the Grampians, and so therefore she blocked them out. But lo and behold, we established that the damage to the rock art was actually caused by Parks Victoria drilling holes into it to put up a mesh screen to supposedly protect it. Of course I called for her to apologise to the rock climbing community. That apology was never forthcoming. It was an appalling situation, because rock climbers, above all else, are great environmentalists. They love the great outdoors. They are the last ones to do anything to damage rocks and mountains, and the climbing in Mount Arapiles and in the Grampians is world class. People come from all over the world to enjoy that space, and they of course look after it and recognise its importance.

Mr Mulholland also referred to the fact that he is not a shooter. Neither am I, but I totally defend the right of law-abiding Victorians – licensed, law-abiding shooters – to carry out their recreation. In fact I am honoured to be a member of Field & Game Australia. The head office of Field & Game is in my Western Victoria Region electorate at Lake Connewarre, and it is where amazing research is done in conjunction with Deakin University to monitor the birdlife and also the life of other species that are in the wetlands. They also provide habitat to increase the number of species that can use wetland reserves. And this is all done by volunteers, amazingly, a huge workforce that give of their time and expertise to ensure that wetlands like Lake Connewarre and Heart Morass – where we went, actually, when we were on the inquiry.

Melina Bath interjected.

Bev McARTHUR: It is amazing work that is done there by volunteers to preserve, maintain and expand that environment for native wildlife. They also, at Lake Connewarre, conduct a wonderful education program for schoolchildren to come and learn about all the small species that are in the water and the wetlands, an educational experience that is second to none for children that have never been exposed to this sort of wildlife and outdoor activity. But you know what, I have not seen any Greens or Animal Justice Party activists out there as volunteers helping to preserve, maintain and expand these wetlands. I do not know where you have been, but you are certainly not out there with the volunteers trying to make sure that we look after these wetlands, that we expand them, that we do the research, that we provide the habitat for birds to breed and grow. Where have you been in all this activity? You are just nowhere to be seen when we really need you out there doing something practical, working with the volunteers. You are AWOL, but you are very noisy in here and elsewhere when it comes to outdoor activity and so on. You are absolutely nowhere to be seen.

I am glad that Minister Blandthorn has come into the chamber, because it was Minister Blandthorn that moved the inquiry into banning duck shooting, as I recall. And do you know what, I was very pleased to be on that inquiry with Mr Mulholland and Ms Bath. I was really very energised about the extraordinary contribution of that union leader, Troy Gray from the Electrical Trades Union, who

absolutely nailed it when he said, 'You people over there, if you want to ban duck shooting, don't expect to come onto our worksites in a hard hat and a yellow vest. We will actually shut down the whole Big Build.' And even though the government had the majority on that inquiry and they made sure they recommended that duck shooting would be banned, clearly Mr Gray and his union colleagues had their way. They made sure that the government did not support the recommendation of the inquiry. They knew the government knew where their bread was buttered. Even if those members like Mr Batchelor and Mr Galea – he is not here; I do not know where he is – were on the inquiry, they voted to ban duck shooting but they were overrun by their friends in the union movement. Well, congratulations, Mr Gray. You obviously did a great job.

Ms Copsey referred to the fact that she thinks everybody wants to go walking, picnicking, birdwatching and have silent use of these wonderful places – I am all for that. You can picnic and walk and hike to your heart's content. But I am totally supportive of everybody else that want to use it, whether they are fossickers, trail bike riders, horseriders – everybody should have access to it, totally. Of course they should.

Just referring back to that momentous inquiry, there were – how many? – hundreds of thousands of submissions. There were lots of submissions. I must say my wonderful colleagues in the opposition here produced a minority report, and I could not do better than to read from that report. I think this sums up the whole issue of outdoor recreation. We said:

> Our concerns were primarily to ensure balance, equity and fairness – the cornerstone of a democratic society. We have strived to ensure that our findings are based on scientific and socioeconomic evidence and expert opinion backed with factual data.

Not hyperbole, not nonsense, but factual data.

> One of the challenges for rural and regional Victoria has been decisions made in Spring Street –

that is inside the tram tracks, team –

> based on the demands of minority but noisy activists, focus groups, and electoral expediency. Many of these 'city centric' decisions have resulted in a raft of policies that have had devastating social, economic and environmental impacts on rural and regional communities (e.g. misguided forest, fire, flood and energy policies). We have tried to ensure that the voice of rural and regional Victorians as well as metropolitan Melbourne are heard.
>
> We have tried to ensure that key submissions are used in decision making and that the findings of knowledgeable and experienced experts have been captured. In many cases, rather than paraphrase points made in submissions or hearings, we have quoted verbatim key points, taking care to ensure context.

I urge everybody to read this fantastic minority report. I must say I did not realise how good it was till I re-read it.

> We have also strived to ensure that our recommendations are consistent with a balanced approach to ecologically sustainable development, balancing the environmental, economic and social dimension of decision making. Without balance you are unable to deliver equity and fairness and you increase the risk of adverse outcomes.
>
> Based on submissions and testimony it became obvious that the cornerstone of conservation of water birds in Australia **is sufficient habitat** and more can be done to improve wetland habitat. We also heard of the **considerable voluntary work undertaken by hunting organisations to improve water bird conservation**.

I referred to them all before. I hope you were all listening.

> Rural and regional Australia has always rode on the back of hard working volunteers. At the Inquiry evidence in submissions and testimony spoke of the substantial voluntary contribution duck hunters make to the establishment and maintenance of wetland habitat and breeding conditions for water birds.
>
> This is a prime example of how making something 'valuable' helps with conservation, not just valuable in a monetary sense but valuable spiritually. Because duck hunting is a valuable recreational activity, volunteers pitch in and develop new wetlands and maintain them essentially without using the public purse.

It was quite clear in that inquiry exactly what really happens in the wetland space. Duck hunters are unlike our wonderful friends over there the Greens and – I do not know where the Animal Justice people are. But they do not get out there and help make bird habitat and provide the educational experience that all those lovely children get when they go to Connewarre.

Anyway, the government saw what was right, and they did not accept the recommendation of the inquiry to ban duck hunting. Good on Troy Gray and his friends in the union movement for making sure that happened.

A member interjected.

Bev McARTHUR: Mr Batchelor wants to do it, and of course they would do it if they got any chance through some ridiculous situation where they get elected with a coalition of the Greens at the next election.

Business interrupted pursuant to standing orders.

Questions without notice and ministers statements

Emergency Services and Volunteers Fund

Bev McARTHUR (Western Victoria) (12:00): (1365) My question is to the Treasurer. Treasurer, on Tuesday, you suggested I was spreading misinformation. You said:

> … there are those out there saying that farmers are paying more when they are not … saying volunteers are paying the tax and they are not.

If you had been at the Bendigo rally, you could have listened to those people yourself. You could have told them they were mistaken, that they do not understand their own rates notices and that they turned up obviously for no good reason. But just this week the VFF said:

> Victorian farmers will pay significantly more under the ESVF …

So, Treasurer, are you accusing the VFF of spreading misinformation too?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (12:01): Mrs McArthur, I can show you the correspondence that I have written to the VFF, which absolutely confirms that there is no change to the rate that is applied to primary production properties as a result of the ESVF. It is the same as it was under the fire services property levy. In relation to farmers who are also eligible active volunteers or life members of the CFA or the SES, they are eligible for a rebate. So farmers will be paying the same rate or less if they are also a volunteer. That is a fact.

Bev McARTHUR (Western Victoria) (12:02): Treasurer, you clearly do not even understand your own tax. You absolutely do not. The last full year of the fire services property levy raised $1 billion. Your own budget papers now show the volunteer tax raising $1.6 billion. Which Victorians are paying the extra $570 million if you are saying everybody is exempt?

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (12:02): As we went through in great detail during the committee stage of this legislation, the average increase to a residential property is around $60 a year from the introduction of the ESVF. Only 10 per cent of the ESVF is raised from primary production land, with residential and non-resi industrial and commercial properties making up the other 90 per cent. As I have reiterated, one of the other elements of misinformation is that country people are paying more than city people for the ESVF. I can confirm that the ESVF is around 24 per cent from the regions and 76 per cent from metropolitan Melbourne, which is below proportional population rates.

Environment protection

Georgie PURCELL (Northern Victoria) (12:03): (1366) My question is for the Minister for Environment. This week we are seeing the government ram through the creation of a new super agency that will cause immense harm to the thing that they claim to love so dearly – the great outdoors, or as some of us prefer to call it, nature. This policy was only announced six months ago, but it is already in the Parliament. Yet environmental and wildlife advocacy groups are fighting to see commitments delivered that were made years ago, terms ago, elections ago. One of these is a project that would protect some of the most carbon-dense forests on earth, Melbourne's most vital water catchments and the habitat of the critically endangered Leadbeater's possum. The project I am of course referring to is the great forest national park, which was committed to in 2014 – a commitment the government is denying ever making. Minister, why is the government denying making this commitment?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Environment, Minister for Outdoor Recreation) (12:04): I thank Ms Purcell for her question and her passion in relation to these matters, and I do want to thank Landcare for being here this week in our sitting week. I think it is great to see all the volunteers from across the state, who do amazing work. I think your question about an alleged commitment from some time ago is obviously difficult to address being the new minister in the portfolio. But what I will say is we do have a strong agenda in terms of Victoria's wildlife and protecting what is so special. I know many of you in this chamber would appreciate that there will be three new national parks later this year, a commitment that has been delivered by our government. But there is always more we can do, and that is about backing in our wildlife and protecting our wildlife with real investments. That is why we will have a new wildlife hospital at Kyabram Fauna Park to support wildlife carers, veterinary outreach and wildlife rescue capability. We are also investing over $800,000 to relaunch Land for Wildlife, supporting habitat and population protection on private land and helping more Victorians play a role in caring for our national environment.

Georgie Purcell: On a point of order, President, I am just seeking to know if the minister is unaware of this commitment. Is it a possibility that I can provide him the correspondence making the commitment and he can take it on notice, instead of the response he just gave then?

The PRESIDENT: No, that is not a point of order, but you might offer that outside the chamber. The minister did respond that when that particular commitment was made it was not his portfolio at the time. The minister can continue, if he pleases.

Enver ERDOGAN: I thank Ms Purcell. Like I said, I think our government is committed to protecting threatened species and supporting wildlife carers and rescuers and national parks. That is why we are going to have three new national parks that will be up and running later this year.

Georgie PURCELL (Northern Victoria) (12:06): Minister, I will provide you that correspondence and hopefully your office will respond to me for once. The very same advocates are concerned that the government will backflip on yet another promise, which I note you did not mention then in your apparently strong wildlife record. In 2020 the government committed to modernising our state's broken wildlife laws. They are now over 50 years old. Despite spending $3 million on an expert panel for advice, which delivered its report at the end of 2021, five years later we are yet to see any legislation come through the Parliament. The Minister for Agriculture, or rather the Premier, has already pulled the 10-year-old commitment to introduce a new animal care and protection act from the legislative agenda this year, condemning farmed and companion animals to continue suffering in our state. Minister, will you be doing the same to our state's native animals, or will you ensure this vital legislation makes it through the Parliament this term?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Environment, Minister for Outdoor Recreation) (12:07): I thank Ms Purcell for her passion and her interest in this vital legislation, as she puts it. It is legislation that I know is so important to so many in our community, because since taking on the role I have had many representations from

Ms Purcell and many others have raised the need for a modernisation of the legislation. We do have a Wildlife Act that does take action on people that do animal cruelty. We know there are a number of recent cases – for example, cruelty on koalas – where there was serious action taken that is proceeding through the courts, through the conservation regulator. In relation to legislation before this chamber, as you can see, we have a very full legislative agenda – jam-packed today with opportunities for Outdoor Recreation Victoria and opportunities to improve our roads. But obviously there will be further legislation. I do not want to pre-empt the debates in this chamber, but we have a very packed legislative agenda, so at the moment it will obviously be a challenge to put that on before the end of the year. But as a government we are committed to modernising all our legislation, and I think wildlife legislation is something that is worth modernising.

Ministers statements: water policy

Harriet SHING (Eastern Victoria – Minister for Ambulance Services, Minister for Health, Minister for Water) (12:08): Only Labor is investing in water security and projects that deliver sustainable water for our farmers, and it was really fantastic to join my good friends and colleagues the member for Bass Jordan Crugnale, the member for Pakenham Emma Vulin, Labor candidate for Pakenham Alessandra Soliven and Senator Lisa Darmanin last week to turn the sod on the Western Port recycled water scheme. This project will deliver 49 kilometres of pipeline to carry up to 4 billion litres of class A quality recycled water to local farmers. It will support farmers and growers across the south-east in Pakenham South, Cora Lynn, Vervale, Catani, Iona, Garfield, Bayles and Tynong, creating jobs, preserving precious drinking water and bolstering resilience for our farmers against a drying climate, which is essential. This is the sort of infrastructure project that the Liberals would never engage in. In fact they have walked away from similar projects in the past. They would say it is too difficult, too hard to manage, just like the desalination plant that they referred to as a white elephant – unnecessary and idle. But we placed the maximum order this year; 150 gigalitres are now flowing into our storages, and without it we would be on permanent water restrictions and Geelong storages would be under 10 per cent.

With this order the desalination plant will have delivered two-thirds of a trillion litres of water into our storages since coming into operation. Even when members of the Liberal Party opposite turn on their taps, they will be getting desalinated water, and only Labor will invest in the necessary infrastructure that Victorians need to ensure water security in a drying climate. From the desalination plant to water projects like Western Port, we are really determined to continue to deliver on the sorts of things that make a difference, not just now but for future generations, not just now but for future climate change and for a growing population. We will do this not alongside and in collaboration and partnership with those opposite but despite them.

Health system

Georgie CROZIER (Southern Metropolitan) (12:11): (1367) My question is for the Minister for Health. Minister, Rhonda needs a hip replacement. She is in debilitating pain from her femur pushing into her hip joint. She has been waiting for five years and finally got the call to say she would have her surgery on 5 May. The evening before Rhonda's scheduled surgery she received a call from Eastern Health saying her surgery was cancelled because they had no beds. For three weeks Rhonda and her husband patiently waited to hear back for an update on a rescheduled date for surgery. They heard nothing, so they endeavoured to find out themselves by calling the hospital. After numerous calls and leaving messages as instructed, they finally received a generic message asking if Rhonda still required surgery. Minister, this is simply not good enough. Rhonda is suffering from terrible pain coupled with a state of deep despair. There was no follow-up initially, and there has still been no follow-up. Why is the system failing Victorians like Rhonda?

Harriet SHING (Eastern Victoria – Minister for Ambulance Services, Minister for Health, Minister for Water) (12:11): Thanks, Ms Crozier, for that question. I am not sure if the name of the patient that you have put on the record today is a pseudonym, but –

Georgie Crozier: On a point of order, President, just to confirm for the minister: no, it is a patient. She wants me to raise it with you, so please do not deflect from it. Rhonda is the patient.

The PRESIDENT: Minister.

Harriet SHING: I am literally asking for specific information to assist me to be able to –

Georgie Crozier interjected.

Harriet SHING: Ms Crozier, I am attempting to assist you in answering this question. In doing so I just want to be really clear that this is something that we take really seriously. I would welcome an opportunity to get further information and detail from you about the specifics of this particular person's experience so that I can look into it. I have encouraged you on a number of occasions in this place to get in touch with my office with specific matters so that we can address them, in compliance with consent and patient privacy issues, making sure that we are meeting those commitments and obligations and responsibilities, those matters, so that we can get those questions answered. You have actually been able to provide that information outside of this place. We have actually been able to address that with the consent of the person involved or the families involved. We have followed up with those cases that you have raised. Ms Crozier, I would say to you again: please provide that information to my office so that we can we can seek –

Georgie Crozier: On a point of order, President, this is a system that is failing, as I pointed out in my preamble. The question is very simple, and I would ask you to ask the minister to come back to responding to that simple question: why is the system failing Victorians like Rhonda?

Jaclyn Symes: On the point of order, President, Ms Crozier specifically said that Rhonda asked her to ask the minister for a response today, and the minister is seeking to offer an invitation for Rhonda, through Ms Crozier, to provide more details. It is exactly what the question was.

The PRESIDENT: I believe the minister is being relevant to the question.

Harriet SHING: Ms Crozier, I am not going to address you directly. Perhaps I will address Rhonda directly.

Rhonda, we are really happy to address the questions that you have raised. Please feel free to get in touch with me directly, and we will get some further information for you. Your consent is really important as we proceed with working to engage through the Department of Health and through Eastern Health. If you are able to provide that information, we can get that response for you.

Ms Crozier, you have agreed, because you have written to me on a number of occasions now raising specific questions, that that is an appropriate way to raise those matters, and in turn we have responded with information that has assisted you. If you do not see that it is a matter of respect and patient privacy to write to me directly, then that is a matter for you, but we will always continue to provide that care. Rhonda, please do get in touch so that we can assist.

Georgie Crozier: On a point of order, President, I know the minister is struggling here, because this case study that I have highlighted shows the system is failing. She still is refusing to answer the question. Just to reassure the minister, I do speak to these people, so they know what I am doing. I would ask you, President, to bring the minister back in the last 25 seconds of this question to telling Victorians why this system is failing Victorians like Rhonda.

The PRESIDENT: The minister is being relevant to the question.

Harriet SHING: Ms Crozier, I am not going to take your word for it that you have patient consent to share private information, and I am not going to go into specifics of an individual matter in this place.

Rhonda, please do get in touch, and we will, once we get that consent, be able to follow that matter up for you.

Georgie CROZIER (Southern Metropolitan) (12:16): The minister might try and spin her way out of this, but it is a case study. It is a serious issue where the system is failing. Her surgery was cancelled. I can tell you, Minister: you might have a problem with Rhonda's case study, but I am going to continue to raise these issues in the Parliament all the time, because you and your predecessors have failed Victorians. I ask: just like Mercy Werribee a couple of weeks ago, where surgery was cancelled and nurses were asked to take leave, this is another example where hospitals cannot manage demand. What advice have you received regarding the number of patients having surgery cancelled because of a lack of beds?

Harriet SHING (Eastern Victoria – Minister for Ambulance Services, Minister for Health, Minister for Water) (12:17): I am going to take you up on your preamble, Ms Crozier. Rhonda, you are not a case study; you are a patient. What we will do is continue to work with you once we get your consent. Once we can work through the privacy responsibilities that apply to your particular circumstances, we will address that.

Ms Crozier, we have a range of systems in place to make sure that we can deliver the care that Victorians need. That is one of the reasons why we do have increased capacity across the system, and it is one of the reasons why we have systems in place to manage any changes that might result, for example, from unplanned leave.

Georgie Crozier interjected.

Harriet SHING: Again, Ms Crozier, this is part of the delivery of a health system that is increasingly able to respond to the needs and the complexity of patients across the system.

Georgie Crozier interjected.

Harriet SHING: Ms Crozier, it is just a shame that you are not listening to the answers, because we are always happy to provide further information, including that which is already publicly available.

Georgie CROZIER (Southern Metropolitan) (12:18): I move:

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

Motion agreed to.

Water fluoridation

Sarah MANSFIELD (Western Victoria) (12:18): (1368) My question is for the Minister for Health. There are currently many small regional Victorian communities that do not have access to fluoridated water supplies. Many residents in these towns are not even aware that this is the case. Last year the Victorian Oral Health Alliance bid for a modest investment of $4.5 million a year for four years to introduce fluoridation infrastructure in three high-needs catchments annually, including in western Victoria. This proven public health measure could save Victoria a billion dollars over 25 years, reducing preventable hospitalisations and improving lifelong oral health. Despite this, not a cent of funding was provided for new water fluoridation in this year's budget. Why not?

Harriet SHING (Eastern Victoria – Minister for Ambulance Services, Minister for Health, Minister for Water) (12:19): Thank you, Dr Mansfield, for that question. It is actually to a combination of two portfolios, both of which I hold. On that basis I can provide you with some assistance. We all know the importance of fluoride in water. We know that it has an enormously positive range of benefits, particularly for oral health and therefore for a range of other matters to which oral and periodontal health are absolutely essential. When we deliver fluoride to water systems, they do actually need to be integrated. When we are talking about those systems which sit adjacent to those connected areas, fluoride will not be part of the delivery of that water as a matter of course. We do have a range of processes around assisting communities to make decisions about whether they want to have reticulated water supplies, whereupon there is a conversation that can be had about fluoridation. We work really closely across water corporations around whether there is an opportunity, for example, in

those newer communities, to access connected and reticulated water supplies. I am very happy to provide some further information to you on the way in which fluoridation occurs and how those decisions are taken.

Again, when we look to provide that access, it also then, particularly in communities where connection is required to those supplies, may require – as we move into a sewer system and to connected, reticulated, potable water – or involve costs to users. This is where, again, there are a range of considerations that apply. But just to be really clear, we stand by the importance of fluoride in water. I am very happy to talk to any specific examples or instances that you might have about where and how that can be better delivered.

I also want to perhaps take this opportunity – and I have no doubt that this is a view that you will share – to say there is no room for the peddling of mis- and disinformation about the impact and the positive benefits of fluoride in water. I know that on some occasions, certain people are tempted to go down rabbit holes in claiming that fluoride in water does not deliver health benefits or in fact has a range of risks attached to it. It is important that I take this opportunity to say that, categorically, that is not true. Fluoride delivers enormous positive health benefits. It presents a whole lot of avoided costs but also avoids a lot of pain and discomfort, particularly for people living in areas that are remote or rural and particularly for people from lower socio-economic backgrounds who might then find access to dental care prohibitive or difficult. Smile Squad is also one of the areas where we are continuing to talk about improvement and access to fluoride and to better oral and dental hygiene. I am very happy to get you some further information around access to fluoride and how that is being delivered within existing envelopes.

Sarah MANSFIELD (Western Victoria) (12:22): Thank you, Minister, for that response. You talked about the importance, in your response, of working with communities about what their preferences were around things like fluoridation. You said there are specific examples you would be happy to look at. For example, communities in the Northern Grampians shire have been advocating for water fluoridation. I have spoken to a dentist there who can tell the difference between someone who comes from Stawell or Ararat by looking in their mouth, because people in Stawell do not have fluoridated water. In May last year, the council there voted in favour of a motion calling for the Victorian health minister to provide fluoridated water supplies for St Arnaud and Stawell as an important measure to significantly improve the oral health of these communities. That is the community saying they want fluoridated water, and the council have said it, yet they have received no funding for this in the past two budgets. Why not?

Harriet SHING (Eastern Victoria – Minister for Ambulance Services, Minister for Health, Minister for Water) (12:23): Thanks, Dr Mansfield. Again, this is something that happens in partnerships, often with councils, who might make votes along the lines of the ones that you have referred to here, and water corporations. Again, this can often have a cost component to it. There can be an endorsement of support around fluoridation and access to fluoridated water. We will make sure, again, that we have water corporations and catchment management authorities working alongside local councils. In the matter that you have raised specifically in that motion that went through late last year, I think you said, let us get some further information, and I can have a conversation with you about that. Again, it does come down to a range of considerations, including what that end-user impact looks like. There could be a number of different components. The end impact results in better dental outcomes, absolutely. I just want to make sure, though, that I have got a better understanding for you of any cost impacts and the way in which there might have been a community conversation about what that looks like in delivering fluoridated water to those communities.

Ministers statements: EarthSure

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Environment, Minister for Outdoor Recreation) (12:24): Today I rise to inform the house about the Allan Labor government's $1.16 million investment in circular economy infrastructure in

Dandenong South. At EarthSure's soil wash facility at the Taylors Road resource recovery precinct, contaminated soil is being transformed into a resource. The facility, a joint venture between Ventia and Veolia, can now process 160,000 tonnes of contaminated category C soils every year. Rather than sending the soil to landfill, the facility converts 98 per cent of it into high-quality reusable materials ready for construction and infrastructure projects. That includes sands, aggregates and road base. The remaining 2 per cent is treated onsite at EarthSure's existing thermal desorption plant, eliminating the need to transport hazardous residues.

Contaminated soil has long been a barrier to development, a cost burden on landfills and a drag on construction projects reliant on quarried materials. This investment changes that equation. By diverting 160,000 tonnes annually from landfill, we reduce quarrying pressure, lower construction costs and create new jobs in Victoria's circular economy sector. This is what circular economy infrastructure looks like. Contamination becomes resource, landfill pressures ease and communities benefit from cheaper, environmentally sound building materials. This investment sits within our broader $515 million investment in Victoria's waste and recycling reform, because communities are strengthened when we invest in infrastructure that turns waste into value. Last week I had the opportunity to see this happening in real time. I want to take this opportunity to thank Veolia CEO and Managing Director Craig Barker and all the staff and team for their hard work on this project. Only Labor is building the circular economy infrastructure that creates jobs, protects our environment and delivers real benefits to all Victorians.

Bushfire preparedness

Melina BATH (Eastern Victoria) (12:26): (1369) My question is to the Minister for Environment. A June 2026 Auditor-General's report found that your department has failed to demonstrate that bushfire fuel management is working, that key data is unreliable and that longstanding recommendations remain unimplemented. Given these findings, after six years of warnings will you now admit the government's fuel management program is failing to reduce bushfire risk for Victorians?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Environment, Minister for Outdoor Recreation) (12:27): I thank Ms Bath for her question and her interest in the Auditor-General's report. I want to take this opportunity to thank the Auditor-General for their work and for a report that acknowledges the strong work our state and our government have made in risk modelling, data capability, statewide planning and collaboration with traditional owners. Ms Bath, I do question whether we have read the same report. I think the report shows a government that is doing what is needed and a government that is strengthening bushfire risk management and ensuring Victoria is as prepared as possible. That is my reading of the report, and it tells us what we already know: for bushfire preparedness, we need to make sure that we are continually making improvements and that we are continually making investments. This year's budget shows that is exactly what we are doing.

Tom McIntosh interjected.

Enver ERDOGAN: That is right, Mr McIntosh. I might take up the interjection there. That is exactly what we are doing. In this year's budget alone we are building on previous investments with $146 million for aviation firefighting resources, $44 million to maintain essential management assets and frontline fire vehicles and –

Melina Bath: On a point of order, President, I ask you to draw the minister back to the Victorian Auditor-General's report. It clearly states in the first couple of pages that your data is not working, that it is unreliable and that you are making Victoria less safe. Could the minister please come back to the Victorian Auditor-General's report?

The PRESIDENT: The minister was being relevant to the report, and I think he was rejecting the premise of the question.

Enver ERDOGAN: I was just warming up. We have still got 2 minutes more, Ms Bath. We have already invested over half a billion dollars into bushfire risk management, into fighting the bushfires and into recovery since the 2019–20 bushfire season. That means significant investments in technology upgrades. Since that time, we know there have been changes in the way we fight fires, but we also know there is a changing environment and climate, which means the seasons are getting tougher, with higher levels of risk. You seemed to quote the report, but I can see the report says it recognises substantial progress has been made. That is from the report. If you want to talk about the report, it also talks about how we have achieved statewide residual risk reduction since that time.

I think there is always more work to do. You talked about data, and to answer some of the specifics, the government uses a range of tools to assess bushfire risk and the effectiveness of fuel management, including the RapidFire simulations, post-fire reconstructions, case studies and modelling that informs decision-making. But at the core, it is not just based on modelling. We rely on the people. Nothing can replace the local knowledge, the signs, operational judgement and on-the-ground expertise. We have a layered approach. We do not just rely on one set of data, we rely on the experts in the field and our frontline workers. I want to take the opportunity to recognise all the people of all uniforms on the frontline fighting the bushfires and thank them for their work, and I look forward to them continuing the fantastic work they do for our state.

Melina BATH (Eastern Victoria) (12:30): I am not sure that the minister actually read the Auditor-General's report, because he might have been reading his own fantasy. The Auditor-General also found that your department overstated progress and failed to complete critical recommendations. So I ask: Minister, will you commit to publishing independently verified bushfire risk and fuel management data before the next fire season?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Environment, Minister for Outdoor Recreation) (12:30): I thank Ms Bath for her supplementary question. I think the report says we need to have a focus on continual improvement and investment, and that is exactly what we have done. In relation to the recommendations, it acknowledges that we have made substantial progress. In relation to its recommendations to the department – not to the government, but to the department – the department has made significant advancements in bushfire risk modelling, planning and management in recent years, and the department itself has welcomed the Auditor-General's report because it always looks for ways to strengthen its modelling systems and its approach to bushfire risk management. That is reflected in the substantial work that it has undertaken since the Auditor-General's 2020 *Reducing Bushfire Risks* report. As a government we will always support communities. We will not be politicising to score political points. Our focus remains on protecting communities, supporting volunteers and firefighters, and reducing bushfire risk across our state, no matter where you live.

Deer control

Jeff BOURMAN (Eastern Victoria) (12:31): (1370) My question too is for the Minister for Environment – a busy week. This week Landcare Victoria was in Queen's Hall calling for, amongst other things, greater support to manage the environmental impacts of deer. Similar concerns were also recently aired at a deer forum in my electorate. Unfortunately, some organisations, particularly the Invasive Species Council and the VNPA, continue to tell Landcare and local communities that support for deer management can only occur if deer are first declared pests under the Catchment and Land Protection Act 1994. This presents Victorians with a false choice: either abandon a lawful and highly regulated game management framework or do nothing. Will the minister work with the Minister for Agriculture to adjust grant criteria, funding guidelines and other administrative settings so Landcare and community groups can access support for practical deer management and environmental restoration without requiring deer to be declared a pest?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Environment, Minister for Outdoor Recreation) (12:32): I thank Mr Bourman for his

question and his interest in this important matter. I know Mr Bourman is on record doing a bit of myth busting in this space, so thank you for raising this issue. I think Landcare volunteers do extraordinary work across our state restoring habitat, protecting waterways and bringing local communities together to care for the places they know best. Our government has proudly backed Landcare for a number of years through the Victorian Landcare grants and the Landcare facilitator program, which supports local groups and networks to deliver practical, on-the-ground environmental work.

We recognise that escalating deer populations are a major and complex challenge to our state, and they do pose a significant risk to biodiversity, to water culture, to Aboriginal cultural heritage and to public safety as well. That is why our approach is clear and pragmatic: given the scale and distribution of deer across our state, eradication is not the goal. Instead we are focused on reducing the impacts of deer where it matters most and protecting high-value environmental, agricultural and community assets.

To get to your particular question about working with the Minister for Agriculture, I am always happy to work constructively with my ministerial colleagues, as we already do – in particular the Minister for Agriculture – in relation to the relevant grants or initiatives we have to make sure that they are achieving the environmental outcomes we are seeking and they are achieving the goals of government. So I am happy to work with the Minister for Agriculture. We will always make sure we protect regional communities and farmers, unlike those opposite, and we will continue to in this work.

Jeff BOURMAN (Eastern Victoria) (12:34): I thank the minister for his answer. Just for those listening, if you declare deer a pest, you will be able to shoot less of them. You can have your own opinions; you cannot have your own facts. Minister, can you identify the actual legal provision preventing Landcare or catchment management authorities from funding deer impact mitigation whilst deer remain game animals, or is this simply a case of community groups being encouraged to pursue a political objective instead of being offered a practical solution?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Environment, Minister for Outdoor Recreation) (12:34): I thank Mr Bourman for his supplementary question. I think it is clear that the classification of certain deer species as game under the Wildlife Act does not prevent control when deer are causing damage on public or private land. I know there are some that have different views, but there is nothing preventing land managers – they are no longer required to get an authority to control wildlife to manage deer, except for hog deer, as we know. Subject to conditions under relevant orders, controls remain available to public and private land managers using both recreational and professional methods where deer impacts are significant. Farmers are often on the front line of pest animal impacts, and they see the damage caused by wild dogs, deer, rabbits, pigs and other invasive species. We take those concerns very seriously. There is nothing preventing people, and the classification of certain deer as game does not prevent control. I want to be very clear on that. I think that is an important myth to bust in this chamber today.

Ministers statements: elder abuse

Ingrid STITT (Western Metropolitan – Minister for Government Services, Special Minister of State, Minister for Ageing, Minister for Mental Health, Minister for Multicultural and Multifaith Victoria) (12:35): This Monday marked World Elder Abuse Awareness Day, an opportunity for communities to come together and stand against the abuse, mistreatment and neglect of older people. The Allan Labor government is committed to preventing elder abuse, and that is why I was proud to launch the *Respecting and Valuing Older People: Victoria's Primary Prevention of Elder Abuse Framework – Handbook*. The handbook focuses on four priority areas of action: respect, intergenerational connection, inclusion and gender equality. It is supported by the government's $6 million investment in primary prevention initiatives and delivers under *Until Every Victorian Is Safe: Third Rolling Action Plan to End Family and Sexual Violence 2025 to 2027*.

Research shows that one in six older people may experience elder abuse. The real number is likely to be much higher, because elder abuse is often under-reported. Elder abuse is a gendered issue, with

men more likely to perpetrate elder abuse than women, particularly financial, physical and sexual abuse. The handbook will help workers, organisations and communities address the drivers of elder abuse and take action to prevent it before it occurs, with a companion practice guide to follow later this year. Elder abuse requires ongoing attention, open conversations and collective action across government services and communities, and I encourage all Victorians to learn the signs of elder abuse, speak up when something does not seem right and know where to get help. Our government recognises older Victorians' contributions to our community and the dedication, time and effort they have given throughout their lives. They deserve to live free from fear, neglect and abuse.

Wildlife Victoria

Nick McGOWAN (North-Eastern Metropolitan) (12:37): (1371) My question is to the Minister for Environment. Minister, cases reported to Wildlife Victoria's emergency response service, the only statewide 24/7 wildlife emergency response service, have increased by 204 per cent in the last five years, and in 2025 the service responded to more than 189,000 telephone calls. Despite this significant increase in demand, the most recent state budget confirmed that for the seventh year in a row funding for the charity continued to flatline, dwindling to 5 per cent of annual operating costs. This is a serious risk to Wildlife Victoria's viability, and it could see Victorians lose access to timely, well-informed support when encountering sick, injured or orphaned native animals. Minister, Wildlife Victoria urgently need additional funds to continue their critical work. Have you discussed their critical funding needs with either the Treasurer or the Premier?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Environment, Minister for Outdoor Recreation) (12:39): I thank Mr McGowan for his question and his interest in Wildlife Victoria. I do want to take this opportunity to thank Wildlife Victoria and their frontline team and volunteers for the amazing work they do. They are really leading the way in their field, and they are a really passionate team there. I also want to acknowledge their CEO Lisa Palma, who I met with recently to talk about the importance of Wildlife Victoria's emergency response service and the year-on-year increase in demand, which they are concerned about. In many jurisdictions a lot of these wildlife services do not get government support, but our government has always shown a commitment to working with them. But we do understand that they do have increasing demand. I think that is tragic, to be frank, and a lot of it is because of the urban growth we are seeing in peri-urban areas where we are seeing new housing estates, many of which were approved under the former government, I might add, with no planning in place and roads in the middle of – anyway, they are on the outskirts of Melbourne and are now interacting with a lot of kangaroos and koalas and native animals. I am happy to do that work.

In terms of advocacy, I had an opportunity to meet with them last week. I know the Treasurer is aware of Wildlife Victoria. Many in government are passionate about their work.

Nick McGowan: On a point of order, it may assist the minister, but on relevance, President, the question was specifically: have you discussed their critical increased funding needs with either the Treasurer or the Premier?

The PRESIDENT: The minister was indicating a conversation with the Treasurer just then.

Enver ERDOGAN: I speak to the Treasurer about a whole range of issues in our portfolios. Wildlife Victoria is an important agency that I obviously am passionate about, because I know the work they do and the difference they make. As you would appreciate, we just had our most recent budget, and shortly, in the coming months, we will be preparing for our next budget from the Allan Labor government. I am committed to working with everyone and with the Treasurer. The Treasurer is across a number of issues in the environment portfolio. I want to thank Wildlife Victoria, their CEO and all their hardworking volunteers in our state.

Nick McGOWAN (North-Eastern Metropolitan) (12:41): Thank you, Minister, for your answer. You can thank them all you like, but come 1 July if they do not have sufficient funds, they will not be

able to do their work. That is the seriousness of this issue. That has been completely ignored in your answer. If you have not asked either the Treasurer or the Premier for additional funding, they will cease some of the services they now provide to every Victorian, and that is of critical concern. While you congratulate the CEO and the others, those words are absolutely hollow if they do not have funds to do their work. Minister, is it your intention for your government to take responsibility for wildlife emergencies if and when Wildlife Victoria is forced to reduce their services?

The PRESIDENT: You might want to rephrase –

Members interjecting.

The PRESIDENT: Mr McGowan is happy to rephrase.

Nick McGOWAN: Minister, is it your intention for your government to take responsibility for wildlife emergencies because this organisation does not have sufficient funds to do its work?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Environment, Minister for Outdoor Recreation) (12:42): I thank Mr McGowan for his supplementary question. I think Wildlife Victoria do amazing work, and I do understand that they speak with the department, with DEECA, regularly about opportunities to grow the partnership and obviously about sharing the responsibilities in relation to this work. I think that is a discussion between the department and Wildlife Victoria. I understand we need to look at the models in other jurisdictions as well going forward. That is something to consider. As a new minister, I am looking at what is in place in other jurisdictions and what we could do potentially differently. We are committed to working with them, and we are working with them. We in fact fund them to –

Nick McGowan: On a point of order on relevance, President, the question was whether the government intended to take responsibility for wildlife emergencies.

The PRESIDENT: I hate paraphrasing, but the minister did say he is happy to share responsibility with the services.

Enver ERDOGAN: As I said, eight weeks into the role, Mr McGowan, you can see that I am engaging with them. I am eager to work with them. Ultimately, this is about resourcing. Obviously they are having those discussions with DEECA, and they will continue those discussions, but ultimately I will also be looking at other jurisdictions.

Reproductive rights

Georgie PURCELL (Northern Victoria) (12:43): (1372) My question is for the Minister for Health. Last night an anti-abortion bill driven by Family First and backed in by One Nation passed the upper house of the South Australian Parliament. It is the first time legislation like this has passed any house of parliament in our country's history. Women are feeling fearful and scared in these unprecedented times. This is no longer something that we watch on in horror from overseas. It is happening here at home. I have been open about accessing abortion myself in the past, and since becoming a mother myself it has only made me believe more strongly in our right to choose. Pregnancy should only be a decision that is entered into willingly, and I am scared for the future that my own daughter could grow up in. What is your message to Victorian women right now?

Harriet SHING (Eastern Victoria – Minister for Ambulance Services, Minister for Health, Minister for Water) (12:44): Thanks, Ms Purcell, for that question. Yesterday we heard some really disturbing commentary in a range of different spaces around access to abortion. We all heard it. I just want to be really clear that no-one and no political party can pretend that they did not hear these comments, and no-one can pretend that these comments were ambiguous. Every party is going to have to make a decision on how they respond to these comments, particularly on access to abortion and women's health more generally. No political party gets to pretend that it did not hear these comments.

The Allan government supports access to safe and affordable pregnancy termination for women. Abortion is legal in Victoria, and the act ensures that there are really clear laws in place that reflect current clinical practice and community standards to protect the decisions of women, in consultation with their doctor. This is about bodily autonomy, health equity and access to safe and affordable care. Since 2017 we have funded women's sexual and reproductive health hubs open to women and girls and gender-diverse folks to improve access to care closer to home. On top of this, the women's health and wellbeing program, which we announced in the 2023–24 budget, establishes 20 women's health hubs over four years, a mobile virtual women's health clinic and also a dedicated Aboriginal women's clinic to overcome some of the barriers that women experience in accessing medical treatment.

The women's pain inquiry, which is the most prolifically responded-to inquiry, led to the *Bridging the Gender Pain Gap* report, and those recommendations were so instructive in this space. This is an area that warrants careful, considered and evidence-based approaches to health care, whether it is through My Options or whether it is through the provision of direct services in community health in our public hospital systems. But every woman deserves access to abortion care and to services here in Victoria. That is why we made it legal, and that is why we will continue to support it.

Georgie PURCELL (Northern Victoria) (12:47): This legislation was framed around late-term abortion, which is not just incredibly dangerous and deceptive but a Trojan Horse to slowly dismantle our reproductive rights. In South Australia, where this legislation passed – and I note it was supported by the Premier himself – less than 2 per cent of abortions are considered late term. They are almost always wanted pregnancies where an abnormality is found that puts the fetus or the pregnant person at risk even of death. They are heartbreaking decisions with severe ill health or death being inevitable, and they are signed off by multiple medical experts who supervise their care. The 'babies born alive' narrative is only so that parents can make the choice to hold their babies as they die. Can you please explain the reality of late-term abortions in Victoria before similar laws are inevitably proposed here in our state?

Harriet SHING (Eastern Victoria – Minister for Ambulance Services, Minister for Health, Minister for Water) (12:48): Ms Purcell, it is really hard to do justice to exploring and trying to honour the pain and the trauma and the distress that parents feel when a pregnancy for a desperately wanted baby results in a diagnosis, for example, of anencephaly or acrania – these fetal conditions that are incompatible with life. Again, these decisions often are revealed at a 20-week scan or thereafter, and they involve so much work across a team of specialist clinicians. They involve so much anguish and often conversations about what it is that parents want to do. Late-term abortions are, as you have indicated in your question, such a small part of the conversation around abortion access but also around neonatal palliative care. Being able to hold a baby for seconds or for minutes before he or she dies is such a profound thing. It is something we need to honour, and it is something that deserves a really respectful and considered engagement and response.

Ministers statements: early childhood education and care

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:49): I rise to update the house on how the Allan Labor government continues to deliver our nation-leading Best Start, Best Life reforms, helping all little people live happy and healthy lives and achieve their full potential. Last week I joined the member for Cranbourne Pauline Richards in the other place to announce that we will build a brand new kindergarten to support the growing communities in Cranbourne South and Clyde. This kindergarten will include four rooms, providing up to 237 places for local children. It will be located just around the corner from Clyde Primary School, making drop-offs easier for busy families and supporting children to have a smooth transition to prep.

Our government has now invested over $170 million to deliver 79 new and expanded kindergartens in the City of Casey, creating over 3700 kindergarten places. And we are not stopping there. Communities in the south-east are some of the fastest growing and the youngest in our state. Families living in these communities need a government that backs them and that gets on with delivering the

infrastructure and services that they need, both now and in the future. That is why we are delivering 11 kindergartens on school sites in Casey, making life easier for busy families. It is why we continue to provide free kinder, which those opposite have written to me asking for the right to charge fees for, for three- and four-year-olds, with more than 40,000 children in Casey having already benefited from free kinder, the second-highest number of any LGA in the state. It is why we built Early Learning Victoria Laak in Hallam and why we have committed to building two more ELVs in Cranbourne and Hampton Park, Lynbrook. It is also why we delivered the brand new Murrumbek Casey early parenting centre, an important investment that provides free specialist support for young families. It would be worth noting for the house that in the City of Casey alone we are investing significantly more in early childhood infrastructure than those opposite invested across the entire state of Victoria when they were in government. That is the difference between a government that plans for growth and an opposition which, with their $40 billion cuts, would leave families behind. Only a Labor government can be trusted to deliver for children and their families.

Constituency questions

Eastern Victoria Region

Tom McINTOSH (Eastern Victoria) (12:51): (2409) My constituency question is for the Minister for Energy and Resources in the other place. Minister, how is the Labor government taking pressure off power prices in Eastern Victoria? Make no doubt about it, One Nation, the Liberals and the Nationals will make you pay more on your power bills. Nuclear is more expensive and slower to build – nearly 20 years. The UK's nuclear reactor has been 20 years in the making at nearly $100 billion. Renewables can be rolled out at a fraction of the price and much, much faster. One Nation, hand in hand with the Liberals and the Nationals, want to make our country more American and less Australian. The reality is One Nation are anti worker. They will drive down your pay, and they will cut the services you rely on. With One Nation, you will be on your own. So do not take the pay and conditions you have for granted, because One Nation will take them away.

Melina Bath: On a point of order, President, a constituency question must relate to the region, and I would ask you to investigate whether that holds up under the standing orders.

Members interjecting.

The PRESIDENT: Order! Ms Bath, as to your point of order, I will look at that. I think it may not have been a constituency question, so I will let the member know after I have had a look at it.

Eastern Victoria Region

Melina BATH (Eastern Victoria) (12:53): (2410) Out in Queen's Hall over yesterday and today, there have been some fantastic Landcare volunteers from my Eastern Victoria Region – from the Latrobe catchment, from West Gippsland, from Bass Coast and from East Gippsland – and it is fantastic to see and hear of the work that they do. Now, Landcare facilitators are under the pump all the time. They are looking for grants to continue the restorative work, the vegetative work and the habitat restoration work that they do. But speaking yesterday to one of them from my electorate, they are very concerned that facilitators are only funded for a very short time. So I ask the Minister for Environment to ensure that there is longer term tenure – longer than two years – for funding for facilitators of our great Landcare movement, particularly in my Eastern Victoria electorate.

South-Eastern Metropolitan Region

Rachel PAYNE (South-Eastern Metropolitan) (12:54): (2411) My constituency question is for the Minister for Corrections. My constituent from Rowville was recently paroled from Dame Phyllis Frost Centre. She has kept a record of lockdowns at the centre from 2024 to 2025. According to this record, one unit was locked down on 21 separate occasions in July of last year. My constituent reports missing important appointments and family phone calls due to these lockdowns and described conditions as a prison within a prison. These descriptions do not end at the prison gate. Many women released from

Dame Phyllis Frost Centre return to communities across the south-east where access to health care, housing and family support are critical to successful reintegration and reducing recidivism. So my constituent asks: beyond staff recruitment, what specific measures will the government implement to reduce lockdowns at Dame Phyllis Frost Centre and ensure prisoners can access medical, housing and rehabilitation services in the south-east?

Southern Metropolitan Region

John BERGER (Southern Metropolitan) (12:55): (2412) My constituency question is for the Minister for Education. The Allan Labor government has been delivering for Victorians, with our public school teachers the best paid in the country and with world-class public schools right here in the Education State. We are continuing this with more reforms, not just in infrastructure and staffing but in how the classrooms run. From term 1 in 2027 all secondary schools will be asked to include planned device-free time in their learning, because while technology is one of the best tools we have to better our students' education, it can be a great distraction and stop kids from properly learning. This follows on from our nation-leading ban on personal devices in classrooms to keep kids focused on learning. My question to the minister is: what is the Allan Labor government doing alongside this nation-leading ban on devices to ensure students in my constituency of Southern Metro get the very best education in the public school system?

Western Victoria Region

Joe McCRACKEN (Western Victoria) (12:56): (2413) Last Friday I was joined by my colleagues Mrs McArthur and Mr Mulholland on a tour of Melton infrastructure needs. We looked at the Western Highway, Melton Highway, Ferris Road, Taylors Road, Hopkins Road and the Palmers Road corridor. The City of Melton has the highest growth area infrastructure contribution in the state of $420 million, yet only $225.9 million has been allocated. A missing $164 million is unallocated. My question is to the Minister for Planning: will you release these funds and partner with the City of Melton, who want to deliver much-needed infrastructure, like we do on this side, to benefit the community in the west who are struggling with gridlock?

Northern Victoria Region

Georgie PURCELL (Northern Victoria) (12:57): (2414) My question is for the Minister for Agriculture. Last Thursday the much-loved Malmsbury geese were crossing the road on their daily journey home to the botanic gardens. While vehicles stopped on one side of the road to allow the birds to cross safely, a driver travelling in the opposite direction drove directly through the flock without braking or stopping. Five geese were killed instantly, two others were seriously injured and the road was covered in feathers and bodies. Witnesses were forced to watch the horrific scene unfold, while local residents rushed to assist their beloved surviving birds, which were taken to the local vet, which remained open to treat and monitor them. The incident was captured on dash cam footage and nearby shopfront CCTV, and it has been reported to the Macedon Ranges Shire Council, west ward councillors, local police and the Department of Energy, Environment and Climate Action. This incident has been very distressing for my constituents in Malmsbury, who love their town's flock. Will the minister ensure that a full investigation is undertaken?

Sitting suspended 12:58 pm until 2:01 pm.

Southern Metropolitan Region

David DAVIS (Southern Metropolitan) (14:01): (2415) My constituency question today is for the minister for transport. I am in possession of correspondence from Mircina Mayas, who is in my electorate, in the Albert Park section. She is a person who owns taxi licences. She makes the very important point that the levy the state government put on at the time commenced at a dollar per trip. It has now increased to $1.20 per trip plus GST, and the state continues to collect it, although the payments which were intended to support people who had had their licences stripped away and torn away without proper compensation have stopped. The state government continues to collect this levy.

Ms Mayas was left with a legacy debt of $190,000 because she had borrowings against it. I ask that the minister intervene and ask some questions about where that money is going and find out what steps are taken there.

Northern Metropolitan Region

Evan MULHOLLAND (Northern Metropolitan) (14:03): (2416) My constituency question is to the Minister for Public and Active Transport, and it concerns the urgent need for a train station in Beveridge. Beveridge is a rapidly growing community in the outer northern suburbs, with its population set to double by 2030. Despite this, local residents continue to be denied access to the public transport infrastructure they truly, truly deserve. Almost 99 per cent of residents in Beveridge do not regularly use public transport. Why is that? They cannot because there is none. As a result, residents are forced to rely on private vehicles, which only adds to congestion on already strained roads, or the Hume, which is a car park at peak hour. It is not just me saying this; it is the number one advocacy item for Mitchell Shire Council and outer metropolitan councils. The land is ready, the community is ready and the need is clear. Will the minister jump on board and commit to reopening the Beveridge train station that the community once had that Labor closed?

Southern Metropolitan Region

Ryan BATCHELOR (Southern Metropolitan) (14:04): (2417) My question is to the Minister for the Suburban Rail Loop. How will local residents of Highett and Cheltenham benefit from the outcome of works beginning this month as part of the SRL project? Works are ramping up at Sir William Fry Reserve as part of the Suburban Rail Loop, delivering improved local amenities and green open space. These works, which are about to commence, will deliver new permanent open space at the former Highett Gasworks site and make improvements to the existing park, including new green space, garden beds, newly planted trees, an off-leash dog park and new courts for futsal, basketball and pickleball as well as a world-class skate park. Whilst we understand there will be some disruptions while these works take place in the short term, residents will be able to enjoy these new facilities 18 months earlier than previously forecast.

North-Eastern Metropolitan Region

Aiv PUGLIELLI (North-Eastern Metropolitan) (14:05): (2418) My constituency question today is to the Minister for Environment. Many people would be upset to hear that they are incorrectly trying to recycle large Tetra Paks through kerbside recycling. I would encourage everyone to check their own local council recycling rules around large Tetra Paks. We all want to make sure that we are getting it right. I have been contacted by a constituent in the Nillumbik shire who wants to be able to recycle UHT milk and other large Tetra Paks but currently cannot. Perhaps this could be through container deposit schemes or another kind of collection. I do not think people really mind, as long as the Tetra Paks can be recycled. Most of us genuinely want to get these things right. We do not want to be contaminating our recycled waste, leading to tonnes of waste going to landfill. We want our communities to be sustainable and to recycle as much as we can. Minister, will you work with local councils as well as recycling providers to ensure that they have the technology required to recycle all types of Tetra Paks?

Western Victoria Region

Bev McARTHUR (Western Victoria) (14:06): (2419) My constituency question is for the Minister for Emergency Services. Darlington CFA has operated from its current fire shed site for more than 50 years, but the land has been sold, and the brigade's current extension expires in April 2027. The brigade warns that without urgent action, its trucks and equipment may soon be left without secure housing, putting operational readiness and community safety at risk. A suitable alternative site has been identified next to the Darlington Mechanics Institute hall, with access to the Hamilton Highway, front and rear access and co-location with the existing emergency relief centre. What action are you

taking, Minister, to fast-track the approvals, funding and planning required to relocate the Darlington fire brigade before the April 2027 deadline?

Western Victoria Region

Sarah MANSFIELD (Western Victoria) (14:07): (2420) My constituency question is for the Minister for Health. I have recently been contacted by staff from Barwon Health with regard to the Health Services Union's bargaining for better campaign. Medical scientists, hospital pharmacists, psychologists, dieticians, audiologists, genetic counsellors, medical physicists and clinical perfusionists have been seeking a wage increase comparable to the 28.4 per cent uplift secured by Victorian nurses in 2024. Minister, after more than 15 months of bargaining following a Fair Work Commission decision supporting a wage uplift to address the gender-based undervaluation of these professions, why hasn't the Labor government made a serious offer yet?

North-Eastern Metropolitan Region

Nick McGOWAN (North-Eastern Metropolitan) (14:07): (2421) My question is for the minister in the other place Ben Carroll, and it is on behalf of Tinternvale Primary School. Tinternvale Primary School in my electorate is a beautiful little school of 343 students, and sadly, in yesterday's Victorian Auditor-General Office's report *Delivering School Upgrade Projects* they ranked at the top of the list. Now, it is not a list that you want to be on top of, unfortunately, but they were ranked number one in terms of the poor state of the school. The teachers, principal and everyone there deliver an outstanding education to our youngsters at Tinternvale Primary School; however, they do it in spite of their surroundings. In particular we have a top building that is referred to, which is for prep through to 4. What we urgently need, however, Minister, is a thorough master plan and a commitment to rebuild this beautiful little school, because the students, the teachers, the principal and all the staff there cannot do it in the existing buildings, and that is proof positive in yesterday's VAGO report.

Southern Metropolitan Region

Katherine COPSEY (Southern Metropolitan) (14:08): (2422) My constituency question is also to the Minister for Education. The school community of St Kilda Park Primary School in my electorate have concerns about the school's longstanding infrastructure needs. St Kilda Park Primary School is a growing school of more than 300 students on a space-constrained, heritage-listed site. The school community has raised concerns with me about ageing and noncompliant toilet facilities and the lack of an indoor multipurpose hall, meaning that school assemblies, sports classes, performances and community events are often required to take place outdoors and are exposed to weather and all of the difficulties that entails. The school has repeatedly sought capital works funding to address these issues but remains without the upgrades that it needs. Parents are concerned that these longstanding infrastructure issues are affecting students' wellbeing and limiting opportunities for the school community. Minister, will the government commit funding to upgrade these facilities and ensure St Kilda Park Primary School has the infrastructure its students and its community truly need?

Northern Victoria Region

Rikkie-Lee TYRRELL (Northern Victoria) (14:09): (2423) My question today is for the Minister for Roads and Road Safety. My constituents ask: when will the deep and dangerous potholes on the Murray Valley Highway at Kotupna be fixed properly? The Murray Valley Highway is a disgrace. Time after time the surface is repaired to a subpar standard, and I find myself here asking for the same stretches of road to be repaired. Today is no different. In August of last year I asked on my constituents' behalf for the badly potholed and damaged section of the road on the bends at Kotupna to be fixed. On 2 September last year the minister assured me that the Department of Transport and Planning was anticipating rectification works to be completed in the coming weeks. It is now June, and the bends on the Murray Valley Highway at Kotupna are in as bad a condition as, if not worse than, they were last year. My constituents pay their taxes and their registration just like everyone else, and they deserve

their roads to be repaired in a timely manner and to a high standard. Minister, my constituents ask: when will the deep and dangerous potholes on the Murray Valley Highway at Kotupna be properly fixed?

Eastern Victoria Region

Renee HEATH (Eastern Victoria) (14:11): (2424) My question today is for the Minister for Police, because crime at stations in the area of Cardinia has risen by 41 per cent. Unfortunately, this is no surprise. My soon-to-be colleague Matt Green and I have been down at train stations every week for a month listening to commuters at Officer and at Cardinia Road, and they have all told their stories about witnessing crime, being victims of crime or feeling unsafe. We have heard the stories of crime and fear and all of these things happening, so I still do not understand why the Labor government decided to remove PSOs from these stations during this time. A coalition government will return every single PSO to the 119 stations where Labor has taken them off. My question for the minister is: will you do the same? We cannot wait until the next election. While I am on this, just really quickly –

The ACTING PRESIDENT (Gaelle Broad): Sorry, Dr Heath, your time has expired. There is one more question because there have been errors today with quite a few.

Northern Victoria Region

Wendy LOVELL (Northern Victoria) (14:12): (2425) My question is for the Minister for Agriculture. Will the minister demonstrate that the Allan Labor government supports the Victorian horticultural industry by providing financial support for the fruit fly management program from 2026–27 going forward? The Goulburn–Murray Valley fruit fly program has been very successful in what is the centre of horticultural production in Victoria. Independent analysis shows that if the Labor government fails to adequately fund the program, fruit fly numbers will surge and significantly damage fruit production in the area. The fruit fly management governance group are seeking increased funding of about $1 million a year to conduct high-input area-wide management. The 2026–27 budget papers show that nearly $17 million will be spent on biosecurity in the coming financial year. The Victorian government must put aside $1 million of that for fruit fly management this year and every consecutive year afterward and prioritise this in the final implementation plan for Victoria's biosecurity strategy.

Bills

Outdoor Recreation Victoria Bill 2026

Second reading

Debate resumed.

Rachel PAYNE (South-Eastern Metropolitan) (14:13): I rise to speak on the Outdoor Recreation Victoria Bill 2026 on behalf of Legalise Cannabis Victoria. Victoria offers an incredible variety of natural environments to explore, from pristine beaches to lush rainforests. We are so fortunate to have countless opportunities to experience the state's wildlife. These lands have been cared for by First Peoples for tens of thousands of years. Despite its name, the Outdoor Recreation Victoria Bill has little to do with recreation. Caring for Victoria's natural environment means more than simply enjoying it. In fact if we do not care for it, we will not be able to enjoy it for much longer. True stewardship of the environment means taking responsibility for its protection, respecting the deep knowledge of First Peoples and ensuring that our forests, rivers, coastlines and native species are preserved for future generations. Just as traditional owners have cared for country for thousands of years, we too have a responsibility to act as custodians for the land, not simply use it. There is nothing in this bill that reflects this profound responsibility. It is primarily a government restructuring exercise dressed up as an outdoor recreation policy. This bill is not about improving outdoor recreation. It is being driven by other priorities. It merges existing agencies by combining the former wildlife and fisheries regulators into a new body. This does nothing to create new programs, facilities or opportunities for outdoor recreation. It is merely a restructure. The merger of both the Game Management Authority (GMA) and the Victorian Fisheries Authority (VFA) stems from the Silver review and broader government

restructure objectives. It is fundamentally a public sector overhaul. Victorians were promised outdoor recreation reform, but what they have been given is some new stationery.

In 2017 the Labor government commissioned Pegasus Economics to conduct an independent review into the GMA after 2000 shooters massacred and wounded thousands of birds, including over 200 protected species. Let me repeat that: 200 protected species. This happened right in front of compliance officers on day one of the season. The report found that GMA was failing its responsibilities. It was neither compliant nor, importantly, independent. Almost 10 years on, this bill does nothing to address the noncompliance of GMA. The Pegasus report explicitly warns that GMA's promotional work undermines enforcement and creates perceived bias, and this bill just makes it worse. The objective of promoting outdoor recreation in this bill clearly contradicts the Pegasus report, which explicitly warns about the problems with the GMA's promotional work and its perceived bias. It also argues the GMA was already too comfortable with hunting organisations. The Pegasus report also identifies the Victorian Fisheries Authority Act 2016 and the VFA as having much better protections against conflicts of interest, consultation requirements and restrictions on board members. While Outdoor Recreation Victoria has brought these over, they still specifically only related to fishing. Instead it provides extraordinary powers to these officers, and we are all aware now that they are actively targeting rescuers. Let us be clear: the very people tasked with looking after protected species are instead targeting the people there to rescue these animals. It beggars belief. Breaches of hunting laws are widespread in Victoria, and we are witnessing plummeting waterbird populations. It is also no coincidence that the Premier's protection of firearms to protect the so-called rights of shooters comes at the same time as this bill. While protected species are dying, the Premier is giving hunters and shooters more guns – and to what end?

This bill raises a fundamental question: if the government genuinely values our wildlife, including but not limited to enjoyment of outdoor recreation, why is its headline reform a bureaucratic merger rather than a plan to improve biodiversity, protect habitats, expand recreational access and support regional communities? If this bill is any indication, the government is not interested in safeguarding our unique nature in Victoria. This bill creates a powerful new panel – and I will get to that in a moment – while completely ignoring the fundamentals: protecting wildlife, safeguarding the environment, conserving biodiversity, applying the precautionary principle and assessing risks to the health and safety of Victorians who visit public land.

Now on to the panel: if any sensible person were going to set up a panel to protect the environment, it would be independent and contain environmental, animal and recreation experts. In contrast, this panel will be handpicked by the minister, with no requirement for environmental expertise. It will have no obligation to make its advice public and no responsibility to consider the impacts on nature. It will operate free from the scrutiny of the independent Victorian Environmental Assessment Council, an expert body the government recently abolished under the guise of saving money. The executive director of the Victorian National Parks Association has said he believes that the establishment of a body designed to lobby for access to public land through the Land Access Panel for shooting interests as part of Outdoor Recreation Victoria, paid for by Victorian taxpayers, will have no ecological or cultural guardrails in its objectives, which will be disastrous and dangerous for Victoria. VEAC is one of Victoria's most respected environmental institutions. After 50 years of helping to establish national parks and protected areas, VEAC's independent expert council has been abolished. This is disastrous, and no-one knows why. There has not been transparent decision-making, and power is being concentrated behind closed doors. Independent oversight for this panel is imperative. Changes to public land access must be open, independent and informed by experts. When protections for biodiversity and the environment are obviously missing, it is fair to ask whose interests this bill and the panel are actually being designed to serve.

While this is an alarming environmental issue, it is also a recreational and tourism issue. Fair, safe and equitable access to Victoria's national parks, conservation reserves and other public lands makes Victoria a drawcard for tourists internationally, from interstate and locally. The safe and easy access

to iconic landscapes close to Melbourne is a drawcard for people to get the best of Australia all in one state. The lush rainforests of the Great Otway National Park and the majestic forests of the Dandenong Ranges and Yarra Ranges national parks in eastern Victoria, not far from my region, are loved by many people who come here to see them, enjoy them and bask in them. Again, these landmarks and areas are not just tourist attractions; they are irreplaceable natural assets that define our state's identity. By any measure they deserve the strongest possible protection.

National parks safeguard some of Victoria's most important ecosystems, providing habitat for natural wildlife and protecting threatened species from extinction. The Otways, Dandenong Ranges and Yarra Ranges contain unique plants and animals that simply cannot survive without healthy and protected environments. This is indisputable. Millions of Victorians rely on access to nature for their health, wellbeing and quality of life. Our First Peoples will tell you something that we all know intuitively but perhaps have become disconnected from: without environmental health, we do not have human health. They are intrinsically linked. Now more than ever we should be strengthening efforts to safeguard these parks and public lands and not weakening environmental protections. It simply does not make sense.

By caring for the landscapes and wildlife around us, we ensure that future generations inherit the same rich natural and cultural heritage that has been safeguarded for millennia. On behalf of Legalise Cannabis Victoria I reject this bill. It has the wrong priorities. It will actively weaken protections for nature and wildlife, and it will do so without proper scrutiny, expertise or care.

Nick McGOWAN (North-Eastern Metropolitan) (14:23): I note before I begin my contribution that for much of today's debate, if not almost all of it, the Minister for Environment himself has been absent. I think that it says a lot to the people of Victoria that the minister has not even taken the time to be present for the debate in the chamber. In fact I think what it speaks to is a shambolic approach to the environment from this government. We have now had four ministers in four years, and to not have the minister in the chamber, as is often the practice of the ministers responsible for their portfolios when these debates are occurring, sadly, is a reflection upon the importance the state Labor government place on the environment today. That is to say, they place no importance on it whatsoever. It would be remiss of me not to point that out.

I want to commend today's speakers. I think there are a number of significant issues in this, and they have been well articulated. I even listened to Mr Bourman earlier on before lunch, Ms Copsey and just now Ms Payne, as well as members of my own team. There is much to say in this area, but I think what is incumbent upon me is the alternative. Our shadow minister handling it Melina Bath will cover our matters substantially, but I do think it is important that I give some voice and some agency to those concerns that we have heard already from other members today, because there are genuine questions and genuine concerns. We have seen this government systematically dismantle, for example, fisheries officers, and we have heard other speakers in this place talk about that today. You need look no further for evidence of that than the extent to which Victoria is no longer covered by fisheries officers when compared to every other state and territory in this country. To say that it is scandalous is to make an understatement. I have two letters here which I propose to read and, for the purposes of *Hansard*, I will provide to them, because while I do not share and certainly my party do not share every view and every comment, I think it is important that their concerns are aired nonetheless. I think that in the course of this debate, unless we put this on the public record, there is no way of us actually ensuring that we have a robust and thoughtful discussion. I know that in the committee stage itself we will certainly do that.

The first of the two letters that I propose to read is from the executive director of the Victorian National Parks Association. It is a co-written letter with the Victorian campaigns manager of the Wilderness

Society, the CEO of Environment Victoria and the secretary of the Victorian Forest Alliance. The letter reads as follows:

> Our organisations, members and supporters share great concerns about the impact on Victoria's reputation, public safety and hard-fought environmental protections, under threat from the proposed Outdoor Recreation Victoria Bill 2026.
>
> We are calling on all members of the Victorian parliament to throw out this legislation and the threats it poses to public safety and access to National Parks and public lands.
>
> Fair, safe and equitable access to Victoria's National Parks, Conservation reserves and other public lands makes Victoria a draw card from tourists both internationally as well as locally and interstate. The safe and easy access to iconic landscapes close to Melbourne is a drawcard for people to get the best of Australia all in one state.
>
> We believe the establishment of a body designed to lobby for access to public land through the Land Access Panel for shooting interests … as part of "Outdoor Recreation Victoria", paid for by Victorian taxpayers, while having no ecological or cultural guardrails in its objectives will be disastrous and dangerous for Victoria, particularly as the body responsible – the Victorian Environmental Assessment Council (VEAC) – for assessing and categorising public land was recently abolished.
>
> There are no refences in the legislation establishing the panel to protecting Victoria's environment and wildlife, assessment of public safety, the precautionary principle, biodiversity conservation or protection or any obligations to assess impacts on all public land visitors and their health and safety.
>
> Just an hour or so drive outside of Melbourne takes Victorians to the iconic rainforest of the Great Otway's National Park, or the wildflower fields of the Victorias native grassland reserves in the west, or into the iconic tall wet forest of the Dandenong Ranges or Yarra Ranges National Park in eastern Victoria.
>
> A trip further out can have you in the Wimmera or Mallee regions where tourists visit amazing landscapes such as Little Desert National Park or the Pink Lakes of Murray Sunset National Park.
>
> These iconic parks draw over 55 million visitors per year into regional areas every year to safely access these areas and visit Victorias great shared backyard and get to know our iconic wildlife and landscapes.
>
> As highlighted in the latest AusPlay Data Victoria's most popular physical activities are low environmental impact, low cost, easy and safe to access recreational pursuits such as walking, jogging and cycling. These findings are supported by polling by the RedBridge group that found that most common activities are short bush walks, of which almost half of Victorians (48%) report having participated in over the past year, followed by picnics (36%), photography (21%), camping over multiple days and birdwatching (11% each).
>
> …
>
> Shooting and hunting comes in at roughly 2% of visitors to Victoria's public land, but the presence of shooting impacts over half of visitors seeking Peace and quiet (53%), and 37% saying that No Shooting allowed/Free of hunting would make them visit National Parks more often.
>
> …
>
> Yours sincerely …

the executive director, as I have said, of the Victorian National Parks Association, the Victorian campaigns manager for the Wilderness Society, the CEO of Environment Victoria and the secretary of the Victorian Forest Alliance.

The second letter is from Animals Australia, and I quote from that:

> I write on behalf of Animals Australia about the Outdoor Recreation Victoria Bill 2026 (the Bill), which is before the Parliament. I appreciate that members of your party hold a range of views on recreational hunting – this letter does not seek to sway those views. Rather, we request your consideration of the due and proper scrutiny appropriate for a significant new statutory authority.
>
> The Bill abolishes two existing regulators and creates a single new body, Outdoor Recreation Victoria, combining a regulatory and compliance role with an express function of promoting the very activities it regulates. As a matter of regulatory design, combining promotion and enforcement in one authority warrants careful examination because it is the kind of structural arrangement that good governance ordinarily seeks to avoid, and that this Parliament would scrutinise closely in other sectors.
>
> Those questions are sharpened by recent ABC reporting (3 June 2026) that raised concerns about the impartiality of the Game Management Authority … including a recording of a GMA officer identifying with

> hunters, and a 2017 government-commissioned review that found the GMA was failing to enforce its own rules effectively. A former GMA compliance manager has said he was discouraged from pursuing breaches. These allegations raise serious questions about the integrity, accountability, integrity and effectiveness around how public compliance functions are performed and funded. That is, legitimate matters for the Opposition to test regardless of one's view on hunting.

They therefore respectfully ask that we press on these matters and for them to be properly examined, including whether the merger resolves or entrenches the documented concerns and how the independence and compliance decisions will be guaranteed within a body that also has a promotional mandate, before the bill is allowed to pass. That is from the chief executive of Animals Australia.

I think both of those letters illustrate quite clearly what I have been inundated with over these past weeks – if not months, in fact. It is an illustration in so many ways that so many members of our community have not been listened to or heard. The fact that the government have had to make a number of amendments also illustrates the rushed, shambolic way they have gone about this, and it is an embarrassment, I would put to the government, that yet again they find themselves in this position of having promised so much and done so little in the environmental area. If they actually had an understanding of their poor regard in the public eye right now for their environmental credentials, having had, as I said earlier, four ministers, each of which have promised and delivered nothing, including the Wildlife Act, which they promised to redo twice – and I am sure at the next election they will promise that again, like the little boy who cried wolf, but this will be the third time they cry wolf, literally. I just hope the Victorian people will no longer fall for it, and I would appeal to common sense, to cool heads and for respect to proceed and dominate this discussion, because it is not about them or us; it is about how we can genuinely care for our environment. There are those, I accept, who look to engage in the environment every single day and enjoy our outdoors, and they should be allowed to do that. But this government's track record when it comes to protecting our native flora and fauna is absolutely disastrous, and the fact that the minister has been absent for almost the entire day and the entire part of this debate is an absolute disgrace. I hope every Victorian appreciates that.

Aiv PUGLIELLI (North-Eastern Metropolitan) (14:32): I rise also to speak to the Outdoor Recreation Victoria Bill 2026, and from the outset I reiterate that the Greens oppose this bill. I will speak further to the comments already made by my colleague Katherine Copsey and absolutely back in every single word that she said. Hopefully in my contribution now I can expand on some of those points and offer some further matters or points for consideration of the chamber.

As has been highlighted already, the several of the conservation and national parks organisations have written to members of this Parliament and they have given in that written correspondence this proposed agency a much more honest name. Outdoor Recreation Victoria (ORV), they say, should now be known as the department of blast and cast. This bill is not an even-handed attempt to represent the many ways that Victorians enjoy nature. It takes the Game Management Authority and the Victorian Fisheries Authority, puts them under one roof, gives the new body an expanded role in promoting outdoor recreation and creates a ministerially appointed Land Access Panel focused on opening public land. This bill dresses that project up in this language of participation – a language of access and regional opportunity. But the stakeholders – the people who spend their lives protecting these parks, forests, wetlands and wildlife – can see exactly what is happening here. The government is creating a publicly funded body with a mandate to promote hunting and fishing and this type of access to public land while failing to give nature protection equal legal force.

Today the Victorian National Parks Association called for this bill to be flatly rejected or, at the very least, substantially amended. Its executive director Matt Ruchel put the basic principle very simply:

> … parks and public land are for enjoying and protecting nature. One shouldn't come at the cost of the other.

National parks are not vacant land waiting to be activated, state forests are not an unused estate waiting to be opened up – this language we hear all the time. Wetlands are not shooting venues that happen to contain wildlife. These places are living systems. They are habitat. They are water catchments. They

are carbon stores. They are cultural landscapes. They are country. They are refuges for threatened species and places where millions of people go to walk, to picnic, to watch birds, to photograph wildlife, to swim, to breathe and to find peace. Matt Ruchel has previously reminded the government that national parks and conservation areas were created to protect nature first and foremost. This bill reverses that order. It treats conservation as a consideration to be managed around access rather than the purpose that must govern access. The imbalance is written into the very definition of 'outdoor recreation'. This bill expressly lists hunting, fishing, boating, bushwalking, hiking, mountain biking and four-wheel driving, but it does not expressly list things like picnicking, birdwatching, wildlife observation, nature photography, swimming, citizen science, family outings, nature study or just the quiet enjoyment of the outdoors.

The government will say the definition is inclusive rather than exhaustive. That may legally be true, I will say that, but it is politically evasive. When Parliament chooses to name some activities and not others, it signals what matters to the government of the day. Those named activities under this bill will shape the new authority's culture, its priorities, its appointments, its budgets and the advice that it gives to ministers. The evidence shows how badly that list is actually misrepresenting Victorians. RedBridge – we have already heard it touched on today – in that polling that they conducted, commissioned by the Wilderness Society and the Victorian National Parks Association, found that 48 per cent of Victorians had taken a short bushwalk in the previous year, 36 per cent had picnicked, 21 per cent had undertaken photography and 11 per cent had gone birdwatching. Shooting, hunting and motorised trail bike riding – things we have heard about elsewhere in the debate today – were among the least common activities, each undertaken by fewer than 5 per cent of the respondents. People said they valued waterfalls and rivers, good views, wildlife and peace and quiet. More than a third said national parks being free from shooting and hunting would encourage them to visit more often. That is the public that this bill is sidelining, the millions of people who use public land in a gentle way and safely are treated as background scenery under this bill, while a small but very organised, very politically connected lobby receives new statutory access and those types of mechanisms.

The hunting organisations themselves have been remarkably candid here. We can clearly see in their expressions that some stakeholders in this process have been far more equal than others. The Sporting Shooters' Association of Australia said that hunting promotion must form part of the new mandate. The Australian Deer Association calls the bill a 'significant opportunity for hunters'. It says the bill strengthens the focus on access and creates new avenues for representation. They understand what this legislation is perfectly. For themselves, they see a stronger institutional voice. They see a formal pathway to press for access and an authority empowered to support growth and participation for their interests.

Conservation groups see this same structure under the bill from the other side – more political pressure on land managers with fewer independent safeguards for nature. The new Land Access Panel is central to that concern. Its purpose is to advise the minister on improving access to public land and on existing or proposed restrictions, with every member being appointed by the minister. The bill does not require independent conservation expertise. It does not guarantee a traditional owner representative. It does not require the panel to assess impacts on biodiversity, threatened species, cultural heritage or the safety and quiet enjoyment of other visitors, nor does it require the panel's advice to be published.

The government has recently abolished the Victorian Environmental Assessment Council, the independent body that assessed public land through transparent, evidence-based processes. That body conducted investigations, invited public submissions and produced reports that could be scrutinised and tabled in Parliament. As that independent architecture is dismantled, this bill creates a far less transparent panel whose task is not to determine how public land should be protected but how access should be improved and restrictions reviewed for some of those interests that I listed earlier. The

Wilderness Society has warned repeatedly about this wider dismantling of environmental governance, with the Victorian campaigns manager Jo Hopkins saying:

> The Victorian Government is stripping away the independent checks that stop bad decisions for nature being made behind closed doors.

That is exactly what is happening here. Independent assessment is removed; ministerial discretion expands. Access becomes an institutional objective. Nature is left without an equal seat at the table.

This is particularly dangerous in a state where biodiversity, as many of us have already said in this place, is already in serious decline. Victoria is the most cleared state in Australia. More than half of its native vegetation has been cleared since colonisation, and much of the remaining habitat is on public land. The most recent Victorian environmental reporting found that more than 80 per cent of the 40 biodiversity indicators assessed were in poor condition or could not be properly assessed. Our parks and our reserves are already under pressure from climate change, fire, invasive species, weeds, deer, fragmented habitat and chronic underfunding. The answer cannot be to create another body whose political energy is directed towards opening access to groups like hunters and increasing participation in those types of activities that can create further ecological pressure.

The government also cannot claim to respect First Peoples while designing public land governance without guaranteed traditional owner authority. Country is not a recreational commodity. Traditional owners' relationship with country is not another stakeholder interest to be weighed alongside four-wheel driving or game hunting. It involves law, culture, responsibility, heritage and unceded sovereignty. The Wilderness Society has publicly said that 'Future land management must be led in partnership with Traditional Owners', yet this bill requires only that the Outdoor Recreation Victoria board, collectively, as far as practicable, has knowledge of First Peoples' culture, community leadership and perspectives. The same deficiency exists on the Land Access Panel. A body capable of recommending changes to access – who gets access to country – should not be able to operate without traditional owner representation and without a duty to consider cultural values and obligations.

Wildlife organisations are also alarmed because the new authority is built on the well-documented conflicted foundations of the Game Management Authority. Animals Australia is currently urging this house to 'scrap their conflicted shooting agency'. Wildlife Victoria has previously concluded that the GMA may not be an effective regulatory body. It documented concerns about compliance issues, the shooting of non-game species and injured birds being left in the field. These concerns are not theoretical. Wildlife rescuers have accused the GMA of targeting and intimidating them while failing to act consistently on reports of illegal conduct by shooters. The ABC reported formal complaints to integrity bodies and concerns about the regulator referring to hunters as 'us duck hunters'. A former GMA board member and veterinarian, Bronwyn Orr, has warned about combining promotion and regulation, saying, 'I cannot see how they can coexist'.

The government was warned about this structural conflict years ago. The independent Pegasus review found widespread noncompliance with hunting laws, weak enforcement, vulnerability to regulatory capture and tension between regulatory functions and promotional or advisory roles. It recommended that regulatory functions be separated from advisory, development or promotional activities. Instead of learning from that failure, this bill, under this government, enlarges it. The new authority will regulate hunting while promoting participation in outdoor recreation of that kind. It will oversee compliance while supporting sector development of interests like hunting. It will manage wildlife impacts while operating within a framework designed to increase access and participation of groups like hunters. The two should not go together. RSPCA Victoria's position is clear and unequivocal: because of the animal welfare harm associated with wounded birds and failures to kill retrieved ducks humanely, it believes duck hunting should be banned, plain and simple.

The government is not creating an independent wildlife welfare regulator. It is creating a larger promotional and regulatory body that hunting organisations celebrate as the new era. That is why the phrase 'department of blast and cast' is so accurate, because it captures the government's distorted

view of public land: blast wildlife, cast a line, drive in, open up, increase participation and then call that balance. But where is the department for the family that wants a safe picnic beside the wetland? Where is the statutory panel for birdwatchers and wildlife carers? Where is the access guarantee for people who do not want to share a reserve with gunfire? Where is the institutional voice for threatened species who cannot lobby a minister, who cannot join an advisory panel and who cannot make political donations to the major parties in this state?

The government talks constantly about a silent majority. Here is the actual majority: 84 per cent of Victorians say national parks are important to them and 80 per cent support creating new national parks. That support crosses metropolitan and regional Victoria. It crosses Labor, coalition and Greens party lines. It crosses all of those groups. Victoria's national and state parks receive tens of millions of visits each year. People travel to the Otways, the Dandenongs, the Yarra Ranges and the pink lakes of Murray–Sunset because these places offer beauty, wildlife, quiet and a sense of escape. Their value to regional economies depends on them remaining healthy, distinctive and safe. Conservation is not the enemy of access; conservation is what makes access worthwhile. A dead wetland is not an outdoor recreation asset. A forest stripped of hollow-bearing trees is not an improved visitor experience. A national park where families feel unsafe during shooting is not more accessible. A landscape whose traditional owners have been sidelined is not fairly governed.

The stakeholders are not asking Parliament to prohibit everyday recreational activity; they are asking for some basic guardrails. They want nature protection made a core object of the ORV. They want the Land Access Panel to include independent conservation expertise and traditional owner representation. They want its advice published and ecological, cultural and public safety impacts assessed before access restrictions are changed. They want promotion separated from regulation and enforcement. Those are modest safeguards, and the fact they are absent is really quite telling.

This government has chosen to write hunting explicitly into this bill but not wildlife observation or conservation. It has chosen to establish an access panel but not an ecological protection panel. It has chosen ministerial appointments but not guaranteed conservation or traditional owner seats. It has chosen promotion and sector development but not statutory separation from enforcement. These are very specific policy choices that the government are making, and it is quite telling who they are listening to and who they are not. This bill should be flatly rejected.

Georgie PURCELL (Northern Victoria) (14:47): I did not intentionally get myself last, but I am glad that the Minister for Outdoor Recreation is here to hear my contribution on his terrible bill. This is a terrible bill, and I have tried to communicate that to his office for over one month now, with no engagement, no interaction and no response. I have always made my position clear to the government. I am not here to be an obstruction. I am here to work with the government, even on things that I hate, so that I can advocate for my community in the best possible way. I just want to make it clear that at every turn I have been blindsided, I have been kept in the dark and I have been disrespected – just like the day that the government refused to ban duck shooting in Victoria.

I would like to note that on Monday I did meet with the minister's office to go through my amendments, after begging to go through my amendments that had I flagged a long time ago. I was advised that my amendments are actually quite reasonable and would be considered and that they would seek departmental advice. I am speaking on this bill now, and I am yet to hear what that advice was and whether they will be supporting the amendments. I presume that is not the case, because it is clear that the government has cut a deal with the Nationals to make this legislation even worse. That is just absolutely appalling. I hope that Victorians, the many Victorians who love our wildlife and care for the environment, remember that at the November election.

I want to note that there are actually two duck rescuers in the public gallery right now, Nat and Bree. I hope the minister understands what this bill will mean for the work that they do and the wildlife that they protect and, more importantly, what he is giving to the people who harm our native animals and the officers who continue to strongarm volunteer wildlife rescue work across our state – trying to

criminalise us, to penalise us, to intimidate us and to instil fear in Victorians that dare to care for our native animals. To see the way that this government has gone, it is an appalling disgrace. I cannot believe that I once had faith that the people on this side of the room would be better than the people on that side of the room. Mr McGowan's speech was one of the best contributions we have had on this bill, and that is how you know things have gotten incredibly bad in this state. This government has lost their way when it comes to the protection of animals, the environment and our wildlife.

I want to, at the top, thank the coalition of groups who have been opposed to this and made their views really clear. Of course we have heard from many MPs in this place, and I really want to thank my colleagues from the Greens and Legalise Cannabis for understanding just how diabolical this piece of legislation is. I want to thank Animals Australia, the Wilderness Society, the Victorian National Parks Association, Environment Victoria, Seafood Industry Victoria, the Victorian Forest Alliance and the Victorian Fisheries Protection Alliance. Of course there is also Geelong Duck Rescue, the End Duck and Quail Shooting Alliance, the Coalition Against Duck Shooting, Wildlife Victoria and the Wilderness Society – the list really does go on and on and on. There are some surprising names in that list, and that is because, once again, the government has cooked the consultation on this. That is exactly why, at the very least, I am so pleased that the hunters will not be handed the special agency that they were promised from 1 July. At the very least, we will hold this up in the upper house and make the Assembly wait to take it back at the end of July. It is clear the gun lobby get whatever the gun lobby want in this state, and for once, they can learn the hard way, and the government can learn the hard way just what happens when they cave to these vested interests.

Many people have gone through what this bill does. It abolishes the Game Management Authority (GMA) and the Victorian Fisheries Authority (VFA). I just want to make it really clear, because I am sure we will hear from the government, 'Oh, this was a Silver recommendation.' No – Silver recommended abolishing the two agencies and creating one regulator to streamline compliance and enforcement in this state. That is not something that I would be opposed to, and that is not something that a lot of MPs in here would be opposed to. What we are opposed to, which the government chose to do of their own volition, is tacking on promotion of these industries – to legislate a model that the former Minister for Agriculture tried to stamp out when it became clear in 2017 just how conflicted the Game Management Authority is. Now here we are, all these years later, with the same Labor government under a different Premier endorsing this model when she sat around the cabinet table dealing with this disaster. I will go more into the details of how that came about soon, but I just want to make it really clear that the government's intentions with this bill are not to focus on compliance. We know that because the minister, despite all the times I have asked, cannot even tell me, with all jobs being retained, if all the compliance officers will still be compliance officers. Will they be promoters now? We do not know. Will they be doing both? Well, that is a massive conflict of interest.

Outdoor Recreation Victoria will be responsible for many things, but what is most concerning is this top-secret Land Access Panel. Many people have spoken about the fact that the Victorian Environmental Assessment Council has been abolished and the Marine and Coastal Council has been abolished; we have no independent oversight bodies when it comes to environmental protection in Victoria. The government said, 'Well, let's not stop there. Let's create a secret ministerial advisory taskforce, and we'll pick the people that are on it. They don't need to have qualifications; they've just got to like the bush and guns. We won't tell Victorians who is on it, and we won't publish the advice, no matter what it does to the environment.' I mean, this is the stuff that I expect from – you know, not even the opposition. This is incredibly dangerous. To know that a Labor government in the so-called progressive state is backing this in – I mean, where is this country going?

We are talking a lot about the political landscape right now. These guys are pretty complicit in it as well. It is a real 'trust us' exercise. That is what we keep getting told: 'Trust us. Just trust us.' Well, I might want to talk about why I would not trust this government. Anyone remember this report? I am sure the government likes to pretend that it never happened, but this is a parliamentary inquiry into duck shooting in Victoria. I was obviously on that committee. We worked very, very hard on that

report. I know Mr Galea did as well, and of course the chair, Mr Batchelor. They went into that process with really no view, actually, and they were compelled by the evidence and the science, and all of the submissions and evidence that we received from witnesses about just how desperately this needed to be done in our state. Labor governments in New South Wales, Queensland and Western Australia all banned duck shooting – some of them before I was even born. Now here I am in this Parliament at the end of the term, when the one thing I wanted to do was ban duck shooting and the government indicated they would do it, but of course they caved to the gun lobby, and we have only gone downhill from there. I do not know how we got here three years later. I never thought this was possible, when we had put absolutely everything into this and made it clear that there was no other option. Then years later this government turns around, not only backing in duck shooting but backing in their conflicted regulator.

I want to talk about this report, because when the government did not ban duck shooting, the government acknowledged that the regulator desperately needed to improve. In 2017 duck shooters committed a massacre at the Koorangie state game reserve near Kerang. I do not have to talk about that in descriptive terms from other people because I was there and I have never seen anything like it before in my entire life. It sounded like a war zone. In fact it was incredibly scary. We watched as over 2000 shooters began shooting birds, including protected species, before the legal start time while the Game Management Authority stood around chatting to duck shooters, watching what was going on and losing control of the situation. When we dared to go in to rescue some of those birds, rescuers got fined, got penalised, got arrested and got dragged through the courts. This situation was so bad that the Game Management Authority did not know what to. They realised they could not rein in their own cowboys, because many GMA officers are duck shooters themselves. There was no reason why they could not take off their uniform when their shift was over and join in on that massacre. They went home. They left the wetlands as the massacre was still occurring – as the bodies still lay across the water – and duck rescuers, including me, walked until the sun set and we could not see anymore with our phone lights and our torches, still picking up birds. There was one moment when every step that I took there would be another bird.

We took over a thousand game birds and over 300 protected species to the duck display that year to show what had gone on at that wetland under the government's watch and under the regulator's watch, and that prompted an independent review. The minister Jaala Pulford said that the situation was so bad that she would not rule out shutting down the GMA entirely. Their final report says:

> The GMA has not been able to effectively fulfil its compliance and enforcement responsibilities … non-compliance with the game hunting laws is commonplace and widespread …

And:

> By any standard, the GMA has failed to deliver on its responsibility to enforce hunting laws.

Pegasus said:

> … the GMA is failing to adequately fulfil its statutory obligations. There are no easy fixes, and the scale of the challenges will require major change to the regulatory regime if the GMA is to raise the effectiveness of its compliance and enforcement regimes to an acceptable level.

They also said:

> … the GMA is vulnerable to capture by the interests that it is seeking to regulate.

Well, it has got to be pretty vulnerable now, because it is being given permission to not just regulate but promote as well. It also said:

> There are also tensions and potential conflicts between the GMA's regulatory and other roles that constrains its effectiveness as an enforcement agency.

And it added:

> The GMA is not currently perceived by all of its stakeholders as independent or impartial in its administration of the game hunting laws.

It goes on and on and on, and I encourage members to actually read the Pegasus Economics review into the Game Management Authority, because it really will demonstrate to you just how horrific this piece of legislation is.

I think it is also important to note, as I talk about the history of the GMA, that in 2013, when the Minister for Agriculture, who was actually a National, set it up, he said:

> The GMA will be – first and foremost – a regulator. It will perform all the compliance, investigative and disciplinary functions related to game hunting in Victoria.

He also said:

> … a good regulator cannot both regulate and promote the industry.

Now here we find ourselves with not just the Nationals but the government supporting creating a regulator and a promoter in the same body, despite both of them in the past saying that this model simply cannot work. Of course I am not the only one saying this. We have heard from a range of people across the board, and no-one is probably surprised that I have this view. We have heard about Bronwyn Orr, who was actually on the GMA board. She is a vet. She is horrified at this legislation. She has said that this is set up to fail, that it is not possible to regulate and promote an industry at the same time and that this will have terrible consequences for animal welfare. We have heard about George Bucchorn, who was the senior compliance manager at the GMA, who actually quit his job following the Pegasus report and the internal culture being exposed at that organisation, where he was actively blocked from investigating animal cruelty. He was told not to investigate animal cruelty and to go after rescuers instead. He did the right thing. After 30 years as a homicide detective, he thought he could bring those skills into the organisation and improve hunting compliance in our state, and he got told, 'Nah, we're not interested in that. We just say that we regulate.'

I have spoken about this piece of work; I dug this up and went through it beforehand. Everyone knows what this report said. Everyone knows what decision the government made. I did just want to touch on that the chair and other members of the government in their comments about this inquiry made it very clear that the regulator, no matter how good they are, has an impossible job. It does not matter how good our compliance officers are. When you can go duck shooting at literally thousands of places in our state, including private land, it is just not possible to monitor for compliance. That is one of the many reasons why they should have made the right decision, because they cannot address any of the other issues that instead of banning duck shooting they committed to address – such as wounding, such as identification tests, such as accuracy tests – because you cannot actually test them working in the field, because it is not possible for compliance officers to be in the field. We do not even know how many compliance officers there are going to be now, but they are not focused on the shooters, because of their culture; they are focused on us.

I spent a lot of time doing duck rescue. I first went out on the wetlands when I was 19 years old. I have done it every year since. This was supposed to be my legacy piece. This is why I wanted to get into the Parliament. If I achieved one thing in this place, it was to end the recreational slaughter of our native waterbirds. The government has let down our wildlife and the volunteers who do so much to protect them at every single turn. All of us have lost faith in their ability to do anything to protect these animals that we can never get back, with all of these diabolical policies that they are implementing in this state and the impact it is having on them.

I just want to also briefly touch on something – this is not the largest focus of this bill, but we are seeing a really concerning trend in this state. We have been talking about sexism and misogyny a lot over the past few weeks – a lot. As a member of Parliament with the views that I hold and the industries I take on and the messages I put out there, I am pretty used to that treatment, but I will tell you who is

the worst: it is the duck shooters. One thing that I said to the government was: if you make me go through this process and the death threats and the rape threats and the descriptions of violence against me, only to turn around and put me through that and all the female rescuers through that for no reason, not only are you complicit in that behaviour, you will make it worse, and I was right about that. These people are emboldened. They think they are untouchable. They think the Premier and the minister will back them in no matter what the cost is. We have two female rescuers here in the chamber today who know exactly what it is like. I am lucky that I have the privilege and the platform to call it out, but ordinary people do not. It is scary and it is intimidating, and the government does not take it seriously and neither does the GMA. It actually makes me incredibly terrified for what people in my community will go through under this legislation, when yet again the shooters and hunters and the gun lobby in this state will be told, 'You can have whatever you want, no matter how you behave.'

We are seeing that more and more with bush user groups and other outdoor recreationalists. It is not a coincidence; it comes from entitlement. These people feel entitled not just to our animals but to our environment, to our ecosystems and to our biodiversity, and they feel entitled to dominate and control women. It is not a long bow to draw, and it is not a surprise that we are seeing the political landscape go the way that it is as the government goes more to the right in handing all of these gifts to the gun lobby and to the shooters and letting them have whatever they want while the community that fights this is predominantly women. It just says to them, 'We don't respect you; we respect those guys.' They are reflecting that in their behaviour as well.

I want to talk about the recent ABC article now, after I have given a history of the GMA, because it would have been very easy a few weeks ago for the government to turn around and say, 'Well, that was stamped out. Minister Pulford put a lot into that. She didn't shut down the GMA. Things have changed.' Well, that was until we got a copy of a secret recording at a Bendigo Field & Game meeting of a GMA officer telling shooters how to break the law and how to take children onto a wetland with firearms. You launched little anglers yesterday, Minister; when is little riflers coming? It is clear the GMA is waiting for that one. He told them, 'We will not be looking for illegal behaviour, but if rescuers report it, we're going to have to look into it.' He said that they were not going to ever give a kid a fine or any kind of ticket, but that they have to be seen to be fair and reasonable. 'Us duck hunters,' he said. I mean, that is something I have touched on; a lot of these blokes are duck hunters themselves.

What he was talking to when he said all of this was actually our so-called public safety laws. I have heard many ministers over many years talk about our public safety laws, and we have said, 'Hey, those public safety laws are not actually for the public. They're for duck rescuers.' They have said consistently, 'No, we're doing this so that our wetlands are safe places to be.' That is not what this GMA officer said during that meeting. No, he actually confirmed what we have always known. He said, 'The way that this is designed is to get the rescuers off the wetlands.' Well, he actually said 'protesters'. 'We want to get the protesters off the wetlands. This is why we've designed these laws, and that's what they are for. So if you have got some unlicensed people out there with you, we might just have a chat to you and ask you to take them off.' Whereas if I hover my toe over the water – I mean, within 20 metres of the water – during the duck-shooting season, they are there ready to launch on us. 'But don't worry about those unlicensed people around firearms. That's not illegal.' It is, but GMA has confirmed that those laws, as the government has always denied, are not actually set up for the public; they are set up for duck rescuers. We should be concerned when an authority is saying that one law is targeting one group of people. We should be concerned whenever that happens.

I have offered to send the minister's office a copy of that full recording and asked if the GMA is having an investigation, because the full copy was not on the news; it was just cuts of it. The GMA has not reached out to me to ask for it, so I presume it is all good. Not only that, but they will merge this agency and give these same blokes even greater discretionary powers to target rescuers, to put us more at risk and to hit us with higher fines and higher penalties. Meanwhile, I have also reached out to the GMA a number of times over the past few weeks to make reports to close wetlands. They normally do not

respond to me. In fact they responded to me the other day with a list of questions that was so long that it was designed to make us not follow up on it. But if you head out to any wetland during the duck-shooting season, my gosh, you can see our tax dollars at work there – 20 GMA cars and 50 police, pulling in all the departments, for 20 duck rescuers who are out there and want to help our native birds.

They say that they have a focus on compliance and regulation. There is no way for them to even know that, because I do not think they have even looked at a duck shooter over the past few years. It is clear that they are fixated on us. I just think that it is particularly galling that we brought this evidence to the government – I asked a question about it in question time; I got a pretty lacklustre response and then heard nothing from the agency and nothing from the minister's office – and now here I am today speaking on this legislation giving these people stronger powers. It is incredibly serious.

I am not in the business of coming after individual authorised officers, because this is a cultural problem. But again, I identified to the minister's office and the department that some of these people have really chequered histories. There is someone within the GMA who was charged with bashing up a disabled person and then charged with perjury when he got charged for that. I think we at the very least need to check what we are giving these people and whether they are the right people, if we insist on doing this. Are we going to give it to blokes with these dodgy histories and ones who are going along to gun lobby meetings telling shooters how to break the laws, or are we going to clear the decks and, if we insist on doing this legislation, bring in people with the right skills and the right qualifications to actually monitor the safety, if you can call it that, of our native waterbirds, who are being wounded and left to die on our wetlands?

Something that was picked up on in the duck shooting final report was the fact that wounding where birds are shot and do not die immediately is around 40 per cent. You can go shooting at thousands and thousands and thousands of places in our state. That means that as I stand here right now, even though the duck shooting season has closed, there are birds that are wounded on the wetlands. They will not survive; they will slowly die of infection, predation and drowning. The government has not done anything to address that. All they have done post the inquiry, despite making all of these commitments, is actually give the shooters everything that they want and try and shut us down so we cannot show what is happening out there with increased fines and penalties.

We are seeing laws that were designed to penalise shooters being used on rescuers. When rescuers get a licence so they can legally be on the water, we have now seen the GMA start charging those rescuers who are carrying nets to capture mobile birds with hunting with a prohibited weapon because they are carrying a net. I mean, honestly – spare me. This is not just an incredible policy failure. Our laws are being misused, and no matter how much I take this to the government, they do not care.

We saw also in this story that not only are the GMA content with targeting duck rescuers, they are doxxing them as well. I have never seen them post in depth about a duck shooter on their social media, but we have seen multiple examples over the past few weeks of them posting images of duck rescuers with their faces, with their locations and with a celebration of what they have taken through the courts – using taxpayer funds, might I add – the comments running wild with death threats and abuse, and not doing anything about it. This is doxxing by a government agency. Once again I raised it in question time and got told barely anything.

I am running out of time and I have barely got through the other parts of this bill, but I just want to speak about the Land Access Panel, because the government of course, as I said, chose to abolish its environmental oversight bodies that have any independence to give feedback to the government on the decisions that it is making and chose to replace them with this. According to this bill, the only requirement to be a member of a panel making recommendations on access to our state's protected areas is that the minister is satisfied that you have knowledge or experience relevant to the function of the panel – no formal qualifications, no expertise. It is so confronting, and forgive us here on the crossbench if that does not give us faith, given the government's woeful environmental and animal welfare track record.

I also just want to touch on something in this bill that other people actually have not spoken about: it will be the regulator of kangaroo shooting. Kangaroo shooting is a commercial industry in this state, and this government has the confidence to put it under a bill called Outdoor Recreation Victoria. Kangaroo shooting is not a recreational activity, it is a commercial industry. Again, one of the biggest problems with this bill is not that the name of the agency is so promotional; it is that there is no way for members of the public who want to report hunting noncompliance to even find where to do that. If someone sees kangaroos being shot, they are not going to google 'Outdoor Recreation Victoria'. That horrifies the majority of Victorians, as I would know and as the minister constantly ignores. We have ongoing problems with kangaroo compliance in our state. The GMA's phone line is only open 9 to 5 on business days. Well, I will tell you when kangaroo shooting happens: at night-time. They tell us to call the police. The police have no idea of the laws. The government has refused to train the police in the laws. It is like an episode of *Utopia*, except it is clearly very intentional, because they do not actually want to do something about this; they just want to look like they are doing something about this. It is an issue that is becoming increasingly problematic, not just for people who care about animal welfare but for people who live in the country and like their peaceful life and their amenity.

I will be asking a lot of questions of the minister about kangaroo shooting in the committee stage of the bill. I have tried to communicate with his office about that because I do not believe they have the ability to answer my questions, and I will be asking them until I get answers. I just wanted to note that now as they are listening to my contribution.

We have spoken about the fact that First Nations considerations are barely touched on in this bill post treaty. Opening up public land with no consultation and no reason for decision-making is literally the opposite to the commitment that all of us made and celebrated in this place recently. It is absolutely galling to see our environment and native animals that are totemic species to so many First Nations people being decimated by gun users in our state. It is something that consistently comes to my office when we engage with our wonderful traditional owners. This is not where we are meant to be going, and it is not compatible with what this government committed to when we said we would work on reconciliation and a pathway forward.

The VFA are being constantly celebrated because they are being merged in this bill, and they were better, but need I remind anyone that this government cut compliance officers by 50 per cent. Yesterday they were in here launching their little angler kits, out there promoting, while noncompliance has actually gone up. We now are going to see those same officers merge with the GMA. We had hoped that that might stamp out at least some of this culture, but it is not possible when those compliance teams have been cut. There is recent FOI data on this, which I will pursue more in the committee.

In my 1 minute left I want to talk about the failed promises of this government. This policy was announced six months ago. Where is the animal care and protection bill? Where is the wildlife act? Where is the response to the inquiry into ecosystem decline? That was last Parliament. Where is the great forest national park? It is clear this government actually does not care about the environment and it does not care about animals. All they want to do is apparently open up the outdoors. Well, Minister, duck shooting actually locks out the outdoors because it is illegal to be there. It actually shuts down a kayaking business in my own electorate, who cannot function during the duck-shooting season because it is not just unsafe, it is illegal. I have got pages and pages to go with 30 seconds. This is not where I thought we were at the start of this term.

I have a range of amendments. I do need them to be circulated in my final 20 seconds. I will speak to them more in the committee stage of the bill. And there is a reasoned amendment at the very least to have an investigation into the recent failings of GMA, because the government is not doing that, and a bill inquiry, which we can do over this break since we are amending the bill.

I condemn this bill. It is a disgraceful piece of legislation, and the government should be ashamed of themselves.

Sarah MANSFIELD (Western Victoria) (15:18): I too rise to speak on Labor's Outdoor Recreation Victoria Bill 2026. I think this is a bit of an exercise in how many ways you can say this is a terrible bill. The Greens strongly oppose this bill, which abolishes the Game Management Authority and the Victorian Fisheries Authority and creates a new statutory authority, Outdoor Recreation Victoria, which is responsible for both regulating and promoting hunting. Once again Labor, the Liberals, the Nationals and One Nation are all teaming up to give Victorian land to the hunters and shooters lobby. These laws sell out everyday Victorians, trash nature and let the hunting lobby decide how public land gets used.

Just weeks ago Labor and the Liberals abolished Victoria's independent expert advisory body, the Victorian Environmental Assessment Council. Now that they have gotten rid of VEAC's independent experts, they are creating a body to formally lobby for even more public land for hunters and shooters. The bill ignores recommendations from the government's own independent review of hunting regulation, which warned against combining regulatory and promotional functions within the same agency.

Environmentalists have known for years now that Jacinta Allan's Labor government does not care about nature. It is why they have backflipped on duck shooting. It is why they are handing hunters more public land. It is why they have rejected demands to reclassify feral deer as pests. It is why they have rejected the federal gun register and limits on guns. It does not matter what the majority of Victorians want, whether they are bushwalkers, farmers or conservationists. All Labor cares about when it comes to land is a small but powerful group of vested interests. Today that is hunters and shooters, but we will see it as well with the gambling companies, big banks, coal and gas giants, property developers, you name it.

Meanwhile, nature groups are furious at this bill. The Victorian National Parks Association, Environment Victoria, the Wilderness Society and the Victorian Forest Alliance have actually written to all MPs in this chamber strongly condemning this bill. So since no-one in Labor or the coalition seems to care what they say, I would like to read out their email in full:

> **Re: Outdoor Recreation Victoria aka The Department of Blast and Cast**
>
> Our organisations, members and supporters share great concerns about the impact on Victoria's reputation, public safety and hard-fought environmental protections, under threat from the proposed Outdoor Recreation Victoria Bill 2026.
>
> We are calling on all members of the Victorian parliament to throw out this legislation and the threats it poses to public safety and access to National Parks and public lands.
>
> Fair, safe and equitable access to Victoria's National Parks, Conservation reserves and other public lands makes Victoria a draw card from tourists both internationally as well as locally and interstate. The safe and easy access to iconic landscapes close to Melbourne is a drawcard for people to get the best of Australia all in one state.
>
> We believe the establishment of a body designed to lobby for access to public land through the Land Access Panel for shooting interests … as part of "Outdoor Recreation Victoria", paid for by Victorian taxpayers, while having no ecological or cultural guardrails in its objectives will be disastrous and dangerous for Victoria, particularly as the body responsible – the Victorian Environmental Assessment Council (VEAC) – for assessing and categorising public land was recently abolished.
>
> There are no references in the legislation establishing the panel to protecting Victoria's environment and wildlife, assessment of public safety, the precautionary principle, biodiversity conservation or protection or any obligations to assess impacts on all public land visitors and their health and safety.
>
> Just an hour or so drive outside of Melbourne takes Victorians to the iconic rainforest of the Great Otway's National Park, or the wildflower fields of … Victorias native grassland reserves in the west, or into the iconic tall wet forest of the Dandenong Ranges or Yarra Ranges National Park in eastern Victoria.
>
> A trip further out can have you in the Wimmera or Mallee regions where tourists visit amazing landscapes such as Little Desert National Park or the Pink Lakes of Murray Sunset National Park.
>
> These iconic parks draw over 55 million visitors per year into regional areas … to safely access these areas and visit Victorias great shared backyard and get to know our iconic wildlife and landscapes.

> As highlighted in the latest AusPlay Data Victoria's most popular physical activities are low environmental impact, low cost, easy and safe to access recreational pursuits such as walking, jogging and cycling. These findings are supported by polling by the RedBridge group that found that the most common activities are short bush walks, of which almost half of Victorians (48%) report having participated in over the past year, followed by picnics (36%), photography (21%), camping over multiple days and birdwatching (11% each).
>
> …
>
> Shooting and hunting comes in at roughly 2% of visitors to Victoria's public land, but the presence of shooting impacts over half of visitors seeking Peace and quiet (53%), and 37% saying that No Shooting allowed/Free of hunting would make them visit National Parks more often.
>
> We the undersigned ask the government to prioritise conservation, and safe access and enjoyment of National Parks and reserves for all Victorians – not for the interests of the shooting and hunting lobbies.
>
> Yours sincerely …

Victorian National Parks Association, the Wilderness Society, Environment Victoria and the Victorian Forest Alliance.

All we need to do with this bill is to look at this government's broader environmental record. We all need to look at its failure to permanently protect forests after the end of commercial native forest logging, its rejection of the great forest national park, the remaining loopholes for logging on private land and through forest produce licences, its weakening of environmental agencies and independent advisory bodies and its repeated willingness to favour shooting and hunting interests over wildlife conservation and public safety, just as all of those who signed that letter pointed out. Seen in that context, this bill is not an isolated administrative reform. It is part of a broader shift away from conservation and towards access for extraction, commercial development and politically favoured recreational interests. That is why conservation organisations have described Outdoor Recreation Victoria as the department of blast and cast.

The government says the bill is about encouraging Victorians to enjoy the outdoors, but the legislation establishes an authority that will both regulate and promote activities, including hunting and fishing. It creates a Land Access Panel to advise the minister on increasing access and reviewing restrictions on public land. Yet the panel has no express environmental protection purpose. It does not require ecological expertise. It does not guarantee conservation or traditional owner representation. It does not require its advice to be published, and it does not require assessment of biodiversity, threatened species, cultural heritage, biosecurity, fire risk or the effects on other public land users. These omissions are serious in their own right. They become even more serious when we consider what the government has dismantled around them. The government has abolished the Victorian Environmental Assessment Council as an independent council. For decades VEAC and its predecessors provided science-based advice on the classification, protection and use of public land. Its investigations involved evidence, expert analysis, public submissions and reports that could be scrutinised by Parliament and the community. The independent structure is now being removed, just as this bill creates a far less transparent panel focused primarily on access.

The government has also abolished the Victorian Marine and Coastal Council, despite growing pressures facing Victoria's coastline and marine environment. All the members of the Environment and Planning Committee who sat through the climate resilience inquiry would know how critical the work of this council is and how important it is for informing how we respond and adapt to climate change. Sustainability Victoria is also being abolished as a standalone body. Jobs and capacity have been cut right across environmental agencies, including Parks Victoria and the Department of Energy, Environment and Climate Action. The government describes these changes as consolidation and efficiency, but the effect is clear: independent scientific advice is reduced, ministerial discretion increases and institutions protecting nature become weaker. This bill continues that pattern. It replaces independent public land scrutiny with a ministerially appointed access panel. It combines promotional and regulatory functions. It leaves biodiversity protection as a secondary consideration rather than a central legal purpose.

The government's record on forests gives us a further reason for concern. The Greens recognise that commercial native forest logging in Victoria's state forests ended on 1 January 2024. It was an important achievement, secured after decades of campaigning by traditional owners, conservation organisations, scientists, communities and forest activists. But ending VicForests did not permanently protect Victoria's forests from industrial extraction. The Forests (Wood Pulp Agreement) Act 1996 remains in force. This obsolete legislation was created to support the supply of native forest pulp wood to industry. The forest act also continues to allow forest produce licences, including licences relating to timber. These provisions should have been removed when VicForests was abolished. Instead, they remain available to a future government determined to restart logging. The Liberals and Nationals are on the record having openly said they want native forest logging to return. Labor knows that, yet it has left legal pathways in place that could help them to do it.

Native forest logging also remains possible on private land. In 2025 East Gippsland Shire Council approved the harvesting of native forest at Cabbage Tree Creek after the Minister for Planning declined the council's request to take responsibility for the decision. Labor says native forest logging has ended, but it continues to leave these decisions to a planning framework that permits harvesting of native forests on private property. Wildlife does not recognise property boundaries. A greater glider does not know whether its habitat is on Crown land or private land. A threatened forest community does not become expendable simply because the trees stand behind a fence. The government has also failed to establish clear safeguards around salvage logging, fuel breaks and the commercial sale of timber removed through public land works.

Conservation groups have warned that the new by-products framework risks allowing logging to continue by another name. Timber removed during fire management, storm recovery, roadworks and other operations may have commercial value. That creates a dangerous incentive unless the rules are strict, transparent and independently enforced. Fire management must be driven by safety, science and ecological considerations, not by the commercial value of the timber removed. There should be mandatory threatened species surveys before major works. There should be independent ecological assessment. There should be proper oversight of Forest Fire Management Victoria, and there should be no commercial incentive to remove more trees than is genuinely necessary. The transition away from native forest logging should have been an opportunity to transform how Victoria cares for forests. Former industry workers could have been supported into secure jobs in restoration, ecological monitoring, cultural fire, invasive species control and traditional owner led land management. Instead concerns remain that parts of the old logging culture have simply moved into fuel break and forest management operations. Victoria does not need VicForests 2.0 operating under a different label; it needs a public land workforce focused on restoration, resilience, evidence-based fire management and caring for country.

The government points to its forestry transition funding as evidence it has managed the change well. Supporting workers and regional communities was essential, and the Greens have always supported a fair transition. But the Auditor-General found serious weaknesses in the administration of that program, including gaps in departmental records, problems showing how some eligibility decisions were verified and inadequate monitoring of long-term employment outcomes. That is not an argument against transition funding; it is an argument for competent, transparent and accountable transition funding. Workers deserved secure jobs in industries with a future. Forests deserved permanent protection. Traditional owners deserved an authority properly resourced in the future management of forest country. The government has not delivered that complete transition.

It has also rejected the most significant opportunity to permanently protect forests of the Central Highlands. The great forest national park would have protected habitat for Leadbeater's possums, greater gliders and many other species. It would have protected carbon-dense forests, water catchments and landscapes close to Melbourne. It would have supported nature-based tourism, recreation and regional jobs. Labor rejected it. The government then announced that after establishing the long-delayed central west parks, it did not intend to create further national parks. Its alternative for former

logging forests has been framed around unlocking land for greater access to tracks, trails, tourism and hunting. That choice tells us a great deal about the values behind this bill.

Instead of asking how former logging forests can be permanently protected, restored and managed with traditional owners, the government has asked how they can be opened up and used more intensively. The same thinking appears in the proposed public land act, which the government says will streamline processes and make it easier to do things on public land. But environmental laws and approvals exist for a reason. Public land is not protected by making development and access easier. It is protected by clear purposes, enforceable limits, independent science and transparent decision-making. The starting point should not be what governments, industries and lobby groups want to do on public land. The starting point should be what country, ecosystems and wildlife can sustain.

This is also a government that has repeatedly favoured hunting interests. It rejected the parliamentary inquiry recommendations to end recreational duck shooting. It has maintained the protected game status of deer, despite severe environmental damage caused by feral deer, and it has supported expanded hunting opportunities and infrastructure while conservation agencies struggle for resources. Now it proposes an authority that will regulate hunting while also promoting participation in outdoor recreation and a Land Access Panel with no guaranteed conservation expertise.

I have a lot more I could say about this bill, but I will finish by saying we do not need a department of blast and cast, and for those reasons the Greens oppose the Outdoor Recreation Victoria Bill.

Sonja TERPSTRA (North-Eastern Metropolitan) (15:33): I rise to make a contribution on this bill, the Outdoor Recreation Victoria Bill 2026. At the outset I just want to acknowledge Ms Purcell's continued advocacy in regard to animals and animal welfare in this state. I also, in listening to your contribution, want to acknowledge what you spoke about in terms of some of the treatment that some of the women rescuers have experienced out on the wetlands. I just want to say that any of that sort of treatment – violence, threats, aggression – should always be condemned. It is always sad to hear that those sorts of things are occurring. It is sad; it should not be happening, so I just want to extend my sympathies and thoughts to anybody who has experienced aggression and violence while attending rescues. It is unacceptable.

Nevertheless, in regard to this bill, I understand that Animal Justice and the Greens have particular views about this, but I do want to just try and bring this back to basics. The reason for this bill, principally, is to consolidate two agencies – one is the Victorian Fisheries Authority and the other is the Game Management Authority (GMA) – into a new body, which is the Outdoor Recreation Victoria (ORV) agency. This came from the Silver review. The Treasurer has just walked in the room, and I know the Treasurer is very familiar with the Silver review. This is a review that was commissioned by the government to look at how we could get some efficiencies with some of our agencies. I know that the Greens and Animal Justice may disagree with that, but I am standing here saying that that is the intention of the government. It was their intent to bring in some efficiencies by merging these agencies.

In this debate I know there are strongly held views on both sides, with the Nationals and Liberals on one side and environmentalists on the other. I can only reflect and remark upon my own time chairing the largest inquiry in this Parliament's history, which was the ecosystem decline inquiry. I pretty quickly became very acquainted with strongly held views from lots of different people about lots of different things. Those strongly held views are okay, but it is also important that when we conduct ourselves in the Parliament or outside, when we are talking about these views, we try and be respectful of each other's views. We can disagree, and that is okay, but we should try and stick to debating the merits of things and refrain from personal attacks and those sorts of things. It is going to be a difficult debate, and we are going to have a late one tonight on this.

The point of contention that is being raised in the context of this debate, the fear from environmental groups, is that it is bringing together an agency that merges advocacy and regulatory roles. That is inherently concerning for environmental groups. There is also some commentary around a failure on

the part of the government, that we have not recognised opportunities to do more around conservation and those sorts of things and that perhaps this bill presented an opportunity for that. On the other side you have got the views of recreational users, hunters, fishers and the like, who say that there is an ongoing culture war over how public spaces, parks and Crown land are utilised. You have got this push-pull where different groups are saying that public parks are being locked up and they are being denied access. On the other hand you have got environmentalists saying, 'We need to get a better balance right so that things aren't completely trashed and destroyed.' This is the tension and the push-pull in regard to the debate around these things, but again, this bill does not really touch on any of that. This bill is principally about consolidating agencies into one new agency. That is effectively what this bill seeks to do. I do not think we are going to settle any of the strongly held views that people have today in this Parliament on these issues more broadly. It is something that, as I said, has come from the Silver review, which recommended that there was an opportunity for efficiencies and the like.

I will just quickly remark, as I said, on my role as chair of the largest parliamentary inquiry undertaken, which was on ecosystem decline. I got to learn a lot of really interesting things about the environment, conservation, native species, pest species and the like. There was lots of evidence and information that we received about extinction of species, habitat loss and the like. It is a very interesting portfolio, and I know that Minister Erdogan has his work cut out for him in having to deal with lots of different interests in regard to the portfolio.

The bill will establish a strong governance framework for the agency. It also will create a board. The board will have knowledge and skills in financial administration, risk management, strategic planning, legal experience, regulatory knowledge and the like. Again, it is setting up another agency with a board that is going to have some experience and knowledge to guide it. It also ensures accountability and oversight while enabling Outdoor Recreation Victoria to deliver on its role. Of course there will be a need for transition and continuity. All staff, except for the current CEOs, will transfer across to the new agency, the new Outdoor Recreation Victoria, on their existing terms and conditions. There will be no job losses. At the same time the bill will ensure continuity of operations by transferring power assets and legal arrangements into the new authority, which we would say will provide a seamless transition without disruption. Outdoor Recreation Victoria will receive base funding which is assigned to the GMA and Victorian Fisheries Authority of approximately $29 million per annum, and the Better Boating Fund and the Recreational Fishing Licence Trust Account will remain unchanged. Initially Victorians can expect to see the delivery of recreational fishing, boating, hunting, game licences and aligned activities like four-wheel driving and bush camping through Outdoor Recreation Victoria, and then in the long term it will be expanding into broader outdoor recreation activities.

I know there are also transitional arrangements, as I touched on earlier. The new CEOs will not come across but the staff will. It also maintains regulatory continuity for game hunting and fisheries through transitional provisions, and it provides for operational continuity by establishing the new ORV as a successor in law to the Victorian Fisheries Authority and the Game Management Authority. This might all sound very boring and dry, and it probably is, but the point is this is a result of the Silver review telling government there are some efficiencies and streamlining which, by consolidating agencies, can happen. So these are things that are germane to the consolidation of these agencies. To support Outdoor Recreation Victoria's role clarity, the bill distinguishes the regulatory functions, powers and duties of ORV from non-regulatory functions. Outdoor Recreation Victoria's strengthened governance framework and skills-based board will further support ORV's role clarity by establishing effective processes to manage any potential or perceived conflicts between its regulatory and promotional functions.

Victorians no doubt love the great outdoors. We have people who love fishing, boating, hunting and just camping. There are lots of people who love to experience the great outdoors. Just by way of example, in 2022 the Victorian government committed $96 million through its Go Fishing Victoria plan to get more people fishing more often. I have seen the Treasurer in jodhpurs putting fish into a lake at some point, and I know she loved that.

Jaclyn Symes interjected.

Sonja TERPSTRA: That is right, reverse fishing – making sure our fish stocks are kept up. It is something that I have done myself as a kid. I have gone fishing many a time, so it is something that I am very familiar with. The Victorian fisheries organisation has led delivery of the plan's commitments around fishing, and these include tripling the size of our Arcadia Native Fish Hatchery – that commitment has been delivered – and building a new Macquarie perch recovery hatchery at our Snobs Creek fish hatchery. Who would have known much about the Snobs Creek fish hatchery? We all do now. We know about it. It is a very important thing that we have invested in and have certainly delivered on.

We have also looked to improve jetties and car parks with funds from the Better Boating Fund, because sometimes trying to reverse your boat down a jetty can be a little bit fraught. I do not know whether many people in this chamber have tried to do that. I would certainly stay away from it. I am not skilled enough a driver to even attempt that. Perhaps others might be, whether it is a boat or a jet ski or whatever. But improving jetties and car parks definitely helps when you are trying to get your boat in the water. We are upgrading boat ramps and car parks at Lang Lang, Tooradin and Inverloch and also extending the jetty at Cowes boat ramp. That is currently underway. We are also rebuilding piers at Dromana and St Leonards, and the Warneet south and north jetties are underway. We are also building a new boating facility at Tarago Reservoir.

This was spoken about earlier in this chamber, the $1.5 million little angler program through schools, which has been delivered. I know the little angler kits were here in Parliament as well this week. They are very popular with kids. There is the stronger fishing club grants program to attract new members and encourage participation in fishing, and the $2.5 million Fish Habitat Improvement Fund has been delivered as well.

It is always good to get people out and enjoying the great outdoors. As I said, it is better than being on a device and indoors. Being in the great outdoors fishing, getting sun and getting wet, hungry and sunburnt and all those sorts of things that go with it are always much better than being indoors on a smartphone, so I fully support any of that. Here in Victoria we proudly provide world-class recreational fishing opportunities as well. There are record numbers of people going fishing. This also generates strong social and economic outcomes across our regions and towns in both fresh water and marine waters. Recreational fishing provides employment opportunities as well – this is a figure that I find really interesting, and it is really a good figure – for almost 20,000 Victorians, and it contributes close to $2.3 billion to the Victorian economy. There are lots of people that are employed in fishing, so that is good for them, and it is good for our economy as well.

There are currently close to 200,000 recreational fishing licence holders in Victoria, and this also includes participation by kids and seniors. Luckily, there is no licence required for kids or seniors, I believe, which is nice. Also, it is estimated that we have more than 1 million people going fishing annually in Victoria. So it is a definitely an outdoor recreation pursuit that people are embracing in Victoria, and that is fantastic.

Since 2014 the Victorian government has invested over $226 million to improve fishing and boating. I have gone through some of these things, but it is worth mentioning a few other things as well. Buying out commercial netting in Port Phillip Bay and the Gippsland Lakes is returning over 700 tonnes of snapper, whiting, bream and flathead to Victorian fisheries every year, so that is very significant. We are also stocking 10 million fish into over 200 Victorian waterways each year – also amazing. We have invested in over 100 boating improvement projects, and I mentioned some of them before. As I said, there have been major boat ramp upgrades. I mentioned Lang Lang before, but there is also Mahers Landing. I did mention Cowes, but there are also Rhyll, Lake Boga, Loch Sport, Echuca, Mildura and Torquay.

We have also, as part of supporting fishing in other associated ways, provided $2.5 million towards habitat grants and improving river health. That was something that we also got to learn a lot about in the inquiry into ecosystem decline. The health of our riverine waterways is something that often gets overlooked, so any grant funding that supports improving the health of our riverine system is fantastic, and that is also well received.

We are upgrading native fish hatcheries by tripling the number of ponds to 130 at the Arcadia hatchery and building new facilities at Snobs Creek, as I mentioned before, to grow more threatened species. Again, that does help with the conservation of these threatened species like trout and cod, as does the recently completed Macquarie Perch Recovery Centre.

As I mentioned before, we do provide fishing rods to children as part of the little anglers program, and we have provided 95,000 free fishing rods to Victorian primary school students. I hope they are enjoying their fishing rods and getting out there and fishing and catching as many fish as they can – it is good fun – and then eating them. That is the whole point. If you are going to go fishing, you have got to eat them – unless it is a toad or something like that; you cannot eat a toad. But hopefully, if you are catching a bream or a whatever, you are going to be able to cook it on the barbie and eat it; that is all the fun. I do not know, Minister, you might have taken your children fishing at some point, perhaps. I commend the bill.

Tom McINTOSH (Eastern Victoria) (15:48): I rise to support this bill in its practical form in bringing together the Victorian Fisheries Authority (VFA) and the Game Management Authority (GMA) into a new statutory authority. At its core it is ensuring better efficiencies within departments that are doing important work in our communities, and much of this work is twofold. In my view it is about ensuring that we are getting people out into regional and rural Victoria and experiencing natural places, which is fantastic, particularly as we have heard in recent days in this chamber how popular Victoria is. More people are moving here, more people want to live here, more people want to play an active part in our economy, but it is also good to get people out, spending money and spending time in our regions. This is not only good for our personal health – personal physical health and personal mental health – but it is also good for the economies in our regions that depend on that economic activity and depend on our tourism. Something else I am quite strong on is that we cannot expect people to value what they do not experience. By getting people out into our bush, out along our coastlines and out into our beautiful public open spaces, we are ensuring that they value them. We have heard other contributions talk about the benefit of getting families out into these places. We want that to be passed down from generation to generation. In our brilliant, multicultural, diverse Victoria that we have, we want to make sure that new Victorians, new Australians, are getting out and experiencing what others have been able to enjoy for generations.

We heard in some of the comments before about changes that have occurred in some of our public land in recent years. We heard Ms Terpstra talk about the netting in the Gippsland Lakes. One of the things I hear constantly in feedback is what an incredible success it has been, getting that commercial fishing out of our lakes and supporting recreational fishing, getting more people out and just seeing people enjoying our lakes – families getting out and local tourists getting out. It is just a wonderful thing. I think people of all political persuasions respect that work. Though they might have been tough decisions at the time, people really respect, value and cherish that that has happened.

The other big piece has obviously been native forestry coming out of 1.8 million hectares of forest. With that there have obviously been challenges, and we are working with a number of towns right across Victoria as their economies adapt and adjust to those changes. But through various programs from the government working with those communities and working with local businesses to seize upon new opportunities to get people employed locally but also to get people out enjoying those public spaces – and we have also seen this with the healthy forests announcements in recent months and other programs that are going on – we know that is something the government is absolutely committed to.

I always enjoy talking to people from different walks of life. We just had Landcare in here today. There are so many people that are working across a mixture of private and public land to get really generational environmental outcomes. We heard that today; Landcare has been going for 40 years now. They are up to about 90,000 volunteers now. We have heard about the work that is done along waterways and that is done on ridges, and when I was growing up, erosion and salinity were such an issue. That work has continuity across generations but also continuity across property types, and that offers these corridors for our wildlife to be able to move for that biodiversity. When we couple that with the work going on in our forests, on our private land and, as I said, on our coasts – we know that coastal erosion and these sorts of problems are big problems that we have to face as well. But we are hearing people share their experiences about getting out and enjoying these spaces, people from many, many, many different backgrounds. I started this contribution talking about a diverse Victoria – that diversity of experience in that diversity of places across Victoria. And we are fortunate it is so rich. When we talk about fishing, there are so many different ways, so many different places and so many different little microclimates across our state in which, depending on what time of year it is, there are activities that people can get out and enjoy and be in nature.

Ms Terpstra talked earlier about people getting off digital devices, and that is so important and something the world is yearning for. We have heard so much, particularly in recent years with social media and whatnot, about being able to get out and get out as a community. So to have the authority have oversight and that collective approach will benefit those working within, and we would expect and hope that it benefits users of these spaces.

The bill will increase compliance capacity across both fisheries and game hunting. It is strengthened through the ability to leverage a larger pool of authorised officers to address peak periods and surge events through Victoria's seasonal outdoor activities. All authorised officers will transition to the new set-up as of day one. All staff, except for the current CEOs, will transfer across to Outdoor Recreation Victoria (ORV) on their existing terms and conditions, so there will be no job losses. I think that is an important part for anyone employed currently to understand and be sure of. At the same time, the bill will ensure continuity of operations by transferring powers, assets and legal arrangements into the new authority so it is seamless and without disruption.

ORV will receive the base funding currently assigned to the GMA and VFA of approximately $29 million per annum, and the Better Boating Fund and the Recreational Fishing Licence Trust Account will remain unchanged. Initially, Victorians can expect to see the delivery of recreational fishing and boating, game hunting and aligned activities, four-wheel drive and bush camping activities through ORV, in the long term expanding out to broader outdoor recreation activities.

Coming back to the Gippsland Lakes, I just want to talk about what an incredible success the oyster program has been there in collaboration with the VFA, Parks Victoria and our First Nations, Gunaikurnai, there over time, identifying rock oysters to put into trials and then expand those trials as a way to not only improve water quality in the lakes but also improve opportunities for local First Nations groups to get out and create income from local waterways. It is something, more broadly, for tourists. Tourists love to be able to get out to any coastal town in Victoria where they have the ability to purchase fresh produce. It is just such a motivator for tourists to spend time in the towns and to come back. We are fortunate, with our geographic location in the world, that we have got such beautiful oceans and waterways. For us to be able to make the most of these and offer that to tourists is incredibly important.

I had conversations with some of the Landcare members in yesterday, actually, talking about the opportunity for oysters and mussels in waterways in Gippsland and helping repair damage that has occurred over generations through run-off into some of our waterways and being able to stock mussels or oysters or – what is the word I am after? – crustaceans. We talked about getting those back in and repairing those waterways so that all the local habitat and all of the animal life that feed off that chain can prosper. It just means that we can get out in that water and when people are out camping or out fishing they can swim in clearer water. In that instance the idea is to get seagrass back in, and then

once you start doing that, you are going to have more fish breeding in that area so there is more opportunity for recreational fishers and local tourism starts to thrive. For regional towns it is another piece in their armour. For those towns that have traditionally had perhaps one or two industries, adding that industry alongside them is incredibly important because we want economic diversity. As I said before, whether it is people going out camping, whether it is people going out hunting, whether it is people going out fishing, whether it is people going out for a five- to eight-day walk or whether it is people locally coming from across the region to do plantings and various things, it strengthens that local economy.

There is an important part to play in weed and pest management. I gave examples in the waterways there, but it is on our land as well. A number of people in here yesterday were talking about various pests, and I have these conversations with farmers regularly. Whether it is pigs or deer or other pests that are getting out of the bush and onto farms and creating havoc, we have got to be staying on top of those, so it is about working with farmers and hunters to make sure that we are putting as much pressure on those populations as possible. I know from talking to the Landcare groups that they are going and doing their work and that it is getting trampled and beaten down by these animals before it has got a chance to get up in that important rehabilitation work that they are doing.

The bill establishes a Land Access Panel to provide advice and information to government to identify new opportunities for community access across public land and waterways. The panel will comprise six to 12 members with experience relevant to the functions of the panel, and it is intended that members be appointed to represent traditional owners, public land and waterway managers, ORV and external stakeholders – and I talked before about GLAWAC and the incredible work they do across our bush, our waterways and our coastal areas. The bill embeds a whole-of-government approach by requiring the Minister for Outdoor Recreation to share the Land Access Panel's advice with all ministers responsible for public land, ensuring coordinated decision-making and alignment across portfolios.

With regard to commercial fishing, the establishment of ORV will build on the important work done by the VFA, ensuring commercial fisheries and aquaculture continue to sustainably grow as an integral part of Victoria's economy and communities. ORV will maintain the existing functions of the VFA for commercial fisheries and aquaculture. These include regulatory compliance and educational responsibilities but importantly also include supporting the development of the commercial fishing and aquaculture sectors.

I will close by just coming back to that point that it is difficult for Victorians to value what they cannot see and experience, so getting them out into our natural spaces is incredibly important. Anything we can do to support our agencies to do that as efficiently and as well as possible is incredibly important.

Gaelle BROAD (Northern Victoria) (16:04): I am very pleased to speak to the Outdoor Recreation Victoria Bill 2026. I think everyone in this house, after the debate I have heard today, would do well to spend some time outdoors, because the great outdoors is good for your mental health and it is good for your physical health.

I know the people that are going to be in the great outdoors this weekend include Max Liddy. He is from Bendigo, and he is one of the inaugural Kokoda scholarship recipients of the Speechley brothers scholarship. They are part of the team that is going over, with Tim Bull leading the way, to Kokoda. They are going to be doing that trek, and they are actually going to be going this weekend down to the Dandenong Ranges to the 1000 Steps and getting in the Kokoda memorial walk. It is quite impressive that he is representing the Speechley brothers. George and Leslie Speechley were two brothers that were killed in the war in 1942. George was 24, and Leslie was just 20 years of age. It was amazing recently to be able to honour those brothers. Max will be representing both of those brothers as he goes overseas on that nine-day trek. They are going to be doing 138 kilometres.

I think I will share a few fantastic places that people might want to visit. I know they are favourites of mine and places that I have encouraged friends and family to visit. Trentham Falls, if you have ever

been there, has a 32-metre drop. It is a great time of year to visit. Yes, I am getting nods from Ms Payne. That is an absolutely stunning spot to visit in central Victoria. Another spot is Hanging Rock, with lots of walks that you can do there. Macedon Ranges, Ms Purcell probably knows well, is a beautiful spot. One place that I love to go regularly is the Goldfields Track. That is a beautiful walk that goes from Bendigo across to Ballarat, and it goes through the towns of Castlemaine and Daylesford. It is 210 kilometres. If you are keen, you can go the whole distance, or you can just hop on for a bit. That is a wonderful place to go. I know the Salvation Army recently was raising money for the Red Shield Appeal, and they did part of that trek. I think it was 60 kilometres they did in a day – a really great effort there raising funds for a very worthy cause. Another wonderful spot that is not that well known is the Pink Cliffs geological park in Heathcote. It is quite a unique environment there, with boulders and beautiful colours, and wonderful for photography, which we have heard about in the chamber today. There is a good opportunity to go and get a photo there, and there are some lovely bakeries and places that you can enjoy in Heathcote. Kerang has the stunning wetlands. I have got family in Kerang, so I enjoy walking around on the levee bank there, and it is really beautiful. I know that the wetlands there do attract a lot of visitors to the region, and that is very good for the local economy as well.

There are lots of opportunities to go and enjoy the snowfields. In the off-season you can go mountain bike riding. It is quite incredible how they hang them on the backs of the lifts and up they go. Sugarloaf is another place that you can visit. You can do some mountain climbing there. Many years ago, I did try some abseiling and just about panicked. I freaked out, as the rope went down a lot further than I had hoped. So yes, be prepared and go with people that know what they are doing.

Lake Tyrrell is a stunning spot to visit as well. That is at Sea Lake, and that does attract international tourists. That is beautiful. You can get amazing photos at sunset and sunrise. I think October is probably a good time of year to go there to get amazing photographs of the sunset or stars at night. There is just a very thin amount of water and some beautiful reflections. Of course we do have beautiful lakes and rivers in Victoria – so many of them. Boating and fishing are appreciated by many. Lake Eppalock is a great place to go. There is plenty to do there, and you can have a picnic on the side. I have certainly done that on Australia Day with friends and really enjoyed it. Bridgewater is another wonderful location. The Loddon River, I have certainly done a lot of canoeing down there and really enjoyed that and the swimming hole there, and of course there is the bakery you can visit in Bridgewater. That is a wonderful place to go. Eildon, Cindy McLeish would know well, has beautiful camping to be enjoyed there.

Melina Bath interjected.

Gaelle BROAD: Yes, certainly plenty of fishing – that is exactly right. The Murray River is another spot you can go. I know Peter Walsh is going to be going on a paddle-steamer very soon. They have got an event coming up, so I am hoping to be able to join them on that. I know gold prospecting gives another opportunity to get out into the great outdoors. I have mentioned my uncle Doug Stone before. He has written many books on gold and how to find gold with maps. You will see lots of different towns in regional Victoria, certainly in central Victoria, where gold is such an important part of the economy and attracts tourists from around the world to our region. We are very, very fortunate in Victoria to have a small state with such a diverse range of landscapes and outdoor environments. We have got beaches, we have got bays, we have got lakes, we have got rivers, we have got mountains and snowfields, we have got deserts and we have got the goldfields, as I have mentioned. But it does not matter what you get up to. It is good for you physically. It is good for your mental health as well to be out. It might be orienteering – there is certainly a lot of orienteering that goes on around Bendigo – birdwatching, fishing, walking, mountain bike riding, hiking. There is plenty to do.

We will be very pleased, the Liberals and Nationals, to move amendments to this bill. We do not oppose the bill, but we ask that these amendments be accepted. There are two sets of amendments, if we can have those circulated now, please. The intention of these amendments is to enhance governance arrangements, safeguard specialist expertise and ensure balanced outcomes across affected sectors. I do want to thank Ms Bath for her work on this bill. Over 150 stakeholders were consulted, including

fishers, hunting and sporting shooters, recreational users, the commercial fishing industry, public land management groups, traditional owners and primary industry associations.

I will just finish with a brief story which I think might entertain some people. My husband went hiking with a friend in the High Country. They were walking and very well prepared for their trip away, but it was pouring rain, and his friend started looking a bit unwell – quite unwell. He started looking almost a bit blue. He said, 'You don't look that well,' and the friend said, 'I don't feel very well,' and this continued on and he really started feeling not well at all. They sought some refuge in one of the shelters there, and then he suddenly realised that it was actually the dye from his brand new blue jacket that was coming down his face and causing him to go blue. After he found out it was just the jacket, he felt just fine. I think it is a lesson for us all – as I have heard before, life is 10 per cent about what happens and 90 per cent how we react. I think all of us would benefit from being in the great outdoors to improve our mental health and benefit us physically as well. We thank you for your consideration and ask for your support on the amendments for this bill.

Georgie PURCELL (Northern Victoria) (16:12): I move:

> That all the words after 'That' be omitted and replaced with 'the bill be withdrawn and not reintroduced until the government have conducted a full investigation into the regulatory failings of the Game Management Authority and put forward a model for a true regulator of hunting and fishing.'

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Environment, Minister for Outdoor Recreation) (16:13): It is a pleasure to rise to speak on the Outdoor Recreation Victoria Bill 2026. I want start by taking this opportunity to thank all members that have contributed to this debate. It has been quite a robust debate and I know a debate in which passions ran high. I want to thank everyone. Although I might not agree with everyone's contributions, I do appreciate the range of views, and I think it is a good demonstration of our democratic system at work that people can express their views freely, hold quite different views and come together.

I note last night, Ms Bath, you referred to my enthusiasm in taking over this bill from the previous minister. I can confirm I am genuinely pleased to have carriage of this bill. It is a really good bill, because we all know that spending time outside helps people connect with each other and with nature, while also improving mental and physical health and encouraging greater appreciation for our environment. A lot of the discussion has been about the conflict between outdoor recreation and the environment. I am standing here saying, no, I think they complement each other, because we need to protect our environment and preserve our environment so that people can get outdoors safely and enjoy the great outdoors.

Outdoor recreation plays a central role in the lives of Victorians, whether it is fishing, boating, camping, trail bike riding or horseriding. Victoria offers some of the best natural environments in the country and, dare I say, the world. This reform is about making it easier for Victorians to get out and enjoy the great outdoors while ensuring activities are conducted safely, sustainably and responsibly. Our focus is on ensuring our compliance and regulatory efforts are targeted where they matter most.

This bill builds on the strong work already delivered by the Victorian Fisheries Authority and the Game Management Authority. We are consolidating the Victorian Fisheries Authority and the Game Management Authority into a new statutory authority, Outdoor Recreation Victoria. Outdoor Recreation Victoria will retain the full regulatory responsibilities currently exercised by both agencies to continue oversight of recreational fishing, commercial fisheries, aquaculture and game hunting. This reform is about strengthening that system and not diminishing it. By bringing these functions together, we will improve co-ordination, align priorities and create a single modern authority.

We know that access to public land is critical to participation in the outdoors. Outdoor Recreation Victoria will work across government with land managers, stakeholders, commercial fisheries and communities to identify and address barriers to access and support more Victorians to enjoy the opportunities available on public land and waterways. This work will be supported by the

establishment of a Land Access Panel, providing clear, practical advice to government and creating a stronger pathway for community input into decision-making.

Outdoor recreation is a major contributor to regional Victoria, supporting jobs, driving tourism and helping communities grow and transition. That is why I was surprised by one contribution in this chamber earlier today by a member of the Liberals that was opposed to many aspects of the bill. Listening to their contribution, it was very disappointing because I feel that this is a bipartisan issue when it comes to outdoor recreation. But it is clear it is not so bipartisan in nature.

Recreational fishing and boating alone contribute billions to the Victorian economy and support tens of thousands of jobs, with game hunting and nature-based tourism also delivering significant economic value. This reform is about taking a whole-of-government approach to safe, sustainable and responsible outdoor recreation. It is not about any one activity or any one group; it is about the millions of Victorians who value time in the outdoors and ensuring that our systems support safe, sustainable and accessible participation now and long into the future. These are practical, responsible reforms that build on our government's record, supporting participation and making it easier for Victorians to get out into the outdoors – that is the goal.

Before I conclude, I do want to acknowledge the previous minister, Minister Dimopoulos, and his team, for the development of this bill. You would appreciate that, eight weeks into the role, I have come in and I have carriage of the bill in this chamber, and I am enthusiastic about the committee-of-the-whole stage that I understand this bill will be entering into. I think it is an important bill. It did come out of the Silver review, but it is clear that the previous minister had ambition for it to go a lot further, not just in terms of consolidating the authorities – that is the initial role, and that is what we are doing today – but obviously in the future there will be opportunities to add on other activities and other outdoor recreational opportunities to promote.

Georgie Purcell: On a point of order, Acting President, I have listened to a number of members say this and tolerated it, but I actually pointed out in my second-reading speech – and now the minister has done it – that I just think it is really important to make it clear this is not a recommendation from Silver. I think it is misrepresenting the crossbench.

The ACTING PRESIDENT (Jacinta Ermacora): I do not think that is a point of order.

Georgie Purcell: Statements in the chamber are meant to be factual, and I just ask that he does not elaborate on the Silver recommendation.

The ACTING PRESIDENT (Jacinta Ermacora): Continue, Minister.

Enver ERDOGAN: As I was saying, and as the previous minister stated in his second-reading speech, this is an opportunity to combine and consolidate the entities. It is about a vision for and strengthening outdoor recreation through this consolidation. They will have strong regulatory responsibilities but also expanded functions and a critical role in promoting broader participation, which we feel is very important because we know how positive these activities can be for people's physical and mental wellbeing. In that nature, I commend the bill to the house, and I look forward to the committee-of-the-whole stage.

Council divided on amendment:

Ayes (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (30): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Renee Heath, Shaun Leane, David Limbrick, 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

Amendment negatived.

Council divided on motion:

Ayes (30): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Renee Heath, Shaun Leane, David Limbrick, 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 (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Motion agreed to.

Read second time.

Referral to committee

Georgie PURCELL (Northern Victoria) (16:28): I move:

> That, pursuant to standing order 14.12(b), the Outdoor Recreation Victoria Bill 2026 be referred to the Economy and Infrastructure Committee for inquiry, consideration and report by 1 August 2026.

I think people probably expected this bill inquiry referral from me, but this bill is actually a really good example of a bill that should go off for inquiry. We have heard consistently throughout the debate that consultation on this was cooked by the government. I know it was not the existing minister; he inherited this diabolical mess. When I say there was no consultation, I do not mean that it was just the environmental and wildlife organisations and representatives who were not consulted at all; this also includes many from the fishing industry, particularly the commercial fishing industry, who have made their position quite well known to many of us, including me. I said earlier you know it is pretty bad when shooters and fishers are talking to the Animal Justice Party about what they do not like in a government bill that is clearly a gift to the gun lobby. I think given that it is clear this bill is going to be amended, it is going to have to go back to the lower house – the government, again, cooked this one; not realising it had a 1 July start date, they put it on the very last day before we adjourned. The lower house will be going home soon. We are going to amend this. We could actually use this period, while we wait to return it to the lower house, to actually hold a bill inquiry to look into it, because there are so many things about this that are just so unclear. I mean, anyone who has been in question time has heard me ask the minister questions about this bill every single question time since he became the minister, since this policy was announced, and those questions have not been able to be answered.

We are also hearing more and more that many believe that this bill does not represent what it is framed to be. I called a point of order about this before. I just want to make it really clear: this is not a Silver review recommendation. I am hearing many from the government say that. I think something we need to make clear as well is that this is Silver with the government adding a bit of mayo to that. They are adding mayo and blaming it on Silver. Silver never recommended promotion. We actually all support a big regulator. We think a big regulator would be a good thing, but that is not what this is. We would not be having this debate right now if we were improving regulation and compliance in this state. Outdoor recreation is more than blokes with guns and fishing rods. We have heard from so many people who love getting out in our outdoors that are frustrated to see the government continue to back these people in when it actually deters people from going in the outdoors for many reasons. Many do not want to be around firearms. When it comes to the duck-shooting season, even if you want to be on our wetlands, it is illegal to be on our wetlands. They are locked out by the laws, the so-called public safety laws that the Game Management Authority recently confirmed, despite constantly saying it was not so, are set up to penalise duck rescuers.

I think this bill needs to be inquired into and investigated more, because we have had some recent damning allegations about the Game Management Authority. As I said in my second-reading speech, the government could have previously said that Minister Pulford cleaned up the GMA post Pegasus.

Well, that is not the case. We have a recording from a Game Management Authority officer at a Field & Game meeting in Bendigo, coincidentally, this year telling shooters how to flout laws, telling them that they will turn a blind eye when they break the law, confirming they will be targeting rescuers and bragging about all the cases they are testing in the court so that they can set precedents to make it harder for us to do our volunteer work. This is incredibly concerning, and this bill gives those very same people – because the government has confirmed all jobs will be kept – even greater powers. It puts people's welfare and rights at risk, and the government is actually just not taking that seriously. When we have an authority admitting that they are using laws to target one group of people, we should all collectively be concerned.

I hate this bill. I am not asking for it to be struck out; I am asking for it to be inquired into. I think it will be pretty galling if the government says no to that, given we have this period where it cannot come into effect as they promised the stakeholders anyway. They are going to be very disappointed. They never let down the gun lobby, so I am looking forward to their response to that.

We have also heard, after Victorian Fisheries Authority officers were cut, through FOI that noncompliance has gone up. We cannot be giving these people promotional powers when noncompliance has gone up.

We have also taken amendments to the government that the minister's office admitted to me and, I believe, others really should go in the bill. We have picked up mistakes. I have not gone for the nuclear option with this. I found gaps and errors in the bill that should be in there that are not reflective of both industries. This is our opportunity to get it right. It is not passing tonight anyway, and I call on everyone to do the right thing and send this off to inquiry.

Jeff BOURMAN (Eastern Victoria) (16:33): First of all, I just want to clarify one thing. When Ms Purcell said shooters and fishers were talking to her, she did not mean me.

Georgie Purcell interjected.

Jeff BOURMAN: Anyway, there is a picture painted here that it is like Fallujah in 2004 – that you go out into the outdoors and there are bullets whizzing everywhere. It is just rubbish. Also, I have got to say that no-one really minded when George Bucchorn was running it and trying to target the hunters. It was all good then. I see this as a desperate attempt just to put off a bill that needs to get done today. Like it or lump it, the majority of the place –

Georgie Purcell interjected.

Jeff BOURMAN: Well, you are entitled to your opinion. We will see how it goes. But the bottom line is more people will vote for it than against it. That is democracy: you win some; you lose some. We just need to test it in the house, and if it passes, it passes.

Melina BATH (Eastern Victoria) (16:34): The Liberals and Nationals will not support but oppose this referral to the Economy and Infrastructure Committee. It is an interesting thing: when we vehemently oppose something, as we are allowed to in this place, we do everything in our power to take it away, as we have seen with the Animal Justice Party today. The arguments used for sending something to a committee can be completely ignored when at other times we have sought to do so, and I think Mr Davis sought to send something to a committee only recently that was quashed. So it is clearly on ideological lines, and there is that element and that is the Animal Justice Party's wont.

What I will say is that I did go nuclear on this bill and I did analyse it clause by clause, and there were quite a number of things wanting. I did send 150 emails out to people, a wide variety of people, and the commercial fishing sector were very helpful and expansive in their response. They did a nuclear line-by-line analysis of the bill, and the amendments that the Liberals and Nationals are putting on the table today are representative of those concerns that the commercial fishing industry had, and the best outcome is that these amendments have addressed their concerns. So to use them to send it off to a

committee – in actual fact that is fairly disingenuous from the start, because if the Animal Justice Party had its way, it would cancel us eating anything other than lentils, rice and beans. It would cancel –

Georgie Purcell: On a point of order, President, I just do not see how this is relevant to a procedural debate. It is an attack on me personally. It has got no relevance to a bill inquiry.

The PRESIDENT: If members could stick to the referral motion, that would be appreciated.

Melina BATH: The commercial fishing sector wants to flourish and wants to continue to supply high-quality locally caught, low-carbon-miles fresh fish to our plates and to our tables. They now feel adequately represented and that their concerns have been addressed in amendments. I want to make sure that we still look into this bill. As a result, it is not a useful guide to send it away anywhere.

The other point that is interesting is that the mover of this procedural debate spoke about men and guns. I think it speaks to the point that the speaker is not aware that there are women who hunt. There are women who shoot clay targets. There are women who use guns in farming, in pest control and particularly in hunting. Indeed I know that the Nationals' preferred candidate to replace Tim Bull is a hunter. She is a deer hunter, and she is indeed on the committee for deer hunting in Victoria. So to use a reference about men and hunting is only a small element of the debate.

Georgie Purcell: On a point of order, President, I think the member is misrepresenting me. I was actually talking about sexist abuse, which was specifically from men, and I really do not appreciate that being weaponised considering how distressing it is. We have just had a long debate about misogyny towards women in politics. I really ask that we can focus on the procedural debate.

The PRESIDENT: I do not think that is a point of order. I just advise members that the procedural debate is a debate around why people believe there should be a referral or not to a committee, so could people keep to that.

Melina BATH: I refute the comment. We are nearing the end of a very busy four-year period. All of our committees are highly busy still with inquiries. We do not need another inquiry, and so I will be opposing this referral.

Rachel PAYNE (South-Eastern Metropolitan) (16:39): I would like to rise to support Ms Purcell's motion to refer this off to a bill review. We are the house of review in this place. The committee process is there to look at legislation, particularly legislation that is contentious, to make sure that legislation is fit for purpose. I have listened to a lot of contributions in this debate around some of the evidence that was presented in the lead-up to this bill. When you look at some of the evidence around, in 2017 the government commissioned the Pegasus Economics report. That independent review found the Game Management Authority had not operated appropriately. The bill does nothing to address compliance within the GMA, and there is an opportunity here to make this bill stronger. We also want to make sure that the bill is fit for purpose when it comes to breaches of hunting laws, because breaches of hunting laws in Victoria are widespread. It is something that has been raised in this chamber on many occasions, not just in relation to this bill.

Essentially, the fundamental question here is that if the government is genuine about protecting and valuing wildlife and our ability as a community and Victorians to enjoy outdoor recreation, then the headline reform around this being a bureaucratic merger should be reviewed. It should be fit for purpose to ensure that it is reflecting biodiversity, protecting habitats, expanding recreational access and supporting communities. I think it is worthy to have a review of this. As a member of the upper house in this chamber and as part of the house of review, it is fundamental to our democratic process to allow these options.

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Environment, Minister for Outdoor Recreation) (16:41): The government will not be supporting this procedural motion. We view this as a delaying tactic, having another inquiry. The Economy and Infrastructure Committee is doing some important work. I know there are a number of

inquiries that fall into my other portfolios, and I look forward to those reports, especially at this part of the year. To ask them to do an inquiry into the creation of Outdoor Recreation Victoria I do not believe is needed, especially considering it is for the most part, with some minor revisions of scope, a large and administrative entity consolidation. I know, with the entities that are being consolidated, that some in this chamber have serious concerns about those entities. I think they have made that quite loud and clear, but there will be an opportunity to ask questions in the committee-of-the-whole stage, where we can debate and tease those out. I think the democratic will is that we should proceed today with this reform, a reform that I think gives us an opportunity to get something positive and make sure that we continue to have safe, sustainable and accessible outdoor activities available to all Victorians. We will be opposing this procedural motion.

Bev McARTHUR (Western Victoria) (16:42): I rise to oppose this procedural motion. I find it totally disingenuous that the chair of the Economy and Infrastructure Committee should propose another inquiry for that committee, when she herself moved that we could not proceed with the inquiry into transmission line infrastructure, which is one of the most egregious things happening across rural and regional Victoria. So many people are affected by it. The environment is particularly affected. Agricultural land is particularly affected. Farmers are particularly affected. Whole housing communities are affected. Airports are affected. A major inquiry needed to be conducted –

Georgie Purcell: On a point of order, President, committee deliberations are supposed to be confidential to those committees, and they are being discussed in the house right now.

The PRESIDENT: That is a fair point of order. I will caution people not to go into committee deliberations, unless of course they have been recorded. Also it might have been recorded in a particular report.

Bev McARTHUR: We were not able to continue with an inquiry into transmission lines because the committee was fully booked and there was no time. There was no time, we were all told, for the Economy and Infrastructure Committee to continue with any other inquiry, except what was on the books already. So to suddenly say the Economy and Infrastructure Committee has the capacity to undertake another inquiry, I find extraordinary. It clearly did not have the time to deliberate on a very important inquiry, and now you are proposing that this inquiry should take place. There is no need for this inquiry to take place. You can sit here for hours in committee questioning the minister about every aspect that you find egregious about this particular piece of legislation. I look forward to that committee process, and I am sure the minister will be available for the rest of the night and day, if necessary, to answer all the questions in relation to this particular piece of legislation. This is clearly just a delaying tactic, nothing else, and I think it should be called out for that. To say that you want it deferred to a committee for inquiry is not the way to conduct this whole procedure.

I think Ms Bath is totally right, we should proceed with debating the legislation in committee, and maybe you can provide better outcomes during the committee stages. You might well even be able to amend it further. The minister is a very agreeable chap; I am sure he will be very accommodating. I know Ms Bath has worked very productively with the minister to make sure that this piece of legislation is worthy of passing through this chamber, and I absolutely do not think it needs a committee of inquiry just to delay the whole process, especially when there was no time to conduct an inquiry into a very important aspect of what is happening in this state which involves the future of how we develop rural Victoria. So I, along with Ms Bath and the coalition, will oppose this procedural motion to refer this bill to a committee for inquiry, and I look forward to the debate in committee.

Katherine COPSEY (Southern Metropolitan) (16:47): I rise to speak in support of Ms Purcell's referral of this bill to a committee for inquiry. I reject what Mrs McArthur and Ms Bath have been saying about this being a delaying tactic. There are clearly problems with this bill. It is cooked. In its conception it has sidelined a number of important stakeholder voices, and in its form it continues to sideline important stakeholder voices. We have been contacted by a number of organisations that would have liked to have been further consulted and included in the creation of this bill and have not

to date, to my knowledge, despite having reached out to the minister, been included in that process. So I think on those grounds alone time to delay and examine whether this bill is fit for purpose would be advisable.

The other aspect that I think really needs to be examined is what the bill constructs in terms of its ongoing engagement. We have grave concerns about the form and the mechanism by which the Land Access Panel is going to function. We have got concerns about the lack of transparency, the lack of reporting and who is going to be on that committee. Again, I think that that is an area on which the government should have consulted far more widely. It should have produced and brought a bill to this chamber that is more fit for purpose, and an inquiry process would give us the opportunity to examine how that is going to function and actually fix it. The minister and the government have seemed, to me, to be a closed wall in terms of fixing that body and making it more fit for purpose. But I think that through an inquiry process we could hear from those stakeholders that feel that they have been excluded from the production of the bill that has been brought to the chamber, and indeed we could take into account the views of the hundreds of Victorians – thousands, I am sure, across the offices that are represented in this chamber – who have been contacting us saying that they deeply oppose this bill and feel that already their rights to nature are not respected and that this bill is going to make those matters far worse. So I think there are important voices that have been kept out of this debate so far, and a bill inquiry would provide the opportunity for the government to reflect and see whether they have got the balance right.

The other aspect of this bill that is deeply concerning is the definition of 'outdoor recreation' – or is that what we are calling it? Suddenly it is not going to be called that anymore. The limited interests that are represented in the government's definition of 'outdoor recreation' are very worrying. As I said in the second-reading debate, there are huge numbers of Victorians who enjoy activities in nature that are not part of the legislative definition of 'outdoor recreation' that this government is proposing. Those voices deserve to be heard and included, and they deserve a structure ongoing in which their rights to land are going to be respected.

Before my time elapses I also want to highlight of course that First Nations should have been consulted more deeply on this bill. It is shocking in a post-treaty Victoria that we keep seeing legislation brought before this Parliament that has not had adequate consultation with First Nations voices. What are you doing? It is all talk. It is shameful. For that reason alone – and there are so many reasons – we should send this to an inquiry so that those voices can be heard and incorporated into the government's thinking. It is extremely frustrating to be standing up day after day dealing with this same issue of First Nations voices not having been sought in the formulation of legislation.

There are, I am sure, problems with this bill. We have received a number of amendments. I know what it is like to try to pull amendments together at the last minute, but we have received a number of substantial amendments that I did not have a chance to review until they were tabled literally minutes before we commenced the votes on this bill. So we are going to have to do some work. I am not sure that we have got this bill right, just given the late hustle that is happening to try to amend it on the fly so that this desperate government can try to get a piece of legislation through and have one sitting week that does not go entirely off the rails. I do not think that is a good enough reason for us to be waving through and rubberstamping legislation in this chamber. We will be supporting the inquiry referral.

Aiv PUGLIELLI (North-Eastern Metropolitan) (16:52): I will just add some further remarks to my colleague Katherine Copsey's in support of this procedural motion to refer the matter to a bill inquiry. I will just also refute some of the comments that have been made by some of the other parties here in the chamber – firstly from the Nationals Party regarding this being an ideological matter for it to be referred off for bill inquiry. It is getting a little bit twisted. There are ideas here for sure about why this should be referred off, one being that this is a cooked bill – that has been made well and truly clear from many different speakers of different parties throughout the second-reading debate – but also the fact is that it is a rushed bill. In fact it has been so rushed that for some of the amendments that the Nationals member was referring to just earlier we had to filibuster the debate this afternoon because

they were not yet ready and we have not actually scrutinised them. So I think it is a bit disingenuous for some of the arguments to be made as to this being an ideological play. In fact, really, if anything, the political theatre existing in this moment is from the major parties, who are trying to rush this thing through without the proper scrutiny that it requires, given what it is going to mean for so many users and people who are trying to access our public spaces and our protected places here in this state.

The other matter is the accusation of this being a delay tactic that has been levelled against members of the crossbench. Again, this, to my understanding anyway, cannot pass the Parliament in the way that it is intended before we go on our winter sitting break, so I think it is disingenuous to say that this is a delay tactic. In fact we are going to be on winter break anyway. Let us use the resources available to us in the time available to us to scrutinise these matters properly so that we can properly deliberate on the far-reaching implications of what has been put before us. Further to the comments that my colleagues have already made, I support this going for a bill inquiry, and I think that is an entirely prudent use of our resources and time.

Sarah MANSFIELD (Western Victoria) (16:54): I too just want to lend my support to this proposal to send this bill to an inquiry. As we have heard, I think one of the key things that is problematic with this is that there are critical voices that have a genuine interest in this, and they are not peripheral to the impacts of this bill. They are people who are going to be directly impacted by it. Their livelihoods are going to be directly impacted by it. People who deeply care about these spaces and what effect this bill will have have not been included in the creation of this bill. I think an inquiry will not only give those voices an opportunity to have input and a say but will also help us dig into who has had input into this bill. Who are the voices who have been listened to? Why have they been the only ones that have been listened to? What are the motivations that have driven this bill? Who are the real vested interests here? Who has got the ear of the government? I think there are quite a few of us who have strong suspicions about who that might be, but an inquiry would help to shed some light on that. I think it is really important, if nothing else, for the public to be able to see that, to have the opportunity to ask the questions and to have the opportunity to really, really scrutinise this bill and who has been able to have input to it, who has been able to drive crucial legislation that is going to have long-lasting impacts for not just this narrow group of users who are seeking to benefit from it but for all Victorians for a long time to come. It is also for nature and our wildlife, which I think we have made abundantly clear, this government just does not care about. They do not prioritise it; it is an inconvenience. But we feel that an inquiry would be really beneficial to dig into those issues and shed some light for the public so they can see properly what the government has done with this bill, and it will hopefully also lead to some practical suggestions.

Georgie PURCELL (Northern Victoria) (16:56): I will just briefly take up some of the comments made in this procedural debate. It is pretty disappointing to hear some comments about private committee meetings and my reasoning as chair for a number of things. I suggest those who would like to know more about that look at the hearing attendance records of a number of MPs from the very party opposing that to see the very difficult position that I am in trying to run a committee and ensure that we can undertake our important work, which passes through the houses of Parliament first, as is the procedure.

I made some comments about how I chose not to go nuclear on this bill. I think they were taken out of context. I meant that there were a number of amendments I could have made to this bill just because I could. It amends the Wildlife Act 1975. I could have made a number of amendments to ban duck shooting, kangaroo shooting or wombat shooting, which is allowed in Victoria. I chose not to do that. I went through the bill and found things that could be improved – accepting the bill was going to happen and accepting I could not stop it – to put safeguards in that should be there and that are reflected in some industries but not in others. We will get through that in the committee stage. It is another reason why, given that it is not passing tonight, as many have said, calling taking it to an inquiry a delay tactic is what is actually disingenuous. Calling me disingenuous for wanting to improve this bill when I am already going to oppose it, I think, is actually really unfair. Saying that I am disingenuous

by talking about the seafood industry – again, that was me trying to cooperate and to collaborate. I actually had a number of representatives email me after my contribution and thank me for representing them, because they still feel left out.

This should be examined. We have the break period to do it, and I call on everyone to do the right thing, given it cannot take effect until after we come back from the break anyway.

Council divided on motion:

Ayes (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (31): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Shaun Leane, David Limbrick, 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

Motion negatived.

Committed.

Committee

Clause 1 (17:07)

Jeff BOURMAN: First of all, I want to say I am withdrawing all of my amendments. The Nationals will deal with the government and take whichever ones they are going to use, so at this stage I am clear of amendments, but I do have some questions. If I can, with everyone's leave, I will just do them all on clause 1.

Minister, on page 3, under the definition for 'outdoor recreation', I understand that (a) hunting and (b) fishing are the primary focus. Am I correct that the use of the word 'includes' means that the definition is not limited to the eight activities listed?

Enver ERDOGAN: Thank you, Mr Bourman, for a really good question, especially after listening to the debate earlier today. I can confirm that the word 'includes' means that the definition of 'outdoor recreation' is not limited to the eight listed activities. Therefore it is non-exhaustive.

Jeff BOURMAN: I suggest as we go through the night we will go into glorious detail about what they may or may not be. On page 4, on (d) under the definition of 'public land', can you just clarify that 'State Wildlife Reserve' includes the 200 state game reserves that are classified as such by the Governor in Council?

Enver ERDOGAN: The definition of 'public land' captures all types of public land on which outdoor recreation may occur, and I can confirm that includes state game reserves. Whether a particular outdoor recreation activity is permitted depends on the land type and any specific rules or regulations governing it.

Jeff BOURMAN: The 2016 audit of Victoria's state game reserves found that 69 per cent had no management plan, 90 per cent had no infrastructure – although, credit to this government, at least the signage has dramatically improved – and 48 per cent had suffered from encroachment by neighbouring landholders in the form of livestock grazing, cropping, firewood collection and, unfortunately, rubbish dumping. Did the government consider handing management responsibility of these reserves to the new Outdoor Recreation Victoria (ORV), where there could be a more appropriate management focus?

Enver ERDOGAN: No, this bill does not extend any public land management functions to Outdoor Recreation Victoria, and this was not considered in the development of the bill.

Jeff BOURMAN: That audit was conducted to set a benchmark. It is a little out of scope for this debate, considering what was just said, but will the minister direct ORV, with his environment hat on, to conduct a repeat audit now that 10 years have elapsed?

Enver ERDOGAN: Right at this moment there is no intention to repeat an audit. Nonetheless I will say that public land management responsibility for the state government game reserves sits with the Department of Energy, Environment and Climate Action (DEECA) or with Parks Victoria, and they would be primarily responsible for any audit of state game reserves. I am not aware of their plans to conduct an audit right now, but I am happy to follow up.

Jeff Bourman interjected.

Enver ERDOGAN: I am not aware if they are doing it right now, but I can follow up on that one.

Jeff BOURMAN: Moving on to division 2, page 7, and the objects of outdoor recreation, the commercial game-harvesting sector in Victoria is still in its infancy but plays an important role in the sustainable management of our wild deer and mitigating their negative impact. Was consideration given to helping support this important sector through ORV, given that the logic of it is so clear and that commercial fisheries are included?

Enver ERDOGAN: Outdoor Recreation Victoria will work to continue to promote and support sustainability and responsibility in game hunting, which may include commercial game hunting. The organisation will work with recreational and commercial game hunters to support positive outcomes through increased harvest of deer and the corresponding indigenous biodiversity and economic benefits. This may include avoided-cost benefits to farmers from the increased harvest of deer on private adjacent land. The specific role that Outdoor Recreation Victoria will play regarding commercial game hunting will depend on the needs of the sector.

Jeff BOURMAN: We are going to move on to appointment of directors, which is clause 21:

> (3) The Minister must not appoint a person to the Board if the Minister is satisfied that the person –
>
> (a) has a conflict of interest specified in section 25(1); or
>
> (b) is in a position or role that is not specified in section 25(1) that conflicts with the role of a director of the Board.

Anyway, I get the intent and the need to be wary of conflicts of interest – real, perceived or apprehended. The issue I see is that this clause could be read that really good and qualified people cannot apply to the board or the new authority. We do not want volunteers resigning from their positions on the chance they might get appointed to the board. Would it be correct to read this as meaning that persons who would be in positions stated in the clause could and should still apply to the board provided that they resolve the conflict – that is, resign from the board of a hunting association or whatever it might be – only if they are offered a position before they are appointed? And if that is not the case, what is the government's way of dealing with this issue going to be?

Enver ERDOGAN: I might just seek some clarification on that. I think I know the answer, but I will just get clarification from the box.

Mr Bourman, that is a really good question. People will be able to apply, but prior to appointment they would need to resign and resolve those conflicts. They can still apply prior to appointment. So they are allowed to apply, just to clarify for you.

Jeff BOURMAN: That is really good. That will mean there are all sorts of people that can at least have a go at it. Moving on to conflicts of interest at clause 25(1)(c), 'a senior or executive officer of a representative body'. This is to do with conflicts of interest. While this clause sits amongst the other clauses that all relate to commercial fisheries, it is not explicit that it applies only to commercial fisheries. Does this clause apply to all representative bodies or just commercial fisheries?

Enver ERDOGAN: The intention here is that this clause applies to Fisheries Advisory Council or Commercial Fisheries Licensing Panel members, holders of a commercial fishery or aquaculture licence or senior executive officers of representative bodies. That is who it is intended to apply to.

Jeff BOURMAN: The problem I see, Minister, is that in the not-too-distant past we have had a farcical situation where eminently qualified people were overlooked for positions on the Game Management Authority (GMA) board because of their close association with hunting organisations but an employee of the RSPCA was appointed. Does the representative body here include animal rights activist groups like the RSPCA, Animals Australia or splinter groups? From my personal point of view, I look at it like this: would you put an anti-vaxxer on the board of VicHealth?

Enver ERDOGAN: Although I see the angle that Mr Bourman is coming from, I think the representative body included here does not include groups like the RSPCA or Animals Australia.

Jeff BOURMAN: Just getting to the Land Access Panel thing here, this has to do with the advice that the Land Access Panel is going to give. Will the Land Access Panel be empowered to consider and provide advice to the minister on matters of its own volition, or will it need to be directed by the minister only?

Enver ERDOGAN: The Land Access Panel's advice will focus on ensuring positive outcomes for access for outdoor recreation, so the specific scope of the panel's advice is determined by the legislation and its terms of reference, as provided in the bill. So if it is broadly to provide a positive outcome for access for outdoor recreation, I see no reason why it could not initiate advice itself.

Jeff BOURMAN: For the moment, I am onto my last one. On the appointment of panel members, the Land Access Panel must consist of no fewer than six but no more than 12 members. The second-reading speech indicates:

> As Minister for Outdoor Recreation, I will appoint members to this Panel to represent a range of interests relating to outdoor recreation, including Traditional Owners, public land and waterway managers, ORV and external stakeholders.

It is good that there will be a range of interests represented. The missing piece that this is aimed at addressing is access for recreational hunters and fishers. Sure, 'external stakeholders' is a good catch-all, but will the minister commit that this does definitely include representatives of recreational hunters and recreational fishers?

Enver ERDOGAN: The Land Access Panel is about improving access and removing barriers to participation in outdoor recreation, and fishers and hunters are important stakeholders as part of this bill, as are other bodies and other groups as well, such as our mountain bikers, hikers and other users, so I am making sure that representation drives the best outcome. I guess the reason why we have not prescribed who is going to be on this panel is to allow flexibility. As we know, people's outdoor recreation interests may change, and therefore this gives the flexibility for the minister of the day to appoint a panel that is appropriate for the time. But of course, at this time, hunting and fishing are core interest groups in the outdoor recreation space, and I will be considering that. But I do not want to predetermine who is going to be on the panel and be too instructive here, because obviously it is subject to the passage of the bill, and I am always wary of that as well – predetermining an outcome.

Jeff BOURMAN: That was going to be my last one, but I want to kind of flesh this out a little bit, because there are some specifications in here. I have no problems with traditional owners, public land and waterway managers and so on, but they get a special guernsey. Given that this was originally Outdoor Recreation Victoria and it is now going to become fishing, hunting, whatever – I have forgotten what the name is because it is a new name – I would at least like a commitment that the government has a representative, not particular people and not particular organisations but a representative, from recreational hunters and recreational fishers, as there will be definitely specified people from other organisations or interests.

Enver ERDOGAN: I can confirm, obviously subject to process – and I think it is clear to say, especially with the new proposed name of Fishing, Hunting and Outdoor Victoria – that representatives or people with a strong knowledge of these sectors would be represented on that body.

Melina BATH: I will ask on clause 1 – if we need to drill down a little bit further, I am happy to do that work – in terms of the government functions, what will the functions be beyond fishing, boating and hunting? I am going to call it ORV at the moment before I move my amendments. Part of the philosophy we have heard is in relation to expanding outdoor recreation. What government functions will it have?

Enver ERDOGAN: That is a really good question. We have said from the outset that the goal is to promote growth and participation in outdoor recreation. The initial focus will be on fishing, hunting, boating, four-wheel driving and camping on public land before expanding to support other outdoor recreation activities. Some of those decisions about how that support is rolled out are, I guess, for the executive leadership of the new organisation when it is set up. The introduction of activities that are outside the scope of the Victorian Fisheries Authority (VFA) and GMA operations will need to be introduced in a phased and considered manner. I cannot today, to be honest, say this is the way they are going to do it, because when they set up the organisation they are going to have an executive team, a CEO and a new board. Once the organisation is set up and can be consolidated, I think the next step, the next iteration – it is going to be phased – will be to see how they can work to promote those activities. We want them to promote more outdoor activities. There are many outdoor activities that we know and have talked about. As I said, the list is non-exhaustive, but I do not want to give examples. Many of you have already given examples that I feel this organisation can play an important role in. I think the key, to be frank, in probably the first year of the organisation will be consolidation, because we are merging two entities together. Like I said, it is non-exhaustive, but they can do that work once that executive leadership team is set up.

Melina BATH: With other activities such as bushwalking, such as rock climbing, such as prospecting, such as mountain bike riding, such as horseriding and such as the other things that we have heard about as well, peacefully sitting on a piece of grass or whatever – and I fully appreciate that first tranche is to set this up – has the government done any work around that next round, or is it at the moment focusing on merging and establishing?

Enver ERDOGAN: The focus has been on setting up this consolidated entity at the moment. That is where a lot of the focus has been. I think you raised really good activities, and some of those, looking to the future, will have roles of varying degrees in this new entity. Some of them, to be honest, are quite self-sufficient, like bushwalking or, as someone gave an example of, birdwatching. They might not need as much assistance. But some of them will, and they will need promotion and embedded knowledge. That could be knowledge crossed over from this new entity that could be shared to other industries and other outdoor activities. But at the moment the real focus is on this consolidation, because we know this is quite a significant change for both organisations as they merge. You are creating a new entity with a new culture in place. I think that will be the key, getting that right.

Melina BATH: In relation to some amendments that I will be moving in due course, some of the feedback that I heard was in relation to concerns around clause 3, which talks about certain aspects. They felt concerned that they were not among those certain aspects – for example, non-motorised recreation, motorised recreational cycling, trail bike riding, prospecting and fossicking. I have mentioned horseriding and equestrian activities. I just need to understand that you did not purposely leave them off because you were excluding them, but it was because you were, as you said, doing a merger. What was the decision to have these listed in clause 3 rather than a more extensive list? Could you describe why that decision was made?

Enver ERDOGAN: I thank Ms Bath for raising all the other outdoor recreational activities that are quite popular in their own unique way. The goal was initially just to have a small sample, an example to put with the legislation, but it was always clear that it was to be non-exhaustive. We want the list to

be open to additions and in the longer term to be able to support other outdoor activities, some of which you have listed and some of which I will be accepting amendments for, which are quite sensible additions. But regardless, whether they are on that list or not, I do not think that is necessarily the future direction of the entity. After the consolidation happens, the goal should be looking at what can be phased in in a considered manner, but they will be decisions for the future leadership of that entity.

Melina BATH: Mr Bourman raised a very important issue, and I know the government has hung its hat on it in many ways, which is the Land Access Panel. The minister will know that we have got some amendments to do with the name and some slight alterations to the structure, but I am interested to understand, and it is a broad question: how will that Land Access Panel work? What will be the major achievements? How will you know that it is working, from the vision that you have as the minister?

Enver ERDOGAN: I think the Land Access Panel has been a matter that has drawn a lot of attention. I noticed that in the debate. But I think the goal will be that this entity, the committee of the Land Access Panel, will consider advice on barriers to restrictions to access public land and waterways for the purpose of outdoor recreation and recommend opportunities and practical actions to improve public access. The reason why it is important that we do have strong representatives from the bodies that are actually involved in outdoor recreation and people that understand the outdoor recreation sector is that they can advise on barriers and restrictions to the minister of the day. I think it is not a decision-making body. It is a body that could write to the minister of the day – or to ministers, I might say, because land management crosses over across different agencies – to provide advice and recommend opportunities and practical actions to improve public access. I might give just one example, if that assists, Ms Bath. It might consider matters such as whether road closures impede public access rights or access rights granted through Crown waterfrontage licence conditions and whether those rights are being enforced. They might pick up an issue because they are on the ground. These are people that really understand what is happening outdoors. They can give that feedback to the minister. I think that is an important function to reflect the sector's lens better and accommodate the views and complexities of public land and waterway managers and other stakeholders that can give those views across government, not just to the relevant minister.

Melina BATH: I appreciate those comments, and I am interested just to drop down another layer. You mentioned that they should very much have land experience and real-time experience and knowledge of the outdoors. One of the questions I asked in the bill briefing, and I am not verballing myself but recalling from memory, was: is there anything in this legislation as it is written that would stop the members of that Land Access Panel being, for example, bureaucrats or members of a department or other bodies rather than being, potentially, stakeholders and, as you just said, people with that practical knowledge?

Enver ERDOGAN: The way it is drafted at the moment, there is actually – I know you have described them as bureaucrats, but I think there is a potential role for land managers to sit on that panel. You might have a representative from, say, Parks Victoria, which is a good example with a lot of crossover with the outdoor recreation sector, sit on that panel. We are not restricting the make-up of the panel, to give the minister of the day the flexibility, because obviously at different times we may have different challenges. It might be appropriate to have a different public body represented as well as the sector on that access panel.

Melina BATH: I guess that is where the amendments that the Liberals and Nationals are putting forward look to make sure that there is a responsibility of the government, of the minister, to ensure that the majority of those people are not necessarily – whilst there are some fabulous bureaucrats that exist in this state, it could be 12 members of Parks Victoria. That is what the bill allows, I think, as it is now. So it is actually about expanding that to provide a very great breadth of opportunity to really capture the knowledge, skills and assessments of those different members.

Enver ERDOGAN: I might just seek some clarification on that.

Ms Bath, I thank you for sharing your concern in the chamber about that possibility. Of course that would be for the minister of the day, but that would be quite, I think, a poor decision by the minister, because the whole purpose of the access panel is to get a broader array of views. But I have accepted some of your amendments, just to clarify, so that we can make it clear that there will be strong sector representation as part of that panel. But I think the whole purpose of this panel is to get the lens of the sector and land managers too, and feed that back to the minister.

Melina BATH: In relation to the land management, will the access panel have land management powers? It is just an advisory body – is that correct? And I guess the other step in relation to that, if I could just park the land access: will ORV as an entity have land management powers?

Enver ERDOGAN: ORV will not have land management powers.

Melina BATH: I take it that the advisory panel is an advisory panel. Can you tell me how appointments are made? How would the panel members be selected? It is by the minister, but how is that process done?

Enver ERDOGAN: I think the goal will be to have appointments. It would be at the discretion of the minister. You would obviously want to have a range of views on that board – or advisory committee, let us call it, as it is an advisory committee – to understand the complexity of public land and waterways but also have a sector lens. But it will be entirely up to the minister of the day as to who is on that panel and what process they want to undertake, as is the case for many advisory committees. You may want to have a public expression of interest process, or you might have a targeted consultation process with representatives from bodies. I guess that level of detail is yet to be worked through, but I can say it would be my expectation initially to have at least expressions of interest and then go from there on who wants to be part of this committee.

Melina BATH: That is the interesting thing about this. If it is a workable panel, Minister, can you explain tenure and how long would someone be on that panel for? What would happen if there was a casual vacancy? I guess the way I look at it is that there could be a short tenure. The Land Access Panel could at some stage under the minister's direction have a feature or terms of reference around this particular part of Outdoor Rec Vic, but then it could move as it evolves. Is that something that you see happening?

Enver ERDOGAN: I think specific membership will be determined based on the expertise the panel is expected to need during the appointment process. Initially, because a lot of the focus is on the consolidated entity of fishing and game, to be frank, you would need representation from them. But in terms of the second part of your question, I might seek some guidance.

In terms of more detailed terms of reference for the Land Access Panel, the bill is silent deliberately to provide Outdoor Recreation Victoria the opportunity to determine its terms of reference. But I think, broadly speaking, the goal is that it has a sector lens and also a broader public land manager lens so it knows what can work to make sure that access to land and waterways for the purpose of outdoor recreation is supported and that restrictions are removed. But in terms of the more specific details about tenure and membership, that is a matter for Outdoor Recreation Victoria.

Melina BATH: I guess that leads on to my next part. Will ORV be responsible for the administration of the selection panel members? If not, who will be? Is it ORV, or would it be the minister's office, for example?

Enver ERDOGAN: As it would be providing advice to the minister, it would be the minister's office that would be responsible.

Melina BATH: The important part about this is the actual information that is sought by the Land Access Panel. Will the minister insist to land managers that recommendations of the panel are enacted by land managers if the information comes back? How will that process look, please?

Enver ERDOGAN: I think the view is that they could provide advice, but it would be up to the land managers or the minister whether they decide to accept that advice or act on that advice. They would be limited to just providing advice and not able to, I guess, force the change.

Melina BATH: For example, what accountabilities will there be for land managers who do not implement recommendations? Because you have gone to this work and you have selected Land Access Panel members who we will say are the best in the business for the job. They go and they do their research, and then you have got land managers. That could be Parks Victoria, it could be DEECA, or it could be a catchment management authority. What is the outcome of that, do you think?

Enver ERDOGAN: I think that currently already happens. There are not supposed to be any punitive consequences for organisations that do not take the advice of the Land Access Panel. Currently, as you know – and I think during question time you explored it – the Auditor-General and organisations always make recommendations to agencies, and it is really up to agencies or the government, whoever is responsible, to adopt those changes. This is a bit different because a lot of the advice would be obviously confidential, especially when you are giving advice to ministers and they would be covered by executive privilege. But I guess it would be on those agencies or responsible land managers what advice they undertake or if they decide to act on it. But there are many instances where agencies or bodies will not act on recommendations from external stakeholders.

Melina BATH: In relation to the Land Access Panel – they have had the discussions, they have made recommendations, the minister has considered them, the minister has acted on them and either something good has happened or not – at what level does the public get to see some of this? It might be about whether the gate remains open? How will this be displayed and conveyed in a practical sense to the Victorian public?

Enver ERDOGAN: The decision would be made by government – whether they decide to release that information.

Melina BATH: I would like to move on to costs now, and I am interested, first of all, in how ORV will be funded. You have got this new function, you have got the merger and you have got the funding of two separate authorities being merged. How will that be managed? And if it is now expanding in due course to encourage outdoor recreation, which we endorse, how will that funding occur for the new functions?

Enver ERDOGAN: The initial funding will just be the consolidation of existing funding that goes to the GMA and the VFA. But you do raise a good question about the longer term and other activities or if there were opportunities to broaden the scope. We do know that one of the benefits of this consolidation is that it can drive efficiency savings – shared accommodation, for example, and avoiding unnecessary duplication of IT investment. But initially, because the functions are limited to the VFA and GMA, we will just be consolidating the existing revenue with all the staff transferring over. But I think longer term, it will depend on the ambition of the government of the day. They would be funding questions for future treasurers and ministers.

Melina BATH: It is a conundrum that the minister has to solve, but you are also then taking two boards, two CEOs and two chairs and merging them. The process of choosing that will be the minister's, but when could the public expect that this new entity would be stood up if all things were flowing equally?

Enver ERDOGAN: Ms Bath, you are asking the difficult questions. I am always loath to give timelines on this work, but I can say that Department of Jobs, Skills, Industry and Regions is working towards this already behind the scenes. The goal would be of course this year, in the second half of this year, before this year ends and really sooner rather than later. I have kind of limited it to the second half of this year. Well, we are already in the second half, almost. After July, but realistically maybe September or October is a more realistic timeframe, or August. The goal is to get it day one, I am told, so as soon as the legislation passes and passes the other house. So the end of July would be the goal.

Melina BATH: How will ORV operate with new functions if there is no new funding until the next budget? The next budget is May. You have got setting it up, and you have got merging it. You have got all of those things, but then you are also looking to expand and ensure that there is greater promotion et cetera of outdoor recreation. If there is no new funding until May, how will the operations occur as is the theory and wont of this legislation?

Enver ERDOGAN: I probably answered some of that in my answer to your earlier question. Initially it is consolidation of the existing entities, so therefore there is no need for a new budget. But without holding the government of the next term to – once the ORV entity is set up, I am sure they will draw their ambitions of where they see, outside the existing remit, what else they could support. I am sure, like a lot of entities, they will put a bid in for this expanded scope to a future government of where they believe they could expand to. But we may find, like with any merger, that consolidation is not so straightforward. They might still be embedded and working towards that amalgamated authority even a year later, because it does take time to set up an organisation in terms of embedding that work. But of course if they were to expand the outdoor recreation activities a lot more, then they would have to ask for further budget funds and investment, noting that there might be some savings from removal of duplication. But for a bigger ask, it depends on their ambition.

Melina BATH: Do you feel that the creation of ORV will generate budget savings for the government? If so, in what sort of magnitude? It has been in the Silver review. They have talked about savings. What do you see happening there?

Enver ERDOGAN: We know that consolidation can drive efficiency savings. I gave an example of shared accommodation and unnecessary or duplicate IT investments that may be saved. But as a quantum, at least in the short term, I am not expecting it to be that large, because obviously we are just amalgamating and we are restoring their budgets. I think what it does do is unlock further opportunities, because there is overlap between the two industries and shared learnings, but in particular that will be a matter for the new entity to decide, how it wants to structure itself going forward and the executive leadership there.

Melina BATH: So we are coming together, and then you are going to seek to expand into a larger role. Will ORV be required to raise additional funds from external sources?

Enver ERDOGAN: No. There are no plans to do that.

Melina BATH: Will boating licences or boating registration fees go up as a result of this merger? Then I will do the same: will fishing licences and fees go up as a result of this merger? Will hunting licences go up under ORV as a result of this merger?

Enver ERDOGAN: In short, to those three questions: no. I think the goal is to, as I said, consolidate the functions and to support an increase in participation, but there is no increase to licence fees due to this merger.

Melina BATH: You will appreciate in a cost-of-living crisis where every cent counts – and we are certainly encouraging people to enjoy boating, enjoy recreational fishing and enjoy hunting – it is important that the government does not say, 'Well, we're going to rebrand things, and then we'll whack Victorians with a new bill or an increased costing as a result of this merger.' My question is: will the Recreational Fishing Licence Trust (RFLT) be used to pay for functions or activities outside of recreational fishing?

Enver ERDOGAN: I can confirm there will be no change to the current arrangements for the Better Boating Fund or RFLT associated with the bill. Therefore there is no change, and they will only be used for the purposes that they are used for at the moment.

Melina BATH: You have anticipated my next question, but I just want to get it on the record for better boating fun for all those fabulous people who enjoy boating in Victoria: will the Better Boating Fund be used to pay for functions outside of boating infrastructure? Can you confirm that?

Enver ERDOGAN: No.

Melina BATH: I am going to go on to the department now. In terms of the Department of Jobs, Skills, Industry and Regions, what role will DJSIR have in Outdoor Recreation Victoria once it is established?

Enver ERDOGAN: DJSIR will have the same role it currently has with the VFA and GMA, so the same relationship with the new entity – the same oversight role.

Melina BATH: Will DJSIR have any ongoing role in policy or regulation or compliance in Outdoor Rec Victoria?

Enver ERDOGAN: I think the role it will play is similar to the role it plays now. We are not envisaging a change of relationship. It is just that it is a new authority, which is a consolidation of the two existing authorities, so the same relationship.

Melina BATH: In relation to DJSIR, my understanding at the moment is it already has an outdoor recreation division within it. So what will the correlation be between the outdoor recreation division in DJSIR and ORV? What will happen there, because in many ways it sounds like there is a duplication, so I want to understand: will there continue to be ORV but also that division in DJSIR? What will happen to that entity?

Enver ERDOGAN: My understanding is that that area of DJSIR provide support to the minister, and they will continue to provide support. There is not specifically a duplication, so they will continue working as they do, but obviously there will be a new authority in place.

Melina BATH: I feel like this is PAEC. I remember in the Public Accounts and Estimates Committee you actually said very clearly, 'I look forward to having discussions about ORV in the bill.' In relation to that outdoor recreational division in DJSIR that assists the minister, can you provide a quantum or number of how many staff are working in there, and do you see any staff not needing to be there as a result of ORV's existence?

Enver ERDOGAN: Ms Bath, I feel like you are getting out of scope, because it is a better question for the department secretary, but I can confirm I think it is a modest team at the moment of 10 people, and they will be continuing in that role – 10 FTE.

Melina BATH: You started to mention this before, so if you could just provide a little bit more context, ORV is not about creating savings, but it is about driving efficiencies. I know you just said that. But what are some of these efficiencies that the minister sees could occur as a result of the combining of GMA and the Victorian Fisheries Authority? What are some efficiencies?

Enver ERDOGAN: Driving efficiencies will obviously be something for the organisation once it is set up. I think the obvious ones are just the sharing of accommodation, the duplication of IT and systems and even the training that they provide; I am sure they can amalgamate those. They are the obvious ones for me. Other efficiencies would need to be for the organisation to make going forward once it is set up and in the longer term, when they look at what they want to focus their energies on. I think the short-term savings that are clear are potential IT and accommodation savings and avoiding unnecessary duplication where there is duplication, but I am not expecting a lot of savings in the short term, because they are just going to be carrying on their functions and business as usual, to an extent, in the short term.

Melina BATH: You did mention 10 EFT. What is the staff structure in relation to that? How many executive directors and how many directors are there? It might be bands you can talk to me in. Are there five executive directors and five directors?

Enver ERDOGAN: I feel this is out of scope. I think we are getting into DJSIR's internal structure.

The DEPUTY PRESIDENT: Ms Bath, could confine your questions to the bill, thank you.

Melina BATH: I appreciate that, but I appreciate that it is about efficiencies, and I am concerned, as stakeholders have commented to me in relation to the creation of Outdoor Recreation Victoria, that in still having a division you are not actually removing duplication. So that was driving that in relation to the bill. Sorry, Minister, did you want to comment on that?

Enver ERDOGAN: No.

Melina BATH: Commercial fishers feel – and they have written to me, and I have had multiple conversations with different members of the commercial fishing industry – that they were left out of the creation of the bill and that they have been left out of the name of it, and they are quite aggrieved by that. It therefore forecasts that it was not in the vision of the government. I want us to go through and drill down into the bill per se. I think it is early on in the bill in relation to the Fisheries Act 1995 and the importance of our commercial fishing that the functions within the Fisheries Act are not changed. I would like you to drill down into that. I can ask a lot of questions, but might it just be possible for you to walk us through the commercial fishing industry not being in the title? As I said the other day, you became the minister in mid-April, so this is not your bill that you created. I know that you have been kind to the previous minister – I will just leave my comments – but the commercial fishing sector feel like they have been forgotten.

Enver ERDOGAN: Thank you for leaving it open for me to comment. I can say that clearly was not the goal. I think, as a government, we strongly support our commercial fisheries, and there is a lot of great work, as you are familiar with, from rock lobster fishers in Portland and abalone divers at Mallacoota to aquaculture operators in the Mallee and the High Country. Our government supports all of them and many others – Corner Inlet and Port Phillip Bay. The industry contributes to communities right across Victoria. I think the bill was focused on strengthening outdoor recreation, but it does not in any way remove or diminish the existing support for commercial fisheries and aquaculture, which will continue through established frameworks. I thank you for the discussion on this issue, and obviously the government will agree to some amendments – just to clarify that, if there was any misunderstanding there. I think our government and the Victorian Fisheries Authority work in partnership with industry to ensure they remain viable and sustainable, so therefore hopefully my answer can acquit some of your questions.

Melina BATH: Will this legislation impact anything in terms of the commercial fishing industry? Will it impact any of the current licences? Will it impact any quotas? Will it impact any of that finer detail? What will be the line of sight and the line of communication for the commercial fishing industry? When I say that, I mean both sea harvest and also aquaculture. That is really important in growing barramundi, and growing our own barramundi is a really important factor. How will that industry have a good line of sight under this new entity?

Enver ERDOGAN: Ms Bath, okay, you gave an example of aquaculture. It is already embedded within the legislative framework, so this ensures that aquaculture, for example, will continue to receive dedicated focus alongside strong environmental sustainability outcomes for the future. You will notice that clause 10 of the bill links to the objectives of the Fisheries Act, which include promoting sustainable commercial fisheries and viable aquaculture industries alongside quality recreational fishing opportunities. So because clause 10 links it to the objectives of the Fisheries Act, I feel that will continue as normal. I am not expecting a dramatic change in that relationship. I can understand that maybe the naming of the organisation or some of the wording may have caused some confusion or concern, but we are happy to clarify that today.

Melina BATH: Can the minister confirm that the bill contains no requirement to quarantine fees or levies so that they are reinvested back into the sector from which they are collected, and the funds may legally be redirected to hunting and recreational fishing? As I asked about in the beginning, each sector has its fees collected, and the word 'hypothecation' is an interesting one. But clearly the commercial sector invests a lot and they do a lot of amazing work. My point is: will their fees and

levies remain in the same structure that exists now? Notwithstanding that there may be a change well into the future, it is not the decision of government at the moment within this bill to change those?

Enver ERDOGAN: Yes, Ms Bath, I can confirm that there are no plans to change the existing arrangements in relation to those matters.

Melina BATH: Noting it would be fair to say – without putting words into your mouth, Minister – that there should have been a greater consultation with the commercial fishing sector, what is the government going to do now to make sure that that commercial fishing sector is more included in your discussions, decisions and stakeholder engagement?

Enver ERDOGAN: I think this consultation question is a really important one. I am expecting every person that stands to ask questions in the committee of the whole to probably ask me about it. But I want to put on record that this process did not go through a broad public consultation process as our view was that it did not impose any burden or cost on the public and it is largely administrative entity consolidation and a minor revision of scope. As minister, of course it is in my expectations, but irrespective of that, the new entity would be expected to have that positive engagement with all stakeholders, in particular the important commercial fisheries sector. It will be up to the new entity to do that work, to engage their stakeholder. As minister, I will be making the expectation clear to the new authority once it is set up. But the initial point of view – and it is difficult again for me to hypothecate in terms of the drafting of legislation because it was before my time as minister – was that there was not a public consultation per se because it does not impose any new burdens or costs on the public and it is a largely administrative entity consolidation.

Melina BATH: I fully appreciate public consultation is one thing and is important, and industry consultation is finite with the peak bodies and the stakeholder groups. I would like to hear that the government is going to be quite mindful, and present within that structure a focus on communication – or better communication – with those people that provide clear, fresh and good nutrition for us.

Enver ERDOGAN: I am obviously eight weeks into the role, but I am committed to seeing that happen. That will be one of my expectations once we have the new entity – for them to do that engagement piece with the commercial fisheries and of course make that engagement so that they understand that they are valued, if there have been some that do not feel that way. But I know the VFA is proud to have a strong relationship with all its stakeholders. Travis Dowling, the CEO, has a strong relationship across not just recreational but also commercial fisheries and he is someone that is well known. It is my expectation that he and the new entity and members of the new entity do that work. And as minister, my door will always be open.

Melina BATH: Can the minister confirm the restructure will not weaken existing rights or weaken existing management plans?

Enver ERDOGAN: Yes, I can confirm that it will not weaken any rights, as Ms Bath has put it.

Melina BATH: How will both the commercial sector and the aquaculture sector, which is also commercial but has got a different name in this bill and function, be considered in decision-making and have input into matters that impact them? And it also goes to some of my amendments that look at the board and the directorship of the board.

Enver ERDOGAN: The VFA currently provides for the management, development and use of Victorian fisheries resources in an efficient, productive and environmentally sustainable manner. I am expecting the new entity to continue that as per normal. And as a government we have supported aquaculture through the $1 million provided to promote the aquaculture industry and seek greater investment. We have seen the growth of the mussel industry as well, I guess, as a direct result of some of our investments and work with them, with mussel production exceeding 2000 tonnes for the first time in history in 2025. So I feel that we already have a strong relationship. I know some may have not felt that, and I do acknowledge that commercial fishing was not explicitly represented in the name

of the authority initially, but we are correcting that. But I think going forward, I am expecting them to continue that same relationship that they have had in the past with the VFA, with the new entity.

Melina BATH: This relates to now Better Boating, and we have been in communication with some of the members of that sector. The minister said that Better Boating funds will remain quarantined for boating-related purposes and will not be redirected to the broader outdoor recreation activities. Nodding. And you can say this in the next one: if the government says Better Boating arrangements are unchanged, why is that protection not expressly stated in the bill? How does the bill influence that?

Enver ERDOGAN: Those arrangements are under the Marine Safety Act 2010, and so that is not changed by this bill. Those arrangements about the Better Boating Fund are in the Marine Safety Act.

Melina BATH: Outdoor Recreation Victoria will be required to report separately. Will it need to report separately on boating infrastructure and funding expenditure and outcomes? This might be somewhat my ignorance: is the reporting on boating infrastructure funding, expenditure and outcomes in the Marine Safety Act, or will it be reported in this new entity?

Enver ERDOGAN: The funding arrangements for the Better Boating Fund will go unchanged. So the way they are reported now, they will continue to be reported in the same way.

Melina BATH: Naturally there is access into the great outdoors via jetties and marinas and parking, and maintenance is a really significant focus for regional Victorians, but not only regional Victorians – I have to put my metropolitan hat on as well. What safeguards are there in the bill to ensure that boating funds continue to support ramps, jetties, marinas, parking, maintenance and the like? Or the reverse – is there anything in this bill that changes or impacts those safeguards?

Enver ERDOGAN: No, Ms Bath.

Melina BATH: Can the minister confirm that commercial boating operators, marinas, boat yards, vessel operators, mooring services and Crown lease holders will be consulted with before making decisions affecting boat access or infrastructure – clearly not putting up a new post, but I mean fairly major infrastructure? Will they be consulted before these decisions are made, and what will that communication look like?

Enver ERDOGAN: Yes, I am expecting that to continue the way that the VFA does that work and the way the government does that with stakeholders all the time. We are expecting that to go unchanged in terms of the existing relationship they have with the authority. With the new authority they should have the same relationship.

Melina BATH: I would not be a self-respecting member of Parliament without lobbying for the Newhaven Jetty, which is very, very important. Apparently at the moment the Newhaven Jetty is going out to tender. The tender should be back by July or the end of this month. There is concern around the cultural heritage management plans. First of all, cultural heritage management plans are very important, and we need to protect our traditional owner cultural heritage and other cultural heritage. The concern is, first of all, whether it is warranted, because the renovations are actually going to occur above deck on existing structures – that structure is about 80 years old. Secondly, the concern is that when the tender document goes in, the successful tender will be responsible for administering the cultural heritage management plan but that cost impost may well be unknown. In the context of this bill and the communications that you are having, how will there be clarity so that these sorts of functions – jetties and the like – and upgrades are not stymied? How will you ensure that these flow and go while making sure that safeguards are there? I ask this in relation to this particular jetty.

Enver ERDOGAN: I thank Ms Bath for her interest in this matter. I did see you made a bit of public commentary on this issue, and I can understand that as a local member. I think the cultural management plan at Newhaven is really a matter for the Minister for Planning. She is responsible for these management plans. But I do understand your concern. There is a potential for delay, and there

can be delays for a number of reasons. But the decision around cultural management plans is a matter for the Minister for Planning, and I believe it is out of the scope of this bill.

Melina BATH: I have one more question on this. The Warneet jetties are really important too. They are in Western Port Bay. They were managed and the cultural heritage was managed by Parks Victoria, so it is now a different land management system. The jetties are managed by Parks, but we have to go and outsource this to the planning minister. You can see now from a very simple conversation where the layers of I will say bureaucracy are occurring. Would one of the functions potentially around the Land Access Panel be about looking at clearing ways where there is overt stymying of these sorts of great infrastructure projects? Is that something that could be considered by the Land Access Panel through this bill?

Enver ERDOGAN: I see no reason why the Land Access Panel could not comment on ways to increase access and participation or make recommendations to government and ministers, understanding that the Land Access Panel would be making recommendations not only to the outdoor recreation minister but to other ministers to assist in increasing access or limiting barriers to access. I think it is well within the rights of the Land Access Panel to comment on matters such as these also.

Melina BATH: Moving on, there has been a lot said around the authorised officers and compliance officers and the important role that they do in protecting sustainability and biodiversity. There has been a cut, as you are aware – not under your watch, Minister – of I think 44 per cent of the staff. Certainly some of those staff have gone on to other things; others lamented and were quite concerned that there had been this reduction. Will any compliance staff be universally used across both the fishing and game-hunting areas? Could you unpack that? That has already happened – or has it happened? What do you see happening, and how does that work when you have got fishing compliance officers, authorised officers, and now they may be working in game management? Could you walk the house through how that will look, what your concerns are and how you will overcome them?

Enver ERDOGAN: I think some of these matters are for the management of ORV or the new entity once it is created, about how they want to structure their organisation, because the goal here is about improving coordination, strengthening outcomes and making it easier for people to enjoy the outdoors. The goal here is not about any sorts of cuts. The approach here is about making sure there is regulatory consolidation that can provide benefits. But how that will happen – like I said, I am not a member of the executive of the new organisation. I am the minister. We are going to staff organisation, but I am sure the new CEO and new entity will have a plan of how they merge and share their expertise. I think it is a great opportunity, with those kinds of shared expertise that the authorising officers in the two different entities could bring.

Melina BATH: Part of that is around costs. Will there be costs, and what will that look like? Are there any policy decisions and focuses that you have as minister in relation to upskilling authorised officers from one sector into the other, and what time lag do you think there will be? Clearly when there has been a cut, people want to be assured that there is adequate coverage. Indeed, some of my amendments talk about making sure that there is consideration given to the roles and functions of authorised officers in doing this compliance and education work.

Enver ERDOGAN: I think it is important to understand that at the beginning, all existing employees will transfer to the new regulator in the same positions, on the same terms and conditions. There is no change to their employment conditions. Of course in the long term the executive leadership team of this new entity might want to look at their structure, look at the skill sets they believe are forward looking, where they see the best skill set. But I think that is a decision really for that executive leadership team of this new entity. As the minister, as you know, I very rarely would get involved in day-to-day operations. I have always avoided that, because that is for the executive. As minister, it is more to set the policy framework and the legislation, and that is what we are doing today.

Melina BATH: How many authorised officers will ORV have on commencement, and will their deployment be reported publicly?

Enver ERDOGAN: All the staff will transfer across, I think – yes.

Melina BATH: An unidentified number of them will transfer across. I take it that you are not going to be forthcoming in the number – or could you take that on notice? Will their deployment be reported publicly? How will people understand where they are? Is that something that you can take on notice and get back to me about or is it something that you are not keen to have a conversation about?

Enver ERDOGAN: I will take that on notice. Ms Bath, we are really getting into more the organisational detail, and some of those questions will be for the future leadership. I think all the existing staff are transferred across. Once the entity is set up, they will look at what they see as the future more broadly in terms of the structure they want to operate under, but initially it is just consolidation – the two entities, all the staff and all the functions to be transferred.

Melina BATH: Let us move to the GMA. The current GMA contains specific advisory functions around game management, pest control and declaring public land open or closed to game hunting and seasons and bag limits. That is part of the role of the GMA. The bill appears to deal with advice in a broader and more generic way. What assurance can you give that the bill will retain this specific game management advisory capability – that intel that it draws now? Because clearly it is really important for hunters to have confidence and for Victorians to have confidence in relation to the functions of the GMA coming over.

Enver ERDOGAN: I have almost the same answer as to your previous question: all the staff and skills and expertise are being transferred across, so we are not expecting a loss of any of that. It is my expectation that they continue to do that important work, which is so important to the public.

Melina BATH: I have been contacted by prospectors and fossickers. They have been around since, I do not know, the Ballarat goldfields came into being. They have written and said that they are quite frustrated that they were not included in the bill. Considering that in previous bills we have seen the formation of new national parks and the closure of their access to the Wombat now-national park, can you, Minister, explain how you are going to assure – because if I ask why they were not included, you will say, 'It's just the merging of those two bodies' – people like the prospectors and fossickers that they are not an afterthought now and that they are still a focal part of government embodying the importance of outdoor recreation?

Enver ERDOGAN: I think just going back to the earlier principles, we want people to be outdoors and enjoying outdoor recreational opportunities. That is why there is a promotion function. That is probably the biggest change to the entity. We want them to promote all outdoor recreation. But how that work is undertaken is for the new entity to consider, because their initial focus will be on the consolidation.

Melina BATH: Just a couple more on the prospectors and miners: again, the long-term vision for this entity is around expanding and the creation of more opportunities. But will the minister guarantee that prospectors and miners will be consulted in terms of land access and state forest and proposed changes to parks? How will Outdoor Rec Victoria prioritise the communication with stakeholders such as prospectors and fossickers?

Enver ERDOGAN: I think, Ms Bath, we are getting into a lot of detail about the future. Initial consolidation and how that communication to the broader outdoor recreation community is undertaken are for the future leadership of Outdoor Recreation Victoria and their board to consider in how they do their promotion activities.

Melina BATH: On page 17, on the appointment of directors, you have a very important issue, which the Liberals and Nationals endorse: knowledge of First Peoples culture, community leadership and perspective. That is about the directors, and we will talk more about the directors. I have

amendments in terms of the directors there. I want to understand, in addition to that line and that particular part of the bill, that the government is inclusive of and encouraging First Nations people to ensure that they have equal access and equal rights to fish, hunt and be part of the directorship of this new entity, that there is nothing curtailing them. Indeed will the minister assure the house that First Nations people are very integral in outdoor recreation, hunting, fishing et cetera?

Enver ERDOGAN: Yes, I can confirm that. Once the entity is set up, that entity will definitely be seeking early engagement with Gellung Warl on the operations of outdoor recreation. It is something that I will be expressly listing in my statement of expectations.

Melina BATH: In addition to that entity we have a lot of land corporations, we have traditional owner groups and we have reconciliation action plans. I put it to you in that context: are you only going to speak to that entity? We have Gunaikurnai Land and Waters Aboriginal Corporation in my region, and just to name a few, there is Dja Dja Wurrung. You are not limiting your conversation to that – could you confirm that?

Enver ERDOGAN: Yes, I can confirm that.

Melina BATH: There are people in the debate here who would say that our Aboriginal Victorians, our traditional owners, are very concerned about this bill, are concerned about hunting and are concerned around a range of things in relation to this new legislation. I have an elder of the Dja Dja Wurrung; his name is Uncle Rodney Carter, and he is highly respected. Uncle Rodney is a hunter, and he is a great clay target shooter as well. In our duck inquiry back a little while ago, which was tabled in 2023, in our hearings, in relation to the opportunity to hunt he said:

> I think – with the brilliant respect that the state has afforded First Nations people – that my descendants and I will enjoy hunting for all time. If the inquiry and the government can somewhat see it in their mind to afford other Victorians the opportunity – and visitors to our homelands – to be able to enjoy something similar, I think truly it can be managed.
>
> …
>
> I think more broadly to the importance of being a hunter – a hunter as such holding a very significant place within society, within a family, as a provider of sustenance to people. We also describe in the submission the importance for us as First Nations people – but extending that to us as humans –

he was being very humanistic about this, which was really so dignified and much appreciated –

> of the need for us actually to be in landscape, to be at place, to be connected …

I thank Mr Carter for that commentary. I am just confirming that you do not see anything in this bill that will limit, that will sideline or that will remove First Nations people from being fully engaged in Outdoor Rec Vic, from hunting, from fishing or from outdoor recreation.

Enver ERDOGAN: No. In line with the government's commitment to treaty, the new entity will seek early engagement with the Gellung Warl but continue engagement with traditional owners. The VFA, for example, as you will be familiar with, has already engaged with Gunaikurnai Land and Waters Aboriginal Corporation to seek funding opportunities to expand their partnership in Sydney rock oyster aquaculture in Gippsland. The VFA has also partnered with the First People of the Millewa-Mallee Aboriginal Corporation and the Barapa Barapa committee on wetland restoration through the stocking of indigenous fish species. No is the short answer, but I am saying there is already good work happening and obviously we want to see that grow.

Sitting suspended 6:30 pm until 7:31 pm.

Katherine COPSEY: Minister, can you please identify the conservation, national parks, wildlife protection and animal welfare organisations formally consulted during development of this bill?

Enver ERDOGAN: I feel I answered that in an earlier question from Ms Bath, but it is an important question so I will reiterate that the bill has not gone through a public consultation process

as, in the government's view, it did not and does not impose any burden or cost on the public. It is largely an administrative entity consolidation with some minor revision of scope. Therefore none of the conservation groups, for example, that you listed have been consulted, because there has been no public consultation.

Katherine COPSEY: Minister, you accept that this legislation will affect the interests of those groups and the cohorts that they represent, don't you?

Enver ERDOGAN: I accept that the existing entities that have been consolidated affect those interests. Therefore the new entity will also.

Katherine COPSEY: I am speaking generally about people's use of land and their access to land and, for all of us, the lands that the decision-making body, which this bill brings in, will affect and the interests that are going to be affected by its operation.

Enver ERDOGAN: We need to clarify that this is not a decision-making body. It is an advisory committee that can give advice. Ms Bath was pressing me on whether there would be consequences if government departments or ministers did not accept that advice, and there will be none. There is no penalty. It is just an advisory committee. The minister of the day, ministers or departments can decide to accept that advice or they can decide to not even respond if that is what they think is an appropriate response. Therefore it does not affect anyone's rights. It is more about providing advice around access and for people that enjoy outdoor recreation.

Katherine COPSEY: I have got a quibble. The new authority is going to be operating based on directions provided, and the advice of the Land Access Panel is going to affect the rights, as you just said, of people to access land. It could affect, for example, the extent of the shooting season, which is going to affect people's ability to be on wetlands in public lands in Victoria. It seems a bit disingenuous to say that that is not an interest that is going to be affected.

Enver ERDOGAN: I just want to reiterate that it is not a decision-making body. Of course that advice does have the potential to influence decision-makers, but in itself it will not be making decisions. Like all decision-makers, the land managers in particular will need to balance out the existing biodiversity, conservation and other environmental values that they place on land. That already happens, to be honest, at the moment, but this just provides a more streamlined panel to give that advice to the minister or to government departments as needed.

Katherine COPSEY: The second-reading speech on this bill specifically records support from recreational fishing and shooting organisations. Why does it not identify any conservation or wildlife organisation that supported the bill?

Enver ERDOGAN: I can address that. I understand that through the consolidation of the VFA and GMA they had some targeted engagement with their stakeholders, but the government did not undertake any public consultation. They would have been the existing direct stakeholders of the VFA and GMA that would have been informed about the government's decision to consolidate these entities post Silver review. Therefore there was no broad public consultation. It was only because of the VFA and GMA that they engaged with the existing stakeholders to let them know that this is happening.

Katherine COPSEY: A number of key stakeholders have said that they have sought to provide feedback through your office on this bill but the requests to your office were not accepted, with what I would say is a platitude that this bill is machinery of government and therefore stakeholder consultation was not required. Do you dispute that account?

Enver ERDOGAN: It is difficult for me to, obviously, comment on. I would say that the bill itself was drafted by the previous minister's office, and I can only comment on my office. But since taking the bill, the bill had already been introduced in Parliament, and it was my goal to not have a public consultation upon getting the portfolio because it is largely an administrative entity consolidation.

Katherine COPSEY: But you have shared with the chamber that some organisations were consulted in a limited fashion by the GMA itself.

Enver ERDOGAN: I think they were engaged because the VFA and GMA are being consolidated into this new entity, so they had to inform the organisations that directly deal with them on this basis. I think they were obviously informed of the government's intention, but more broadly the focus has been on the consolidation of the two entities.

Katherine COPSEY: Were the Victorian National Parks Association (VNPA), the Wilderness Society, Wildlife Victoria, BirdLife Victoria, the RSPCA, Animals Australia or the Invasive Species Council given a draft of this bill before it was introduced?

Enver ERDOGAN: No, Ms Copsey.

Katherine COPSEY: Why were organisations representing hunting and fishing interests apparently better informed about this proposed structure than organisations responsible for protecting parks and wildlife?

Enver ERDOGAN: Like in my answer to your two previous questions, because they were directly affected by the VFA and GMA consolidation. I understand VFA and GMA informed their direct stakeholders to seek their views, but the government had decided to consolidate these entities.

Katherine COPSEY: This bill goes beyond what you are describing in consolidating these two entities. It does that, and it also sets up a new advisory panel. Is it seriously your contention that this bill will not affect the interests of the other people outside the named outdoor recreation stakeholders that you have chosen to engage with? Is it seriously your contention that no-one else will be affected by this bill?

Enver ERDOGAN: No, that is not my contention, because those stakeholders, some of which you have named, are already affected by the GMA and VFA. Therefore they are affected in a similar way to how the existing entities affect them. I say that they will not be greatly affected in a much different way than what they are already, so it is mainly the status quo, just a consolidation.

Katherine COPSEY: Minister, you have not answered my question in relation to the establishment of the Land Access Panel and its effect on people's access to land in Victoria.

Enver ERDOGAN: Ms Copsey, the Land Access Panel is an advisory panel. It is not a decision-maker. It will provide advice, and it will be up to the minister to either accept or reject that advice. It does not even provide a requirement to respond to that advice. It is not a decision-maker, and therefore, like many groups that provide advice to ministers and government, it will be no different. It will not be a decision-maker.

Katherine COPSEY: Please, then, Minister, enlighten me as to what the purpose of the Land Access Panel is.

Enver ERDOGAN: I think the purpose is that the make-up of the panel will be important to alert the minister of the day or other agencies and land managers of some of the challenges with access to outdoor recreation. I think there was an example I provided earlier about the potential for roads that are not necessarily appropriate or where people have put up fences where they should not have, so genuine issues with access to land. It is to highlight them to the government of the day. But again, they are not a decision-maker, and the decision will be left to government or the relevant land manager to make, balancing all the other considerations.

Katherine COPSEY: So, Minister, just to reiterate, you are aware that the GMA has undertaken limited consultation with bodies that it commonly deals with – namely, shooting interests – but you have deliberately not engaged with the wider group of conservation, recreation, wildlife protection or animal protection bodies because you view them as being unaffected by this bill?

Enver ERDOGAN: We view that this bill does not impose any additional burden or cost on the public broadly and is largely administrative, and therefore there has been no public consultation by the previous minister's office in the development of the bill or since the introduction on 2 April.

Katherine COPSEY: It is fairly astounding. Do you believe or does your government believe that traditional owners have a deep and unique relationship with country?

Enver ERDOGAN: Yes. That is why we support treaty.

Katherine COPSEY: Why is that deep and unique relationship with country not reflected in the principles of this bill?

Enver ERDOGAN: Ms Copsey, you would understand that engagement of traditional owners is not limited to a single provision in legislation. I would say it is a whole-of-government effort, and the expectations of the new entity Outdoor Recreation Victoria to engage with First Peoples and traditional owners in a cultural, respectful and inclusive way that supports treaty and self-determination were highlighted in the second-reading speech. It is an expectation that the new entity does that work, and earlier I gave good examples of how the VFA already does that engagement, for example, and that engagement obviously is carried on to the new entity. But there was not broader public consultation because it is mainly a consolidation of the existing entities at this point.

Katherine COPSEY: So just to confirm, no consultation was undertaken with traditional owner groups during the drafting of this bill?

Enver ERDOGAN: No.

Katherine COPSEY: Was the Federation of Victorian Traditional Owner Corporations contacted or engaged at all before the bill was introduced?

Enver ERDOGAN: I can confirm no, in relation to the bill. I can answer that there has been targeted consultation from the department about establishing the board of the new organisation, but not on the bill.

Katherine COPSEY: By that you mean the board of this new authority we are presuming will –

Enver ERDOGAN: If it passes, that is right, but not the legislation.

Katherine COPSEY: It is my understanding that the Federation of Victorian Traditional Owner Corporations wrote to you on 11 June 2026 seeking to share their feedback and engage with you on this bill. Have you responded to their letter?

Enver ERDOGAN: I do get a large volume of correspondence. I will just check with the team.

Being from 11 June, I understand that we have received and we are considering that letter. You can understand that was only a few days ago, but of course I will be responding.

Katherine COPSEY: So you are bringing the bill through the house but not accommodating any of the feedback that has been given to you by the Federation of Traditional Owner Corporations, and you have not responded to their letter.

Enver ERDOGAN: We will be making clear in my ministerial expectations that the new entity will engage with traditional owners and First Peoples. That will be my expectation if this legislation passes today, and that letter will be informing that ministerial expectation development, if this legislation is to pass.

Katherine COPSEY: So trust you – great. Minister, why are traditional owners not involved in decision-making processes for their country? Or, sorry, using your framing, why are traditional owners not involved in advisory processes for their country or considered a relevant group under the bill's principle of equity?

Enver ERDOGAN: It is the intention to have a representative on the Land Access Panel, but that is not enshrined in legislation. It will be a decision for the minister of the day. But it is my intention.

Katherine COPSEY: Does the government recognise that traditional owner communities have an ongoing role in the management of Victoria's natural resources?

Enver ERDOGAN: Yes.

Katherine COPSEY: So why is this not made explicit in the bill?

Enver ERDOGAN: They are not excluded, but because the bill is largely an administrative consolidation of the existing entities, they are not in the drafting but they are not excluded from it. There is obviously going to be an expectation that the new entity will do that engagement work.

Katherine COPSEY: Was the First Peoples' Assembly given an opportunity to comment on the bill before it reached the Council?

Enver ERDOGAN: No.

Katherine COPSEY: Clause 8 of this bill requires what is called ORV in the bill to work with land, waterway and coastal managers and public sector bodies. Why are traditional owner corporations not expressly included in this section?

Enver ERDOGAN: There is no basis for exclusion, and it is my expectation that they are consulted.

Katherine COPSEY: So how will that expectation be made clear to this new body? If it is not enshrined in the legislation, what undertaking are you prepared to give in order to make sure that that body is aware of your ongoing intention that they be consulted under clause 8?

Enver ERDOGAN: In line with the government's commitment to treaty, we will expect that there will be early engagement with the Gellung Warl in relation to the new entity, and I will be putting those expectations in writing via a minister's expectations letter.

Georgie PURCELL: I will start with one that probably will not be a surprise to you. I did seek a response to this in the briefing, and it just was not adequate. As you would be aware, an independent inquiry into the Game Management Authority found that the GMA 'slides into, advocacy and promotional rules that conflict with its responsibilities'. As a regulator, how does the government reconcile legislating the conflict of interest the same government under a different Premier attempted to stamp out?

Enver ERDOGAN: I thank Ms Purcell for her question, a really good question all about good governance and structures in organisations. Of course when you consolidate entities and where there are both promotion and regulation functions, there is always a risk of conflict, just as there is when there is commercial benefit or otherwise. I think we see that there are very good examples across government where entities can do this work. WorkSafe Victoria is a good example: they provide safety at work, but they also regulate and prosecute wrongdoing. The VFA already have these powers. It is my expectation that they will have workstreams where they separate the regulatory and promotional work. Obviously it is a matter for the organisation to have those structures in place, but it will be made crystal clear when the organisation is up and running that they can separate these duties. I think the VFA is a good example, one of the entities that is being consolidated here, that that work can be done.

Georgie PURCELL: Minister, you mentioned the VFA as a good model for this. Since the government cut almost 50 per cent of fisheries officers, noncompliance has gone up significantly. Meanwhile the VFA was in here yesterday undertaking promotional activities. Can you please explain in more detail how they are good at this when noncompliance is up and money is being spent on promotion?

Enver ERDOGAN: I reject the premise of the question. But I think, like I said, WorkSafe is another example. WorkSafe does a good job – a difficult job, I might add – of promoting workplace safety and then also regulating the workplaces that do the wrong thing. So I think it can be done. There are many other examples. The VFA was one that I pointed to, and the VFA do that work. They do a great job of promoting fishing – and we know record numbers are fishing – and they also regulate fishing. So it can be done. It is about having the appropriate workstreams and internal structures in place. Many organisations can do it successfully, and I am confident that the new entity, Outdoor Recreation Victoria, will be able to do that.

Georgie PURCELL: Minister, you rejected the premise of my question. I have an FOI from the VFA that indicates noncompliance has nearly tripled since the recent restructure took effect. Currently almost 30 per cent of inspections conducted by the remaining fisheries officers identify breaches of fisheries regulations. I would have been happy to share this with you – of course you did not engage with me on this bill – so I put that question to you again.

Enver ERDOGAN: And I will answer it again – that is, that these structures can be put in place to make sure there are different workstreams so that the regulatory side of the business or the business unit, so to speak, is separate from the regulatory arm. These are quite common in a lot of corporations that do a lot of work, as well as in public entities, so there is no reason why this new entity cannot embed that into their practices.

Georgie PURCELL: I am not meaning to be tedious; I just feel the question was not answered. The VFA was used as a model, a gold standard, of how promotion and regulation are done right together. But how can you say that when noncompliance has gone down at the VFA and money is being spent on promotion instead?

Enver ERDOGAN: That is what you are alleging, Ms Purcell, but I think in the end, for compliance, there are a number of reasons why people's behaviour could change. But ultimately they are an agency that is able to do both promotion and regulation together, and they do that broadly well.

Georgie PURCELL: We hashed out the Pegasus report a little bit in question time, and I would hope that you have read that report since then, because it was clear that perhaps that context and history was not known, just like it was not for many members in this place because they were not here at the time. Of course that found that hunting noncompliance was commonplace and widespread and that GMA officers were turning a blind eye to breaches of hunting laws while penalising rescuers. Up until recently the GMA probably could have said they stamped that out, alongside the government, but of course in March this year a GMA officer was recorded speaking at a Field & Game meeting telling breachers how to flout hunting laws and how to take children on the wetlands around firearms, which is of course incredibly unsafe and not recommended, and stating that they specifically use laws to target rescuers, despite the fact that the government and the GMA have consistently denied that claim. Have you asked the GMA about this? Have you launched an investigation? Did you speak to them about these allegations?

Enver ERDOGAN: I can confirm my office of course asked the authority about incidents such as this. Nonetheless I think, and you reference the Pegasus report, this is a report that is quite dated now. It was a different time, when there were many fewer authorised officers in the workforce. Since that time the GMA has grown substantially, and I do not think it is fair to point to one action of one officer and tarnish a whole organisation. I think overwhelmingly since the Pegasus report the GMA's education and testing and regulatory reform, such as mandating the collection of all harvested birds, is a lot better than it was in 2017. That is a long time ago – almost a decade ago to now – and it has grown substantially. ORV is actually another opportunity – this consolidation – where the best practices from both entities will be able to be combined, and they can learn off each other.

Georgie PURCELL: It makes me incredibly fearful because I am not sure there are any good practices in the GMA to learn from. But my question was not, if you speak to the GMA, about these

instances. Did you speak to the GMA about this instance, not from the date of the Pegasus report but from March this year?

Enver ERDOGAN: I can confirm that my office has spoken to the GMA about this incident.

Georgie PURCELL: Did you?

Enver ERDOGAN: No.

Georgie PURCELL: They are very serious allegations. Why is that the case?

Enver ERDOGAN: Because my office, being my representative, had spoken to them.

Georgie PURCELL: Did they launch an investigation? Is the GMA having an investigation? Is there any action being undertaken in light of this recording?

Enver ERDOGAN: I need to be very careful about getting into individual incidents. There are a whole range of privacy and employment laws in place, so I do not think it is appropriate to comment on an individual incident of what may or may not have occurred. I have already said it in the chamber before – I watched the recording, and I think I expressed my view in this chamber before – but I am not going to be in this place commenting about individual employees of an organisation. I think that is for the organisation to do. I have confirmed with you that my representative, as my office, have spoken to the GMA about this issue, but I do not think it is right or really in the scope to go into individual incidents.

Georgie PURCELL: To be clear, I am not talking about individual employees. In fact it would not be my request that this person loses her job because of a cultural issue, which is exactly why I have not spoken about the individual, even though I know who it is. I am asking if there has been any discussion about the culture at the GMA, because this recording, while it is from one individual employee, when you stack it up against the behaviour of the broader compliance team, along with this recording – is there going to be an investigation into the culture of the GMA, which the government has already had to have an investigation into before, before you give them even more powers and discretion under this bill?

Enver ERDOGAN: The bill's focus is on consolidating the GMA and VFA into a new entity. The structure and the culture of that new entity – it will be upon the new executive leadership there and the board to set those expectations. There is an opportunity with this new entity to consolidate and always look for continual improvement across the board, but that will be up to the new executive leadership.

Georgie PURCELL: I will go back to those questions in a moment, but since you brought up the board, why has the government not, despite putting a range of roles for board expertise, included knowledge or experience in animal welfare? It is existing criteria on the GMA board. There have previously been vets on the GMA board. I was informed that it is potentially something that could be explored in committee, so my question is: why, and will the government guarantee a member of the board with knowledge or experience in animal welfare to avoid circumstances just like this one?

Enver ERDOGAN: I think the goal with the new board and its composition is to be looking at a skills-based board because it is a governance board, not an experts-based board. We are going to have a skills matrix, and an example for a lot of regulators is having someone with a legal background because a lot of the work will be enforcement. We are not looking for subject matter experts but at more of a governance board.

Georgie PURCELL: You have said you are not looking for subject matter experts, but the bill has subject matter experts in it. It has outdoor recreation, it has aquaculture; it just does not have animal welfare. Why, and will you commit to changing that? That is something you can commit to right now.

Enver ERDOGAN: As I stated earlier, there will be a skills-based board with sector experience, but we are not ruling anyone out. So if there are people that are good that will add to the board, then

of course we will consider them, but we are not going to be making any commitments about who else should be on the board.

Georgie PURCELL: You have made commitments on other expertise areas. This is not just a legal and governance board. You have legislated the other areas of expertise. Why are not you putting in animal welfare?

Enver ERDOGAN: We have included sectors that are directly relevant to the skills mix, but ultimately we will not be making any other commitments about the board's composition.

Georgie PURCELL: Animal welfare and veterinary expertise is absolutely a sector. It is an existing skill on the GMA board. It was an important change following Pegasus. I just want to be abundantly clear that despite this new body being responsible for breaches of hunting laws, which is an animal welfare issue, and doing things to reduce wounding, which is a massive problem in duck shooting, you will be refusing to guarantee an animal welfare expert on the board and will have only people that have an interest in the recreations and the industries that it will cover.

Enver ERDOGAN: We will not be making any commitments in relation to the board.

Georgie PURCELL: Well, Minister, I do find that incredibly disappointing, because despite my proactive engagement with your office – I was told this was something that could be spoken to in committee and perhaps the government could commit to, but that is obviously not the case. If you are refusing to guarantee animal welfare on the board, who will be taking on the GMA's current animal welfare work, such as wounding reduction?

Enver ERDOGAN: It is expected with the consolidation that all that work carries over and that expertise carries over to the new entity. Therefore, if the GMA is undertaking that work now, the new agency should be continuing that work.

Georgie PURCELL: You are saying you are carrying over the expertise, but you are literally refusing to guarantee that expertise. Who will be undertaking the wounding reduction work at ORV?

Enver ERDOGAN: I think we are getting into specifics about the organisation. I think it will be a matter for the organisation, once it is established, to make sure that it carries on that work.

Katherine COPSEY: Minister, just before, in the previous line of questioning, you did undertake that there would be First Nations representation on the board.

Enver ERDOGAN: Yes. There will be a First Nations representative on the board. I think it is essential for the board, but it is not my intention to make any other commitments.

Katherine COPSEY: Are you just making up on the spot who you feel should be guaranteed access on the board? Because it sounds like you have changed your mind from what you have been discussing with Ms Purcell in the last – I do not know – 48 hours.

Enver ERDOGAN: In terms of the board, there will be a First Nations representative on the board, but it is not my intention to add any others.

Georgie PURCELL: I just want to go back to my questions before in relation to some of the allegations about the GMA that were recent. It was incredibly concerning to hear someone who is responsible for regulation and compliance admit that they are using laws that are apparently for the public to target one individual group of people. Does the government concede that the duck-shooting public safety laws during the season at wetlands are used on rescuers only?

Enver ERDOGAN: No.

Georgie PURCELL: Has any other person ever been charged under these public safety laws?

Enver ERDOGAN: Let me just go to the box and ask.

I do not have that information at hand. Nonetheless, I believe it is outside the scope of the bill.

Georgie PURCELL: It is absolutely not outside the scope of the bill. These are laws that the GMA use and that ORV compliance officers will be using. I am just trying to gather some more information, because in that recording he admits that for anyone else who is not a duck rescuer, they will simply ask them to leave, while duck rescuers receive enormous fines and sometimes a court appearance for these laws that are not being applied to other people. I just want to make that abundantly clear. But I will move on from that.

I do have some questions. I tried to get this information from your office; I did not get it. Going back to the compliance summaries for the last duck seasons, we have heard the GMA recently say that 92 per cent of compliance efforts are on duck rescuers when the claim is put to them that they are focusing on duck rescuers. But if I look at their compliance statistics, they include game and firearm licences checked and hunter bags checked. Together there are over 3000 apparent compliance actions and then 600 wetland and waterway patrols. But if we go further down this table, there is banning notices issued, which are four; infringement notices issued, which is 31; briefs or investigations to be conducted, which is 12; in-field game licence suspension notice issues is 17; and official warnings is five. Can you please provide a breakdown of the individuals that these were for in the sense of: were they compliance actions towards duck rescuers or duck shooters?

Enver ERDOGAN: This is more of a PAEC question about the performance of an entity. I think the focus here is on the consolidation of the entities. So no, I cannot provide that.

Georgie PURCELL: Are you able to take it on notice and supply it to my office? You have the ability as the minister to ask the GMA for it. I am asking for that breakdown of data for banning notices or infringement notices to be issued, briefs or investigations to be conducted, in-field game licence suspension notices issued and official warnings every year from 2024 onwards, which was the season from when the government did not ban duck shooting, and whether or not those compliance actions were applied to duck rescuers or duck shooters, because those are the meaningful compliance efforts.

Enver ERDOGAN: I thank Ms Purcell, and I understand her passion in relation to this matter. I will take that one on notice and see what level of information they have. I am not sure if they categorise by shooter and protester, but whatever information there is in relation to the fines issued, I think let us try. My office can seek a breakdown from the GMA, and I am happy to forward that to you.

Georgie PURCELL: If the GMA do tell you that they cannot categorise it by rescuer or shooter, I am more than happy to receive what those specific compliance actions were, because it will be very easy to tell on that data. I am just confirming that is something you will commit to getting to me on notice.

Enver ERDOGAN: Yes. I am committing to seeking that information from the GMA and forwarding that to you. I am not sure what will be included in that information, but I will seek it. I have got what you have asked for in *Hansard*, so I will ask for that.

Georgie PURCELL: I am not meaning to be pedantic. This is very meaningful to my community. I am not asking for a commitment that you will seek to do it. You are the minister. Will you commit to getting it?

Enver ERDOGAN: In short, yes.

Katherine COPSEY: Minister, can you take me through the logic that has informed the list of outdoor recreation activities? Why, for example, does the bill expressly list hunting and four-wheel driving but omits picnicking, birdwatching, wildlife observation, photography, swimming and quiet enjoyment of nature?

Enver ERDOGAN: In the initial consolidation of the entities there was a focus on, I guess, those parts of outdoor recreation that were a direct overlap or directly already governed by the two entities,

so to speak, or regulated by the two entities. That was the focus. But the list, I need to make very clear, is not an exhaustive list. It is envisaged that following the consolidation the new outdoor rec entity will look at other opportunities to promote or engage other parts of outdoor recreation. That is why it is not an exhaustive list. It is just some that are closest to the existing two organisations, two authorities, that are being merged or consolidated. But it is not an exhaustive list. It is intended to be more inclusive and that all parts of outdoor recreation can be included.

Katherine COPSEY: So how did four-wheel driving make it on there?

Enver ERDOGAN: I understand it is considered a similar stakeholder to the existing stakeholders that are, I guess, overseen by the VFA and GMA.

Katherine COPSEY: Can you explain to me how the GMA currently regulates four-wheel driving?

Enver ERDOGAN: They do not have direct regulation over four-wheel driving, but a lot of people that are involved in the four-wheel driving fraternity do have an overlap with the VFA and GMA community.

Katherine COPSEY: So once again, this is a special interest group that you have decided to include in this legislation at the expense of other groups.

Enver ERDOGAN: I will take that as a comment.

Katherine COPSEY: Thank you, Minister, but I do not want you to take it as a comment. I want you to justify how you have come to choose particular users that are not associated with the core functions of the regulators that you are consolidating and consulted with and included access advisory arrangements for those groups of people.

Enver ERDOGAN: I have been advised in the drafting, and I again point to my previous answer. With a lot of the four-wheel driving community and camping community there is a quite significant overlap with the community that is regulated by the GMA and VFA. There is a direct link in terms of the same communities of interest, and we do find with people that are involved in fishing that many of them do also camp, for example. There is a significant overlap. But the list is not exhaustive, so it is not about any special interest group; it is a starting point for the new entity, because it is a merger and a consolidation. There is a minor revision of scope, but the long-term goal is to see other activities that are outside the scope of the VFA and GMA be introduced and phased in in a considered manner.

Katherine COPSEY: As someone who really enjoys camping, I can tell you those two circles do not overlap completely. Your assertion that people who enjoy camping are going to have the same interests as people who want to lock up wetlands and public land for shooting is nonsense. And you can take that as a comment.

Georgie PURCELL: Minister, just going back to the recent allegations on the GMA, we saw that this agency was posting images of individual people with their court outcomes and the towns they live in, with their faces slightly blurred, but they were identifiable. The comments turned into death threats and harassment and were not moderated until the GMA received a media inquiry. What will you do to ensure that this culture of doxxing rescuers and volunteers does not live into ORV, particularly when this was posted on a government Facebook page?

Enver ERDOGAN: I think many government agencies and even members of Parliament have a responsibility to monitor our social media pages and make sure that anything that is inappropriate – especially anything threatening, racist, sexually violent et cetera – is just completely not on. Every agency, irrespective of whichever government agency, and even members of Parliament have a responsibility to monitor our social media and make sure there are processes in place so that kind behaviour is not tolerated, whether that be reporting to the appropriate agency, depending on how serious the allegation or the comments are, or whether just in terms of monitoring, blocking and hiding those individuals from, for example, Facebook. We would expect every agency to have that, because

we know that we live in a digital age, and a lot of it is online. That behaviour is unacceptable. All agencies should be monitoring their social media pages to make sure that the comments are appropriate.

Georgie PURCELL: The problem is not moderating comments; the problem is the posting by the agency themselves in the first place. As you would have heard me speak about, they have never posted a photo of any shooter, hunter or spotlighter in their history. I went back and looked, but even in the last few months alone they have posted three images of duck rescuers, who are volunteers, again, that are identifiable with images of them and the towns that they live in. My question was not around moderating posts that should not go up in the first place. My question was: what will you do to ensure this completely inappropriate behaviour does not live on in ORV?

Enver ERDOGAN: Without getting into specifics of that individual incident, because from what I am informed – I have asked about it – the person's details were revealed via a court process, and we know the independence of our judiciary.

The DEPUTY PRESIDENT: I think we are getting a little outside the scope of the bill.

Georgie PURCELL: This is not outside the scope of the bill because the abilities and the powers that these officers have are part of the subordinate legislation that is being amended under this. Being released from a court process is one thing, designing a graphic and actively posting it is another. That is a choice, Minister. Do you have a different response to my question? I am not complaining about court processes or documents being released. I am talking about a government agency proactively posting about individual people, and it was them who revealed the towns that they live in. It was their decision to put that out there. They did not have to take it from the court process. Will you ensure this does not happen at ORV?

Enver ERDOGAN: Ms Purcell, I think this individual incident and a social media post are outside the scope of the bill. The bill is about consolidation of entities. It is not here to litigate every single social media post by an entity.

Georgie PURCELL: I find that response really disappointing. It is not one individual post. I said there have been multiple. Again, the powers that these officers have exist in the laws that are being debated right now. I will not keep going on about it, but to not unequivocally condemn that behaviour from a government agency is pretty disappointing. I know those individuals. Their safety is at risk, and they feel fearful. The government should be concerned about that. Regardless, I will move on to another rescuer. There is an individual rescuer who after the GMA took her to court appealed her charges and was successful, with the magistrate noting that the GMA had a very specific fixation on ensuring that she was taken through a legal process and ruling in her favour. The GMA owes this individual $30,000. This was years ago. They still have not paid it. Will the GMA pay back this money to this rescuer before it is abolished as an agency?

Enver ERDOGAN: Again, I believe this is outside the scope. You are talking about a court decision and its enforcement. I think they are a matter for the courts.

Georgie PURCELL: Minister, it is definitely not outside the scope of the bill. This legislation right here in front of us abolishes an agency that owes an individual person money. My question is: will the GMA pay that money back? I am happy for you to take it on notice. I would like to note again I did try to communicate with your office on my questions so this could be prepared.

Enver ERDOGAN: Ms Purcell, at a high level, all the liabilities of the existing entities are being consolidated across to the new entity. If there are liabilities of the GMA or VFA, it is my expectation those liabilities are carried over.

Georgie PURCELL: Minister, this might be another one that you need to take on notice, if you can commit to that. My question is: how much money did the GMA spend since the decision to

continue duck shooting in Victoria on taking compliance efforts through the courts to ensure the strongest possible penalties were laid on individual people?

Enver ERDOGAN: Just to clarify, Ms Purcell, are you wanting to know how much the GMA spent on litigation in relation to these matters? I do not have that information at hand. One moment.

There are annual reports, and the annual reports contain what entities spend their resources on. I would point you to those existing reporting frameworks.

Georgie PURCELL: I am very familiar with the GMA annual report. I would not be asking you this question if it was something that was in there. I am just asking if it can be taken on notice. Again, I am really concerned about the behaviour of the GMA. Here, right now in 2026, the government themselves admitted the regulator needed to improve when they did not ban duck shooting. We have got these new allegations that have come to light. I think at the very least, as a minister, you could commit to finding this out before we move into a new agency with the same people. I said I am happy for you to take it on notice.

Enver ERDOGAN: I am happy to take it on notice, noting, though, I do believe this is very operational. They do have reports, and I still feel like it is a question for PAEC. Nonetheless I hope to take that on notice. Going forward of course this entity will not exist. Yes, all of the staff will transfer across, but there will be a consolidation happening where they will be merging with the VFA into this new outdoor recreation entity.

Georgie PURCELL: We have seen a concerning trend since 2024 where the GMA is not only using public safety laws but actually using laws that are designed to penalise shooters to target rescuers instead. Some examples of this have been when a rescuer is licensed and therefore cannot be charged under public safety laws and they have decided to charge them for carrying a net on the wetland to capture wounded birds, and the charge is hunting with a prohibited weapon. Of course this is a bit of a stretch when they are literally retrieving birds that have illegally been left to die by shooters, which is also an offence, and yet the rescuer is targeted. Are you going to ensure that the misuse of laws like this is not going to be carried over into ORV?

Enver ERDOGAN: I think it is the expectation that all agencies carry out their duties within the bounds of the law and the regulations that are set in place for them, and of course that is my expectation of the new entity.

Georgie PURCELL: My question was: will you ensure it? There are a number of rescuers who have been charged with this offence while trying to retrieve wounded birds. As I said, the charge is hunting with a prohibited weapon. Because they are not hunting with a gun and instead they are trying to save a wounded bird, will you commit to telling ORV not to misuse these laws that are actually designed for shooters?

Enver ERDOGAN: Ms Purcell, you are asking me to interfere in enforcement activities of an agency, and that is not my intention. I am not going to interfere in individual cases.

Georgie PURCELL: Minister, I am not asking you to interfere in individual cases. There are many, many rescuers. I am not asking you to interfere in the existing cases. I am asking you to ensure that this does not happen. It has been happening every year, year on year, since 2024.

Sonja Terpstra: On a point of order, Deputy President, I just want to draw the chamber's attention to standing order 15.06, 'Rules of debate in Committee of the whole'. I do think the minister at the table has tried to really assist in answering questions. But I would just draw the chamber's attention to paragraph (1) of 15.06 that says:

> Debate on clause 1 of a bill will be limited to the purposes of the bill …

But then:

> Debate will be strictly relevant to any other clause, schedule, preamble …

et cetera. I just think that not only have some of the questions that are being asked already been asked and answered, but the line of questioning is sort of straying outside the purposes of the bill, and I would ask Ms Purcell to come back to that.

The DEPUTY PRESIDENT: We did have an agreement at the beginning that all questions could be asked on clause 1. By agreement that sort of overrules the standing order. But I do remind Ms Purcell that questions should pertain to the bill and not stray outside the scope. It is only fair on the minister. He is briefed on this bill, not on everything else.

Georgie PURCELL: Could I speak on that for one moment. I am genuinely not trying to be difficult here, but I am speaking to the enforcement powers of the GMA under the Wildlife Act 1975, which is very specifically part of this legislation. The Wildlife Act is being amended under this legislation, and I think I have a right to ask this question.

The DEPUTY PRESIDENT: I am not talking about your current line of questioning, but there has been some questioning that has been a little bit outside the scope. It is only fair on the minister to keep it to the bill, but your current line is fine.

Enver ERDOGAN: Ms Purcell, just in answering – I think you have asked and I have answered it – I am not going to go into individual incidents. If people have complaints about the performance of any agency, including the GMA or VFA or any other agency, there are appropriate complaint mechanisms. There is the Ombudsman, there is IBAC that governs agencies about their behaviour. So if you believe an agency is not acting within its remit, I recommend you make those complaints through the appropriate agencies. As minister, I will not be interfering in individual cases. You are giving me a very specific instance where you believe that the law was not followed. If that is the case, I would say refer it to the appropriate agency. There are oversight bodies that do this work.

Georgie PURCELL: Deputy President, I feel that the line of questioning is feeling tedious and strange because the minister is not actually listening to what I am asking. I am not asking you to interfere in individual cases; I have said that twice now. I am asking in the future with ORV if you will ensure that officers are not misusing laws that are designed to penalise shooters on rescuers instead so they get higher charges. That is not individual cases going through the courts. That is a commitment to the future under this new agency that we keep being told will be bolstering compliance and regulation.

Enver ERDOGAN: I feel this has been asked and answered, Deputy President.

Georgie PURCELL: Minister, could you please speak in more detail? I touched on this before about what will be done in relation to wounding under ORV, which was a clear commitment and direction with the GMA and their wounding reduction action plan.

Enver ERDOGAN: Ms Purcell, you are asking really detailed operational questions that will be for the new leadership of this entity. But what I will say is that strong animal welfare protections will continue to exist through existing laws, regulatory functions and especially plans relating to sustainable and humane practices and evidence-based principle at the highest level. But the actual operations day to day, how that will be conducted will be up to the executive leadership team, when that entity is created, to formulate. Like any executive leadership team, they run the organisation. Obviously it is my expectation that they do that as efficiently and effectively as possible, but I am not going to be dictating to them how to do their job.

Georgie PURCELL: That is a bit of a surprise to me. I will go back to something I did not think I would have to ask: will there still be wounding reduction work being done under this new body?

Enver ERDOGAN: As I understand, they will continue to do enforcement under the Prevention of Cruelty to Animals Act. It relates to game hunting under delegation from DEECA.

Georgie PURCELL: I am not asking about enforcement. I am asking about wounding reduction. Wounding is not an animal cruelty offence unless the bird is left. Wounding reduction was a commitment the government made when they did not ban duck shooting. There was a clear commitment to addressing it. I am asking if that work will continue.

Enver ERDOGAN: It is an operational matter. Of course it was a government commitment at the time, and there were extra resources provided to the entity which will be consolidated now. It is my expectation that that work continues.

Georgie PURCELL: Why is there no function to develop operational plans to conserve wildlife habitat, which was a function previously also of the GMA?

Enver ERDOGAN: The new entity will have the ability to develop operational plans as it feels they are needed, including in relation to wildlife.

Georgie PURCELL: But why was it not chosen as a function to be legislated? I understand they have the ability to, but why was it not legislated?

Enver ERDOGAN: As it is a consolidation, I guess it remains relatively the same as the existing practice.

Georgie PURCELL: I just want to go back to the animal welfare actions you touched on before. What will they be? I keep being told that they will have that function and that ability and that it is an operational matter. We went through this earlier, and I am aware of being tedious, which some people are accusing me of, but this is a really important part of an agency that oversees the hunting of animals. There have been very clear operational matters defined. Can you tell us what some of the animal welfare work will be?

Enver ERDOGAN: The bill provides for Outdoor Recreation Victoria to develop operational plans and procedures regarding a range of matters, including sustainable hunting of game animals, sustainable fishing and aquaculture, humane treatment of animals that are hunted or used in hunting and fishing or in connection with fishing and strategies to minimise the negative impact of game hunting on non-game wildlife, including protected and threatened species. The bill provides them the ability to develop these operational plans and procedures, but I will leave that work to the agency itself once it is set up.

Georgie PURCELL: I am not going to continue on it, but it is still really not clear when other areas are really clear. I just want to go into some of the recommendations that were accepted by the government during the parliamentary inquiry into duck shooting. Could you please confirm that proficiency testing is now undertaken by duck shooters in Victoria and how this works?

Enver ERDOGAN: The answer is no. It is not in place.

Georgie PURCELL: Why?

Enver ERDOGAN: I understand that the GMA has undertaken a trial. Obviously there needed to be a trial first before rollout, and I understand the trial has now concluded.

Georgie PURCELL: Minister, it is past the date at which the government committed to having this in place for duck shooters. Are you confirming that only a trial has been undertaken?

Enver ERDOGAN: Yes.

Georgie PURCELL: Why hasn't this been prioritised when, again, this was what the government hung their hat on as a solution when not banning duck shooting?

Enver ERDOGAN: I cannot talk about the past, but what I will say is that with the new entity created, I am sure it is something that they will consider. A trial has taken place, but again, this is for the new entity to consider how it could potentially implement that.

Georgie PURCELL: Minister, can you tell us when proficiency testing will be in place for duck shooters given that the government commitment is overdue? Of course they were previous decisions, but you are now the minister responsible for that.

Enver ERDOGAN: Again, I feel like we are getting outside the scope of the bill, asking me about government responses to parliamentary inquiries or committees. I feel this bill is about setting up the new agency. I guess proficiency testing is a matter for the new agency to consider, but from a government perspective, a trial has taken place outside this legislation in response to that inquiry.

Georgie PURCELL: This is within the scope of the legislation, as I have continued to say. This bill sets out the enforcement responsibilities of the new agency, which was previously the GMA. I am asking about existing obligations or commitments of the GMA, which will become ORV. My next question is also in relation to the government response to the inquiry, and that is: the Victorian government committed, from 2025, that they will require hunters to participate in an Aboriginal cultural heritage awareness education program. This of course came about when we heard about the desecration of sacred sites during the duck-shooting season. Is that something that is in place?

Enver ERDOGAN: I will seek some guidance from the Deputy President. I feel the inquiry is outside the scope of the bill.

The DEPUTY PRESIDENT: The Clerk advises that if it does affect the enforcement powers, then it is inside the scope, but if it does not, it is outside.

Enver ERDOGAN: Could you just repeat the question, please?

Georgie PURCELL: To be clear, I am talking about the enforcement responsibilities under the Wildlife Act and other legislation of these authorised officers previously in the GMA, which will now be ORV, and what I am asking is if the government has honoured its commitment to ensuring that hunters are taking Aboriginal cultural heritage training.

Enver ERDOGAN: In short, yes. There is an online education module about cultural heritage.

Georgie PURCELL: I have some questions about the establishment of Outdoor Recreation Victoria. It is 18 June. This agency was meant to take effect from 1 July. That will not be happening now, and it is clear that tonight its name is going to be changed. Has the work already begun on establishing Outdoor Recreation Victoria as an agency under that name?

Enver ERDOGAN: I think the DJSIR has started the planning for the consolidation of the two entities, yes.

Georgie PURCELL: What does this involve? Have they got branding, uniforms, a building? Has any money been spent on anything specifically under this name?

Enver ERDOGAN: I understand there are no uniforms et cetera, but I will need to take that on notice to see if there are any other expenses that have been incurred. No uniforms have been printed or anything like that.

Georgie PURCELL: I did not just ask about uniforms; I asked about branding. Is an office building potentially being prepared to have ORV on it? This agency is meant to start in 13 or 14 days. I am asking: has any taxpayer money been spent on anything that will now have to be changed with the agency's new name?

Enver ERDOGAN: I am sure money has been spent in planning for the consolidation. Whether that is in relation to the name or otherwise, of course money would have been spent to do that planning. For example, at a different level, for a website or other branding, money would have been spent, as

you would with any new entity. From my understanding – but I will need to take it on notice – there is no new money and nothing substantial.

Georgie PURCELL: My question is: if the name of the agency is changed in an amendment tonight, will anything that was already in train or existing need to be changed?

Enver ERDOGAN: No.

Georgie PURCELL: I am just confirming: is that an absolute guarantee there will not be taxpayer money spent on anything to do with the name change at all?

Enver ERDOGAN: I can confirm no additional money will be spent as a consequence of the potential name change today.

Georgie PURCELL: I just want to make it clear I did listen to the responses before on consultation, so I am aware that it has been hashed out a little bit, but I do have some more. I know there was no open consultation on this bill, but there certainly was private consultation, or closed-door consultation, or else the gun lobby would not have been in here for a press conference or a media event on the day it was first read. Could you tell us why, from what it appears, there was not even informal consultation held with wildlife or environmental groups?

Enver ERDOGAN: I believe this was asked by and answered for Ms Copsey in relation to this issue. There was no public consultation as it does not impose any burden or cost on the public as a large administrative entity consolidation with minor revision of scope.

Georgie PURCELL: Before I get accused of being tedious, I actually noted there was no public consultation in my question. I am asking about the very clear informal consultation that went on, and I really reject the claim that there is no burden or cost on the public when wildlife volunteers spend a significant amount of money on doing their volunteer work. All I am asking is why they were not even informally consulted, as was very clearly the case for shooting organisations.

Enver ERDOGAN: Asked and answered that – because the government contends that it does not impose any burden or cost on the public and is largely administrative. The only consultation was the VFA and GMA consulting or doing specific engagement with their direct stakeholders. But from the government's perspective, there was no public consultation because in the government's view this is a consolidation of two entities.

Georgie PURCELL: Minister, can you – sorry, I might be confused – clarify what you mean about no burden or cost to the public?

Enver ERDOGAN: It is the government's view that it does not impose any new burden or cost on the public and it is largely an administrative entity consolidation with a minor revision of scope. That is what the government says.

Georgie PURCELL: I am really not trying to be difficult. I am asking what you mean by no burden or cost to the public.

The DEPUTY PRESIDENT: Minister, are you able to give her any more clarification?

Enver ERDOGAN: What I am saying is, at the initial starting point this is just the amalgamation – the consolidation – of the VFA and GMA. It is carrying over the staff, carrying over the budgets of the two entities, so therefore it does not impose any new burdens or costs. So whatever exists in terms of the costs, that is being carried over. There are no additional burdens except for minor revision of scope, so we acknowledge there is some difference, but we do not believe it is large, and it was not large enough to have a public consultation process on.

Georgie PURCELL: If this is the case, then why was there some clear form of at least informal consultation – because the organisations that knew about this legislation would surely also fall under this reasoning?

Enver ERDOGAN: I understand that the VFA and GMA informed the directly affected parties from this consolidation and this government decision, because it was a government decision, and that is why those people were informed directly.

Georgie PURCELL: Minister, can you please explain who these directly affected parties are?

Enver ERDOGAN: I think the key industry stakeholders that the VFA and GMA informed included VRFish, SSAA – the Victorian sporting shooters association – and Field & Game. But these were undertaken by the VFA and GMA directly informing them of the government's decision, so I would not call it a consultation. It is more informing them that the agencies that regulate them are about to change.

Georgie PURCELL: The Pegasus report stated that the GMA was too cosy and comfortable with hunting organisations, and this was one of the behaviours that the government attempted to stamp out. How is even informally notifying them of this change not having the same effect as that when the GMA very much should consider animal welfare organisations, especially those undertaking duck rescue, the same level of stakeholder, especially since they have such a large focus on them? I would note that they are also the same stakeholders that they speak to. You have given a list of stakeholders that are consulting on game regulations and duck-shooting seasons, but the animal welfare organisations have been left off. So my question is: how is this not another example of being too close and comfortable with hunting organisations? I mean, Field & Game is literally the gun lobby.

Enver ERDOGAN: As I have stated, this was a government decision, and as the former minister has put into her second-reading speech, on the back of the Silver review into consolidation of regulators the regulators have chosen to inform some of their stakeholders. I would not call it consultation, as a government decision was already made to go down this path of consolidating regulators. They informed some of their stakeholders along that journey, but I would not describe it as consultation.

Katherine COPSEY: Minister, have you met with sporting and hunting associations in the preparation of this bill?

Enver ERDOGAN: I had an introductory meeting, yes.

Katherine COPSEY: Really, this bill did not come up in conversation in your introductory meeting?

Enver ERDOGAN: It was not a focus at all. The focus was on them introducing themselves and the gamut of their activities. The bill was not the focus. It was an introductory meeting.

Katherine COPSEY: That was not my question, Minister. I asked if it was mentioned. Did it come up in conversation?

Enver ERDOGAN: I have answered. It was not a focus. Of course I knew that this bill was before the house, but that was not the focus. The focus was about them introducing themselves. I have never had previous contact with them as a minister, so they were introducing what they do – the ranges they have, one in the west and one in the south-east. It was, to be frank, a very limited discussion.

Georgie PURCELL: Just picking up that line of questioning: I know a number of wildlife groups contacted you about this bill. Did you meet with any of those, even in an introductory meeting?

Enver ERDOGAN: I met with Wildlife Victoria, as I informed Mr McGowan today. I have met with a lot of stakeholders since getting the portfolio. It is a large portfolio. I would need to check my diary. Obviously off the cuff I cannot recall every single meeting. They will be disclosed in due course, but I do not believe I did.

Georgie PURCELL: Will ORV continue to view just a select few groups as stakeholders, as the GMA and VFA currently do?

Enver ERDOGAN: I think the VFA and GMA initially will be focused on consolidation, so of course they will carry over some of the same stakeholders initially. That is the goal at the beginning. But I think noting what we are doing – there is a slight revision of scope – in the long term they will have to engage with and work with other stakeholders also.

Georgie PURCELL: I just want to go back to our board position discussion. I just want to confirm with the minister that, according to him and the bill, ORV and its board could contain no person with any expertise in conservation, ecology, threatened species or protected area management. I know that they could have someone, but they also could not. You will not guarantee it?

Enver ERDOGAN: Ms Purcell, they could, but I am not guaranteeing that they will.

Georgie PURCELL: I know you said that they could, but are you also just guaranteeing that that could not be the case as well?

Enver ERDOGAN: Yes.

Georgie PURCELL: Minister, could you please explain some more reasoning behind why some board positions with expertise are legislated in this bill and why other really important ones are being left as an agency decision?

Enver ERDOGAN: I would not say it is an agency decision; I would say it is a ministerial decision. It is set up to be more of a governance board than an expert-based board. But as minister, I have said I would like to see a First Nations representative on this board, and that was a commitment I made. Ms Copsey made sure she recorded that for *Hansard*. But you are right, it is leaving a strong element of discretion to the minister of the day as to who they want to see on the board.

Georgie PURCELL: I do understand that. I know the minister could commit to this position, and you have refused to do so. I am asking why some really important skill sets are being legislated and why other important ones that are on the existing boards are being left up to the agency to decide.

Enver ERDOGAN: I understand you are pointing out that the sector experience across outdoor recreation is currently provided by the bill in clause 21. So I understand, yes, sector experience, but the intention is to move away from that more broadly in the make-up of the board from subject matter expertise to a skills-based board. We want more skills-based people in terms of experts in governance than people that are subject matter experts. That is the direction we want to move in. There will be some sector experience initially, but the goal really is to move towards a governance board.

Georgie PURCELL: Why won't you commit to putting an animal welfare representative on this board?

Enver ERDOGAN: Ms Purcell, this was asked and answered earlier.

Georgie PURCELL: Minister, I would not be asking it again if I felt it had been answered. There has not been a reasoning why, when it is on the existing board. Okay, I will rephrase my question: is animal welfare not important to ORV?

Enver ERDOGAN: It is very important, and that is why a lot of the functions and obligations on the entities will pass on – for example, enforcing the prevention of cruelty to animals as it relates to game hunting under the delegation of DEECA. That will continue on to the new entity with other strong animal welfare protections in place, and functions will continue. The new entity will have the ability to develop operational plans around these matters and animal welfare, so therefore, yes, it is very important.

Georgie PURCELL: If it is so important, then why won't you guarantee the role on the board?

Enver ERDOGAN: Because the board is moving towards a governance and skill-based board.

Georgie PURCELL: This is not a governance and legal expertise board only. As I have mentioned, some of the skills and knowledge are very clearly legislated. It has got aquaculture, it has got outdoor recreation, and it has got a range of things; it just does not have animal welfare. I am just asking why that is not as important as the other ones that are literally going in the legislation.

Enver ERDOGAN: I think the skill composition of the board will be very important, but it is important to also provide flexibility for the minister of the day to appoint a board which aligns with their priorities.

Georgie PURCELL: So is that a confirmation that animal welfare is not a priority, as I asked?

Enver ERDOGAN: That was asked and answered. I said it is a priority, but the board make-up will be a matter for the minister to consider.

Georgie PURCELL: Goodness. Clause 25 of this bill disqualifies certain commercial fishing and aquaculture interests from board membership. Can the minister confirm that no equivalent disqualification applies to a person with a commercial interest in expanding recreational vehicle access to public land as well?

Enver ERDOGAN: I think, broadly, for anyone with commercial interests there should be consideration that the conflict is much greater than for those with broader interests, because they are commercial interests by their very nature. There are other clauses in place that will prevent people with commercial interests being on the board.

Georgie PURCELL: Minister, my question was: will you confirm that there will be no equivalent disqualification applied to a person with a commercial interest in expanding recreational vehicle access to public land?

Enver ERDOGAN: Anyone with a commercial interest in the way you are describing will not necessarily be precluded from appointment, but they would obviously need to disclose that and manage those conflicts. Obviously if those conflicts cannot be managed appropriately, then they would not be able to be appointed.

Georgie PURCELL: Can you also confirm that there is no disqualification for a board member who holds a commercial kangaroo-harvesting or game bird farmer licence?

Enver ERDOGAN: The same applies. It would not be a disqualification, but they would need to disclose it, and if it could not be managed, they would not be appointed.

Georgie PURCELL: But why have you picked disqualification for some and disclosure for others?

Enver ERDOGAN: It is to maintain existing arrangements to do with commercial fisheries.

Georgie PURCELL: Existing arrangements with commercial fisheries – I am just trying to understand, because these licence types, kangaroo licences and game bird licences, will be issued by the same body. I am just not understanding why you would not apply the same rules as the commercial fishing industry. It is very inconsistent. Can you explain why?

Enver ERDOGAN: They are carrying over the existing arrangements of commercial fishing. For all others that have a potential conflict, they should be disclosing them. If it is not appropriate, they will not be appointed to the board. But I think the commercial fisheries one already exists, so we are just carrying it over. Like I said, it is a consolidation of the entities.

Georgie PURCELL: Considering the risk of regulatory capture that has already been discussed, did the government not view it as important to expand conflicts of interest for the new body whilst it was consolidating them?

Enver ERDOGAN: I guess the default is a consolidation in place. Of course all this was considered, and that is why there is a move towards a governance board.

Georgie PURCELL: Say I am a commercial kangaroo shooter and I disclose that for a position on the ORV board. What would make that inappropriate? Can you define 'inappropriate'? I am not totally sure what would be considered a conflict of interest when it is not legislated. What about that would ORV consider inappropriate?

Enver ERDOGAN: I am not going to speculate on a hypothetical. They need to disclose their commercial interests. Of course it will be a case-by-case assessment, as it is with so many conflicts in so many entities. Whether that be in political parties or in private business, people declare conflicts all the time. That will be a decision based on the individual circumstances.

Georgie PURCELL: But why is commercial fishing any different to commercial kangaroo shooting or commercial game bird farming?

Enver ERDOGAN: I think I have already answered this. This is a consolidation, so we are carrying that over, with minimal changes to existing arrangements.

Georgie PURCELL: If it is just a consolidation of the two acts, then why did the government not transfer the restrictions on post-board service that were contained in the Victorian Fisheries Authority Act 2016?

Enver ERDOGAN: I feel I have almost answered this. The board wants to move towards more of a governance board and skills base, and it is also to give the minister the flexibility.

Georgie PURCELL: I understand that, but why was that not carried over when we are consistently being told that this is a consolidation and, when it comes to commercial game fishing, that was carried over from the VFA act? I am asking why one thing was carried over from the VFA act and another thing was not.

Enver ERDOGAN: Asked and answered. We are moving towards a governance board. Obviously some stuff was carried over, and there needs to be flexibility for the minister to be able to appoint people based on their skills.

Georgie PURCELL: Can you confirm that a board member can immediately leave the ORV board and start up a commercial fishing industry?

Enver ERDOGAN: There is nothing in the bill that prohibits that.

Georgie PURCELL: Could you explain why this was not considered important when it was part of the VFA act? Section 33 restricted former board members from engaging in conflicts of interest for two years after leaving the board.

Enver ERDOGAN: It was discontinued as part of the new skills-based focus of the board.

Georgie PURCELL: I do not understand why a skills-based focus on the board is a reason for this. Considering there are specific skills legislated, such as aquaculture and other similar industries, how is this going to avoid conflicts of interest? You have literally written these skill sets in.

Enver ERDOGAN: I want to say that board appointments must comply with the Victorian government remuneration and appointment guidelines in place already. So there are other structures in place about what the board members should and should not do, but that has not been carried over.

Georgie PURCELL: I am even more confused by that answer. Can you explain what someone leaving the future ORV board should and should not do?

Enver ERDOGAN: There is nothing in the bill expressly preventing someone.

Georgie PURCELL: Is the government concerned about the prospect of former board members getting involved in the industry with knowledge of the regulatory framework?

Enver ERDOGAN: You would know, Ms Purcell, that the wild catch industry is a lot smaller than it was in the past. But no, it is not a major concern.

Georgie PURCELL: So to clarify, an individual with experience in commercial fishing can be appointed to the board of ORV and then immediately return to the industry with an in-depth understanding of enforcement functions?

Enver ERDOGAN: There is no prohibition, but if there is any wrongdoing, like with anyone that is on a public board, a public agency, there is referral to the appropriate oversight bodies.

Georgie PURCELL: Okay. Minister, I note that the current CEOs of the GMA and VFA will not be transferred over to ORV. Can the government confirm whether Graeme Ford or Travis Dowling will have roles in the new body?

Enver ERDOGAN: Yes. It is the intention to transfer the whole team, including the executive leadership team, across to the entities, so they should both have a role.

Georgie PURCELL: So both will go to the organisation, but a CEO will be appointed from there?

Enver ERDOGAN: Yes. Once the board is composed, they will be able to appoint a full-time CEO in consultation with the minister.

Georgie PURCELL: Has the minister chosen an interim CEO?

Enver ERDOGAN: There have been no appointments in relation to the new agency at this stage.

Georgie PURCELL: Sorry, Minister, I just want to confirm that that was the correct answer.

Enver ERDOGAN: Yes. No appointments in terms of a CEO have been made.

Georgie PURCELL: I just want to talk about the annual report which you mentioned before. What details will be included in the ORV annual report?

Enver ERDOGAN: The statutory obligations in line with the Financial Management Act 1994.

Georgie PURCELL: Could you confirm if any will be included? Would you like me to go through these topics individually or all together?

Enver ERDOGAN: All together.

Georgie PURCELL: They are licence breakdown, those granted and types; licence refusal, enforcement actions, reasons for enforcement actions; inspection activity and enforcement coverage; workforce data; number of authorised officers and roles; deployment advice to government.

Enver ERDOGAN: I think ORV's annual report should include an overview of its operations, including summaries of regulatory activities, publishing information on licensing. Compliance and enforcement needs to be carefully considered to protect privacy, confidentiality and natural justice principles. It is also important to be careful not to disclose intelligence to potential offenders, including organised crime. I think breaching these requirements could give rise to legal risk, but in an annual report they should give an overview of their operations at a high level.

Georgie PURCELL: Minister, can you confirm that ORV's quarterly and annual reporting obligations contain no requirement to report on the environmental or conservation outcomes of its access facilitation activities?

Enver ERDOGAN: All reporting will be in line with the Financial Management Act.

Georgie PURCELL: So that is a no: there will be no requirement to report on the environmental or conservation outcomes?

Enver ERDOGAN: The focus will be on the Financial Management Act and complying with that.

Georgie PURCELL: I am just asking if it is a yes or a no if ORV will report on environmental or conservation outcomes when this is a bill that impacts conservation and the environment.

Enver ERDOGAN: I think it has been asked and answered. There will be reporting in line with the Financial Management Act.

Georgie PURCELL: Minister, you could just say no. Will ORV report on the proportion of compliance expenditure by outdoor recreational activities, specifically duck shooting and hunting animals, and if not, why not?

Enver ERDOGAN: It will be reporting in line with the Financial Management Act.

Georgie PURCELL: The GMA currently puts in their annual report compliance activities after every season. I just looked at them before to ask you a question. Are you telling me that you will not guarantee even that will go in ORV's annual report?

Enver ERDOGAN: Asked and answered. I said they should provide an overview of their operation, including summaries of their regulatory activity. They already provide that in their annual report, so I have already answered that before.

Georgie PURCELL: The government have agreed to expand the annual reporting requirements, it seems, through an opposition amendment. Why did they not view it important to also report on conservation outcomes?

Enver ERDOGAN: I am always open to more reporting and more disclosure. I think the goal is to have a summary of regulatory activities, and that is what they will be doing.

Georgie PURCELL: My question is not about an explanation of what will be in the annual report. I am asking, when it is clear that alongside the opposition you will be expanding annual reporting requirements, why you, the minister, did not view it important to also report on conservation outcomes.

Enver ERDOGAN: In relation to our proposed bill, it carries over the existing reporting from the agencies in consolidation. In relation to the amendment moved by Ms Bath, I would direct those questions to her.

The DEPUTY PRESIDENT: Ms Purcell, you can ask questions.

Georgie PURCELL: I have got a long time to go with the minister, so thank you, Deputy President. Minister, the bill contains significant penalties, for assaulting, obstructing and hindering, of 120 penalty units or 12 months imprisonment. This was not previously found in the Game Management Authority Act 2014, although it was in the VFA act, and it is found in both the fisheries and wildlife acts. Why has the government considered it necessary to include in this bill, especially noting that other things have not been carried over from the acts in this consolidation, as we have spoken about extensively?

Enver ERDOGAN: I think this provision was included to ensure appropriate offence provisions to address threatening or similar behaviour towards ORV authorised officers. You are right, it was included in the VFA act, and therefore it is important that it be carried over, as we know, due to the potential interface with serious and organised crime. I think it is important that these powers be transferred across. Albeit it was only from the VFA, because of the consolidated entity, the powers will cross over to the whole of the agency.

Georgie PURCELL: Are those officers not already protected through enforcing the Fisheries Act?

Enver ERDOGAN: As I answered previously, it is a carryover of the powers that existed under the VFA act, so we felt it was important to transfer them across.

Georgie PURCELL: I understand this, but as I have mentioned, this is already part of the Fisheries Act. Why was this decision to carry it over made when we have had previous discussions about why

it was not necessary to carry over other important measures from the two acts? I am just asking why this one was.

Enver ERDOGAN: We take the safety of our staff very seriously, and I think it is appropriate to have tough penalties and deterrents in place to protect our staff.

Georgie PURCELL: Minister, 'hindering' is very broad, and we hear of 'hindering' being used by GMA officers all the time. In fact in the case that I was referring to earlier that was posted on the GMA Facebook page, one of the duck rescuers was charged with a hindering offence because he was on a canoe singing a sea shanty. I mean it would be pretty concerning if someone now got sent to prison for that. Can you explain in more detail what hindering an officer would look like, because it is a very serious increase and a pretty broad thing?

Enver ERDOGAN: This has been obviously transferred across from the VFA act, but in terms of the penalties, that is up to the courts to decide what they believe is appropriate.

Georgie PURCELL: I understand it has been carried over from the VFA act; I was the one who said that first. My question is: what will constitute hindering? Hindering was an important offence, particularly for the fisheries officers while they regulated a commercial industry where there was the possibility of organised crime. Now this same offence will apply to the GMA officers, who we have really serious concerns about and who have accused rescuers of hindering when they have even stood anywhere near them. Can you please define what hindering is – this is a really important one for me – before these same officers are given these powers and protections?

Enver ERDOGAN: Ms Purcell, you would be probably more familiar than I would with the case law in relation to this, and a lot of these interpretations of these terms are open for the courts. So I think I would point you to the case law.

Georgie PURCELL: I am asking for your interpretation of the bill as the minister responsible for it, and there is no case law for this when it comes to duck shooting, because it has never applied to authorised officers before. So I am asking: can you please tell us what hindering is? If I stood near an officer, could that be hindering?

Enver ERDOGAN: I am not going to speculate. Common-law hindrance is in the act, and obviously there are cases about hindrance by the courts. We will make the laws, and the courts can interpret the laws.

Georgie PURCELL: Again, I want to talk about a few different examples of when authorised officers have accused duck rescuers of hindering. It has included, as I said, singing a sea shanty on a canoe, standing too close to a duck shooter, talking to someone on the phone near a duck shooter and collecting a kayak from the water too close to a duck shooter. I am just really concerned, if that is being considered hindering of a shooter, that that will be the same way that hindering an authorised officer is applied. I understand that you are saying it will be up to them: there will be discretion and there is case law. Will you at least make a commitment that ORV officers will define, when the agency is formed, what would be considered hindering or harassing an officer on the wetlands? This is going to make duck rescuers incredibly fearful to go anywhere where enforcement activities are happening.

Enver ERDOGAN: I think you are getting into really operational matters. I think that will be up to the authorised officers to interpret and the enforcement team of the new agency to determine. In terms of the actual decision about what hindrance is, it will be for the courts, and that will be based on every individual circumstance.

Georgie PURCELL: Will ORV authorised officers exercising powers in national parks or other protected areas be required to be trained in the conservation values or threatened species of those parks?

Enver ERDOGAN: Outdoor Recreation Victoria officers will be expected to work collaboratively with other regulators, including the Office of the Conservation Regulator and Parks Victoria, on skills

and training requirements on public land and waterways. It is my expectation that they do have the requisite skills to do this work, but there is no obligation.

Georgie PURCELL: Will authorised officers of ORV now be performing the dual functions of ensuring compliance of hunting and fishing regulations? For example, will current GMA officers be doing fishing compliance and vice versa?

Enver ERDOGAN: I think initially the consolidation is key, so people will continue in their existing roles. Of course long term the new leadership and executive team will probably look at the structure and the skill set they want going forward, but initially people will be doing their existing roles.

Georgie PURCELL: One of the justifications for why this merger will be good, particularly given the culture of the GMA, is that the VFA will be a good regulator for them to learn from. How will this even be possible if they are doing compliance on the same industries and not crossing over with each other?

Enver ERDOGAN: I think the initial goal is to see the consolidation, so people will work in their existing roles, but I think these are all decisions for the future executive leadership team about the structure they want and how they believe they can get the most out of their teams.

Georgie PURCELL: If this does happen – because it is really unclear – will current fisheries officers be given comprehensive training in hunting regulations and gun safety laws and current GMA officers trained in fishing equivalents when or if they do go into the regulation of opposite industries?

Enver ERDOGAN: Initially they are just going to be continuing the existing roles they perform.

Sitting suspended 9:33 pm until 9:38 pm

Georgie PURCELL: Minister, will authorised officers be recruited for and trained in the compliance functions of both, moving into the new agency?

Enver ERDOGAN: As I stated earlier, initially they will just be transferred over to the existing roles and consolidated. Long term the executive leadership and board of the new agency will consider what training they believe is appropriate.

Georgie PURCELL: Minister, in conversations with your office when I asked about the combination of regulation and promotion, I was told that there will be really clear delineation between the two. Can you please explain to me how that is going to work in practice?

Enver ERDOGAN: I have asked and answered some of these questions earlier, but I think, as I said, I gave WorkSafe as an example. I think there will be an expectation that there are separate workstreams, the promotion work and the regulatory work. But again, how that is implemented will be for the new executive leadership team.

Georgie PURCELL: How exactly will ORV facilitate and support public access to public land for the purposes of outdoor recreation – if possible, I guess – in very literal terms?

Enver ERDOGAN: I think that the way they carry out their work will be up to them once the entity is set up. You are asking about operational matters and about how they conduct their business. That will be up to the new leadership team.

Georgie PURCELL: I just want to talk about the Land Access Panel. How does the government define 'improvement of access'?

Enver ERDOGAN: As a starting point, ORV will not be the responsible land manager. Its role will be to work across government to raise concerns where access has been affected. For example, an improvement to an unmaintained road might be important or finding and fixing places where people are blocked from accessing public land because of illegal gates or signs might be. On all these issues, how can the Land Access Panel improve access? It can raise these issues with the relevant minister or

relevant agencies, because it is envisaged that there will be people that understand the outdoor recreation sector on this Land Access Panel.

Georgie PURCELL: I am not sure that that fully answers my question. I just want to go to the government's media release when they announced ORV. They said:

> Outdoor Recreation Victoria will unlock opportunities for more Victorians to access the great outdoors …

But there is consistent evidence to show that activities, particularly duck shooting, actually lock off access to the outdoors by restricting other recreational activities. Can you please tell me how you reconcile this with the intention of opening up access to the outdoors when it shuts off access for everyone else?

Enver ERDOGAN: The goal is to increase access for outdoor recreational activity. In the future it is envisaged that it will go beyond just hunting and fishing. It will include four-wheel drivers, mountain bikers and hikers alike. It is about increasing access for everyone; that is the broad overarching goal. But it does not have powers to do that. Its power, so to speak, is to provide advice, and whether agencies or ministers take that advice will be solely up to them.

Georgie PURCELL: I am not sure that totally answered my question, but I can give more detail if it is helpful. Up to 3.5 million hectares of public land is available for duck shooting for a limited season, of which 285,000 hectares are primary hunting locations near waterways, including 75,000 hectares of state game reserves. The public safety laws that I have spoken about a number of times during this debate restrict anyone from going on these waterways during the duck-shooting season before 11 am unless they are a licence holder. I am asking how outdoor recreation's purpose, which according to the government's media release is opening up access to the great outdoors, is compatible with the duck-shooting season.

Enver ERDOGAN: Outdoor recreation is the goal, including hunting and other activities. It is a goal to get more people engaged and have great access to land as part of outdoor recreational activities, not just hunting. I do not see it as a real issue, in that they can provide advice about where they see unimproved roads, for example, or signs or gates that have blocked access, by raising it and bringing it to the attention of the appropriate bodies for them to act or not act if they choose to do so. I know the point you are trying to make, but I think this is about improving access for people participating in outdoor recreation.

Georgie PURCELL: That is exactly my point that you made. You said, 'Not just hunting,' but the reality is only hunting can happen on our waterways for three months of the year before 11 am. What do you say to outdoor recreationalists such as kayakers or canoers who are locked out during the season, who will feel left behind by this bill?

Enver ERDOGAN: The initial plan is obviously the consolidation of the two entities, but long term I think there will be a greater opportunity to engage in activities. We do already have a number of places for kayaking and all those other activities across the state.

Georgie PURCELL: I would like to ask some questions specifically in relation to the recreational pursuit that I mentioned before, kayaking. There is a well-known kayaking business that undertakes paddles in my electorate that cannot take place during the duck-shooting season. It has meant that they have had to actually take their paddle to a state where duck shooting is banned. Will you be engaging with businesses and recreationalists like this within ORV?

Enver ERDOGAN: I think that is a matter that ORV should of course be considering. They should be looking at the potential benefits and potential costs of their decisions and balancing those, which is always a challenge with access to land, to be frank. But that is why this bill knows that for a lot of people that want to enjoy the great outdoors there can be other barriers. I think the bill gives a couple of examples, but more so it is about the examples I gave where roads are just not up to scratch or where there are signs or gates that should not be there.

Georgie PURCELL: Most of the so-called restrictions on public land are found in legislation or regulation based on the original designation from the recently abolished Victorian Environmental Assessment Council (VEAC). Is there any other government institution tasked with contesting the government's own legislation?

Enver ERDOGAN: I do not believe there is another body.

Georgie PURCELL: Will there be any independent oversight ability on decisions relating to public land in light of VEAC being abolished?

Enver ERDOGAN: There are existing oversights. There are obviously oversight agencies and also the public and ministers responsible for those departments. The oversight mechanisms that exist for the use of public land will continue as normal. For example, I am the Minister for Environment; I am responsible for Crown land. A lot of that is managed by DEECA or land managers. Those responsibilities will continue as normal for those agencies that are responsible for that land. I do not see any difference there.

Georgie PURCELL: My question was specifically in relation to independent agencies. The government recently abolished VEAC. Are there any other independent agencies?

Enver ERDOGAN: I think that was asked and answered. I said I do not believe there is. I think I answered that.

Georgie PURCELL: The bill specifies two examples of the panel's functions, recommending improvements to access and reporting on proposed or existing restrictions to access. Can the minister confirm the panel has no function to recommend that a restriction be maintained or strengthened for conservation reasons?

Enver ERDOGAN: What I can confirm is that the scope of the Land Access Panel's functions may be further specified in the terms of reference. The bill does provide for the panel to provide advice to the minister, including by reporting on existing restrictions on access to public land. Given this, I would say there is nothing to stop the panel from advising the restrictions should be maintained due to other land management objectives, including conservation and cultural heritage objectives. Therefore the Land Access Panel may include representation from public land managers, which could provide a platform for public access recommendations that balance recreational access aspirations alongside other values. So they could consider those other values, such as conservation and biodiversity, if they wish to do so.

Georgie PURCELL: Why has the government seen fit to enshrine a body in legislation in order to challenge land management designations also found in legislation?

Enver ERDOGAN: I think you are misconstruing what the panel is. The panel makes recommendations around access to land. It does not have any powers conferred on it like other agencies.

Georgie PURCELL: Outdoor Recreation Victoria will perform functions conferred by other acts, largely the Wildlife Act and Fisheries Act, but also the National Parks Act 1975 and Flora and Fauna Guarantee Act 1988. Despite this, the objects in clause 7 contain no reference to environmental protection or biodiversity. Can the minister confirm that when Outdoor Recreation Victoria exercises functions under these other acts it is not required to have regard to any conservation objective whatsoever?

Enver ERDOGAN: Outdoor Recreation Victoria must comply with legislative and regulatory frameworks that apply to its activities and cannot undertake actions that contravene this framework. Therefore the objectives are required to support sustainability and responsibility in game hunting, recreational fishing and boating, and commercial fishing and aquaculture. Additionally, its objective to optimise the social, cultural and economic benefits of outdoor recreation must be exercised in a

sustainable manner. Therefore I would say that it must comply with legislative and regulatory frameworks that apply.

Georgie PURCELL: The panel's advice is required to be provided to six land management ministers, including the minister administering the National Parks Act. Can the minister confirm that there is no requirement for any environmental assessment of the panel's recommendations before they are distributed?

Enver ERDOGAN: Again I go back to: the government is not bound by the advice of this panel. It is only an advisory panel, and I think it is intended that environmental and cultural heritage considerations will be considered as part of the advice that the Land Access Panel provides to the minister. They should be looking at those issues. But ultimately, whatever advice they come up with, it is still up to the government of the day and the minister whether they seek to implement it or not.

Georgie PURCELL: The only requirement to be a member of the panel is for the minister to have confidence that the member has knowledge or experience relevant to the panel's function. Since the panel's function is recommending access improvements, can the minister confirm that a panel composed entirely of recreational access industry representatives would satisfy?

Enver ERDOGAN: It is not the intention, but it could.

Georgie PURCELL: What is the intention, then? We are getting a lot of coulds and maybes and 'trust us'. Can you point out really clearly what would be satisfactory for the membership?

Enver ERDOGAN: I think the intention is to have a balanced panel that does have, obviously, the sector but also has First Nations that can give fulsome advice on these matters and increasing access to the minister.

Georgie PURCELL: You are the minister. What would satisfy you in appointing members?

Enver ERDOGAN: I think with all these panels you want a balance. You want people that understand the nature but also have good experience of the sector, and I have made it clear that I would love to have, obviously, someone First Nations on this panel, but ultimately that is subject to passage of this bill and it is a subject for ORV with its establishment. But I think we need a panel that can consider all these issues, including the environmental issues that have been raised in this debate as well. I think it is important that you understand that, because there are obligations. If the access panel were to make recommendations that just do not comply, no-one would adopt their advice anyway, so I think it is important that they understand the broader obligations of government. We know there are many legislative instruments that cover land usage.

Georgie PURCELL: We have heard a lot, obviously, that that will be a decision for ORV, which came out there a little bit, but this is your panel, so I would love to know more detail. You mentioned environment; you mentioned First Nations. You get to pick these people soon. Who are they?

Enver ERDOGAN: Really good. I love these hypothetical questions, but I think we are really straying away –

Georgie Purcell: It's a hypothetical bill.

Enver ERDOGAN: That is right. I have shared some of what is going through my mind, but I have not made a final decision, to be frank. I was hoping to, obviously, pass the bill first and then consider the best options available, so right now I do not have a set list of people I have in mind for the Land Access Panel. I am sure the department will provide advice. As minister, I want people that understand outdoor recreation, and I also want some from First Nations – I have already said that on record. But I have not got a comprehensive list, so to speak.

Georgie PURCELL: Could you tell us what kinds of outdoor recreation interests you would prioritise on the Land Access Panel?

Enver ERDOGAN: I think we are getting into hypotheticals here, but if the bill were to pass today, I would be considering people that would be most appropriate for this panel. But I have not made up my mind about who should be on and who should be off.

Georgie PURCELL: When after the agency's establishment, after this bill goes back to the Assembly, will you need to pick this Land Access Panel?

Enver ERDOGAN: There is no set date.

Georgie PURCELL: Minister, do you have any idea when you think you will prioritise that, since it is your panel?

Enver ERDOGAN: I think the goal is to pass the legislation and have the entity up and running, and then it would be something I would obviously consider after that point. But I do not have a timeframe.

Georgie PURCELL: I just have a question on research. Did the GMA influence the government's decision to open up 130,000 hectares of the Errinundra and Snowy River national parks to deer hunting?

Enver ERDOGAN: I believe that is out of the scope of the bill.

Business interrupted pursuant to standing orders.

Enver ERDOGAN: Pursuant to standing order 4.08(1)(b), I declare the sitting to be extended.

Georgie PURCELL: The question is not out of scope, as the GMA commissioned research, which is a function of this body. Again, not meaning to be obstructive, but this is a question I did flag with your office. Did the GMA influence the government's decision to open up 130,000 hectares of the Errinundra and Snowy River national parks to deer hunting?

Enver ERDOGAN: I believe this was a decision of government.

Georgie PURCELL: I know it was a decision of government. My question was: did the GMA influence the government's decision?

Enver ERDOGAN: The GMA works across government and across agencies, but the decision was the government's decision.

Georgie PURCELL: If the environment and outdoor recreation portfolios are separated in the future, can the minister confirm that this act would only be given to the Minister for Outdoor Recreation and not the Minister for Environment for powers of direction, approval or mandatory consultation in relation to Outdoor Recreation Victoria?

Enver ERDOGAN: I think it is the intention that the agencies within the act for Outdoor Recreation Victoria would report under the general order to the outdoor recreation minister.

Georgie PURCELL: I want to move on to kangaroo shooting, as I flagged in my second-reading speech. What is the reasoning behind putting a commercial shooting industry of a native animal under a recreational body?

Enver ERDOGAN: I think it is the intention to carry over the existing functions to the new entity – just transferring over the consolidation.

Georgie PURCELL: I do understand it is carrying over the existing obligations, but of course promotion and the pursuit of outdoor recreation has been tacked onto this bill. Previously it was for hunting regulation, which would be more appropriate for the commercial kangaroo industry. I guess I will rephrase my question, then: why is it appropriate to put a commercial industry for a native animal under a recreational body?

Enver ERDOGAN: It already exists in the VFA with commercial fishing, this promotion and regulation, and therefore with all the powers transferred to this new consolidated entity we felt it was appropriate.

Georgie PURCELL: I am sure you can understand the concerns behind this. In Victoria the primary agency for reporting illegal activity or breaches of conditions in wildlife and shooting programs is of course the Game Management Authority. I have raised this before in question time, and I am still yet to receive a response from the government. I am hoping that you can answer this one for me tonight. The GMA's reporting hotline as it currently stands is only open from 9 am till 5 pm Monday to Friday. However, commercial kangaroo shooting is an industry that exclusively occurs at night-time. How will ORV ensure compliance is effectively monitored and reported outside of business hours, which has not been possible under the GMA?

Enver ERDOGAN: I think the operational needs going forward will be a matter for the ORV to determine, so if you are asking about whether there is a possibility of greater communication hours, I think that is an operational matter for them to consider once the organisation is established.

Georgie PURCELL: There have been a lot of responses to my questions saying that things will be a matter for ORV, but you are the minister. Will you ensure that there will be the ability to report noncompliance, no matter what time of day it is, when it comes to shooting of our native animals?

Enver ERDOGAN: What I will say is you will notice that the lead regulator for wildlife in Victoria is the conservation regulator, and the primary regulatory functions under the Wildlife Act relate to game species. They both share the same customer call centre number, which will direct callers to agreed responders on a 24/7 basis. So ORV will continue to manage compliance for kangaroos and kangaroo harvesting, as the GMA has through the authorisation of harvesters and issuance of tags in line with the set quota. But it will be a matter for the ORV to consider future arrangements for the reporting of suspected illegal behaviour across all its compliance functions. So again, the future organisation will need to make a determination about how it operates.

Georgie PURCELL: Why have you determined that this will be a matter for ORV when there is an existing problem that has been raised many times, that shooting noncompliance cannot be reported outside of business hours to the GMA? Is this something that you will commit to pursuing and fixing up within ORV?

Enver ERDOGAN: I am not going to rule anything in or out about future functions, except to say that the existing roles and operations are going to be consolidated. So they will transfer and cost the same – same role, same job, same function – initially until they come together and consolidate, and then the new leadership team will look at all their operations and can determine what they think is the best approach.

Georgie PURCELL: I presume the response to this question will be no, but I just want to confirm it. Is there an intention for ORV to open a 24/7 communications centre so Victorians can contact compliance officers or at least make a report during the night, when shooting is exclusively active?

Enver ERDOGAN: What I can say is my expectation is that following the establishment of ORV, they will work with other regulators and determine the operational needs.

Georgie PURCELL: That is a great segue because regional Victorians come to me very, very consistently about this matter. When they move to areas where kangaroo shooting takes place, there is no requirement to inform neighbours when shooting will be taking place next door. The rules and regulations are really unclear or not followed. And importantly, regional Victorians are consistently told to call the police if they have a concern when shooting is happening immediately The most common story is that police do not have any idea of the rules and regulations surrounding wildlife shooting in Victoria. They do not know the difference between authority-to-control-wildlife (ATCW) permits to shoot kangaroos and a commercial shooting licence. What will ORV's responsibility be in

ensuring police are properly trained to recognise and respond to suspected breaches in the commercial kangaroo harvest management plan? You just mentioned that they will be working with other agencies. Will you work with police to give them the training to respond to these incidents when they occur?

Enver ERDOGAN: I think matters for police training should be referred to the Minister for Police.

Georgie PURCELL: I am not sure that I totally accept that answer because it is police training in relation to when one of your agencies is not available to respond. I did ask a question in question time about this recently, and before I even moved to my supplementary about the police issue, the minister actually said that people should call the police. So there is a really clear misunderstanding here within the government. I guess I just want to know: who can regional Victorians call when they want to report shooting noncompliance at night-time when ORV is established?

Enver ERDOGAN: I think you have answered your own question. I think the use of firearms, if there is an inappropriate use, should be referred to Victoria Police.

Georgie PURCELL: But as I have informed you, police are consistently informing regional Victorians that it is not their responsibility. I can send you many examples. Could you at least take on notice the ability for ORV to work with regional police stations to ensure compliance officers can attend kangaroo shooting? I am sure you can understand, as is often the case, if they do not attend then and there, by the time the GMA is open in the morning there is nothing left to see.

Enver ERDOGAN: ORV should work across agencies, but in relation to Victoria Police training or the role that they play in terms of the regulation of firearms, I think they are matters for police.

Georgie PURCELL: I just really reject that shooting noncompliance, when it comes to native animals and your own agency not responding, is a matter for police. I am asking: will you work with police, or will you ensure the agency is available to respond?

Enver ERDOGAN: I think I have answered this. The operations of the agency, as it will be initially, will be the same as the existing two agencies, because it is a consolidation bill we are talking about here. Going forward, how they operate will be a matter for them.

Georgie PURCELL: The GMA receives 75 per cent of its total funds allocated for operating the kangaroo harvest management plan. In 2024 this was projected to be around $762,000. How is this money currently being spent?

Enver ERDOGAN: Funding provided to GMA under kangaroo harvesting is allocated towards administering the kangaroo harvesting program, including the authorisation of harvesters, the issuance of tags and undertaking compliance functions to ensure quota, animal welfare and public safety under a compliance framework and annual compliance plan.

Georgie PURCELL: Will this level of funding and expenditure for the GMA's role in the kangaroo harvest plan continue under ORV?

Enver ERDOGAN: In short, yes.

Georgie PURCELL: Given the GMA's historical influence on bushfire-related decisions, including opposing calls to suspend the kangaroo harvest plan following the 2024–25 Grampians and the 2025–26 central Victorian and Upper Murray fires, what role will Outdoor Recreation Victoria play in disaster response decision-making?

Enver ERDOGAN: Decisions on the annual kangaroo harvest plan quotas, including separation by harvest zones and species, are made by the secretary of DEECA and based on the best available science, including population surveys and modelling undertaken by the Arthur Rylah Institute.

Georgie PURCELL: I do understand this, but there is evidence to show that the GMA had influence on the decision to not suspend the kangaroo harvest plan following the fires in those years, when after the Black Summer fires the kangaroo harvest plan was suspended at least while a

population count was undertaken. My question is about what role ORV will play, not other agencies that I am aware already play a role.

Enver ERDOGAN: I think the decision-making is by the secretary of DEECA. I am sure if the secretary of DEECA seeks advice they will be able to get information from ORV. But really I feel like we are straying from the scope of the legislation.

Georgie PURCELL: I do not see how we are straying from the scope of the legislation when I am asking about the powers of this very agency the legislation is creating. But nonetheless I will move on from that. The commercial incentive for killing kangaroos continues to drive the rate of culling, with kangaroo harvesting program shooters actively seeking additional opportunities through print and social media advertising, as well as leafleting and doorknocking campaigns. What measures will ORV take to prevent commercial shooters from becoming further emboldened in their efforts to promote and expand commercial kangaroo shooting activities, which is just not appropriate for someone holding a game licence?

Enver ERDOGAN: Again, this is a similar question to and aligned with the question about promotion and regulation duties. I think there are a lot of agencies that do this well. WorkSafe is an example. It will be up to the organisation to set up structures and workstreams where regulatory functions or duties are separate from the non-regulatory functions like promotion. It will be up to the organisation to consider that. But I think that would be best practice.

Georgie PURCELL: How can we be certain that the commercial kangaroo industry, which, as I have said, is already promoting its own shooting activities for financial gain, will not be further emboldened to unnecessarily kill kangaroos due to the clear conflict of being regulated by a promotional authority under ORV?

Enver ERDOGAN: I think these questions have been asked and answered. It is all about managing the conflicts or potential conflicts, and I think ORV will have to create a structure and have separate workstreams. Like I said, a good example is WorkSafe. WorkSafe promotes safe workplaces, and when there are breaches, it enforces work safety laws.

Georgie PURCELL: I do not think these questions have been asked and answered. I asked about conflicts of interest before, specifically in relation to commercial licence holders leaving boards who can immediately commence those activities. I am just asking how this conflict will be avoided when commercial shooters are promoting their activities for financial gain already. It is fine to take it on notice.

Enver ERDOGAN: I think it is important, where there is potential for personal gain and if there is a conflict, to manage them, like you do on existing boards. But I might just leave it there.

Georgie PURCELL: At the commencement of the kangaroo pet food trial Victorians were promised there would be no increase in the number of kangaroos killed under the ATCW programs. How will ORV ensure that the killing of kangaroos does not exceed the precommercialisation levels?

Enver ERDOGAN: I think annual kangaroo quotas, including separation by harvest zones and species, are set by the secretary. In terms of guarantees, I think they are based on the best available science. I will leave that to the DEECA secretary to determine based on the science.

Georgie PURCELL: How will ORV ensure that commercial shooters cannot eradicate kangaroos from any given area where they have landholders' permission, as there are no safeguards around the minimum size of kangaroos killed and there is no minimum number of a mob that must be left alive? Theoretically entire mobs of kangaroos can be obliterated.

Enver ERDOGAN: You are asking about the eradication of kangaroos, and I feel I have answered. It is a similar line of questioning around the quotas being set. Those quotas are set by the secretary

based on the science and population surveys and modelling, so I think these are all considerations for the secretary in setting the quota.

Georgie PURCELL: I understand that there are quotas, but there are currently no actions that require shooters to show that they are complying with those quotas. So what I would ask is: do commercial shooters already have to report the number of roos that they intend to kill, or is it similar to ATCW permits where they can just say and there are no checks?

Enver ERDOGAN: The kangaroo harvest program is really getting outside the scope of the bill, I might add, but I understand the way it operates is that people have an allocation and they need to tag the kangaroo that has been killed.

Georgie PURCELL: How is the kangaroo harvest program outside the scope of the bill when I am talking about the enforcement activities of ORV compliance officers under a range of different acts, such as the Wildlife Act and many other pieces of legislation that are being amended? Can I please continue with my line of questioning without being accused of that when it is very clearly in line with the scope of the bill? Minister, last year the Premier stated that we have to look at nonlethal control mechanisms when referring to kangaroo management in Victoria as part of ORV's role in overseeing the commercial kangaroo harvest program. What role, if any, will its officers have in supporting landholders to adopt nonlethal solutions?

Enver ERDOGAN: I think ORV's role will be limited to the specific aspects of the kangaroo harvesting plan, but I think the office of the conservation regulator will be the primary regulator responsible for control mechanisms for kangaroos outside of the kangaroo harvest program framework. The ORV's role is very limited to just the administration aspects of the kangaroo harvesting program.

Georgie PURCELL: Given the lack of proficiency testing for shooting at night and often in poor weather conditions, will ORV officers be required to provide and oversee proficiency testing for harvesters operating under these conditions?

Enver ERDOGAN: ORV will take appropriate steps to ensure that the harvesting of kangaroos under the plan is undertaken ethically and humanely. There is currently no intention to require proficiency testing for harvesters operating at night.

Georgie PURCELL: The code of practice states that every reasonable effort should be made to find wounded and orphaned kangaroos, but there is no specification of what constitutes a reasonable effort. How will ORV define a 'reasonable effort'? And how will they enforce it?

Enver ERDOGAN: I understand there is a national code to provide guidance.

Georgie PURCELL: I am referring to the national code. It does not define what a reasonable effort is. I am asking what ORV would define is a reasonable effort.

Enver ERDOGAN: That is a matter for ORV to consider.

Georgie PURCELL: ORV is certainly going to have a lot to consider. Who are officers required to notify when they encounter an injured or orphaned kangaroo?

Enver ERDOGAN: As you would appreciate, Ms Purcell, there is a help for injured wildlife tool that is administered by DEECA to assist the community to access safety information and contact details for help for sick, injured or orphaned native wildlife they encounter.

Georgie PURCELL: Minister, are you saying that authorised officers should use the app for members of the public if they find an injured or orphaned kangaroo when out in the field?

Enver ERDOGAN: No, I think that help for injured wildlife is for the public. The officers will know who to contact in their region, and that is who they should refer the animal to.

Georgie PURCELL: Minister, could you please explain who in the region? Do you mean departmental staff, the conservation regulator, wildlife rescue groups, the police? Who in the region are you referring to?

Enver ERDOGAN: I am trying to make the point that who should be notified when an injured kangaroo is encountered depends on the specific location and circumstances.

Georgie PURCELL: I do understand that, but it is unclear. If an authorised officer finds an injured or orphaned kangaroo from a commercial shooter, of course they have an obligation to that animal. Could you give me, I guess, an example of a region – I can pick one if you want – of where they would report it to?

Enver ERDOGAN: The existing arrangements are continuing, so there is no change to the existing arrangements in place.

Georgie PURCELL: I am asking because nobody will tell us what the existing arrangements are, so I ask the same question again.

Enver ERDOGAN: For example, in some instances it would be DEECA that they would refer the animal to.

Georgie PURCELL: It is very difficult to obtain information about where commercial shooters are currently operating or have previously operated, leaving landholders who oppose shooting in a constant state of uncertainty and concern. Will ORV be required to publish planned and real-time shooter activity to warn surrounding residents?

Enver ERDOGAN: The current outputs of DJSIR are focused on publicly outlining program outputs and providing actual harvest data, as against the harvest allocation and location. The information that is currently available will be available going forward.

Georgie PURCELL: I am aware of the current obligations and the annual harvest data. I am asking about real-time reporting for the many regional Victorians who are not informed when shooting is taking place near their homes and properties.

Enver ERDOGAN: There are quarterly reports published on the DJSIR website, and that will continue.

Georgie PURCELL: Great, so they can find out three months later. Will ORV consult with First Nations Victorians when making decisions about wildlife and land management?

Enver ERDOGAN: Asked and answered. Traditional owners within the community, through connection to country, will be recognised as a core tenet of ORV's statement of expectations. I have made it clear that in my statement of expectations I will be making clear that that is an important tenet of that. There will be an expectation that they engage with the Gellung Warl and traditional owners in line with government commitments to treaty.

Georgie PURCELL: Two examples of totemic animals are ducks and kangaroos, which of course will be affected by this agency and ongoing government policy. How is the government reconciling that with a commitment to engage with First Nations Victorians in relation to wildlife?

Enver ERDOGAN: The goal here is to transfer the existing operations across; it is not to do a review of the settings per se.

Georgie PURCELL: That did not answer my question, but I will move on from it. Minister, the government recently made a decision to shoot koalas from helicopters. If the government does this again in future, would ORV be the responsible body for the regulation of that?

Enver ERDOGAN: No.

Georgie PURCELL: I am moving to a few questions about enforcement, and then I will hand over to Ms Copsey for a little bit. My office has been contacted by former fisheries officers who allege a directive was sent from the VFA board to direct fisheries officers to not work with police in breathalysing those out on the water. We understand this is no longer the case, but can the minister confirm if a directive was indeed sent?

Enver ERDOGAN: No.

Georgie PURCELL: Just to clarify, was that a no that a directive was never sent or that you do not know?

Enver ERDOGAN: No, I cannot confirm it. The answer is: no, I cannot confirm if it was sent or not sent.

Georgie PURCELL: Would you commit to taking that on notice?

Enver ERDOGAN: Is this a specific incident you are referring to?

Georgie PURCELL: I am not referring to any specific incident. I am referring to former fisheries officers, who lost their jobs in the cuts and who have been concerned about compliance, alleging a directive was sent by the VFA board to direct fisheries officers to not work with police in breathalysing those out on the water, which was something that they commonly did previously. It is not a specific incident, just whether or not a directive was sent to no longer do that.

Enver ERDOGAN: My focus is on getting this bill passed and seeing the consolidation of the new regulator in place.

Georgie PURCELL: I understand that, Minister. My question was just: if you do not know the answer, could you commit to taking it on notice? Again, this is a regulator of the fishing industry. We are just trying to get some answers on what will be going into this new agency, with the same people within these two organisations being merged together.

Enver ERDOGAN: My answer is: no, I will not be looking into that matter.

Georgie PURCELL: Minister, it is incredibly concerning that you would not. I want to go back to just one more kangaroo question. During the first quarter of 2025, only 1 per cent of active commercial kangaroo harvesters were subject to programmed in-field audits. 254 audits were conducted, but these were audits of harvester-returned data, which are self-reported figures submitted via a mobile app, not physical field checks. Will ORV increase in-field audits from just 1 per cent?

Enver ERDOGAN: Ms Purcell, I can confirm that is something that ORV could consider.

Georgie PURCELL: Just going back to enforcement, can the minister confirm that ORV authorised officers will work with police to enforce firearm and marine safety laws?

Enver ERDOGAN: In terms of firearm laws, they are the responsibility of Victoria Police, and obviously marine is with Safe Transport Victoria. But like any agency, of course they want to work with interagency operations and partnerships, and the sharing of information is important. I think they already do some of that work and that already exists, those partnerships and relationships, and I am expecting them to carry that on.

Georgie PURCELL: How will it be ensured and reported that children aged 12 to 17 have a junior firearm licence and are only ever handling a firearm with a fully trained and licensed adult under direct and immediate supervision?

Enver ERDOGAN: I think questions about firearms are out of scope of the bill. They are obviously, you would understand, matters for the Minister for Police – firearms and licensing.

Georgie PURCELL: Once again, I am struggling to see how this is out of scope when junior firearm licences very much relate to specific activities that ORV will be responsible for regulating, such as duck shooting, which has a junior licence category. I think this question is very squarely in the bill, and the minister has also just confirmed that ORV will be working with police and relevant agencies, as should be the case when these areas cross over. I just do not see how this is outside of the scope of the bill at all.

Enver ERDOGAN: I will just add that the use of the firearm itself is a matter for police.

Georgie PURCELL: So just to be clear, if there is a 12-year-old on the wetlands operating a firearm during the duck-shooting season, are you saying that is a matter for police? GMA conducts licence checks.

Enver ERDOGAN: Irrespective of age, if someone is misusing firearms, it is a matter for police.

Georgie PURCELL: I am not talking about the misuse of firearms. I am asking how ORV will ensure that they have a licence.

Enver ERDOGAN: In the same manner that the current organisations check licensing.

Georgie PURCELL: We got there in the end. How will ORV ensure and report that children under 12 are not in contact with firearms at all? I think this question is especially important following those damning allegations from the Field & Game meeting this year where the GMA officer admitted that they would not be paying attention to unlicensed children on the wetlands.

Enver ERDOGAN: Ms Purcell, you would appreciate, as I have stated earlier, and I think we are going around in circles now, that the same arrangements that are in place now would continue. Therefore if someone is not licensed, then obviously they will do their compliance functions and enforcement, and if they are misusing or should not have a firearm, it is obviously a matter for police.

Georgie PURCELL: The same arrangements are in place, and we know at least one compliance officer was saying that they would turn a blind eye to it. I am asking if there are going to be any further safeguards within ORV to ensure that children who should not be are not in contact with firearms.

Enver ERDOGAN: And I have said that the existing arrangements are transferring over into the consolidated entity.

Georgie PURCELL: Minister, you stated before that if individuals have complaints about an agency, they could do things like report it to the Ombudsman. I reported the GMA to the Ombudsman in 2024, and they said there was a substantive complaint. But because no-one complained in 2025, even though we did not receive a response till 2026, they closed the investigation. So forgive us for not having much faith. But regardless, will complainants to ORV be informed about the outcome of their complaints if they make one to the agency?

Enver ERDOGAN: Again, that is a very operational question on the response. But a lot of government agencies have response mechanisms for feedback and complaints, and obviously I am expecting this new agency to take on board best practice.

Georgie PURCELL: Minister, I actually only have a few questions left, so I will release you soon. I can see you are not particularly happy with me. I did give sufficient warning that I had a lot of questions. I just have some questions about the promotional activities. When we spoke about the conflict of interest that arose within the GMA during the duck-shooting inquiry and in the Pegasus report, the GMA made it very clear that there is a difference between promotion in the sense that you could promote safe and responsible hunting to an existing cohort of people that do it and then a very different kind of promotion, which is to grow the pool of people participating in the activity. It is clear that the VFA is doing this already. They have got a target for 1 million fishers in Victoria. Will you be trying to grow the pool of shooters, or will you just be promoting safe and responsible activities to the existing cohort?

Enver ERDOGAN: Again, these are matters for the organisation to consider, but I think the goal of the new agency, as you know by the title, is to grow participation in outdoor recreation. That means all outdoor recreation, because we believe it is good for people's physical and mental health.

Georgie PURCELL: So just to confirm, you will not rule out ORV promoting duck shooting to grow the pool of duck shooters in Victoria?

Enver ERDOGAN: I will not rule it out.

Georgie PURCELL: Minister, just going back to Pegasus again, you have said there are checks and balances that can be put in place when doing promotion and regulation. This was a really clear red line that even the GMA pointed out would be problematic during the duck-shooting inquiry. I can pull up the transcript if you wish. How has the government landed in a place of not ruling out promoting growing the pool of duck shooters in our state?

Enver ERDOGAN: I think we are coming from a premise that these are legitimate activities and that overall outdoor recreation as a whole, without being specific about any particular outdoor activity, is good for people's health and wellbeing. I think it is good for people to participate in outdoor recreation. As a result, we are saying there are organisations that do promotion and regulation well together, and there are mechanisms that can do this. They are in place to make sure those conflicts, or potential conflicts, are managed. My expectation is that when there is a new leadership team this executive looks at their workstreams and has the appropriate different channels of workstreams to manage the potential for conflict.

Georgie PURCELL: Minister, my final question to you – at least for now – is: do you agree with former commissioner Ken Lay's view? He wrote:

> … no recreational pursuit, however valued, can take precedence over the safety of the whole community.

The DEPUTY PRESIDENT: Sorry, you have asked for an opinion there, so that is not within the scope of the bill.

Georgie PURCELL: I will rephrase that. Do you think the establishment of ORV is reflective or in opposition to former commissioner Ken Lay's view that:

> … no recreational pursuit, however valued, can take precedence over the safety of the whole community.

The DEPUTY PRESIDENT: It is up to the minister whether he answers or not.

Enver ERDOGAN: I think Ken Lay's report was clearly directed, in terms of firearms licensing, to the Minister for Police. I am not going to comment on his work. He is obviously a respected former officer. Therefore I do not believe Ken Lay's views are in the scope of this legislation.

Melina BATH: Minister, when game management licences were being renewed in recent times – duck-hunting licences or deer licences – there were people who approached me and said that they were concerned that it was all going online and in digital terms and they needed to have an email address, and if they did not have that, it was challenging for them to access. My question goes to equity of access. How will this new organisation ensure fair access for all users, including those regionally based or those, we will say, that lack that strong digital access?

Enver ERDOGAN: I am confirming that the bill does not change the way licences are currently issued. I think ORV will have to accept the new entity will need to work on its engagement plan with people and make sure that there is access. It is a really good question, because I know we see that across government services, about providing access via non-digital means. But obviously a lot of people do prefer digital means these days.

Melina BATH: I have a follow-up on that. What provisions do you see to ensure that? Hunters want to be compliant. Their licence renewal comes in; they need to apply online. Therefore there can

be that tension if they do not have the facilities. Can you provide an example of what could happen if they do not have an online presence? How can they get their licence and still be compliant?

Enver ERDOGAN: I think that is a good question. I understand there are current arrangements where you can make contact during certain business hours – make a call – or I understand you can also access these services via some libraries. They would remain, obviously, because we are just consolidating at this point. But I think the issue about engagement is an ongoing discussion with the new agency.

Melina BATH: Minister, this goes to some of the discussion in the bill around the principle of an evidence-based approach. This is the philosophy behind sections in this bill. I am going to move some amendments in relation to evidence. I think the bill talks about best practice or the best available evidence. Can you confirm that reliable data will be a driver used to make decisions? How will using best available evidence work in practice with this new organisation?

Enver ERDOGAN: I think that is already the way evidence is used, and the duck season is a good example, with the adaptive harvest model that was developed – a world-leading model. Those types of models already exist, so they will just be transferred across. I think this organisation will be able to focus its energy where it sees it is needed, but I think the adaptive harvest model is a good example of one where there is a good model in place, and that will continue.

Melina BATH: Is there scope for that lived experience as well? Because the adaptive harvest model is Klassen and Kingsford and somebody else whose name escapes me. But they are professors, they are ecologists, and they do very good work. We actually had them when we were doing our inquiry into game bird harvesting, and they gave very good evidence about duck hunting. Is there scope for local knowledge and lived experience to be considered, and if so, how?

Enver ERDOGAN: I feel as though many of the people, whether it be in the VFA or in the GMA space, have lived experience. They all have some involvement one way or another or interest in these matters, just as a lot of the people in the animal welfare space are quite active and have a lived experience or passion on these issues. So I think lived experience – just by the nature of outdoor recreation, people that are drawn to it have their own knowledge and perspectives. I think these are considerations. There are models like the adaptive harvest model, but there might be other models that this new organisation can work towards. But initially it is just a transfer across of the existing practices and not changing the existing practices.

Melina BATH: I just want to ask some questions around clause 16, and then when I move my amendment to clause 16 that will just assist, I think. It relates to confirming that the department will not rely solely on desktop. Some of the concern that we have heard in consultation is that when there is evidence taken, it can be from one source, and you are starting to expand on the different forms. But is that the vision that you have for this ORV, that there is a desktop survey of things, or that there is a broader spectrum? That would feed into my amendment coming up.

Enver ERDOGAN: I think that a lot of those questions are really detailed on how they will be operating going forward. I will be wary about people being too critical of desktop reviews. Sometimes they can give you the quickest response and turnaround time and then further investigation, so there is always a balance. But I think: let the new organisation leadership consider that and balance that. I am sure they will be seeking input.

Melina BATH: Minister, your take on the name – we have had discussions around 'Outdoor Recreation Victoria', and we have had discussions around the information that I have. One of them is Seafood Industry Victoria. In the last six months I think have had contact with them 12 times in various forms and discussions and emails. The idea of 'Fishing, Hunting and Outdoor Victoria': is that something that, as this has evolved with your knowledge of this – you have been in the portfolio for 10 weeks, as you have said – you think is a better place than where we were some months ago?

Enver ERDOGAN: I am not sure if I have said it on record, but I am accepting your amendments, Ms Bath. I think it is a good description of a lot of the existing entities being consolidated. But obviously, going forward, longer term, we want outdoor recreation more broadly to be a big focus. That does not mean that the existing industries, like commercial fishing, will not have a role. They will still continue to have a big role. But I think I have already indicated my support for the name change. I will put that on record.

Melina BATH: This is not to press it. It is just to make it easier when we get into the flow and everybody is sitting in here looking at their watches. I just want to address something that I heard one of the members say in relation to our amendments. As we know, things move and change. On Monday afternoon, I think before the crossbench bill briefing, I provided at that time our tranche of amendments with a rationale behind them, so the crossbench have certainly had access to them, and I provided them to you as well. Then we morphed and refined them until earlier today.

Ms Copsey was talking about expanding the definitions of 'outdoor recreation'. We have talked about motorised and non-motorised recreation – 'non-motorised recreation' can actually mean birdwatching and butterfly catching as well; it is quite a broad aspect that it encompasses – recreational motorcycling and trail bike riding, and prospecting and fossicking, and I think I have addressed that very strongly, that this is a passionate group with a very traditional pastime that feel they need to be more strongly represented in here, in the bill and moving forward in the entity. There is also horseriding. You will be aware, Minister, of people such as the mountain cattlemen and Cass McCormack, who is the female president of the mountain cattlemen. They do care for the High Country. That is their passion, and they bring people along on that journey and also other equestrian activities. The rationale behind this is to be more encompassing and therefore visionary – for your vision as well as many others. Is that a fair statement, Minister?

Enver ERDOGAN: As I stated earlier, the list was not intended to be exhaustive, but I accept your amendments to make it crystal clear. I can appreciate your concern there, so I welcome those amendments.

Melina BATH: Also in relation to commercial fishing – and I know I had probably an hour on it at the beginning of the committee stage – they need to feel confident that nothing has changed and that the government is supporting this in the legislation. Elements that they have asked to be incorporated in relation to the principles look and speak to the sustainability and viability of commercial fishing and aquaculture and therefore also the facilitation of fair and reasonable access to aquatic resources. In order to have an industry, you have got to be able to have water – naturally, where fish live – but also healthy environments and those healthy fisheries. Would you say these things, sustainability and viability, go hand in hand with commercial fishing and aquaculture?

Enver ERDOGAN: In short, yes.

Business interrupted pursuant to standing orders.

Enver ERDOGAN: Pursuant to standing order 4.08, I declare the sitting to be extended by up to 1 further hour.

Melina BATH: We were just talking about the principles of an evidence-based approach and the importance of using scientific data, regional data – so localised data – safety and compliance, environmental conditions and stakeholder knowledge. I think you have really gone to that in responses to me and others. That on-the-ground evidence, including observations, incident reports, field assessments where appropriate and the like, all just add to a greater picture than how the bill was initially worded, which was the evidence-based approach. It is just fleshing out that evidence. Is this something that should be adopted and is acceptable?

Enver ERDOGAN: Yes.

Melina BATH: In relation to the principles of transparency, the bill talks about members of the public having access to reliable and relevant information in appropriate forms, and this relates to game hunting, and it relates to recreational fishing, commercial fishing and the process by which decisions are made in relation to other areas. I have been on another inquiry, which we do in this place, with other members here in relation to consultation and the importance of getting consultation – I do not know if the word is 'right', but improving it, because it is a continuous improvement. Part of the amendment that the Liberals and Nationals are putting forward is about transparency in relation to practical consultation in that process. What would practical consultation look like? And how could the government in this piece of legislation facilitate that practical consultation but then also the transparency around it? What do you see as able to be improved in ORV in terms of the consultation process?

Enver ERDOGAN: Both the VFA and the GMA already do quite extensive consultation, Ms Bath, you would accept, so it is more about the reporting on that work. I think that is where the opportunities for improvement are. I know you have some suggestions there, which I have agreed to support, and so I look forward to their implementation.

Melina BATH: In relation to the board – we have had many discussions tonight about the board and the appointment of directors – one of the things that the commercial fishing industry has spoken about is having more focus on outdoor recreation, the fishing industry, aquaculture, hunting and recreational fishing, so making sure that an organisation that has come together from VFA and from GMA really has that focus in the board, as well as – I have heard you mention it – that governance, that structure, that understanding and that legal entity. Also, we spoke earlier about First Peoples culture being included. These things are very important. Do you agree with that? My other question to you is around having board members that actually reside in Victoria wherever possible. If there is going to be a board that deals with public land management, game management et cetera, a Victorian-based board person will actually give that localised and relative information and understanding and experience.

Enver ERDOGAN: Ms Bath, I think you know I have already agreed to this principle. I think it is important that someone resides in Victoria, and that is why we have put 'where possible' in respect of border communities, which is one of the improvements we made to the amendment. I support that statement.

Melina BATH: In relation to conflicts of interest on the board, I have had feedback from local fishing clubs. There are some fantastic local fishing clubs in my patch and I am sure in western Victoria and even up on the lakes and all of that, absolutely. One of the concerns they had is that somebody could be an executive in their local fishing club on a voluntary basis but they could be excluded because of the way the clause is written. In clause 25 it says 'a senior or executive officer of a representative body'. By including someone other than on a voluntary basis – where possible, again – that is something that therefore does not preclude those people with great content and great knowledge, not earning an income, not attached to any kind of investment other than growing their own club and supporting their community, Minister. Is that okay?

Enver ERDOGAN: It is a sensible amendment that the government will be supporting.

Melina BATH: In relation to authorised officers and reporting, some of the conversations – and we have had them again – were in relation to the number of authorised officers and that when there is an annual report, the annual report provides some context around the number of authorised officers. Also, the second part to that is around information regarding access to land, including any matter that has reduced access to public land for the purposes of outdoor recreation – meaning withdrawn that access and removed outdoor recreation. I put it in context for this part of our amendment: this is not seeking to be a locked gate just because of a landslide. It does not need to be information about a closure of land that has had a bushfire through it. It is not in relation to those sorts of very practical things where land might have to be closed off, but this is around a government decision to close off

land because the government wants to remove outdoor recreation. This is the sort of reporting commentary that needs to be included.

Enver ERDOGAN: I think it is important that as a government we are committed to transparency and reporting that assists the public. I see others would agree. I think if more information could be provided without, obviously, compromising people's privacy and other confidential matters, we should look to make improvements. I know we discussed this, and we will be supporting that amendment.

Melina BATH: I am nearly through this, Minister. A very important one is the Land Access Panel. I think the definition of 'land' includes land with water on it, so it could be a stream, a river – correct me if I am wrong – a lake or a dam, but some of my communications and concerns from stakeholders have been around that aquatic water that exists offshore. Three nautical miles offshore, it is still Victorian land, so to speak, but it has got salt water over it. Having a land and aquatic access panel expands that so the access panel has the opportunity to look at land and saltwater lakes and marine environments.

Enver ERDOGAN: The intention was always to maintain the existing functions of the VFA for commercial fisheries and aquaculture and, as part of that, obviously the panel work. I think this is a sensible clarification, just to know that any of the outdoor recreation affected is covered by this advisory panel.

Melina BATH: Finally, in relation to this, again, in the bill briefing I did have a conversation around who could be on the land and water access panel. Again, stakeholders are really important, as we have discussed, but where possible there should be a majority of stakeholders, notwithstanding that somebody may be from a government department. There needs to be a balance, but having stakeholders is a really vital part of this, and this amendment just helps to stimulate that.

Enver ERDOGAN: Agreed.

Bev McARTHUR: Minister –

Enver ERDOGAN: The shadow minister was doing such a good job.

Bev McARTHUR: I know – fantastic. I am just filling in for a bit and trying to help out here. I will not hold a candle to my shadow minister, that is for sure. Minister, we are very concerned in my electorate about access to rock climbing, as you know. We are a bit inclined to lock the gate and throw away the keys, so I wonder if you can provide a clear update on the current status of the Dyurrite / Mount Arapiles access process, including when the community can expect a final decision on climbing, walking and broader recreational access.

Enver ERDOGAN: I can confirm that Parks Victoria is involved in working on an agreement around access to that. I do not like strict timelines because obviously there is working with traditional owners and obviously the rock climbing community and others, but I think we will have an answer soon. I am very hopeful, but I cannot give a timeline. I am very, very hopeful. I can give the commitment that as soon as we have an outcome, I am happy to communicate that to you, Mrs McArthur. But I am hearing very soon. Parks Victoria has obviously taken a lead in getting the parties together, and I understand an agreement is very imminent.

Bev McARTHUR: I could ask for a definition of how soon is soon, but I will take your word for it. It is definitely before we come back to the Parliament for the next sitting. Parks Victoria accused the rock climbers – at least the minister accused the rock climbers – of damaging the rock art only to find that Parks Victoria themselves had damaged the rock art. So yes, I will be very careful about relying on how soon is soon with Parks Victoria, Minister. Anyway, why has there been such limited transparency around the Arapiles / Dyurrite process, and will the minister commit to publishing the evidence, consultation outcomes and decision-making criteria being relied upon in this matter?

Enver ERDOGAN: I think it is out of the scope of the bill, but I am very hopeful of an outcome, and I hope I will be able to communicate that outcome shortly.

Bev McARTHUR: I know you are in the new world order of transparency and accountability, Minister. I think providing the evidence would go a long way to relieving the apprehensions and concerns of the public that want to use this fabulous space. It would be very helpful if you could commit to publishing the evidence and the consultation outcomes. It is not too much to ask, I do not think. Do you and the team up there think so?

Enver ERDOGAN: I think it is outside the scope of the bill, but I will take on board your concerns and interests, and I am hopeful to announce an outcome shortly.

Bev McARTHUR: We have got it on the record that you will take on our concerns, and we will hold you to it, Minister, that the evidence and consultation outcomes will be forthcoming. Given Parks Victoria's revised 2025–26 budget increased from $187.3 million to $211.7 million while the 2026–27 forecast dropped to $184 million, can the minister explain what the additional 2025–26 funding was used for and whether any of it relates to the Arapiles / Dyurrite access, planning, engagement or traditional owner processes?

The DEPUTY PRESIDENT: Minister, it is up to you.

Enver ERDOGAN: I think it is out of scope, Mrs McArthur. But I do remember during PAEC asking this question of the department, so if it comes back to me, I will let you know. I think it would have been a good PAEC question, because I was prepared for it, but I was not asked at the time. But it is out of the scope of this bill.

The DEPUTY PRESIDENT: Mrs McArthur, I remind you that questions have to relate to the bill.

Bev McARTHUR: I realised how anxious you were to get that question in PAEC, so I am just helping you out. You can have a go now and relieve us all of our anxiety in this matter. Have a go.

The DEPUTY PRESIDENT: Mrs McArthur, I do remind you that questions need to relate to the bill at hand, please.

Bev McARTHUR: Minister, can you guarantee that any future access arrangements at Arapiles / Dyurrite will be based on clear evidence, genuine consultation with climbers, local businesses, traditional owners and the broader Natimuk community – I must say the Natimuk community, Minister, have been devastated by the locking down of rock climbing – and will not result in blanket closures where targeted management would be sufficient?

The DEPUTY PRESIDENT: Minister, it is out of scope, but it is up to you.

Enver ERDOGAN: Mrs McArthur, I think it is out of scope.

Nick McGOWAN: How much will the ORV agency cost taxpayers? Full budget.

Enver ERDOGAN: It will be the consolidation of the existing GMA budget and the VFA budget as exists. All will be transferred across, so it will be a combination of the two budgets together.

Nick McGOWAN: I had heard your earlier answer this evening. I was just hopeful that you would have a figure so we can clearly share with the Victorian taxpayer what the budget will be.

Enver ERDOGAN: I understand they have $29 million of base funding.

Nick McGOWAN: I did hear that figure in your speech on the second reading. But that is the cumulative – that is the two agencies combined?

Enver ERDOGAN: Yes.

Nick McGOWAN: And that accounts for moneys already expended?

Enver ERDOGAN: That is their budget for the financial year. Some of it would not have been expended, but it is their budget for the year going forward. They have not spent all the money yet because obviously July will be the start of the financial year.

Nick McGOWAN: It is as clear as mud to me. The money they have from 1 July onwards –

Enver ERDOGAN: They will have $29 million for a year.

Nick McGOWAN: For the next financial year?

Enver ERDOGAN: Yes.

Nick McGOWAN: Okay. And of that funding, what proportion of that funding will be allocated specifically for compliance activities?

Enver ERDOGAN: That will be reported in accordance with the Financial Management Act as it is now with all agencies and entities. They will be reporting on their activities in the same way.

Nick McGOWAN: As you would appreciate, Minister, we did not have a lot of opportunity to ask these questions previously because we are now looking at this bill that was apparently urgent, but we are trying to nonetheless understand what proportion of that $29 million will be spent specifically on compliance. I am guessing that those agencies already have an existing figure, given the amalgamation of the two. Let me try the other way: what current proportion is allocated to compliance as it stands with the old bodies?

Enver ERDOGAN: I will need to take that on notice. I do not have that figure.

Nick McGOWAN: Okay. I often ask these questions and I have often been in these processes – when you take something on notice, when does it mean we actually get that? Because I think there has been a practice in this place to never come back to members when they ask these questions. Deputy President?

The DEPUTY PRESIDENT: The minister giving you an understanding to come back, is that what you are asking for?

Nick McGOWAN: A timeline would be useful, because if it is after November this year, that might be less than useful.

The DEPUTY PRESIDENT: Minister, do you think you can give a timeline on how long it will take you to reply to Mr McGowan?

Enver ERDOGAN: Mr McGowan, as a courtesy, I will endeavour to get it to you in 14 days.

Georgie Purcell interjected.

Enver ERDOGAN: Fourteen.

Georgie Purcell: Fourteen. I was just clarifying that I could have the same response time.

Nick McGOWAN: What will be the wage of the chief executive officer of the new authority?

Enver ERDOGAN: It will be reported in the usual way. With a lot of the executive salaries across the public service there is usually a band. I think the goal is to have the band somewhere around the senior executive service 2 level. There are bands, you understand, if they are in the public service.

Nick McGOWAN: You will understand if I am curious that we do not already know what the exact band will be or the range. To your knowledge, has anyone been approached or offered the position already of interim CEO, given it was supposed to commence on 1 July and we are only a matter of weeks away from that?

Enver ERDOGAN: No. Like I said, none of the board appointments were made either, nor the interim CEO nor the permanent CEO. It will be a matter for the board to consider.

Georgie PURCELL: I just have some more questions about fishing and the VFA. Wildlife Victoria statistics show that call-outs for entanglement cases have gone up 158 per cent since the government introduced the little anglers program. Are there any plans for ORV's compliance efforts when it comes to wildlife falling victim to gear? Will they cover that as well?

Enver ERDOGAN: The link between little anglers and those incidents you are talking about – I know the VFA dispute that increase, so they do not accept that. But it is inherent in their role. That education piece is vital. VFA already does some of that work, but I think that it is clear that there is an education piece to come with the growth of fishing and its popularity with the public.

Georgie PURCELL: Boy oh boy, Minister, it certainly is a coincidence that these cases have gone up 158 per cent since the introduction of that program, but no matter who is responsible, it is recreational fishers, so will there be a plan for wildlife that are injured from fishing programs?

Enver ERDOGAN: I am not planning to direct future operations of this new entity to that level. What I will say is they are consolidating, so they are transferring across. Whatever they are doing now they will be continuing initially. That is the plan.

Georgie PURCELL: Many people who provided evidence at the parliamentary inquiry into recreational native bird hunting arrangements said the government could also make an economic return by allowing wetlands to be opened up for the purposes of ecotourism, particularly Ramsar-listed wetlands. Will these opportunities be considered by ORV or only in relation to shooting activities?

Enver ERDOGAN: Future opportunities for ORV to consider will be open to them. There is nothing limiting what the future organisation could consider, but I think outdoor recreation and ecotourism is a big part of our state. We have got beautiful landscapes.

Georgie PURCELL: I stated before that in the decision not to ban duck shooting the government conceded that in order for that policy to pass the pub test, which it clearly did not, the regulator would need to improve. Can you please tell me how the regulator has improved in that time?

Enver ERDOGAN: You would appreciate that since that report there was the adoption of a science-based, evidence-based adaptive harvest model. There has been an increase in the number of compliance officers, and there is more education available within the online module.

Georgie PURCELL: Could you please explain what further education is available to duck shooters in Victoria? You conceded before that the government has not met its commitment to have proficiency testing in place by now. You stated that there was cultural awareness training. What other education modules are available to duck shooters in Victoria, and importantly, are they mandatory? And if they are mandatory, do they apply to the existing cohort or only new shooters?

Enver ERDOGAN: There is a mandatory waterfowl identification test. There are many other tests involved as well around safety in deer hunting and hound hunting. There are different modules. Some are not compulsory, you would appreciate, depending on the activity you are undertaking.

Georgie PURCELL: In your list of improvements since the government's decision not to ban duck shooting you have listed a requirement to have a licence that existed long before the duck-shooting inquiry and some modules that are not mandatory. Is there anything more substantive you can give me on the regulator's improvements?

Enver ERDOGAN: I think I have already listed the additional compliance officers. I have already listed that, so I think I might just leave it there.

Georgie PURCELL: How many more compliance officers are there since the government's decision not to ban duck shooting?

Enver ERDOGAN: I understand that it has steadily increased since that time. You would appreciate during the Pegasus report it was six, and now it is 23. I understand that there was a jump post the committee report of another four or five, so it is about another 20 per cent or so since the report to get to the current figure of about 23 compliance officers.

Georgie PURCELL: One of the things that the government specifically referenced would need to be improved when it came to compliance and regulation was the widespread act of wounding, which is unavoidable in duck shooting by the very nature of spraying an animal with pellets. Could you please tell me what work has been done in that space?

Enver ERDOGAN: There is *Victoria's Waterfowl Wounding Reduction Action Plan 2025–2029* (VWWRAP) that was implemented following the report.

Georgie PURCELL: I am very aware of the VWWRAP. Could you please tell me if you have evidence of its effectiveness? Has it reduced wounding?

Enver ERDOGAN: Ms Purcell, there has been no evaluation yet of the program.

Georgie PURCELL: When will there be an evaluation, and will ORV be undertaking this task? The reason I ask is because the government has refused to put animal welfare as a skill set on the board even though it is legislating other positions.

Enver ERDOGAN: No decision has been made about when to undertake an evaluation, but it would be open to the new authority to undertake that work if it chooses to do so.

Georgie PURCELL: So just to get this clear, there is no plan, it is just an option. It is a decision of ORV if they want to continue addressing the biggest animal welfare issue that exists within the duck-shooting fraternity.

Enver ERDOGAN: Yes, it will be an option for them to undertake that evaluation work.

Georgie PURCELL: You are filling me with confidence right now, Minister. You mentioned before that there are 23 officers now. Are you aware that if there was going to be compliance at every wetland over the duck-shooting season, that would require each officer to visit 869 wetlands each per day?

Enver ERDOGAN: I think that, like a lot of regulators, they take a risk-based approach. So where there are public reports and where there is a high incidence, I am sure that is where the resources are best directed to. It is not possible, obviously, to police every spot at all times. In any industry that would not be possible.

Georgie PURCELL: Of course that statistic does not even include private land, where we know 50 per cent of shooting activity now occurs. What will ORV's plan be to monitor compliance on private land? Will there be a focus on doing that, given that half of the shooting activity happens on it? The reason I ask this is that when I asked the GMA what compliance efforts they made on private land during the 2023 season, the answer was zero.

Enver ERDOGAN: I think their plan is to maintain the current regulatory approach.

Georgie PURCELL: The regulatory approach is zero – fantastic. The GMA estimates that 3 tonnes of lead are put into the Victorian environment every year. The former minister overruled a plan to phase out lead shot in deer shooting, as has already been done for duck shooting. Will ORV review the plan not to ban lead shot, noting the devastating environmental impacts?

Enver ERDOGAN: I think that is an option open to the new entity. It is an option for them to consider. There are no plans for that.

Georgie PURCELL: Minister, I know you are the Minister for Outdoor Recreation, but you are also the Minister for Environment. I think it would fill us with a little bit of faith if you would at least

commit to having the conversation with them. Regardless, the parliamentary inquiry into duck shooting found a significant amount of public funding is put towards compliance, but the sheer geographical size of public land, as I mentioned before, available for hunting made this a near-impossible task for the Game Management Authority. What will ORV do to overcome this challenge?

Enver ERDOGAN: I think, as I stated earlier, they will be taking a risk-based approach to the enforcement. It is not possible for every regulator to be everywhere all the time, so they do take an intelligence-led, risk-based approach.

Georgie PURCELL: How would you define the risk-based approach that they take?

Enver ERDOGAN: I will leave that to the experts and professionals at Outdoor Recreation Victoria.

Georgie PURCELL: The reason that I ask is because you spoke about public reports earlier and said that you would be aware of the third-party report form to report protected species present on a wetland during the duck-shooting season. There is a very clear criteria for wetlands to be closed. At Tower Hill game reserve during the duck-shooting season a bird expert reported more than double the threshold for closure of blue-winged shovelers. They did not receive a response to their first report. They followed up three days later. They did not receive a response to that. And then, out of frustration, they reported a protest at the same wetlands and received a response in 2 hours saying compliance efforts would be sent out. Do you have faith in this risk-based approach?

Enver ERDOGAN: I just wanted to get clarification that some of the wetland responsibilities are shared across DEECA and the new authority – currently GMA. Of course I have got confidence in their ability to do their work. These are people that are professionals that work in the field, and they are the experts, so of course I rely on them for information.

Georgie PURCELL: I just want to clarify what you said. So you think it is appropriate that a protected species report was left unresponded to but a protest report was actioned in 2 hours?

Enver ERDOGAN: In individual cases the experts are best placed to make those decisions about the urgency of the response, so I am not going to question that on an individual basis or for an individual case. Like I said, I think these are difficult roles, and I thank them for their work.

Georgie PURCELL: I remind you once again that you are the minister and also the Minister for Environment. I am just wanting to clarify that you think it is not a matter to intervene on when protected species reports are being ignored by your department.

Enver ERDOGAN: Let me just set my expectation that protected species reports are very important, and they should be responded to. But I am not going to talk about individual cases, because obviously I am not across that individual case myself, and it would not be appropriate for me to intervene in individual circumstances. But what I will say is protected species are important, and when reports are made it is important that they are responded to. We need to protect our biodiversity and conserve our precious natural resources as well as protect wildlife.

Georgie PURCELL: I agree that it is important that protected species reports are responded to, which is why I want to talk about another one. Towards the end of the duck-shooting season there were over 20 brolgas at one wetland. You would be aware that brolgas are not just protected, they are endangered.

Enver ERDOGAN: They have got that different neck.

Georgie PURCELL: They do have a different neck.

Enver ERDOGAN: I was looking at the photos.

Georgie PURCELL: Yes, they are very beautiful birds. Yet, despite them being very beautiful and endangered birds, there was a report of these brolgas not once, not twice, but three times, and then the

GMA was actually at the wetlands and the individual reported it directly to the officer, who did not action the report. The most concerning part is that the GMA officer should have seen the brolgas and known that was a reason for closure. For brolgas the threshold is 10. As I said, they are endangered. There are only 600 to 900 of these birds in the state, and what is critically important about closing wetlands that they are on is that they are not just at risk of being shot but disturbance can impact their breeding activity by the fuel they use to flee wetlands. Why wasn't this wetland closed as well?

Enver ERDOGAN: That is a very difficult question to answer, because obviously a lot of the decisions about operations and which wetlands stay open and closed are based on the information that the GMA receives. I do not make those decisions, so I am not going to pontificate here on what was the appropriate decision at the time based on the information before the relevant authority. But we do care about protected species and species that do face potential extinction. That is a matter of serious concern to me. But I think these are issues that, as we consolidate our agencies, are for the new leadership team to consider, and I would be happy to continue this discussion if the legislation were to pass today.

Georgie PURCELL: Minister, I agree they are important decisions. Do you agree that when members of the public do the right thing and follow a process that was previously honoured – I am not saying it is your fault, and this should not even come to me, but this whole duck-shooting season people have been coming to me because their third-party report forms were not actioned. As I said, you are the minister. It is your department. Will you instruct these third-party report forms to be responded to, again, when ORV takes over this responsibility?

Enver ERDOGAN: In a response to an earlier question I already stated there are opportunities with the new consolidation of these two authorities to look at best practice for taking feedback and responding to complaints or concerns, so I think that is something for the new leadership team of this organisation to look at. But of course my expectation is that people get a response. I can understand with the volume that can always be difficult for agencies – all agencies, all members of Parliament – but I think it is important to respond, especially when there are serious concerns about welfare.

Georgie PURCELL: I look forward to quickly actioned compliance under your leadership with ORV, then. Someone who provided a submission to the parliamentary inquiry into duck shooting is someone I mentioned earlier who operates a kayak business which is consistently impacted by duck shooting. When shooting is happening, people are unable to kayak, not just out of safety concerns but because it is illegal. How will ORV manage this conflict of intending to open up the great outdoors while simultaneously locking people out?

Enver ERDOGAN: That is a really good question, and I could not answer that right now, because it is something that the new entity would need to consider. I can see how there can be situations where different outdoor activities do compete for the same space, potentially, but obviously that is a matter for them to consider in due course.

Georgie PURCELL: Minister, I just want to pick up some comments you have consistently made throughout this debate. When many of us talk about our concern about this model of being a regulator and a promoter, you consistently reference WorkSafe, but WorkSafe does not promote a commercial industry; it promotes a standard within all industries. Could you give us a better example of this inspirational model that you have created to give us some faith?

Enver ERDOGAN: I have also talked about the VFA. I am not sure you are a fan of the VFA. I know you are not a fan, but I think the VFA – one of the entities that has crossed over – is a good example. But I think there are many other examples around the world where people do have compliance and promotion objectives. The key is to have the right structures in place, and that will be in my expectations to the new entity and their leadership team and their board when it is created. I think that is an opportunity for them to improve on. The VFA already does that work, and I guess the ORV will get that opportunity.

Georgie PURCELL: Minister, of course in referencing the VFA, I think you know what I will say: noncompliance has gone up since this government sacked almost 50 per cent of its authorised officers. I am more than happy to share that FOI with you, because it seems like that is new information. What will you do to address this? If that is the best model we have got, it is not giving me a whole lot of faith.

Enver ERDOGAN: I think this has already been asked and answered. I think it is for the new leadership team to look at – where they can separate their regulatory functions from the promotion functions for different workstreams through the organisational structure. But that will be up to them to set up.

Georgie PURCELL: Responding to concerns on the commercial fishing sector from Ms Bath, the minister referred to Victoria's southern rock lobster. The Rock Lobster Resource Assessment Group indicated that 547 recreational inspections were conducted in 2024–25. Does the minister know how many inspections occurred in 2025–26?

Enver ERDOGAN: I do not have that information at hand, so I am happy to take it on notice.

Georgie PURCELL: There were 106 inspections for our wonderful southern rock lobster – only 106. How does this reduction in inspections give any confidence in the protection of this priority species?

Enver ERDOGAN: I will take that question on notice in relation to that specific incident, because obviously I do not have that information before me, but I am sure there are operational reasons. You are asking about operational matters. They might have made a risk-based assessment on the need for that sector because it is maybe a lower risk sector. I am not going to speculate. I think that is a decision that clearly management made.

Georgie PURCELL: In any circumstance where ORV's compliance function would, if properly exercised, reduce participation in hunting or fishing – for example, recommending a duck-hunting season closure, as this government previously used to do when it was the right thing to do – how will the government ensure the promotional mandate does not functionally override the regulatory one? And what legal mechanism will resolve that conflict?

Enver ERDOGAN: I have answered this already. It is about having the right structures in place for that organisation. I look forward to the new entity and its leadership drawing up those workstreams, because they are clearly two different functions. But it is for the organisation to set up those systems.

Georgie PURCELL: Minister, I know you are new to the role, but it is your responsibility to cancel a duck-shooting season. It is not a matter for ORV – you are the one who could cancel a duck-shooting season. So I am asking: how will the promotional mandate not functionally override the regulatory one?

Enver ERDOGAN: I think you would appreciate that the duck season cancellation or closure of wetlands is based on advice from the regulator that the minister adopts. It needs to be signed off by two ministers at the moment, the Minister for Outdoor Recreation and the Minister for Environment. I have this odd situation at the moment where I sign off on both, but of course I make sure I am diligent in reading the advice. There is an adaptive harvest model in place, so based on that advice, I am not expecting a change in relation to that.

Georgie PURCELL: I will move on from that, but I will note that the minister receives advice but it is ultimately their decision. Gavin Jennings cancelled many, many duck-shooting seasons, although I do not have faith that will be happening anymore under this government. But I will move on. Given the imminent threat of highly pathogenic avian influenza and H5N1 reaching Australia, and expert warnings that Australia needs to bolster waterbird populations rather than reduce them, will ORV be required to conduct and publish biosecurity risk assessments before recommending future seasons? And if not, why not?

Enver ERDOGAN: I think right now what is happening is that the existing functions are being transferred across, so I am not expecting them to initially do anything new because initially it will just be the transfer and consolidation. But in terms of what the future plan is, I think that is a matter for them. I know DEECA does a lot of work in this space as well, putting my environmental hat on, to assess the risks. That is something that I know that DEECA pays very close attention to. So I am not sure if it will be this entity that will do that work, because I know DEECA does do that work.

Georgie PURCELL: As one of ORV's core functions is to increase participation in outdoor recreation, including, as the minister has noted, duck shooting, if a government were to again consider a ban on duck hunting, should we expect ORV to work or campaign against it?

Enver ERDOGAN: That is a very good question. I think they would be able to provide advice against it, for example, but I would not expect them to be campaigning on it. Ultimately, the decision would be a government policy decision, as it is at the moment, to continue duck hunting.

Georgie PURCELL: I am very much aware of the government's position; don't you worry about that. But my question was not about advice or the ability to give it. My question was: would they be able to campaign against it given their promotional responsibilities? You said you would not expect it, but my question is: could they?

Enver ERDOGAN: There is nothing prohibiting them from doing that in the bill per se. But obviously, like a lot of government agencies, usually the approach with government is to provide advice, and then the government makes the policy settings.

Georgie PURCELL: We have spoken about some pretty lacklustre programs that exist for shooters. I just want to confirm that they will continue to exist under ORV.

Enver ERDOGAN: I think the programs that exist now will be rolled over to the new entity as they are at the moment. It is just a consolidation, so no change.

Business interrupted pursuant to standing orders.

Enver ERDOGAN: Pursuant to standing order 4.08, I move:

> That the sitting be extended.

Motion agreed to.

Sitting suspended 11:59 pm until 12:11 am.

Georgie PURCELL: Minister, will ORV as a new body assume the functions of volunteer wildlife rescue and recovery, or will this continue to be left to volunteers?

Enver ERDOGAN: The status quo will continue.

Georgie PURCELL: So just to clarify, there will be no rescue and recovery functions for, say, wounded waterbirds during the duck-shooting season?

Enver ERDOGAN: Just the status quo. What exists and is currently in place will continue to exist with the consolidation.

Georgie PURCELL: Minister, can you tell me what the status quo is when an officer finds a wounded bird?

Enver ERDOGAN: I would need to take that on notice. At this hour I cannot really call the GMA. I will get clarification.

Georgie PURCELL: The answer is 'dispatchment'. I was just curious if that was going to remain the case. There is no need to call the GMA. Lucky I am here.

Enver ERDOGAN: You know the answer.

Georgie PURCELL: Yes. I was just wondering if that would still be the case. I was going to ask you the methods of dispatchment, but I presume that will not be known as well. I only have a couple more. Have any animal welfare impacts been considered when merging the GMA and the VFA?

Enver ERDOGAN: The biggest focus was on consolidating the existing entities, which already have animal welfare considerations at their heart and as part of their roles. As I said, there are opportunities for them to look at it, and I am happy to continue the conversation, Ms Purcell, as I know we probably will irrespective, on ways to make improvements.

Georgie PURCELL: How did the government take into account the state threatened species legislation, the Flora and Fauna Guarantee Act, which contains an obligation or duty on public authorities and ministers to consider potential biodiversity impacts when exercising their functions, as set out in section 4B, as legislated by this government?

Enver ERDOGAN: This legislation does not make changes to the existing way these decisions are made, but the existing legislation, when making decisions about seasons, needs to consider the FFG legislation at the moment, and obviously that will continue with the new entity.

Nick McGOWAN: Earlier this evening we were talking about compliance, and a number of members here tonight have already raised with you their concern about the Victorian Fisheries Authority and the restructure that resulted in the reduction of approximately 50 per cent of fisheries officers statewide. The commensurate data that we now have under freedom of information says that compliance has decreased significantly – substantially, in fact – in that respect. Are you not concerned that this represents a decline in available stocks and actually threatens the entire fishing industry more broadly?

Enver ERDOGAN: In short, no.

Nick McGOWAN: Sorry, perhaps I am hard of hearing. The answer to that was no, even though we have had a decrease from the data that we have seen in terms of compliance. It was previously 90 per cent compliance. We are now down to 70 per cent or thereabouts – 72.1 per cent to be specific. Ultimately, we are talking about the sustainability of many aquaculture industries. You have already heard tonight about the rock lobster and the very few inspections that have occurred year on year. That trend would give us some cause for concern. Would it not give you any cause for concern?

Enver ERDOGAN: Rates of compliance are matters of interest, but I would like to see a bit of a deep dive into that data about where this growth has occurred. As I said, they might be doing less inspections because that sector is less risky, for example. I would need a deeper dive instead of just selecting one data piece and making a broad comment about compliance.

Nick McGOWAN: You can take as deep a dive as you like, because there are no fisheries officers to see how far you will go or what you will do. Perhaps I can encourage you to do that deep dive and get those figures as soon as possible before our entire fishing industry is decimated by the absence of any fishery officers under your government.

I see in the bill, under definitions, you include 'First Peoples', and 'First Peoples' has the same meaning as in section 4 of the Statewide Treaty Act 2025. Is that correct?

Enver ERDOGAN: Yes.

Nick McGOWAN: Would it not be simpler to just delete that particular definition?

Enver ERDOGAN: I understand it is needed for clarity, especially in relation to guidance for the minister in board appointments.

Nick McGOWAN: I only make the suggestion because you have listened not one iota to the Indigenous people of Victoria, so I do not understand why you would need to make any further reference to Indigenous people, full stop. Nonetheless I thank you for your response. I was asking a

little bit earlier about the interim CEO. Is it the intention that you will have an interim CEO and then you will look for a permanent CEO? When will that permanent CEO be in place?

Enver ERDOGAN: That is a really good question. I think the goal would be to pass the legislation first, then talk about how we can move towards consolidation and then potentially an interim CEO, set up the board, and then the board would have to undertake the initial work in terms of appointing a permanent CEO. But they would need to do that in consultation with the minister, so with me. But in terms of timeframe, if the legislation were to pass this morning, we would work towards that as soon as possible. Realistically, to set up the consolidated entity, if it is to go back to the other place, we are talking to the end of July to set it up. We want to do it straightaway and be ready from day one. To at least start the process of setting up this entity, we are talking August. I am not sure how long it would potentially take the entity to make a recommendation or look for candidates for a CEO position, but it is my goal to do it sooner rather than later, because obviously we are keen to have this in place.

Nick McGOWAN: Presumably it is not going to pass this place tonight, because it has to go back to the lower house, and I believe, unfortunately, the Premier felt it more pressing to leave the Parliament, for fear of being replaced. I understand she lives to fight another week in Parliament, but nonetheless, there is no prospect. When would you expect, should the lower house return and should there not be a change of Premier in July, that the board would be appointed?

Enver ERDOGAN: It is my intention to appoint a board shortly after. If we are to pass the legislation – and Parliament returns at the end of July – it would be sometime in August, realistically, or very soon after.

Nick McGOWAN: How much of the funding will be allocated in this ORV agency specifically for promotional activities?

Enver ERDOGAN: I think that is a consideration for the organisation once it is set up. As a starting point they will only have their existing base funding to carry on their existing duties. I think there was a chat with Ms Bath earlier about how if they were looking to expand their gambit and remit, they would need to obviously make a budget bid in next year's budget and go from there, but initially they are just carrying over their existing functions.

Nick McGOWAN: I suppose then the logical question is: what part of that existing budget is dedicated for promotional activities?

Enver ERDOGAN: Just for clarity, Mr McGowan, the GMA does not do promotions currently. They have no budget for promotions because they do not do them.

Georgie PURCELL: The GMA does not do outward promotional activities in relation to increasing the pool of hunters, but they certainly do promotional activities in relation to so-called safe and responsible hunting. Perhaps you could answer Mr McGowan in relation to that.

Enver ERDOGAN: I do not have the detail of the breakdown, but again, I am happy to see if they have got information about that. I think Ms Purcell has touched on an important point. The GMA does not do outward promotion; it does education. Let us be very clear. The VFA does do some promotion. One of the programs that we fund in collaboration with the VFA, for example, is the little anglers program, which you would be aware of.

Nick McGowan interjected.

Enver ERDOGAN: I thought you were a fan. Anyway, that is disappointing to hear. More importantly, I do not have a breakdown with me of the budget.

Nick McGOWAN: If you could undertake to get back to us on both the VFA and GMA in terms of their current promotion/education budget, or however you term or phrase it, that would be very useful.

Enver ERDOGAN: I am happy to take that one on notice too.

Nick McGOWAN: What is the intention of the new body in terms of its promotional activities? Will they establish an age limit themselves in terms of those activities – promotion, education – again, use whatever word you want? Will they establish an age limit in respect to the people they are targeting in those promotions and activities?

Enver ERDOGAN: Promotion will be consistent with the regulatory framework. For example, if only people above 12 can partake in an event, of course they would be able to promote to that cohort. If only people that are adults can partake in those events, they should be only promoting to that cohort. I think depending on the regulatory settings for that activity, they should be obviously adjusting their promotions.

Nick McGOWAN: Okay. Forgive my ignorance – if I would like to promote duck shooting to 12-year-olds, is that entirely acceptable? Is that what you want to do, Minister?

Enver ERDOGAN: It is a hypothetical, but if it is in the regulatory framework, then they should be able to promote to them, but obviously that is a decision for the future organisation. The VFA already does promotion, as you can tell, and the little anglers program is targeted at young children – grade 5s in fact – for fishing. But in terms of whatever is in the regulatory framework, it depends on the activity. You are not going to be promoting four-wheel driving, for example, to 12-year-olds; you are going to promote it to adults. It just depends on the activity and where they see their priorities.

Nick McGOWAN: Excuse my ignorance, Minister, and I make no judgement whatsoever, but from what age can you shoot?

Enver ERDOGAN: I do not shoot, so I will ask.

I am informed that you can have a junior game licence from age 12, and you can operate with supervision. I am not necessarily saying that this new body will be targeting them, but obviously it is within the regulatory framework if they were to choose to do so.

Nick McGOWAN: How will the government justify promoting recreational fishing whilst slashing conservation jobs in Victoria, particularly the only small team currently left with the task of responding to marine animal and bird fishing-pollution entanglements? I am referring to the marine response unit there specifically.

Enver ERDOGAN: The marine response unit is not in the scope of this legislation.

Nick McGOWAN: Perhaps you did not hear my question, so I will repeat it. How will the government justify promoting recreational fishing while at the same time slashing conservation jobs in Victoria? I am referring, obviously, to the marine response unit, who are the only small team left with the task of responding to marine animal and bird fishing-pollution entanglements in the state.

Enver ERDOGAN: I believe that the second half of that question is out of scope, because we are not looking at the budget of DEECA. But in relation to little anglers and the promotion of fishing, we think it is important to get outdoors. I know many of your colleagues tell me how much they love going outdoors, whether it be fishing, boating or hunting. I think the little anglers program is very popular. Eighty thousand little angler kits will go out to kids in grade 5 across the state, and I think it is a really good program. It has had really good health benefits. We know a lot of the challenges that young children have being online, in the digital world. It is important for them to get outdoors. What we have here are benefits.

Nick McGOWAN: In respect to the promotional budget of this new authority, notwithstanding that we are talking about the two existing ones, what is their existing budget for social media? For example, Facebook – let us take a very easy example that I am sure your advisers can give you in terms of the money those two authorities spend on Facebook. I am referring to Facebook – obviously Meta – but any social media.

Enver ERDOGAN: Yes, any social media, because they may have an Instagram presence as well. I am happy to take that one on notice as well – how much they are spending on social media. That is a good one.

Georgie PURCELL: I just have two more questions. Obviously a lot of the responses from you have been that these will be operational matters once ORV has been established. Will you commit to meeting with me and consulting with me about the issues I have raised once it is established? That seems to be when all these decisions are going to be made. Noting that I did not really receive much correspondence on this bill, I think it is the least you can do.

Enver ERDOGAN: Ms Purcell, you know my door is always open to you. I think once the authority is in place I will always be happy to take your feedback and meet with you in person to talk about your concerns. You might have praise for the new entity; you might be impressed with the way they are organised. I am happy to have discussion, yes. I am happy to meet with you in person. We will have an agenda for the meeting ahead, please.

Georgie PURCELL: I will take you up on that offer because I am certain to see ORV in action at next year's duck-shooting opening weekend, presuming the government will be having one. I will take you up on that offer, whether or not I am in this place, since your door is always open. My final question to you: I have spoken a lot tonight about the recent allegations in relation to the Game Management Authority, and I have not found the responses satisfying. There seems to be this idea that this merger will happen and things will improve. What will your response be when ORV is established if similar allegations and evidence come to light under the new agency?

Enver ERDOGAN: I have not drawn up my ministerial expectations yet, but I have already made some commitments in here about what I am intending to put in there. But I think compliance is something that will be in my ministerial expectations to make sure that that work is carried out freely and fairly to all, because that is what I want to see. I think the scales of justice need to be fair to all parties, irrespective of their views on the issue, and that is what I want to see in any enforcement agency. So that will be something that I will incorporate into my thinking in drafting a ministerial letter of expectations.

Nick McGOWAN: Minister, can you also provide us a breakdown of the budgets for the two existing authorities in respect to litigation costs, so any legal costs for both of those organisations? I can only assume from the answer you have given previously that the combined budgets will then form the basis for the ongoing budget for the new authority. But can you give us the breakdown of two existing budgets for litigation?

Enver ERDOGAN: I am happy to take that on notice.

Katherine COPSEY: Does the government accept that increasing access for one activity and promoting one activity can reduce practical access for another – for example, where shooting discourages families, walkers or birdwatchers from using a wetland?

Enver ERDOGAN: I think anyone that has dealt with any sort of land use – risks always exist between competing interests. When you open up a local dog park there is a risk that other people that are allergic to dogs or fear dogs will not use that park. So there are always those risks. I am giving a nice local-level example – local government example – from my previous life. There are always potentially competing interests. We like to think that with outdoor recreation, as you saw from the initial list, there are a lot of actually complementary interests, so we feel that expanding access is good for everybody. But I do accept the point you are making.

Katherine COPSEY: You have said that your government's intent is to get people into the great outdoors and enjoying the great outdoors and that this agency is going to be promoting outdoor recreation. What are you going to direct the agency to do that will preserve access to land for passive

users and people who do not want to be shot at, run over by a four-wheel drive or, I do not know, hit with a javelin?

Enver ERDOGAN: Going back to where we started this evening, that is why the Land Access Panel is only an advisory panel. The final decision will be made by the relevant land managers or minister in that case, so it will be up to them to determine that. Many land managers do already balance different interests between different groups. So if the Land Access Panel makes a recommendation, the land manager, whoever that is – sometimes it is local councils, or it could be DEECA, a wide array of agencies or the minister – needs to balance that. I think that is for the decision-maker. But the Land Access Panel is only advisory, and we need to be very clear on that.

Katherine COPSEY: Do you accept that some of these activities that the government is defining as outdoor recreation do effectively require exclusive use and that is one of the reasons that they have to advocate so strongly in order to get the ear of governments? For those users who are lower impact, how are you going to ensure that lower impact users are not railroaded by the exclusive group of voices that your government is choosing to listen to?

Enver ERDOGAN: I do not necessarily agree with the preamble there, but I do agree there can be competing interests. We obviously want to avoid those where possible. Some of these users – you are right – require exclusive use for safety reasons or operational reasons. The hunting season is an example that Ms Purcell pointed to. I did not think I was going to refer to her, but there was an example that she shared earlier about the time. There is always that risk, but as policymakers and more so as decision-makers, this new entity will not be able to make decisions about land use. That will be for, again, the minister or the relevant land manager, usually councils or a parks authority. They will need to balance those considerations, because I know many of the activities that we envisage long term outdoor recreation will have more coverage over are quite passive and a lot of people enjoy them. I know some of you already made contributions to the second-reading debate, which I quite enjoyed because I agree with some of those points. Those activities are activities that we all enjoy. So there is this balance, but this new entity is not a decision-maker.

Katherine COPSEY: If the object is to get people into the outdoors, why is it that some of the activities that you have chosen to nominate in this legislation are the ones that lock up land away from other users? Why have you not taken the reverse approach and legislated specifically for those lower impact activities that can be undertaken concurrently and do not lock other users out of the park? Why aren't they first cab off the rank?

Enver ERDOGAN: I feel like that was asked and answered earlier. This list that we have put together is not an exhaustive list. Nonetheless, I do take your point. The goal was to consolidate the two existing authorities. A lot of these were closer to those two authorities' existing functions, although with a minor revision of scope. I do accept that. That was the initial thinking from what I understand, appreciating that the legislation was drafted and introduced before my time in this portfolio. Looking back, that is what seems to have occurred. But I do take on board your points. I hear you.

Katherine COPSEY: You keep conflating in your answers to me the merging of the two entities and then the other advisory aspect of the legislation, which is not really related to the merging of the two entities. My question was around the ordering of the interests that your government has chosen to engage with in drafting this legislation. If I could reiterate that question to you: why has the government chosen to focus on some of the interests that are enumerated in this bill that lock other users out rather than concentrating on those that can actually facilitate broad use of land by multiple groups of people in the first instance?

Enver ERDOGAN: My answer is probably not going to satisfy you, but the goal was obviously to consolidate the two entities as an initial starting point and, where those existing regulatory functions existed – like fishing, hunting and boating, which are quite well regulated – to consolidate those activities first. They were the ones that already had regulatory boundaries in place and needed this

regulation, whereas some of the other passive activities do not really necessarily require the same level of regulatory oversight because they are quite passive in their nature and relatively less risky.

Katherine COPSEY: Yes, that is quite a case of the squeaky wheels getting the grease here from this government. Will ORV, or whatever it ends up being called, be required to assess the safety impacts on all other visitors before advocating for increased access for the named activities?

Enver ERDOGAN: Safe and responsible outdoor recreation is obviously a core function. Without safety, you cannot have outdoor recreation. It should not be occurring if it is not done in a safe way, so of course they will be considering the safety of others as well, not just those that participate in the activity.

Katherine COPSEY: You spoke about the idea that you would be happy for this new entity to be promoting gun usage to young people, to children, who would be too young to even have social media accounts in Australia.

Enver Erdogan interjected.

Katherine COPSEY: If I was paraphrasing you incorrectly, you did not seem perturbed by that at all.

The DEPUTY PRESIDENT: Minister, would you like to clarify?

Enver ERDOGAN: I disagree with the characterisation – never did I express any kind of happiness or otherwise. I just said whatever is within the regulatory framework they are allowed to promote. But I disagree with that characterisation.

Katherine COPSEY: Forgive me, but that is a pretty hands-off approach for someone who is bringing this bill to Parliament and advocating that we all pass it tonight. You have got to take responsibility for what the bill enables. How can ORV independently regulate game hunting while also having an objective to increase participation in game hunting?

Enver ERDOGAN: This has been asked and answered a number of times.

Katherine COPSEY: All right, I will put a more specific example to you, because I still do not understand how it is going to work based on the answers that you have given and the history that we have seen in this state of this model not working. If enforcement action or compliance action may reduce participation, if we see a large number of licence infractions and flouting of safety regulations, which function is ORV to prioritise?

Enver ERDOGAN: To a certain extent they are quite independent. I think its expectation is that people operate safely and within the rules or laws in that place. Enforcement action in terms of people breaking the rules should occur irrespective of any other goal of an agency, because safety should always be prioritised.

Katherine COPSEY: So safety should take priority?

Enver ERDOGAN: Yes.

Katherine COPSEY: Forgive me if you have answered this, but will ORV have a separately identified compliance division, and will the funding for that be exclusively towards compliance and not able to be redirected into participation programs, grants or promotional activities?

Enver ERDOGAN: There are a few parts to that question, but I think the first part is yes, they should have a separate compliance stream of work that is separate to the other functions, such as promotion. We have already identified and accepted that there is an element of a potential conflict there, so they should have those structures in place. In terms of a separate budget, I think that is a bit more tricky, because I think that is for the entities being consolidated and set up. I think that is something that the new leadership will need to consider on how they allocate resources.

Katherine COPSEY: Clause 8 requires strategies to minimise the impact of game hunting on non-game species. Why are there no equivalent functions concerning the effects of some of the other higher impact activities that the government has identified, such as four-wheel driving, mountain biking, boating and expanded public access, on threatened species and habitat?

Enver ERDOGAN: I understand that for those activities – for example, four-wheel driving and biking – the conservation regulator already has powers that regulate them on what they can and cannot do, so there are existing regulations in place, in other legislation, admittedly.

Katherine COPSEY: Ms Purcell is not in the chamber at the moment. We sat through a really informative committee process looking at the incidence of wildlife road strike. That commonly occurs much more on our arterial roads, but still the impact of vehicles on wildlife is staggering in this state. It affects the same workforce that goes out and has to clean up after duck slaughter season. So rescuing wildlife creates additional pressures on that volunteer workforce and those agencies as well. Forgive me, but given that this entity is going to be looking to promote activities like that, do you accept that there is going to be additional workload that flows from the promotion of activities such as four-wheel driving because of their impacts on wildlife?

Enver ERDOGAN: I hope not, because we want people to do these activities responsibly, but I think that there is always potential for emerging issues. The initial focus has been on consolidating the two authorities, but I take your point. We are seeing that more and more, especially with the urban boundaries but also with people on our roads and arterials across the country.

Bev McArthur interjected.

Katherine COPSEY: Mrs McArthur is advocating loudly from the stalls for alternatives to car dependence, and I think that is a great idea, because we are going to have to balance the scales somehow. Minister, I am really conscious of the increased burden that this government's continued support for the shooting lobby and high-impact activities on our parks is going to have on that wildlife rescue force. You have been insistent that you will not be prescribing animal welfare or veterinary experience as part of the skills base for the board of ORV. Can you give any indication that your government is prepared to help fund and resource the increased burden that is going to fall on wildlife rescuers as a result of this bill?

Enver ERDOGAN: I do not have any new funding announcements to make as part of this bill.

Katherine COPSEY: Do you accept that more wildlife is going to die because of this bill?

The DEPUTY PRESIDENT: I think that is outside the scope of the bill. But, Minister, do you want to have a go at it?

Enver ERDOGAN: I think it is hypothetical.

Katherine COPSEY: Do you think that this entity is going to be promoting shooting?

Enver ERDOGAN: I think it will be promoting outdoor recreation activities, including hunting.

Katherine COPSEY: Do you expect that the number of hunters is going to grow as a result of those activities?

Enver ERDOGAN: I think that depends on a number of factors. We have seen that the amount of hunters in our state has not grown substantially in recent years. I think the numbers are quite stable, in fact, but we have seen a significant growth in people fishing in our state. I do not want to speculate about what the future numbers of people doing these activities will be. But we do know that, in general, getting people outdoors is good for people. It is good for their physical and mental wellbeing.

Katherine COPSEY: Minister, are fish animals?

Enver ERDOGAN: I guess you could say that they are aquatic animals.

Katherine COPSEY: So, Minister, I will ask you again: do you accept that more animals in Victoria are going to die because of this bill?

Enver ERDOGAN: I would not say it is because of the bill; it is because people are more engaged in these activities. We have seen a significant increase in people fishing. So yes, more fish, but they are being taken by recreational fishers, just as more people are harvesting deer. We are seeing more activity. That will mean – I will leave it there.

Katherine COPSEY: How many ecologists, threatened species specialists or wildlife welfare specialists will transfer to be employed with ORV from commencement?

Enver ERDOGAN: All staff, including scientific staff, will be transferred across.

Katherine COPSEY: It was not very clear. I am not aware of what those scientific staff do. Can you tell me how many of them are ecologists, threatened species specialists or wildlife welfare specialists, please?

Enver ERDOGAN: I will need to take on notice the qualifications of the people that work at the two entities at the moment.

Georgie PURCELL: Minister, apologies; I meant to raise this earlier in the debate. I spoke about this issue in the second-reading debate. I actually had a conversation with the previous minister when duck shooting was not banned about the issue of gendered abuse from the duck-shooting fraternity. Since posting tonight about this debate, these are some comments I have received from duck shooters in Victoria:

> I hope you are a duck in your next life ya dumb …

word that I cannot say that is unparliamentary.

The DEPUTY PRESIDENT: Sorry, I think that is quite unreasonable to read out. Ms Purcell, you yourself have been in the media saying how terrible it is that we get abusive comments on social media, so I do not think it is appropriate to read abusive comments towards the minister into *Hansard*.

Georgie PURCELL: That is exactly what I am talking about. They are directed not towards the minister; they are directed towards me.

The DEPUTY PRESIDENT: Sorry, I thought you were saying that they were directed towards the minister.

Georgie PURCELL: No, they have been directed towards me since I posted tonight.

Katherine Copsey: On a point of order, Deputy President, I am confused about what is happening in terms of procedure.

The DEPUTY PRESIDENT: I thought that Ms Purcell was reading out comments about the minister, but they are about her, so it is fine.

Georgie PURCELL: These are all comments I have received from duck shooters in Victoria, and I have read out one of them already:

> Zero substance
> Dance for your dinner

Another states:

> I wonder if it still does Batchelor parties, asking for a friend

And:

> I heard kittens are hiring !!

That last comment is actually from a duck shooter in the town that I grew up in who released my parents' address on the day the government did not ban duck shooting. It is a very serious threat to many women who attend duck rescues or who advocate in any way. My previous conversation with the minister was in relation to putting a fit and proper person test within the duck-shooting fraternity or in order to hold a game licence. Is this something that the minister would be willing to explore to address this behaviour and culture, which has seemingly worsened over the last few years?

The DEPUTY PRESIDENT: Minister, it is up to you.

Enver ERDOGAN: I reject the premise of the question. I do not like categorisation of a whole group of people. Some individuals may behave badly, and I think they should be reported to the appropriate authorities. But to brandish all duck hunters a certain way – I do not agree with that categorisation.

Georgie PURCELL: Frankly, I find that really quite offensive, because this is my very real lived experience, Minister, and to reject the premise of my lived experience, something that I endure every single day, is part of the problem that we have been talking about. I am not saying I am branding an entire industry, but this is certainly something that the minister should want to stamp out, no matter how widespread it is. In my experience it is certainly very widespread. I have just read out four comments. Those were just a few that I picked from confirmed duck shooters in Victoria. Whether it is one or 100, surely we should be setting an example with this. As I noted, the former minister really recognised that this is a problem, and we had conversations about what should be done to address it. All I am asking is if that is something you are willing to explore. We have spoken about proficiency testing. We have spoken about cultural awareness training. I am asking about the issue with gendered violence, which I think I would – no offence, Minister – know far better than you, and if you would consider addressing that.

Enver ERDOGAN: It is clearly about opportunities for training. If there is a shown link, a proven link, I think we should be looking at it, as we have done in the liquor space outside the portfolio with appropriate responsible service of alcohol training. If there is an opportunity for training and if there is a proven link, like a higher propensity outside of society, that is something we should of course always look at with ways to improve education for people. Again, I feel with the way you have asked the question – I am not doubting your lived experience; many of us in this chamber come with our own experiences – I do not like the categorisation that a whole group of hunters are all like this. I do not like that kind of categorisation. I think it is not fair. Again, I am not saying this about your personal experience. But there will be opportunities to improve education and increase women's participation. I am sure that the new body will also be exploring that as well. We want equity in access to sport. We want equity in women's ability to participate in outdoor recreation. That is a whole-of-government commitment.

Katherine COPSEY: Minister, I am just curious as to what you would regard as a proven link between that behaviour and gender-based abuse, when you have just been given a direct example of participants in this very activity, who have during the course of this debate been attacking one of your parliamentary colleagues online. What further evidence would satisfy you that this is a problem that needs to be addressed?

Enver ERDOGAN: We are going far away from the scope of the bill. If you are talking about people that are hunters – duck hunters – that are linked to domestic violence or to sexist abuse and other sorts of behaviour, that is just totally unacceptable in society. I think those individuals should be held to account. They should be reported to the appropriate agencies. If people are making threats of sexual abuse, they should be, to be honest, held to account. There are laws in place and there are authorities in place that they should be reported to, because no authority and no agencies should accept that. They should have zero tolerance of that behaviour. Like I said, the discussion is purporting that this group of people is a lot worse than the general population. These issues are broader societal issues that I think we need to address everywhere we can.

Bev McARTHUR: Minister, do you support women being involved in the hunting fraternity – in duck shooting, for example?

Enver ERDOGAN: I do. I think it is important that women are in all spaces. Like I said, we have a big commitment to increasing women's participation in sport, and that is why as a government we have invested a lot in women's change rooms in local sporting clubs. But I think outdoor recreation is another untapped opportunity for more women to get involved.

Georgie PURCELL: Just going back to my question before, if you do not want to brand an entire group of people, part of the problem is that you said there are laws in place. There actually are not, and that has been my consistent problem. I know these laws well. Unless someone makes a very specific threat with a clear intention, none of these things are actually illegal, which is why we have continuously asked the government and the agency to set a standard, because they can set the rules and regulations within the licensing or the regulations in these industries. My question is: if I do report individual duck shooters for commentary like this, as I have done before in the past, is this something that ORV and you would be willing to address? As I mentioned, it is not just me.

Enver ERDOGAN: This framing is a lot better, Ms Purcell, because I think we digressed in relation to this. I think the issue is about people being held to account for their behaviour, because that behaviour is unacceptable. Even if it might not be illegal, it might be unacceptable. I think we have standards across industries, and I know that in the outdoor recreation field, which we are discussing today, a new agency at the initial stage will just carry on the existing practices. But there is an opportunity to feed feedback through to the new board that will eventually be set up and to the new executive team, as a minister, to set expectations, and it is something that I will consider. I am not necessarily making a commitment to put it into my expectations, but let us continue that conversation. I have committed to meeting with you to discuss this new entity if it is to pass today and be established. But all sorts of discrimination, whether they be based on sex or based on race, are things that we need to eliminate in all our spaces, because they are genuinely, like I said, whole-of-government issues. I know in sport there are more proactive efforts, and maybe there is a need for more proactive efforts in the outdoor recreation space.

Georgie PURCELL: I am not saying this is coming from you, but I feel like when I raise matters like this, I am being hysterical or difficult. But the reality is that it actually does make me feel incredibly unsafe doing my job. This has been a consistent experience for me from the moment I was elected. The most severe example of it is within the duck-shooting fraternity, and it has worsened since the government's decision. I am asking in a genuine way. You have said you would consider it. You are not going to make any commitments. Will you make a commitment to me that you will let me know the outcome of that consideration? As I have said, I am not just asking on behalf of myself; I am asking on behalf of the rescue teams, which are predominantly women, who continuously feel like their safety online and in the real world is put at risk. That is certainly my experience. I adjust my life because of these threats, and you, the minister, have the ability to do something about that.

Enver ERDOGAN: I think definitely it will be a consideration, especially as we look towards setting up a new board that will report to me and a board that will set expectations with the new executive team. I think definitely that kind of sexist behaviour is not welcome in any place, let alone in the outdoor recreation field. But it is a broader discussion. Let us continue that discussion.

Bev McARTHUR: Minister, is it the case that somebody applying for a gun licence has to pass a fit and proper person test?

Enver ERDOGAN: It is outside the scope of this bill, because obviously firearm licensing is a matter for police.

Georgie PURCELL: They do, but it does not cover this. Of course I have explored all avenues. Mrs McArthur, I am genuinely just asking this because it causes me and others legitimate pain; it is not some sort of gotcha. But it is not in the fit and proper person test; I have checked.

Bev McARTHUR: Minister, I just want to confirm that shooters who want to gain a licence have to pass a fit and proper person test. It is nothing to do with what Ms Purcell was raising or anything.

Enver ERDOGAN: I understand, Mrs McArthur, there is obviously a police check that they undertake as well. But on the point here, I think we are digressing on all sides. Let us focus on the goals in the bill.

The DEPUTY PRESIDENT: Ms Purcell's amendment 1 on sheet GP26C seeks to amend Ms Bath's amendment 1 on sheet MB31C.

Melina BATH: I move:

1. Clause 1, line 4, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

This is in relation to the change of the name of the entity.

Georgie PURCELL: I move:

1. Omit "Fishing, Hunting and Outdoor Victoria" and insert "the Victorian Authority for Killing Animals and Ruining the Outdoors".

I will speak to both amendments. I will be supporting Ms Bath's amendment. I think that the new proposed name is far better than Outdoor Recreation Victoria and is somewhat reflective of what the organisation will be doing. I do find it disappointing that it did not end up with the word 'authority' in it, as was flagged in the lower house by the Nationals. I think that is a really important part of a regulator. We are talking about people who might want to report noncompliance or breaches of regulations and need the right place to do it. Having 'hunting' and 'fishing' in the name is certainly an improvement. I am pretty sure no-one is googling 'Outdoor Recreation Victoria' if they see cruelty to animals, so it is somewhat of an improvement. However, I have my own amendment that I think is far better given that the government decided to work with the Nationals on changing the name, rejecting our amendments, which they said they would get back to me on and never did. I presume they were rejected. My proposed name is the Victorian Authority for Killing Animals and Ruining the Outdoors, which is exactly what this bill does.

Katherine COPSEY: I will speak to both amendments as well. The Greens will be supporting Ms Purcell's amendment. As I have outlined during the committee, we hold grave concerns about the focus and the capability of this entity to perform functions that are inherently in conflict. We have seen in the past that when the government went down this road the findings of the Pegasus report showed that that conflicted nature of the authority directly contributed to the ineffectiveness of the regulator and led to mass slaughter of waterbirds in particular, which was one of the instigating events for the Pegasus report. So I think that Ms Purcell's name for this entity is very prescient.

We are very concerned about the path that this government under this Premier continues to bumble down. They have been completely influenced by the shooting lobby in the formulation of this. We know that they have spoken exclusively, it seems, to the shooting lobby in the formulation of this bill and excluded all other stakeholder views, even when those were willingly proffered to the government. So we will be supporting Ms Purcell's name change.

We will also be supporting Ms Bath's name change. For similar reasons to Ms Purcell, we believe that it is better that this entity does what it says on the tin. As I will go into with our other amendments, we are concerned that while the minister has been at pains to point out that the certain activities that the government sought to define as outdoor recreation were not exhaustive, it is clear where their focus is and which communities they were seeking to serve with this bill. So it is more appropriate that it has a limited name that indicates the interest groups that this bill serves.

Jeff BOURMAN: I will be supporting Ms Bath's amendment. Even though I was happy enough with 'Outdoor Recreation Victoria', I am certainly not that worried about it. I will not be supporting

Ms Purcell's amendment because whilst there is a little bit of humour in it, it is really not that helpful and it is just a statement of her position on these things.

Melina BATH: The Liberals and Nationals will not be supporting Ms Purcell's amendment. This is a political statement of a person in grand opposition. It is not reflective of what two merging entities will now form.

David LIMBRICK: I also will be supporting Ms Bath's amendment. I think that the name change is appropriate. Although I appreciate the cheeky nature of Ms Purcell's amendment, I will not be supporting that.

Enver ERDOGAN: The government will be supporting Ms Bath's amendment to the name change.

Council divided on Georgie Purcell's amendment:

Ayes (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (30): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendment negatived.

The DEPUTY PRESIDENT: The question is that Ms Bath's amendment 1 be agreed to.

Amendment agreed to.

The DEPUTY PRESIDENT: Ms Bath, I invite you to move your amendment 2 on sheet MB31C, which tests a whole range of your other amendments.

Melina BATH: I move:

2. Clause 1, line 5, after "Land" insert "and Aquatic".

This is to include 'and Aquatic' in the Land Access Panel.

Enver ERDOGAN: As foreshadowed, we will be supporting this amendment.

Amendment agreed to.

The DEPUTY PRESIDENT: Ms Purcell, I invite you to move your amendment 1 on your sheet 24C, which tests your amendments 3 and 14 to 16.

Georgie PURCELL: I move:

1. Clause 1, line 5, omit paragraph (b).

This is an amendment that removes the purpose of establishing the Land Access Panel. Many of us have spoken at length about the issue with this panel, particularly the fact that it is at the minister's pick. There are no required skill sets. There is no transparency. Decisions can and will be made under its advice. It is essentially a bush user's ministerial taskforce. What is particularly concerning about the establishment of this panel is that it comes after the government have just abolished VEAC and the Victorian Marine and Coastal Council, our only two independent oversight bodies in Victoria when it came to the environment. We think that this bill is dangerous enough without this secretive ministerial-picked grouping of people who have opinions and potentially no expertise or education to have those opinions. It could have disastrous impacts on our environment and native animals – I mean, not even 'could', it absolutely will.

Katherine COPSEY: The Greens will be supporting this amendment. We hold grave concerns around the proposed design of the Land Access Panel. The lack of transparency that is going to be incorporated into this design is frightening, and I am concerned that we have not had any success in broadening the range of skills that are going to be appointed to that panel. In particular, the fact that the minister has been unwilling to entertain the idea that there should be environmental or animal welfare representation required as part of this panel's membership is worrying, so we will be supporting Ms Purcell's amendment.

Melina BATH: The Nationals will oppose this amendment.

Enver ERDOGAN: The government will also be opposing this amendment.

Council divided on amendment:

Ayes (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (30): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendment negatived.

Amended clause agreed to; clause 2 agreed to.

Clause 3 (01:26)

Melina BATH: I move:

3. Clause 3, line 17, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
4. Clause 3, line 20, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
5. Clause 3, page 3, lines 8 and 9, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
7. Clause 3, page 3, lines 24 and 25, omit all words and expressions on these lines.
8. Clause 3, page 4, line 27, omit "Regions." and insert "Regions;".
9. Clause 3, page 4, after line 27 insert –

"***Fishing, Hunting and Outdoor Victoria*** means the body established by section 5.".

Amendments agreed to.

Melina BATH: I move:

6. Clause 3, page 3, line 11, after "***Land***" insert "***and Aquatic***".

Amendment agreed to.

Georgie PURCELL: I move:

2. Clause 3, page 3, after line 4 insert –

"***game bird farmer licence*** means a wildlife licence under the **Wildlife Act 1975** in respect of specified birds (within the meaning of that Act) bred in captivity for the purpose of hunting;".

This is in relation to adding some new conflicts of interest, including game bird farmer licences and commercial kangaroo licences. As indicated during the debate, there is an inconsistency with commercial fishing being included but not other commercial industries. This amendment is required in order to include game bird farmer licences as a conflict of interest for board members.

Katherine COPSEY: The Greens will be supporting Ms Purcell's amendment. We agree that she has identified other commercial and financial interests that relate to authorisations and licences that should be included within this provision.

Melina BATH: The Liberals and Nationals will not be supporting this amendment.

Enver ERDOGAN: The government will not be supporting this amendment.

Council divided on amendment:

Ayes (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (30): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendment negatived.

Melina BATH: I move:

1. Clause 3, page 3, after line 23 insert –

"(i) motorised and non-motorised recreation;

(j) recreational motorcycling and trail-bike riding;

(k) prospecting and fossicking;

(l) horse riding and equestrian activities;

(m) any other prescribed activity;".

This relates to an increase in the activities of outdoor recreation as a definition. This is inclusive and not exhaustive.

Katherine COPSEY: The Greens will not be supporting this amendment. We understand the intent here. A concern is that a number of these continue to be higher impact activities that can exclude other groups of land users. Consistent with the renaming of the bill that we have just done, we think that the government's purpose in consulting with specific interest groups is clear here, and we do not want to continue creating a special interest body that excludes large numbers of outdoor recreation users from its definition.

Amendment agreed to.

Katherine COPSEY: I move:

1. Clause 3, page 3, after line 23 insert –

"(i) picnicking and social outings;

(j) birdwatching, wildlife observation and nature appreciation;

(k) outdoor photography, painting and other nature-based creative activities;

(l) outdoor swimming;

(m) quiet enjoyment of the outdoors for rest, contemplation and wellbeing;".

This is similar in form to the amendment that Ms Bath has just put to the house. However, it adds to the definition of 'outdoor recreation' picnicking and social outings; birdwatching, wildlife observation and nature appreciation; outdoor photography, painting and other nature-based creative activities; outdoor swimming; and quiet enjoyment of the outdoors for rest, contemplation and wellbeing. In formulating this list we have chosen low-impact activities based on research that has been done by, I think, RedBridge and the VNPA that looked at what the actual most popular activities are that people

undertake in nature, and this is a list of some of those activities. We are concerned that the way the government has formulated the list prioritises some groups and will have the effect of excluding people who are undertaking some of these low-impact activities from spaces that they currently enjoy.

Georgie PURCELL: I will be supporting this amendment. I think it is really important to acknowledge that outdoor recreation is not just guns and fishing and high-impact activities that are detrimental to our environment. I think what is really important about this amendment is that it acknowledges many of the outdoor recreationalists and land users that are actively harmed by these activities or locked out by these activities, as I have spoken about consistently throughout this debate. The government claims that this bill will open up public land, but it only opens up public land for certain cohorts of people, and this amendment reflects the many people that have felt forgotten and left behind and ignored by government policy continuously.

Melina BATH: The Liberals and Nationals will not be supporting this amendment. The good news is that paragraph (m) of our newly adopted amendment has 'any other prescribed activities', and all of those activities that are in Ms Copsey's amendment can be within those other prescribed activities.

Council divided on amendment:

Ayes (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (30): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendment negatived.

The DEPUTY PRESIDENT: That also tested Ms Copsey's amendment 9. Ms Copsey, I invite you to move amendments 2 and 3 on your sheet 79C, which test amendments 4 to 8.

Katherine COPSEY: I move:

2. Clause 3, page 4, line 27, omit "Regions." and insert "Regions;".
3. Clause 3, page 4, after line 27 insert –

> "***traditional owner group*** has the same meaning as in section 3 of the **Traditional Owner Settlement Act 2010**.".

These amendments in my name relate to traditional owner group representation in both the practice of and the representatives appointed to the Land Access Panel. The effect of these is, as part of the principle of integrated decision-making, that traditional owner groups be involved in that part of the bill's function and also, as part of the engagement mechanisms, that traditional owner groups be involved. The third mechanism is to ensure that the minister, in appointing members of the Land Access Panel, ensures that one person is a representative of a traditional owner group and has First Peoples culture, community leadership and perspectives. I do note the minister's undertaking during committee stage that they would be seeking that there is First Nations representation on the panel, so I appreciate the minister's acknowledgement of the importance of this.

Georgie PURCELL: These are really important amendments, and I thank Ms Copsey for bringing them. I do find it quite galling that the government considered making a body and empowering them to make recommendations on land usage and access without ensuring that traditional owners would be included. We have spoken about this extensively in the debate again, but particularly post treaty in our commitment towards reconciliation and protecting land and country, I think that this is a really important inclusion, and I thank the Greens for doing it.

Melina BATH: The Liberals and Nationals will not be supporting these amendments, but I would make comment that during our quite long discussion on the topic of this the minister did certainly outline many different ways that the government is talking to traditional owner groups and also the fact that in the board there is specific reference there. I think that is an important element, and we are satisfied with that content.

Council divided on amendments:

Ayes (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (29): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendments negatived.

Amended clause agreed to; clause 4 agreed to.

Clause 5 and headings preceding clause 5 (01:48)

Melina BATH: I move:

10. Part heading preceding clause 5, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
11. Division heading preceding clause 5, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
12. Clause 5, line 4, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
13. Clause 5, line 5, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
14. Clause 5, line 6, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendments agreed to; amended clause and headings agreed to.

Clause 6 (01:48)

Melina BATH: I move:

15. Clause 6, line 16, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
16. Clause 6, line 18, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
17. Clause 6, line 20, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
18. Clause 6, line 22, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendments agreed to; amended clause agreed to.

Division heading preceding clause 7 (01:49)

Melina BATH: I move:

19. Division heading preceding clause 7, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

Amendment agreed to; amended division heading agreed to.

Clause 7 (01:49)

Melina BATH: I move:

20. Clause 7, line 3, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
21. Clause 7, line 4, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
22. Clause 7, line 23, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendments agreed to.

Georgie PURCELL: I move:

4. Clause 7, lines 12 and 13, omit all words and expressions on these lines.

This amendment removes the promotion of participation in outdoor recreation as an objective of the new body. I have constantly reiterated the dangers of combining regulation and promotion. In fact it is not just me that has warned about it; the government held its own independent investigation in 2017 into the failings of the Game Management Authority. It said that they stepped into promotional roles which conflicted them as a regulator and that this needed to be stamped out. In fact this very same government, under a different Premier, spent a lot of time, effort and money trying to stamp out the promotion model that was unofficially existing within the Game Management Authority, because it was resulting in increased animal cruelty and cover-ups and a targeting of rescuers while shooting was being promoted. It is, again, pretty galling to see the government now legislate this grave conflict of interest into this new body and back in shooters no matter what the cost.

We have heard from former GMA board members who have warned that this will not work and that it will only result in increased noncompliance and breaching of hunting laws. Of course now we have fisheries in with the hunters, where we have seen that noncompliance has gone up since authorised officer jobs were cut. They are already operating under a promotional model, and while effort is being put into promotion, noncompliance is going up. The two just do not go together. Something has got to give. Again, I am still, frankly, in disbelief that the government has gone ahead with creating this model when they actively tried to stamp it out themselves not too long ago.

Katherine COPSEY: The Greens will be supporting this amendment. We share the concerns. I am, frankly – well, I am not in disbelief, because I have seen what this government has done since the change in Premier, but I am very frustrated that so much time and effort has gone into stamping out –

Nick McGowan: We almost had another change of government.

Katherine COPSEY: Yes. Well, who knows what will happen, then. So much time and effort has gone into stamping out this practice, only for the government to turn around and recreate the mess that it has spent a lot of time trying to unwind. This is a recipe for disaster for our native waterbirds in particular, but it is also going to create a body that is going to be conflicted in its very nature. We have not had satisfactory responses from the minister, to be frank, during the committee stage on how this is going to be managed, on how the sufficient budget is going to be curtailed for the enforcement mechanisms that this authority is going to be carrying out. I am very strongly supportive of Ms Purcell's amendment, and we could save ourselves a lot of pain, trouble and heartache by removing this conflict, which the government is restoring to the heart of shooting regulation in Victoria.

Council divided on amendment:

Ayes (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (29): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath,

Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendment negatived.

Georgie PURCELL: I move:

5. Clause 7, line 14, after "support" insert "responsible".

This amendment inserts the word 'responsible' so that objective (c) of Outdoor Recreation Victoria will promote and support responsible access to public land for the purpose of outdoor recreation. As this objective currently reads, Outdoor Recreation Victoria will be promoting and supporting absolutely any kind of access to public land for the purposes of outdoor recreation. It is obviously incredibly concerning. The government will say that the word 'responsible' carries legal caution, and yet already the body is in charge of promoting responsibility in hunting – we spoke about that during the committee stage – so it would only make sense that it should also be promoting responsible use of public land for the purposes of outdoor recreation. Voting against this amendment would be pretty hypocritical, but I guess that has been the nature of this entire conversation.

Katherine COPSEY: The Greens will be supporting this amendment. It is a very sensible amendment and one that I am sure would be very welcome for all of the communities that abut land that is constantly used and locked up for shooting. We have heard every duck season and extensively throughout the inquiry that we held about the fear that people who live near land that is used for shooting are experiencing every year for months on end. This would also, to my understanding, go to the nature of use of the land to hopefully mitigate some of the damage that some of these activities can pose the threat of to our important natural spaces and our wildlife. So the Greens will be wholeheartedly supporting this one.

Council divided on amendment:

Ayes (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (29): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendment negatived.

Melina BATH: I move:

2. Clause 7, after line 18 insert –

"(da) to optimise the social, cultural and economic benefits of commercial fishing and aquaculture in Victoria in a sustainable manner;".

This is in clause 7, and it just affords the commercial fishing and aquaculture in Victoria, in a sustainable manner, the same depth and importance in this clause of the bill as outdoor recreation. We feel that is warranted, and we are pleased that the minister has accepted that suggestion and amendment.

Katherine COPSEY: The Greens will not be supporting this amendment. We understand the intent of Ms Bath in moving it. Really, I do not think that these commercial operations actually properly fit under the definition of 'recreation'. We have a bit of a problem with the definition that is being proposed, and some of the breadth and the impactful and extractive types of activities that are being classed as recreation activities under this bill. That is our reasoning for not supporting this amendment today.

Georgie PURCELL: I will not be supporting this amendment. I understand the intent behind it as well, and my office spoke extensively with the commercial fishing industry, particularly because they felt severely left out early on in the piece. I will not be supporting this amendment because I have already expressed that I feel that there is already differing treatment for the other commercial industries that will be regulated under this so-called recreational body, including commercial kangaroo shooting and commercial game bird farms. I think that if we are going to make changes in relation to commercial industries, they should be consistent across the board.

Amendment agreed to; amended clause agreed to.

Clause 8 (02:04)

Melina BATH: I move:

23. Clause 8, line 1, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
24. Clause 8, line 2, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
25. Clause 8, page 9, line 17, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
26. Clause 8, page 9, line 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
27. Clause 8, page 9, line 31, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
28. Clause 8, page 10, lines 3 and 4, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
29. Clause 8, page 11, line 16, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendments agreed to.

Georgie PURCELL: I move:

6. Clause 8, page 9, after line 15 insert –

"(iva) the conservation of wildlife habitats; and".

This amendment includes the development of operational plans addressing the conservation of wildlife habitats as a function of Outdoor Recreation Victoria, or whatever its new name is. This is a function that is found in the Game Management Authority Act already that has not been transferred over to this new agency. Previously, when I asked questions in relation to the increased fines and penalties and, potentially, imprisonment for hindering or harassing an authorised officer and why that was being applied to all authorised officers now and not just to the ones that existed within the VFA act, I was informed that they were just transferred over. The government seem to have picked and chosen what things they want to transfer over and what they do not, and conveniently, the things that they have not chosen to carry over are the environmental and conservation benefits. We think that it is incredibly important that the government is consistent in maintaining the very few things that would protect our environment and the animals who call it home.

Katherine COPSEY: This is an excellent amendment. The Greens will be supporting it.

Council divided on amendment:

Ayes (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (29): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick

McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendment negatived.

Melina BATH: I move:

3. Clause 8, page 11, line 2, after "fishing" insert ", hunting".
4. Clause 8, page 11, line 3, after "fishing" insert ", hunting".

This is what I see as a drafting error. It needs a comma with 'hunting' next to it. I actually thank Mr Bourman and his staff for picking that up – I was not that eagle-eyed. But I have moved it for the benefit of the bill.

Katherine COPSEY: The Greens will be opposing this amendment.

Amendments agreed to; amended clause agreed to.

Clause 9 (02:10)

Melina BATH: I move:

30. Clause 9, line 19, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
31. Clause 9, line 21, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendments agreed to; amended clause agreed to.

Clause 10 (02:10)

Melina BATH: I move:

32. Clause 10, line 29, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
33. Clause 10, line 31, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendments agreed to.

Georgie PURCELL: I move:

7. Clause 10, page 12, after line 1 insert –

"(ab) to the extent that the exercise of the power or the performance of the function or duty has the potential to impact flora or fauna, the objectives set out in section 4 of the **Flora and Fauna Guarantee Act 1988**;".

This amendment would ensure the agency must have regard to the objectives of the Flora and Fauna Guarantee Act when exercising its powers or performing its functions which have the potential to impact flora or fauna. As it stands, the bill has no statutory conservation or biodiversity obligations whatsoever. The clause that this amendment would be inserted into requires the agency to consider the objectives of the Fisheries Act when exercising its powers or performing its functions in relation to fishing or boating, which makes perfect sense. Again, it is incredibly concerning that a similarly statutory obligation does not exist when ORV is exercising its many and now, when this legislation passes, enlarged functions relating to land management, hunting or outdoor recreation. Again, it is another example of this bill not being consistent in its principles, and we are hopeful that this amendment can clear it up.

Katherine COPSEY: The Greens will be supporting this amendment.

Melina BATH: The Liberals and Nationals will not be supporting this amendment. This is the merging of the Victorian Fisheries Authority with the Game Management Authority, and while the

Flora and Fauna Guarantee Act is very, very important, and we could spend a long time debating the importance of nature and Parks Victoria and public land management, it is not required in this bill.

Council divided on amendment:

Ayes (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (29): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendment negatived.

Melina BATH: I move:

5. Clause 10, page 12, line 8, omit "**1995**." and insert "**1995**; and".
6. Clause 10, page 12, after line 8 insert –

"(iii) the sustainability and viability of commercial fishing and aquaculture; and

(iv) the facilitation of fair and reasonable access to aquatic resources.".

It just, again, cements the sustainability and viability of the commercial fishing and aquaculture sector and the facilitation of fair and reasonable access to aquatic resources. This is just about more firmly embedding the sector that has come over from the Victorian Fisheries Authority in the consideration by the minister within this bill, moving forward.

Katherine COPSEY: The Greens will not be supporting these amendments. I think the minister has been clear that commercial fishing arrangements are not affected by this bill, so we do not consider them necessary additions to the bill.

Amendments agreed to; amended clause agreed to.

Sitting suspended 2:16 am until 2:20 am.

Clause 11 (02:20)

Melina BATH: I move:

34. Clause 11, line 10, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
35. Clause 11, line 14, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
36. Clause 11, lines 15 and 16, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendments agreed to; amended clause agreed to.

Clause 12 (02:21)

Melina BATH: I move:

37. Clause 12, line 18, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
38. Clause 12, line 19, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
39. Clause 12, lines 23 and 24, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

40. Clause 12, line 26, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendments agreed to; amended clause agreed to; clauses 13 to 15 agreed to.

Clause 16 (02:22)

Melina BATH: I move:

7. Clause 16, line 26, before "The" insert "(1)".
8. Clause 16, after line 28 insert –

"(2) Without limiting subsection (1), the best available information may include the following –

(a) scientific research;

(b) regional data, including localised information relating to use, access, closures, participation, economic impact, safety, compliance and environmental conditions;

(c) stakeholder knowledge;

(d) on-ground evidence, including observations, incident reports, field assessments, stakeholder reports and operational experience from areas to which the decisions relate.".

We discussed this very extensively in the debate.

Katherine COPSEY: The Greens will not be supporting this amendment. Principally I am concerned that some of the broadening of the categories of information that are proposed in this amendment could have the effect of undermining peer-reviewed research by introducing less reliable categories of information. That is our reasoning for opposing this tonight.

Amendments agreed to; amended clause agreed to; clause 17 agreed to.

Clause 18 (02:23)

Melina BATH: I move:

9. Clause 18, line 16, before "The" insert "(1)".
10. Clause 18, after line 27 insert –

"(2) The principle of transparency requires publication of the following, to the extent practicable information regarding consultation processes.".

Katherine COPSEY: The Greens will not be supporting this amendment. My concern about this amendment is about 'to the extent practicable', which I feel will be abused in practice, so the Greens will not be supporting this amendment.

Amendments agreed to; amended clause agreed to.

Clause 19 and headings preceding clause 19 (02:24)

Melina BATH (Eastern Victoria) (02:24): I move:

41. Part heading preceding clause 19, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
42. Division heading preceding clause 19, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
43. Clause 19, line 3, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
44. Clause 19, line 4, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
45. Clause 19, lines 5 and 6, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

46. Clause 19, line 11, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

47. Clause 19, line 13, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendments agreed to; amended clause and headings agreed to; clause 20 agreed to.

Clause 21 (02:25)

Melina BATH (Eastern Victoria) (02:25): I move:

48. Clause 21, line 14, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendment agreed to.

Georgie PURCELL (Northern Victoria) (02:26): I move:

8. Clause 21, page 16, after line 31 insert –

"(ba) experience in compliance or enforcement;".

This amendment adds experience in compliance or enforcement as desired for the board. This was actually an amendment that was suggested to my office by a group called the Victorian Fisheries Protection Alliance. It is a group of incredibly passionate former fisheries officers, some who served with commitment within the authority for 40 years. They were incredibly concerned at the concept that the board would not contain any actual experience of enforcement itself: a former police officer, compliance officer or authorised officer with real experience enforcing regulations, or someone who actually understands how enforcement works to lead its efforts in that space. Consistently tonight we have heard: just trust us. It is a little bit difficult when it comes to compliance and regulation. Knowing the history particularly of one of these organisations, we think this amendment only makes sense. As I said, it has actually come from people that have experience within the space themselves and their concerns, not just my usual community that would come to me with these things.

Katherine COPSEY: The Greens will be supporting this amendment. We think this is vital experience if the newly established authority is to have the skills it needs to try and tackle its compliance and enforcement functions. This is highly desirable experience for directors to have, if not essential.

Council divided on amendment:

Ayes (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (29): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendment negatived.

Melina BATH: I move:

11. Clause 21, page 17, line 2, omit "or aquaculture" and insert ", aquaculture, hunting, or recreational fishing".

The board needs people with practical and lived experience as well as good governance credentials.

Katherine COPSEY: The Greens will not be supporting this amendment. We feel this will just deepen the catering to special interest groups and vested interests that the government has so clearly already set out to do with this bill.

Georgie PURCELL: I also will not be supporting this amendment. It is very clear that this agency is being stacked with people with one interest, and anyone with education or a skill set or experience in animal welfare or wildlife biology or ecology is being left off, despite this not being the case within the GMA. This bill is already bad enough with its conflicts; we do not have to make it worse.

Amendment agreed to.

Georgie PURCELL: I move:

9. Clause 21, page 17, after line 17 insert –

"(ca) knowledge of wildlife biology, ecology or animal welfare issues;".

I will be very curious to see if the government will be supporting this one, given that I am also wanting to add directors with a knowledge of wildlife, biology, ecology or animal welfare issues as desired for the board. As stated, animal welfare is actually an existing requirement in the GMA act. It has not been carried over to this bill. There has been a vet consistently on the GMA board post Pegasus, and clearly animal welfare issues and views and culture have existed within the organisation. That board member was responsible for a lot of the work that the government identified themselves needed to continue when they did not ban duck shooting, such as addressing wounding and evaluating the wounding reduction action plan. This position is needed to continue the important work of that current animal welfare board member that the minister consistently said he could not commit to throughout the debate. It is also needed as ORV will take on the new function of assisting in the management of public land, and they will do so without anyone with the knowledge of wildlife, biology or ecology. We have just added some more directors in the past amendment with fishing and hunting experience. I think at the very least we can even the playing field, even slightly.

Katherine COPSEY: The Greens will certainly be supporting this amendment. This would go some way to ensuring that the imbalance that is created by some of the objects of the bill and also the interest groups that are going to be listened to and promoted to the exclusion of others would be remedied. This is vital experience, and as Ms Purcell said, to not support this amendment is actually degrading the capability that currently sits within the GMA and would be a retrograde step that I hope the government does not take.

Council divided on amendment:

Ayes (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (29): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendment negatived.

Melina BATH: I move:

12. Clause 21, page 17, lines 24 to 26, omit all words and expressions on these lines and insert –

"(b) where possible, does not ordinarily reside in Victoria.".

We believe that the expertise should come from within the state of Victoria.

Amendment agreed to; amended clause agreed to; clauses 22 to 24 agreed to.

Clause 25 (02:41)

Melina BATH: I move:

13. Clause 25, page 21, line 5, after "body" insert ", other than on a voluntary basis, where possible".

Katherine COPSEY: The Greens will not be supporting this amendment. We consider that conflicts can still exist when a person holds a role on a voluntary basis. We do not think it is appropriate that this amendment would exempt people from consideration, if I have got that right.

Georgie PURCELL: I want to note that I will not be supporting this amendment either. As stated during the debate, there are some very clear conflicts of interest that need to be cleared up first. It was identified as a gap in the 2017 Pegasus review into the GMA that currently the act prohibits board members from holding or being associated with commercial fishing or aquaculture. This restriction was carried over for the many strong conflict-of-interest provisions contained in the VFA act, yet the conflict of interest section still continues to ignore the fact that commercial licences issued by the GMA for commercial kangaroo shooting and game farm licences do not apply in the same way. This change would ensure board members cannot hold or be associated with them. We think this is a far more important one to fix up first, and the government said no, so I will not be supporting this amendment either.

Amendment agreed to; amended clause agreed to; clauses 26 to 29 agreed to.

Clauses 30 to 39 (02:43)

Melina BATH: I move, by leave:

That so much of standing orders be suspended as to allow clauses 30 to 39 to be considered together and permit amendments 49 to 71 (MB31C) to clauses 30 to 39 to be considered together.

Motion agreed to.

Melina BATH: I move:

49. Clause 30, page 26, line 12, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
50. Clause 31, lines 15 and 16, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
51. Clause 32, lines 24 and 25, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
52. Clause 32, page 27, lines 23 and 24, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
53. Clause 32, page 27, line 29, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
54. Clause 32, page 28, lines 1 and 2, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
55. Clause 33, line 14, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
56. Clause 33, line 18, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
57. Clause 33, page 29, line 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
58. Clause 34, lines 20 and 21, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
59. Clause 34, page 30, line 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
60. Clause 35, line 8, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
61. Clause 35, lines 11 and 12, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
62. Clause 35, line 13, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

63. Clause 37, page 31, line 8, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

64. Clause 38, line 13, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

65. Clause 38, line 14, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

66. Clause 38, lines 15 and 16, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

67. Clause 38, line 17, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

68. Clause 38, line 20, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

69. Clause 39, line 27, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

70. Clause 39, page 32, line 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

71. Clause 39, page 32, line 9, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendments agreed to; clauses and amended clauses agreed to.

Clause 40 (02:44)

Melina BATH: I move:

72. Clause 40, lines 13 and 14, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

74. Clause 40, lines 26 and 27, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendments agreed to.

Melina BATH: I move:

73. Clause 40, after line 16 insert –

"(1A) A report under this section must set out –

(a) information regarding the authorised officers appointed by Fishing, Hunting and Outdoor Victoria under section 42, including the number of authorised officers appointed by Fishing, Hunting and Outdoor Victoria; and

(b) information regarding access to land, including any matter that has reduced access to any public land for the purposes of outdoor recreation.".

Katherine COPSEY: This is the one I wanted to speak to. At face value part (a) of this looked attractive to the Greens. We would value further reporting, particularly about the number of authorised officers deployed. We were unsure how part (b) would be applied in practice and whether that would be used to undermine any closures of access to land that were undertaken to prevent damage to threatened species or non-game species or habitat. For that reason the Greens will not be supporting the amendment.

Amendment agreed to.

Georgie PURCELL: I move:

13. Clause 40, after line 18 insert –

"(2A) The report must include details of the number of employees of Outdoor Recreation Victoria appointed as authorised officers primarily for the purpose of carrying out the function specified in section 8(b), including, to the extent practicable –

(a) the number of authorised officers carrying out that function in relation to game hunting; and

(b) the number of authorised officers carrying out that function in relation to recreational fishing, commercial fishing, aquaculture and related activities.".

This is an amendment in relation to the annual report as well, and it requires that the report includes, as far as is possible, the number of authorised officers working in ensuring compliance with hunting regulations and those working in ensuring fishing regulations. We have seen fisheries officer numbers slashed, and we know that the GMA were already understaffed to properly deal with the duck-hunting season. As I stated in committee, as it currently stands with the number of duck-hunting compliance officers, it would require the current 23 officers to each cover 869 wetlands each day during the season to monitor them all, and this does not even include private land, where 50 per cent of shooting now occurs. Reporting of this nature is incredibly important to build some sort of confidence, which is severely lacking, in this new regulator's ability to do so many jobs at once and then take on another one with promotion as well.

Katherine COPSEY: The Greens will be supporting this amendment from Ms Purcell. We are concerned that with the dual promotion and regulation function over time one of those activities is going to be prioritised over the other, and this would increase public transparency around the resource that is being put towards enforcement and compliance. We think it is an excellent amendment.

Council divided on amendment:

Ayes (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell

Noes (29): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendment negatived.

Amended clause agreed to.

Clause 41 (02:52)

Melina BATH: I move:

75. Clause 41, line 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
76. Clause 41, page 33, lines 10 and 11, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
77. Clause 41, page 33, line 14, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
78. Clause 41, page 33, line 20, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
79. Clause 41, page 33, line 23, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
80. Clause 41, page 33, line 25, omit "Outdoor Recreation Victoria's" and insert "Fishing, Hunting and Outdoor Victoria's".

Amendments agreed to; amended clause agreed to.

Clause 42 (02:52)

Melina BATH: I move:

81. Clause 42, line 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

82. Clause 42, lines 6 and 7, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

83. Clause 42, line 29, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendments agreed to.

Melina BATH: I move:

84. Clause 42, after line 32 insert –

"(5) Fishing, Hunting and Outdoor Victoria, in appointing authorised officers under this provision, must have regard to the number of functions, duties and powers in relation to which authorised officers may be appointed under subsection (2)(b).".

This relates to ensuring that there are sufficient authorised officers, so the new entity must have provision and regard to the functions, duties and powers of the authorised officers.

Katherine COPSEY: The Greens will be supporting this amendment.

Amendment agreed to; amended clause agreed to; clause 43 agreed to.

Clause 44 (02:54)

Melina BATH: I move:

85. Clause 44, line 10, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

86. Clause 44, lines 16 and 17, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendments agreed to; amended clause agreed to; clauses 45 and 46 agreed to.

Part heading preceding clause 47 (02:54)

Melina BATH: I move:

87. Part heading preceding clause 47, after "**Land**" insert "**and Aquatic**".

This is about adding 'Aquatic' to 'Land Access Panel'. We addressed this in the committee stage.

Amendment agreed to; amended part heading agreed to.

Clause 47 (02:55)

Melina BATH: I move:

88. Clause 47, line 2, after "**Land**" insert "**and Aquatic**".

89. Clause 47, line 3, after "Land" insert "and Aquatic".

91. Clause 47, line 7, after "public land" insert "(including public waters and marine environments)".

92. Clause 47, line 10, omit "to public land" and insert "and shared access".

93. Clause 47, line 12, omit "to public land".

94. Clause 47, line 14, after "Land" insert "and Aquatic".

95. Clause 47, line 20, after "Land" insert "and Aquatic".

These are consequential amendments in relation to the 'Aquatic' part of the 'Land and Aquatic Access Panel'.

Amendments agreed to.

Melina BATH: I seek leave to withdraw amendment 90.

Amendment withdrawn by leave.

Georgie PURCELL: I move:

1. Clause 47, after line 12 insert –

"(2A) Written advice or information provided under subsection (2) must include information regarding the membership of the Land Access Panel at the time the advice is provided.".

Given that my amendment to abolish the Land Access Panel failed, I am proposing an amendment that requires all written advice or information the panel provides to the minister to include the membership of the panel at the time of the advice being provided. This is necessary because already we have an agency being established that is clearly going to be captured by special interest groups. They are also establishing a panel with a direct line to the minister and picked by the minister. That is also clearly going to be filled with representatives from so-called bush user groups or gun users and other recreationalists who have no interest in protecting Victoria's national parks and public lands. The only requirement to be a member of a panel making recommendations on access to our state's protected areas is that the minister is satisfied that you have 'knowledge or experience relevant to the function of the Panel'. For all we know, the minister may think his cousin has relevant experience or his friend, and we will never know about it. This panel is blatantly secretive by design. The answers in committee from the minister did not give me any further faith about what this panel will look like. The government are clearly comfortable with handing even more influence to the gun lobby and special interest groups, and I think Victorians only have a right to know who those people are.

Katherine COPSEY: The Greens will certainly be supporting this amendment from Ms Purcell. We are very concerned about the secretive nature of appointments to the Land Access Panel. We have already heard through the committee stage that the minister decided that there was no need for a public consultation on this bill. However, the GMA went and had some private, off-the-record kinds of consultation with the shooting lobby. Really, it is quite disgraceful that this bill will set up a structure that could allow that practice to continue indefinitely and for the Victorian public to have no way to see into the black box that is being created with the Land Access Panel. This is a really necessary and I would say quite minimal transparency measure to at least know who the members on the Land Access Panel are. I would be astounded if the minister cannot come to supporting this.

Council divided on amendment:

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

Noes (28): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Shaun Leane, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendment negatived.

Melina BATH: I move:

96. Clause 47, page 38, after line 10 insert –

"(6) The Land and Aquatic Access Panel, by written notice, may request information from any person or body who is appointed as the manager of an area of public land or water.

(7) A person or body to whom a request for information under subsection (6) is given must provide a written response to the Land and Aquatic Access Panel.".

This is on clause 47 and relates to just some additional, we will say, powers of the Land Access Panel. This is so the Land and Aquatic Access Panel can now write, by written notice, and request information from a body or person appointed as a manager of public land. They might write to Parks Victoria or to DEECA or to a catchment management authority seeking some information that might be able to assist them as to how the body and hence the organisation can work more effectively and open up land

for public use. The second part of this is that the body should then respond to the Land Access Panel in a written response. It could be 'no', or it could be a 70-page document. It is not specified. It is open.

Katherine COPSEY: The Greens will not be supporting this amendment. I find it quite extraordinary that we are going to have this panel of unknown persons that is going to be able to demand information from public land managers. I think it is not appropriate, and the Greens will not be supporting this amendment.

Amendment agreed to.

Georgie PURCELL: I move:

2. Clause 47, page 38, after line 10 insert –

"(6) The Minister must cause a copy of written advice received under subsection (2) to be laid before each House of the Parliament within 30 days after receiving that advice or, if Parliament is not then sitting, on the next sitting day of Parliament.".

This one will be interesting, because this anonymous panel can write to people, under the amendment just passed, requesting information. They will not know who to address it to, because we do not know who is on the panel. But this is an amendment that requires all written advice or information the panel provides to the minister to be tabled in both houses of the Parliament by the minister within 30 days of the advice being received. It is vital that there is proper scrutiny over the advice the panel is providing to the minister. If the government in future either amends legislation or changes regulations around public land usage, we would have absolutely no way of knowing if it was done as a result of inaccurate and poor advice provided by this top-secret panel, where we do not know who is on it. Who will assess the suitability of recommendations made by the panel? We have got no independent oversight bodies anymore. Considering all of this, this amendment is clearly the bare minimum. We have just allowed this panel to write to people. Surely what they write can be made available as well. If the government do not pass this amendment, they are just not interested in transparency or scrutiny at all.

Katherine COPSEY: The Greens will be supporting this amendment. I think it is absolutely vital. Throughout the debate the minister was at pains to point out that the Land Access Panel was not a decision-making body and therefore we did not have to worry because the minister was still going to be making the decisions and land managers were still going to be making decisions. But the difficulty we will have is we will not know what those decisions are based on if we are not privy to what advice has been provided by the Land Access Panel. We already do not know who is providing the advice, what skill set they have or what information they are putting into their advice, and if this is not passed, we will not know what the advice is and we will not know on what basis decisions have been made. It is insane to me that this is what the government is bringing to this house, this black box that is going to be making decisions about who can access public lands in Victoria. I really hope that the minister will get to his feet and explain – if he is not going to support this amendment, why not? What is there to hide, and why are you saying no?

Enver ERDOGAN: I have already answered.

Katherine COPSEY: No, you have not answered, because we have not discussed this.

Enver ERDOGAN: Asked and answered.

Katherine COPSEY: It is not 'asked and answered'. We had not discussed this amendment until it had come to the house now. The minister is going to allow this black box to be set up, he is not going to have any scrutiny over the advice that it provides and he is not even going to provide the house a reason as to why he cannot provide that base level of transparency around decision-making on access to public lands in Victoria – extraordinary.

Melina BATH: The Liberals and Nationals will not be supporting this. We feel that this is significant overreach. It is an anomaly in the context of other such reporting mechanisms, and it just seems to be rather student like.

Katherine Copsey: On a point of order, Deputy President, on Ms Bath, it is early in the morning, but I think that that was reflecting on a member and it was unnecessary. I ask that she withdraw.

The DEPUTY PRESIDENT: The member herself is in the chamber. If she is offended, she should raise it.

Georgie Purcell: On the point of order, Deputy President, I have put up with listening to Ms Bath's reasoning for her amendments that I obviously disagree with without calling her names or making comments about her. So yes, I am offended actually. I ask her to withdraw.

Melina Bath: On the point of order, Deputy President, first of all, I called the amendment student like. I withdraw.

David LIMBRICK: The Libertarian Party will be supporting this amendment, and the reason is if I had more confidence in the documents orders actually working, then we could just use that, but I know what usually happens when that happens, so in lieu of that I would rather it be tabled.

Council divided on amendment:

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

Noes (28): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Shaun Leane, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendment negatived.

Amended clause agreed to.

Clause 48 (03:15)

Melina BATH: I move:

97. Clause 48, line 12, after "Land" insert "and Aquatic".
98. Clause 48, line 15, after "Land" insert "and Aquatic".
100. Clause 48, line 17, after "Land" insert "and Aquatic".
101. Clause 48, line 20, after "Land" insert "and Aquatic".

Amendments agreed to.

Melina BATH: I seek leave to withdraw amendment 18.

Amendment withdrawn by leave.

Melina BATH: This goes to having the majority of members from representative bodies. I move:

99. Clause 48, after line 15 insert –

"(2A) The Minister must ensure that the majority of members of the Land and Aquatic Access Panel are appointed from representative bodies.".

Katherine COPSEY: Here it is, nakedly, the whole purpose of this stitch-up between the Allan Labor government and the conservative parties. If this is accepted, this –

A member interjected.

Katherine COPSEY: It is. It is an absolute stitch-up. This is a stitch-up of public lands in service of special interest bodies. This further ties up the membership of the Land Access Panel to be from representative bodies of special interest groups. As I said during our second-reading debate on this, the vast proportion of Victorians who enjoy access to our public lands just do so with their families, with their friends or individually and are not part of organised shooting organisations. There are certainly legitimate clubs that access these parks as well, but this just shows the whole purpose of this legislation, which is to create a special secret interest group made up of vested interests. The government is going to, I presume, given the acceptance of all of these Nationals amendments today, continue to tie up public lands to cater to the shooting lobby and to shut out other voices that ought to be heard when it comes to accessing our public lands. The Greens will not be supporting this amendment.

Amendment agreed to; amended clause agreed to; clauses 49 to 52 agreed to.

Clauses 53 to 97 (03:18)

Melina BATH: I move, by leave:

That so much of standing orders be suspended as to allow clauses 53 to 97 to be considered together and permit amendments 102 to 438 (MB31C) to clauses 53 to 97 to be considered together.

Motion agreed to.

Melina BATH: I move:

102. Clause 53, line 15, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
103. Clause 53, line 25, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
104. Clause 53, lines 28 and 29, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
105. Clause 53, line 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
106. Clause 53, page 42, line 1, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
107. Clause 54, line 12, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
108. Clause 55, lines 23 and 24, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
109. Clause 55, line 28, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
110. Clause 58, lines 30 and 31, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
111. Clause 58, page 44, line 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
112. Clause 59, lines 20 and 21, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
113. Clause 60, lines 9 and 10, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
114. Clause 62, line 20, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
115. Clause 62, line 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
116. Clause 62, page 46, lines 3 and 4, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

117. Clause 62, page 46, line 5, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

118. Clause 62, page 46, line 9, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

119. Clause 63, line 20, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

120. Clause 64, lines 31 and 32, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

121. Clause 64, line 36, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

122. Clause 67, page 48, lines 2 and 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

123. Clause 67, page 48, line 10, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

124. Clause 68, lines 27 and 28, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

125. Clause 69, lines 11 and 12, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

126. Clause 71, lines 7 and 8, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

127. Clause 71, line 11, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

128. Clause 71, line 13, omit "***Outdoor Recreation Victoria***" and insert "***Fishing, Hunting and Outdoor Victoria***".

129. Clause 71, lines 14 and 15, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

130. Clause 71, line 16, omit "***Outdoor Recreation Victoria***" and insert "***Fishing, Hunting and Outdoor Victoria***".

131. Clause 71, line 18, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

132. Clause 72, line 30, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

133. Clause 73, line 5, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

134. Clause 73, line 7, omit "Outdoor Recreation Victoria's" and insert "Fishing, Hunting and Outdoor Victoria's".

135. Clause 73, line 10, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

136. Clause 74, lines 16 and 17, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

137. Clause 74, line 21, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

138. Clause 74, line 26, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

139. Clause 75, line 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

140. Clause 76, lines 4 and 5, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

141. Clause 76, line 8, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

142. Clause 77, line 12, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

143. Clause 77, line 14, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

144. Clause 78, line 18, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

145. Clause 80, lines 7 to 10, omit all words and expressions on these lines and insert –

"'***Fishing, Hunting and Outdoor Victoria*** means the body established by section 5 of the **Fishing, Hunting and Outdoor Victoria Act 2026**;";'.

146. Clause 80, lines 13 to 15, omit all words and expressions on these lines and insert –

"'(d) in relation to Fishing, Hunting and Outdoor Victoria – the chief executive officer of Fishing, Hunting and Outdoor Victoria;";'.

147. Clause 80, line 18, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

148. Clause 80, lines 21 and 22, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

149. Clause 80, lines 24 to 26, omit all words and expressions on these lines and insert "Fishing, Hunting and Outdoor Victoria under Part 4 of the **Fishing, Hunting and Outdoor Victoria Act 2026**; or".

150. Clause 80, line 28, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

151. Clause 80, page 55, lines 3 to 5, omit all words and expressions on these lines and insert –

"'(d) in relation to Fishing, Hunting and Outdoor Victoria – the chief executive officer of Fishing, Hunting and Outdoor Victoria;";'.

152. Clause 81, line 22, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

153. Clause 81, lines 26 and 27, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

154. Clause 82, lines 5 to 8, omit all words and expressions on these lines and insert –

"'***Fishing, Hunting and Outdoor Victoria*** means the body established by section 5 of the **Fishing, Hunting and Outdoor Victoria Act 2026**;".'.

155. Clause 82, lines 13 and 14, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

156. Clause 84, line 31, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

157. Clause 85, lines 7 to 9, omit all words and expressions on these lines and insert –

"'(b) appointed by Fishing, Hunting and Outdoor Victoria under Part 4 of the **Fishing, Hunting and Outdoor Victoria Act 2026**;";'.

158. Clause 85, lines 13 to 16, omit all words and expressions on these lines and insert –

"'**Fishing, Hunting and Outdoor Victoria** means the body established by section 5 of the **Fishing, Hunting and Outdoor Victoria Act 2026**;".'.

159. Clause 85, line 24, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

160. Clause 85, line 26, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

161. Clause 85, line 31, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

162. Clause 86, lines 6 and 7, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

163. Clause 87, lines 15 and 16, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

164. Clause 87, line 19, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

165. Clause 88, lines 24 and 25, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
166. Clause 88, line 29, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
167. Clause 89, line 6, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
168. Clause 90, line 12, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
169. Clause 91, lines 18 and 19, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
170. Clause 92, lines 29 and 30, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
171. Clause 93, line 5, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
172. Clause 94, lines 11 and 12, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
173. Clause 95, lines 20 to 22, omit "Outdoor Recreation Victoria within the meaning of section 3 of the **Outdoor Recreation Victoria**" and insert "Fishing, Hunting and Outdoor Victoria within the meaning of section 3 of the **Fishing, Hunting and Outdoor Victoria**".
174. Clause 96, lines 29 and 30, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
175. Clause 96, page 61, line 2, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
176. Clause 96, page 61, lines 8 and 9, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
177. Clause 96, page 61, line 15, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

Amendments agreed to; clauses and amended clauses agreed to.

Schedule 1 (03:20)

Melina BATH: I move:

178. Schedule 1, page 62, lines 7 and 8, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
179. Schedule 1, page 62, line 12, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
180. Schedule 1, page 62, lines 15 and 16, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
181. Schedule 1, page 62, line 19, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
182. Schedule 1, page 62, line 22, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
183. Schedule 1, page 62, line 25, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
184. Schedule 1, page 62, line 28, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
185. Schedule 1, page 62, lines 30 and 31, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
186. Schedule 1, page 63, line 4, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
187. Schedule 1, page 63, lines 6 and 7, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

188. Schedule 1, page 63, line 10, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

189. Schedule 1, page 63, line 13, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

190. Schedule 1, page 63, lines 15 and 16, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

191. Schedule 1, page 63, line 20, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

192. Schedule 1, page 63, lines 22 and 23, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

193. Schedule 1, page 63, line 27, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

194. Schedule 1, page 63, lines 29 and 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

195. Schedule 1, page 64, lines 4 and 5, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

196. Schedule 1, page 64, lines 7 and 8, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

197. Schedule 1, page 64, lines 10 and 11, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

198. Schedule 1, page 64, line 15, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

199. Schedule 1, page 64, lines 18 and 19, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

200. Schedule 1, page 64, line 21, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

201. Schedule 1, page 64, line 24, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

202. Schedule 1, page 64, lines 27 and 28, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

203. Schedule 1, page 64, lines 30 and 31, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

204. Schedule 1, page 65, line 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

205. Schedule 1, page 65, lines 6 and 7, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

206. Schedule 1, page 65, lines 9 and 10, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

207. Schedule 1, page 65, lines 12 and 13, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

208. Schedule 1, page 65, line 16, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

209. Schedule 1, page 65, line 19, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

210. Schedule 1, page 65, lines 21 and 22, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

211. Schedule 1, page 65, lines 26 and 27, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

212. Schedule 1, page 65, line 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

213. Schedule 1, page 66, lines 3 and 4, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

214. Schedule 1, page 66, lines 6 and 7, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

215. Schedule 1, page 66, line 10, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

216. Schedule 1, page 66, line 13, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

217. Schedule 1, page 66, lines 15 and 16, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

218. Schedule 1, page 66, line 19, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

219. Schedule 1, page 66, line 23, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

220. Schedule 1, page 66, line 26, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

221. Schedule 1, page 66, lines 29 and 30, omit "Outdoor Recreation Victoria's" and insert "Fishing, Hunting and Outdoor Victoria's".

222. Schedule 1, page 66, line 33, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

223. Schedule 1, page 67, lines 2 and 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

224. Schedule 1, page 67, line 6, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

225. Schedule 1, page 67, lines 9 and 10, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

226. Schedule 1, page 67, lines 13 and 14, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

227. Schedule 1, page 67, lines 17 and 18, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

228. Schedule 1, page 67, line 22, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

229. Schedule 1, page 67, line 25, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

230. Schedule 1, page 67, lines 27 and 28, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

231. Schedule 1, page 67, lines 31 and 32, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

232. Schedule 1, page 68, lines 2 and 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

233. Schedule 1, page 68, line 6, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

234. Schedule 1, page 68, lines 9 and 10, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

235. Schedule 1, page 68, line 13, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

236. Schedule 1, page 68, line 17, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

237. Schedule 1, page 68, line 20, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

238. Schedule 1, page 68, lines 22 and 23, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

239. Schedule 1, page 68, lines 26 and 27, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

240. Schedule 1, page 68, lines 29 and 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

241. Schedule 1, page 68, lines 32 and 33, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

242. Schedule 1, page 69, line 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

243. Schedule 1, page 69, line 6, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

244. Schedule 1, page 69, line 9, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

245. Schedule 1, page 69, line 12, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

246. Schedule 1, page 69, line 15, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

247. Schedule 1, page 69, lines 17 and 18, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

248. Schedule 1, page 69, line 21, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

249. Schedule 1, page 69, lines 25 and 26, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

250. Schedule 1, page 69, line 29, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

251. Schedule 1, page 69, lines 32 and 33, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

252. Schedule 1, page 70, line 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

253. Schedule 1, page 70, line 6, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

254. Schedule 1, page 70, lines 8 and 9, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

255. Schedule 1, page 70, line 13, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

256. Schedule 1, page 70, line 16, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

257. Schedule 1, page 70, line 19, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

258. Schedule 1, page 70, lines 22 and 23, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

259. Schedule 1, page 70, line 26, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

260. Schedule 1, page 70, line 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

261. Schedule 1, page 70, line 33, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

262. Schedule 1, page 71, line 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

263. Schedule 1, page 71, line 7, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

264. Schedule 1, page 71, line 10, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

265. Schedule 1, page 71, lines 13 and 14, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

266. Schedule 1, page 71, lines 18 and 19, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

267. Schedule 1, page 71, line 23, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

268. Schedule 1, page 71, line 26, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

269. Schedule 1, page 71, line 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

270. Schedule 1, page 71, line 33, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

271. Schedule 1, page 72, line 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

272. Schedule 1, page 72, line 7, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

273. Schedule 1, page 72, lines 9 and 10, omit "Outdoor Recreation Victoria's" and insert "Fishing, Hunting and Outdoor Victoria's".

274. Schedule 1, page 72, lines 12 and 13, omit "Outdoor Recreation Victoria's" and insert "Fishing, Hunting and Outdoor Victoria's".

275. Schedule 1, page 72, line 17, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

276. Schedule 1, page 72, lines 19 and 20, omit "Outdoor Recreation Victoria's" and insert "Fishing, Hunting and Outdoor Victoria's".

277. Schedule 1, page 72, line 23, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

278. Schedule 1, page 72, lines 25 and 26, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

279. Schedule 1, page 72, line 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

280. Schedule 1, page 72, lines 32 and 33, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

281. Schedule 1, page 73, line 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

282. Schedule 1, page 73, line 6, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

283. Schedule 1, page 73, line 10, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

284. Schedule 1, page 73, line 13, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

285. Schedule 1, page 73, lines 16 and 17, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

286. Schedule 1, page 73, line 20, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

287. Schedule 1, page 73, lines 22 and 23, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

288. Schedule 1, page 73, lines 25 and 26, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

289. Schedule 1, page 73, line 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

290. Schedule 1, page 73, line 33, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

291. Schedule 1, page 74, lines 2 and 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

292. Schedule 1, page 74, line 7, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

293. Schedule 1, page 74, lines 10 and 11, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

294. Schedule 1, page 74, lines 13 and 14, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

295. Schedule 1, page 74, lines 16 and 17, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

296. Schedule 1, page 74, line 20, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

297. Schedule 1, page 74, lines 22 and 23, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

298. Schedule 1, page 74, lines 25 and 26, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

299. Schedule 1, page 74, lines 28 and 29, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

300. Schedule 1, page 74, lines 31 and 32, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

301. Schedule 1, page 75, line 4, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

302. Schedule 1, page 75, line 7, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

303. Schedule 1, page 75, line 11, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

304. Schedule 1, page 75, line 14, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

305. Schedule 1, page 75, line 18, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

306. Schedule 1, page 75, line 21, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

307. Schedule 1, page 75, line 23, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

308. Schedule 1, page 75, lines 25 and 26, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

309. Schedule 1, page 75, line 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

310. Schedule 1, page 75, line 33, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

311. Schedule 1, page 76, line 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

312. Schedule 1, page 76, line 6, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

313. Schedule 1, page 76, lines 8 and 9, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

314. Schedule 1, page 76, lines 11 and 12, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

315. Schedule 1, page 76, line 15, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

316. Schedule 1, page 76, line 18, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

317. Schedule 1, page 76, line 20, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

318. Schedule 1, page 76, line 23, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
319. Schedule 1, page 76, lines 25 and 26, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
320. Schedule 1, page 76, line 29, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
321. Schedule 1, page 76, line 32, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
322. Schedule 1, page 77, line 3, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
323. Schedule 1, page 77, line 6, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
324. Schedule 1, page 77, line 9, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
325. Schedule 1, page 77, line 11, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
326. Schedule 1, page 77, line 14, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
327. Schedule 1, page 77, line 18, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
328. Schedule 1, page 77, line 21, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
329. Schedule 1, page 77, lines 23 and 24, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
330. Schedule 1, page 77, line 29, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
331. Schedule 1, page 77, line 32, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
332. Schedule 1, page 78, line 3, omit "Outdoor Recreation Victoria's" and insert "Fishing, Hunting and Outdoor Victoria's".
333. Schedule 1, page 78, lines 5 and 6, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
334. Schedule 1, page 78, line 9, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
335. Schedule 1, page 78, line 12, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
336. Schedule 1, page 78, lines 14 and 15, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
337. Schedule 1, page 78, line 18, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
338. Schedule 1, page 78, line 21, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendments agreed to; amended schedule agreed to.

Schedule 2 (03:21)

Melina BATH: I move:

339. Schedule 2, page 79, line 7, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
340. Schedule 2, page 79, line 10, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
341. Schedule 2, page 79, line 14, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

342. Schedule 2, page 79, line 17, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

343. Schedule 2, page 79, lines 20 and 21, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

344. Schedule 2, page 79, line 23, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

345. Schedule 2, page 79, line 26, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

346. Schedule 2, page 79, lines 29 and 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

347. Schedule 2, page 80, line 2, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

348. Schedule 2, page 80, line 5, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

349. Schedule 2, page 80, lines 8 and 9, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

350. Schedule 2, page 80, line 11, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

351. Schedule 2, page 80, line 14, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

352. Schedule 2, page 80, lines 17 and 18, omit ", Outdoor Recreation Victoria" and insert ", Fishing, Hunting and Outdoor Victoria".

353. Schedule 2, page 80, lines 23 and 24, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

354. Schedule 2, page 80, line 28, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

355. Schedule 2, page 80, line 32, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

356. Schedule 2, page 81, line 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

357. Schedule 2, page 81, line 6, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

358. Schedule 2, page 81, lines 10 and 11, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

359. Schedule 2, page 81, line 15, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

360. Schedule 2, page 81, line 18, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

361. Schedule 2, page 81, lines 22 and 23, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

362. Schedule 2, page 81, line 27, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

363. Schedule 2, page 81, line 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

364. Schedule 2, page 82, line 3, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

365. Schedule 2, page 82, lines 7 and 8, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

366. Schedule 2, page 82, line 12, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

367. Schedule 2, page 82, lines 15 and 16, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

368. Schedule 2, page 82, lines 18 and 19, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

369. Schedule 2, page 82, line 22, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

370. Schedule 2, page 82, lines 25 and 26, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

371. Schedule 2, page 82, line 31, omit "Outdoor Recreation Victoria's" and insert "Fishing, Hunting and Outdoor Victoria's".

372. Schedule 2, page 83, line 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

373. Schedule 2, page 83, line 7, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

374. Schedule 2, page 83, lines 10 and 11, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

375. Schedule 2, page 83, line 13, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

376. Schedule 2, page 83, line 16, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

377. Schedule 2, page 83, lines 19 and 20, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

378. Schedule 2, page 83, lines 24 and 25, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

379. Schedule 2, page 83, lines 27 and 28, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

380. Schedule 2, page 84, lines 3 and 4, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

381. Schedule 2, page 84, line 6, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

382. Schedule 2, page 84, line 9, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

383. Schedule 2, page 84, lines 13 and 14, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

384. Schedule 2, page 84, line 16, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

385. Schedule 2, page 84, line 19, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

386. Schedule 2, page 84, line 22, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

387. Schedule 2, page 84, line 25, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

388. Schedule 2, page 84, line 28, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

389. Schedule 2, page 84, lines 30 and 31, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

390. Schedule 2, page 85, lines 2 and 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

391. Schedule 2, page 85, line 6, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

392. Schedule 2, page 85, line 9, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

393. Schedule 2, page 85, lines 13 and 14, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

394. Schedule 2, page 85, line 16, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

395. Schedule 2, page 85, lines 19 and 20, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

396. Schedule 2, page 85, line 23, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

397. Schedule 2, page 85, lines 25 and 26, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

398. Schedule 2, page 85, line 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

399. Schedule 2, page 86, lines 3 and 4, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

400. Schedule 2, page 86, line 6, omit "Outdoor Recreation Victoria's" and insert "Fishing, Hunting and Outdoor Victoria's".

401. Schedule 2, page 86, lines 8 and 9, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

402. Schedule 2, page 86, lines 11 and 12, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

403. Schedule 2, page 86, lines 16 and 17, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

404. Schedule 2, page 86, line 20, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

405. Schedule 2, page 86, lines 24 and 25, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

406. Schedule 2, page 86, line 31, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

407. Schedule 2, page 87, line 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

408. Schedule 2, page 87, lines 5 and 6, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

409. Schedule 2, page 87, line 9, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

410. Schedule 2, page 87, line 12, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

411. Schedule 2, page 87, lines 16 and 17, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

412. Schedule 2, page 87, line 20, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

413. Schedule 2, page 87, lines 23 and 24, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

414. Schedule 2, page 87, line 27, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

415. Schedule 2, page 87, lines 29 and 30, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

416. Schedule 2, page 87, line 33, omit "**Outdoor Recreation Victoria's**" and insert "**Fishing, Hunting and Outdoor Victoria's**".

417. Schedule 2, page 88, line 4, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

418. Schedule 2, page 88, line 8, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

419. Schedule 2, page 88, line 11, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

420. Schedule 2, page 88, lines 15 and 16, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
421. Schedule 2, page 88, line 19, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
422. Schedule 2, page 88, lines 22 and 23, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
423. Schedule 2, page 88, line 25, omit "Outdoor Recreation Victoria's" and insert "Fishing, Hunting and Outdoor Victoria's".
424. Schedule 2, page 88, line 28, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
425. Schedule 2, page 88, line 31, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
426. Schedule 2, page 88, line 33, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
427. Schedule 2, page 89, line 3, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
428. Schedule 2, page 89, line 7, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
429. Schedule 2, page 89, line 11, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
430. Schedule 2, page 89, line 14, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".
431. Schedule 2, page 89, lines 18 and 19, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
432. Schedule 2, page 89, line 25, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
433. Schedule 2, page 89, lines 29 to 31, omit "Outdoor Recreation Victoria must ensure that its members of staff" and insert "Fishing, Hunting and Outdoor Victoria must ensure that its members of staff".
434. Schedule 2, page 89, lines 33 and 34, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
435. Schedule 2, page 90, lines 2 and 3, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
436. Schedule 2, page 90, lines 5 and 6, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
437. Schedule 2, page 90, line 9, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".
438. Schedule 2, page 90, line 12, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendments agreed to; amended schedule agreed to.

Long title (03:21)

Melina BATH: I move:

439. Long title, omit "Outdoor Recreation Victoria" and insert "Fishing, Hunting and Outdoor Victoria".

Amendment agreed to.

Melina BATH: I move:

440. Long title, after "Land" insert "and Aquatic".

Amendment agreed to; amended long title agreed to.

Short title (03:22)

Melina BATH: I move:

441. Short title, omit "**Outdoor Recreation Victoria**" and insert "**Fishing, Hunting and Outdoor Victoria**".

I also want to thank the minister for working collegiately and for working patiently through both the highs and lows of this committee stage.

Amendment agreed to; amended short title agreed to.

Reported to house with amendments, including amended long and short titles.

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Environment, Minister for Outdoor Recreation) (03:24): I move:

That the report be now adopted.

Motion agreed to.

Report adopted.

Third reading

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Environment, Minister for Outdoor Recreation) (03:24): I move:

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

Council divided on motion:

Ayes (29): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Noes (7): Katherine Copsey, David Ettershank, Anasina Gray-Barberio, 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 have agreed to the bill with amendments.

Education and Training Reform Amendment Bill 2026

Introduction and first reading

The PRESIDENT (03:27): 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** to strengthen Aboriginal recognition and self-determination across the early childhood education, school education, vocational education and training and adult, community and further education system, to require schools to develop policies to restrict student use of personal electronic devices during school hours and to improve the operation of that Act and to amend the **Education and Care Services National Law Act 2010** to make a statute law revision amendment and for other purposes.'

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:28): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Jaclyn SYMES: I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of compatibility

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:29): 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 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 base my opinion on the reasons outlined in this statement.

Overview of the Bill

The main purposes of this Bill are to amend the *Education and Training Reform Act 2006* (**Principal Act**):

a) to strengthen Aboriginal recognition and self-determination across the early childhood education, school education, vocational education and training and adult, community and further education system;

b) to provide for the collection and disclosure of information about an applicant for registration under Part 2.6 of that Act;

c) in relation to interim suspensions under Part 2.6 of that Act;

d) in relation to the Register of Registered Teachers (**Registration Register**) and the Register of Disciplinary Action (**Discipline Register**);

e) to impose a penalty for certain false representations concerning former registration as a teacher or permission to teach;

f) in relation to the Student Register under Part 5.3A of that Act;

g) in relation to the appointment of the Chairperson of the Council of the Victorian Institute of Teaching (**VIT**);

h) to remove the requirement for an investigator conducting a health assessment of a registered teacher to report to the VIT in certain circumstances;

i) to require schools to develop policies to restrict student use of personal electronic devices during school hours; and

j) to make other minor and consequential amendments to that Act.

The Bill also amends the *Education and Care Services National Law Act 2010* to make a statue law revision amendment.

Human Rights Issues

The following rights are relevant to the Bill:

- Right to equality and protection from discrimination (section 8)
- Right to privacy (section 13(a))
- Right to freedom of expression (section 15(2))
- Protection of families and children (section 17)
- Cultural rights of Aboriginal persons (section 19);

- Right to property (section 20); and
- Right to a fair hearing (section 24(1))

Amendments to strengthen Aboriginal recognition and self-determination

The Bill makes a number of amendments to the Principal Act that directly relate to Aboriginal people and are designed to strengthen recognition and self-determination across the early childhood education, school education, vocational education and training and adult, community and further education system:

- *Definition of 'parent'*: Clause 4 amends the definition of 'parent' to expressly include persons with parental responsibility for a child according to Aboriginal Lore and law. While the current definition of 'parent' is broad and inclusive in nature and arguably already captures family structures under Aboriginal kinship systems, this amendment puts this beyond doubt;
- *Statement of recognition*: Clause 5 inserts a new Part 1.1A. This Part makes provision for a statement of recognition which recognise the unique status and rights of Aboriginal people, acknowledge past and ongoing injustices experienced by Aboriginal people in Victoria, and the aspiration of Aboriginal people to have increased autonomy and decision-making through the Treaty process. This is similar to other recognition provisions in other Victorian legislation and is primarily symbolic in nature, noting the operation of section 1.1A.3 which limits the legal consequences of the Part;
- *Decision-making principles*: Clause 5 also inserts Part 1.1B. This Part includes section 1.1B.1, which requires persons employed or engaged in the education and training system to have regard to and apply new principles to strengthen Aboriginal recognition, self-determination and outcomes in the education and training system when making decisions or actions in relation to the provision or administration of education or training. The principles are intended to operate in addition to the existing principles in Part 1.2 of the Principal Act, and a failure to have regard to the principles is not intended to result in legal consequences;
- *Consultation duty*: Clause 19 inserts section 5.3.2A, which requires the Secretary to the Department of Education or Secretary to Department of Jobs, Skills, Industry and Regions (as applicable) to consult with representatives of the Aboriginal community when developing or implementing relevant strategies, policies or system-level educational or targets that impact or could impact, or otherwise relate to, the education outcomes of Aboriginal people;
- *Aboriginal cultural understanding professional development training:* Clause 30 inserts new section 5.3.2B, which requires the Secretary to the Department of Education and the Secretary to the Department of Jobs, Skills, Industry and Regions to make professional development training on available to a range of persons and institutions in the education and training system. Professional development training includes training in the areas of Aboriginal histories, cultures and perspectives; working with Aboriginal communities; supporting the learning and wellbeing needs of Aboriginal people; and supporting Aboriginal self-determination and cultural rights;
- *Enshrining that Aboriginal histories, cultures and perspectives form part of the learning area specified in Schedule 1 as a whole:* Clause 5 amends the Principal Act to provide that Aboriginal histories, cultures (including languages) and perspectives form part of the learning areas specified in Schedule 1 as a whole. Clause 24 inserts a note at the end of the list of learning areas noting this new section inserted by clause 5. This confirms the current practice that Aboriginal histories, cultures (including languages) and perspectives form a part of the Victorian curriculum and further recognises and elevates its significance as a part of the Victorian curriculum for all registered schools.

These amendments are a direct response to the hearings, findings and recommendations of the Yoorrook Justice Commission (**Commission**) in relation to First Peoples' experiences in Victoria's education and training system as detailed in *Yoorrook for Transformation: Third Interim Report (Volume 3)*. The Commission concluded that First Peoples children are being failed by the Victorian schooling system, and that current day educational inequality is part of a pattern of inequality that has been a feature of life since colonisation. To address this inequity, the Commission recommended that the Principal Act be amended to enable a more inclusive and culturally safe education system and to ensure First Peoples' cultural rights are taken seriously across all schools and early childhood services.

These amendments together promote the rights to equality and protection from discrimination, the rights to protection of families and children and cultural rights of Aboriginal persons.

Right to equality and protection from discrimination

Section 8(2) of the Charter provides that every person has the right to enjoy their human rights without discrimination. Section 8(3) of the Charter relevantly provides that every person is entitled to equal protection of the law without discrimination and has the right to equal and effective protection against discrimination.

'Discrimination' under the Charter is defined by reference to the definition in the *Equal Opportunity Act 2010* on the basis of an attribute in section 6 of that Act, which relevantly includes race. The purpose of this component of the right to equality is to ensure that all laws and policies are applied equally, and do not have a discriminatory effect.

The measures outlined above are directed to ensuring Aboriginal peoples' equal enjoyment of human rights, including the rights of families and children and cultural rights (as discussed further below), and to overcome discrimination, working to ensure that Aboriginal people can have access to the same educational and training opportunities as other Victorians.

In particular, the amendments to the definition of 'parent' expressly recognise Aboriginal kinship relationships, and to that extent, mitigate against discrimination on the basis of a person's Aboriginal identity and cultural practice and ensure the equal treatment of parents in Aboriginal families as compared to other Victorian parents under the provisions of the Principal Act. The principles in new section 1.1B.1, inserted by clause 5, also work to provide protection from discrimination by requiring decision-makers to consider and take steps to support the distinct cultural rights of Aboriginal people in education and overcome racism and educational inequalities experienced by Aboriginal people.

Protection of families and children

Section 17(1) of the Charter provides that families are the fundamental group unit of society and are entitled to be protected by society and the State. The right is principally concerned with unity of family. 'Family' in this context has a broad meaning that encompasses the diversity of families living within Victoria, not only those recognised by formal marriage or cohabitation. The right in s 17(1) is related to s 13(a) of the Charter, which relevantly provides that every person has the right not to be subject to unlawful or arbitrary interferences with their family.

Section 17(2) of the Charter provides that every child has the right, without discrimination, to such protection as is in their best interests and is needed by them by reason of being a child. This right recognises the special vulnerability of children, and requires the state to adopt social, cultural and economic measures to protect children to foster their development and education. The scope of the right is informed by the United Nations *Convention on the Rights of the Child*, which requires that in all actions concerning children, the best interests of the child shall be the primary consideration.

The above amendments together work to improve cultural safety, provide greater recognition of Aboriginal perspectives and increase self-determination, with the aim to minimise barriers to Aboriginal families and students in the education and training system and support access for Aboriginal people to education and training opportunities and improved outcomes. These measures promote the rights of the child, fostering not just the development and education of Aboriginal children, but also providing greater understanding for all Victorian children of Aboriginal histories, cultures and perspectives across all learning areas.

The amendments to the definition of 'parent' which expressly recognise Aboriginal kinship relationships also promote the protection of Aboriginal families under section 17(1) of the Charter.

Cultural rights

Section 19(1) of the Charter provides that all persons with a particular cultural, religious, racial or linguistic background must not be denied the right, in community with other persons of that background, to enjoy their culture, declare and practise their religion, and use their language. Section 19(2) of the Charter further provides specific protection for Aboriginal persons, providing that they must not be denied the right, with other members of their community, to enjoy their identity and culture, maintain and use their language, maintain kinship ties, and maintain their distinct spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs.

The rights in s 19 are intended to protect and promote the cultural, religious, racial and linguistic diversity of Victorian society. The rights are concerned not only with the preservation of the cultural, religious and linguistic identity of particular cultural groups, but also with their continued development.

The Bill advances a number of distinct cultural rights, including by the express recognition of cultural rights under the new principles and in the Statement of Recognition; recognising and embedding Aboriginal histories, cultures (including languages) and perspectives in education and training under the new principles, through the consultation duty, by imposing a duty to provide Aboriginal cultural understanding professional development training and recognising familial institutions under Aboriginal Lore and law in the amendment to the definition of 'parent'.

Collection and disclosure of information by the VIT in relation to an applicant

Clause 8 of the Bill amends section 2.6.21B of the Principal Act which deals with the disclosure and collection of information by the VIT. Currently, sections 2.6.21B(1), (2) and (3) of the Principal Act allows the VIT to

collect and disclose information to various entities for specified purposes in respect of a registered teacher or former registered teacher, or a provider of a program, unit or course of study. Relevant bodies include any State, Territory or Commonwealth Government department or public authority, any municipal council, or a former or current employer of a registered teacher. Clause 8 expands the operation of this section to allow the VIT to collect and disclose information to these bodies in relation to an applicant for registration under sections 2.6.7 and 2.6.12A and an applicant for permission to teach under section 2.6.13.

The relevant purposes for which information can be disclosed or collected in relation to an applicant are those already applying under section 2.6.21B(4), being where the disclosure or collection is reasonably necessary for, or to enable, the VIT to perform its functions or duties, or exercise its powers, or reasonably necessary for a number of purposes including regulating and registering teachers and early childhood teachers and promoting the safety and wellbeing of a child or group of children.

Section 13(a) of the Charter provides that a person has the right not to have their privacy unlawfully or arbitrarily interfered with. The right to privacy has been interpreted broadly by the courts to include protection of a person's personal information, their physical and psychological integrity, their individual and social identity and their autonomy and inherent dignity. 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.

This clause interferes with the right to privacy by enabling the sharing of information, which may include sensitive personal information about applicants, such as health information or information relating to criminal records. However, any interference is lawful, as it is authorised under legislation. Further, interferences with privacy are not arbitrary, as the clause is appropriately tailored to achieve the legitimate purpose of ensuring the VIT has all relevant information when assessing applications, ultimately protecting vulnerable persons such as children. Without this amendment, the VIT may have to rely solely on an applicant's account of the circumstances surrounding offending or professional misconduct, hampering VIT's ability to properly assess any risk to the safety and wellbeing of children which may arise by approving an application.

Further, the existing provision includes a number of safeguards to ensure interferences with privacy do not go beyond what is necessary to achieve that purpose. In particular, where information is disclosed to an employer or former employer, that entity must collect, store and use the information in a way that protects the privacy of the persons to whom the information relates and must not use the information disclosed other than for the purpose for which it was disclosed. Further, where a receiving body is subject to any secrecy or confidentiality requirements under other laws in the receiving body's home jurisdiction, these laws would continue to apply, which will ensure that information is managed appropriately once disclosed to the body by the VIT. I therefore consider that this provision does not limit the right to privacy.

Particulars recorded on the Registration Register

Clause 9 of the Bill amends section 2.6.24 of the Principal Act which establishes the Registration Register and sets out the particulars that the Register must contain in relation to each registered teacher and each registration held by the teacher. Clause 9(2) expands the types of disciplinary actions which need to be recorded on the Registration Register to include the existence of any condition, restriction and limitation imposed on a teacher's registration and whether the teacher has been subject to any caution or reprimand. The particulars of such disciplinary action (subject to any exclusions, for example under sections 2.6.54D or 2.6.54E) are already required by section 2.6.54C of the Principal Act to be included on the Discipline Register.

As outlined above, the right to privacy under section 13(a) of the Charter is broad in its scope and extends to provide protection in relation to collection, storage, publication or use of personal information. This right will only be limited where an interference with privacy is unlawful and/or arbitrary.

Expanding the range of actions taken in relation to a teacher which must now be recorded on the Registration Register may result in the disclosure of personal information and so engages the right to privacy. However, given this information in most instances is already recorded (and set out in more detail) on the Discipline Register, any further interference with the right to privacy imposed by clause 9(2) is likely to be minimal. In any event, I consider the interference will be neither unlawful nor arbitrary. The details of what additional information has to be included on the Registration Register is clearly set out in clause 9(2) and will be published according to legislative requirements. The expansion of the information to be included on the Register serves a legitimate purpose, that is the proper regulation of the teaching profession, the maintenance of high teaching standards and the protection of child safety and wellbeing. A risk has been identified that the additional information captured by clause 9(2) may be missed by relevant persons, for example, prospective employers, if they fail to check both the Registration Register and Discipline Register. As such, this amendment ensures all relevant persons are aware of every condition, limitation or restriction imposed on a teacher's registration and can take any action in compliance with these conditions or to mitigate any risk to child safety and wellbeing that may arise from this information. Further, it is noted that the disclosure of

information in relation to professional conduct is consistent with the reasonable expectations of persons who are engaging within a regulated industry where special duties and responsibilities attach. For these reasons, I consider the disclosure of information pursuant to section 2.6.24 as amended by clause 9(2) will be lawful and not capricious, unjust or unreasonable and so will not limit the right to privacy.

Removal of particulars from the Registration and Discipline Registers

Clause 14 amends section 2.6.54E to provide the VIT with the discretion to decline to record or remove particulars from the Discipline Register relating to an interim suspension imposed on a registered teacher where the grounds on which the suspension was imposed relate to the teacher's impairment and the VIT is satisfied that it is either not appropriate or in the public interest for the particulars to be recorded on the Discipline Register. Clause 9(3) provides that the VIT must also remove from, or decline to record, the Registration Register relating any particulars which must not be recorded on the Discipline Register under section 2.6.54D, which include any particulars the Institute has determined should not be recorded on Discipline Register under new section 2.6.54E. These clauses promotes the right to protection from discrimination under section 8 and right to privacy under section 13(a) of the Charter as it allows for the non-publication of information that has the potential to unfairly and adversely affect a registered teacher whose behaviour of concern is related to an impairment, including one that is based on a medical condition, outside of the control of the registered teacher.

Section 17(2) of the Charter provides that every child has the right, without discrimination, to such protection as is in their best interests and is needed by them by reason of being a child. This right recognises the special vulnerability of children, and requires the state to adopt social, cultural and economic measures to protect children to foster their development and education.

These clauses may be seen to remove measures which provides protection for the welfare of children and so engage the rights of the child under section 17(2) of the Charter. However, I do not consider this provision limits the right. The VIT is required to consider the circumstances of each matter and can decide to not record or remove particulars under new section 2.6.54(3) and (4) only where it is not appropriate or it is not in the public interest to record such particulars. This allows for the appropriate management of any additional (albeit minimal) risk which may be caused by the non-publication of particulars. As such, I do not consider the rights of the child are limited by this clause.

Review of interim suspension of teachers and early childhood teachers

Clauses 11 and 12 amend Division 8A of the Principal Act which provides for the interim suspension of registered teachers and early childhood teachers. Section 2.6.28 of the Principal Act allows the VIT to summarily suspend any and all registrations held by a person if they reasonably believe that the person poses an unacceptable risk of harm to children and the suspension is necessary to protect children. Pursuant to section 2.6.28E(1) the VIT is currently required to review the basis for the suspension within 30 days after the suspension takes effect (initial review) and again within 30 days, and successively thereafter, in order to determine whether or not to continue that suspension (subsequent review). Clause 11 amends section 2.6.28E(1) such that subsequent reviews will now be required to be undertaken every 90 days. Clause 12 makes more explicit an obligation on the VIT to consider information relevant to an interim suspension as soon as practicable after becoming aware of such information.

Section 24(1) of the Charter relevantly provides that a party to a civil proceeding has the right to have the proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The concept of a 'civil proceeding' is not limited to judicial decision makers but may encompass the decision-making procedures of many types of tribunals, boards and other administrative decision-makers with the power to determine private rights and interests.

Section 2.6.28, by allowing for the VIT to suspend a person's registration without first allowing for them to be heard on the decision, imposes a limit on the right to a fair hearing. As outlined in the statement of compatibility to the legislation which inserted Division 8A of Part 2.6 into the Principal Act, that being the Education and Training Reform Amendment (Victorian Institute of Teaching) Act 2015, the purpose of section 2.6.28 is to ensure that the VIT has the power to take immediate action to protect children from potentially serious harm. That statement of compatibility also noted that the requirement to conduct reviews under section 2.6.28E(1) provides procedural protections to minimise the impact on an individual teacher's fair hearing right by affording them the opportunity to be heard shortly after the initial decision is made and on a regular basis thereafter. Since Division 8A came into operation, the VIT has found that most reviews under section 2.6.28E(1) result in a continuation of the interim suspension, as 30 days is rarely sufficient to allow for the provision of information which would cause the VIT to either cancel the interim suspension or suspend the registration of the teacher following a formal investigation and hearing under section 2.6.27. In light of this, the amendments provided for in clause 11 will have minimal impact, as the first review after an interim suspension will still need to be conducted after 30 days. To the extent the subsequent review occurs

less frequently, I consider that the more explicit obligation in clause 12 provides additional and sufficient protection to ensure that any new relevant information will be considered in a timely manner after receipt. For these reasons, I consider that there remains adequate protections to ensure there is not an unjustifiable limitation of the fair hearing right.

Requirement to develop a policy restricting the use of personal electronic devices during school hours

Part 3 of the Bill amends the Principal Act to introduce a requirement that all schools must develop a policy that restricts student use of personal electronic devices during school hours and contains any matters required to be included by a Ministerial Order. Personal electronic devices include mobile phones as well as audio devices, smartwatches and other wearable devices. The details of this policy are to be developed by each school as adapted and appropriate to their local context, subject to the requirements of a Ministerial Order.

The purpose of this amendment is to protect the wellbeing and safety of children from cyber bullying and other misuse of personal electronic devices during school hours, as well as to promote effective learning. A 2021 independent evaluation of a ministerial policy in relation to the use of mobile phones during school hours at Government schools found that this policy has resulted in:

a. An increased focus on learning;

b. Increased student socialisation and physical activity during breaks;

c. Fewer incidents of cyberbullying during school hours;

d. Fewer critical incidents involving mobile phones during school hours (e.g. filming flights, sexting)

This Bill will promote the rights of the child under s 17(2) of the Charter by ensuring that all schools, not just Government schools, have policies restricting the use of personal electronic devices and are able to benefit from these improvements in student wellbeing and learning outcomes.

The precise impacts on rights will differ from school to school, depending on their local circumstances and the policy implemented. However, at a high level, the requirement to develop such a policy may impact on the right to privacy, expression, property, as well as the rights of the child, as identified above.

Right to privacy

The right to privacy under section 13(a) of the Charter is broad in its scope but will only be limited where an interference with privacy is unlawful and/or arbitrary. The regulation of devices which can capture, store or transmit images or other information may both promote and limit the right to privacy. Restricting the use of devices may protect a person's control over their image and informational privacy, for example, by reducing the instances of non-consensual recording and sending of photos or video. On the other hand, reducing access to a device may reduce a person's ability to exercise their autonomy and capacity to experience a private life and maintain relationships through digital communication while at school. However, I consider that any interferences with the right to privacy are not unlawful or arbitrary.

Any policy will be required by and be lawfully authorised by this Bill with each policy providing clear and accessible guidance by which individuals are able to regulate their behaviour. In my view, any interference is proportionate to the legitimate aims identified above. In particular, it is noted that any limitation on the use of personal devices is confined to during school hours and the policy of a school can make allowances for appropriate phone use having regard to the circumstances of the school and individual students, for example, in the case of a family emergency. As such, I do not consider Part 3 will limit the right to privacy.

Freedom of expression

Section 15(2) of the Charter provides that every person has the right to freedom of expression, which includes the freedom to seek, receive and impart information and ideas of all kinds.

However, section 15(3) provides that special duties and responsibilities attach to this right, which may be subject to lawful restrictions reasonably necessary to respect the rights and reputations of others, or for the protection of national security, public order, public health or public morality.

Restricting use of a personal device is relevant to freedom of expression, which encompasses the freedom to impart information of all kinds, including by way of images and using a personal device for communication. For the reasons explained above, I consider that the requirement to develop a policy which restricts the use of personal electronic devices is reasonably necessary to protect children's rights under section 17(2). For this reason, I consider Part 3 of this Bill falls within the exception in section 15(3) and so does not impose a limit on the freedom of expression under section 15(2).

Right to property

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred

by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely.

Restricting people from using, controlling or being in possession of their personal devices during school hours, engages the right to property. For the reasons noted above in relation to the right to privacy, I consider that this Bill provides the legal authorisation for the development of a policy and is in proportion to the important child safety and wellbeing aims pursued by Part 3. Accordingly, I do not consider this Part limits the right to property.

Particulars recorded on the Student Register

Clause 21 amends 5.3A.7 of the Principal Act which establishes the Student Register and requires that certain information relating to any student allocated with a Victorian student number must be included on this register. Clause 21 requires that the country of birth and any other prescribed information must now be included in the Student Register. Clause 20 also amends 5.3A.4(1) to require that this information must be disclosed to the Secretary (who then includes this information on the Student Register).

The right to privacy under section 13(a) of the Charter is broad in its scope and extends to provide protection in relation to personal information. This right will only be limited where an interference with privacy is unlawful and/or arbitrary.

The disclosure and inclusion on the Student Register of a student's country of birth and any other prescribed information (to the extent it is personal information), engages the right to privacy. However, I consider that as the provision and use of the information is lawful and not arbitrary, there is no limit on this right.

The information on the Student Register is held for the purpose of monitoring student movement across the education and training sectors and provides key data which is used for a range of policy, evaluation and research purposes. Collecting and recording country of birth data is crucial to ensure Victoria is able to comply with its commitment under the national *Better and Fairer Schools Agreement 2025–2034* to collect consistent student data that will enable the implementation of the national Unique Student Identifier (**USI**) program. Under the USI Program, a unique code will be assigned to every student in Australia. It is designed to create a consistent and lifelong education record for each student, enabling seamless tracking and management of a student's data and learning journey across different education sectors and institutions. This will ensure that a student's place of learning has their full educational history which will support the institution to meet the student's developmental needs and achieve good learning outcomes. This is particularly useful for students as they transfer across different stages of the education system and/or between States and Territories. Allowing for further information to be prescribed in the future will allow Victoria to comply with any changes to the information required to be collected under USI program.

The collection, maintenance and use of this data is authorised under the Principal Act and is subject to numerous safeguards including restricting disclosure to the enumerated purposes set out in section 5.3A.9, the offence provision in section 5.3A.10, as well as the protections provided for in the *Privacy Data Protection Act 2014* and the *Secretary's Guidelines on the Victorian Student Number*. The express and clear authorisation for the disclosure of this information for the limited purposes set out in section 5.3A.9 combined with the identified safeguards demonstrate any additional interference on the right to privacy caused by clauses 20 and 21 is appropriately circumscribed and in proportion to the legitimate purposes identified above. It is noted that the prescribing of any further information will be subject to a further assessment of the impact on the right to privacy through a Human Rights Certificate. Accordingly, the right to privacy is not limited by clauses 20 and 21.

Hon Lizzie Blandthorn MP
Deputy Leader of the Government in the Legislative Council
Minister for Children
Minister for Disability

Second reading

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:29): I move:

That the bill be now read a second time.

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

The Bill before you today proposes a package of important amendments to the *Education and Training Reform Act 2006* (Act). The key features of the Bill include:

- long overdue recognition of First Nations people – including provisions to ensure the Act effectively supports our system to become more inclusive and responsive to the needs of First Nations learners;
- measures to bolster student learning, engagement and mental health by restricting personal electronic devices in our schools; and
- important updates to improve the operation of the teacher registration framework and the Victorian Student Register.

Aboriginal recognition and self-determination

Let me first talk about what we're aiming to achieve through amendments to ensure the Act is best serving First Nations learners.

In Victoria we are immensely proud of our progress over the last decade working together with First Nations people and communities – progress that sees Victoria now leading the nation in Aboriginal affairs though a deep commitment to genuine partnership, self-determination, truth and Treaty.

But these concepts are not reflected in the legislative framework which governs our early childhood education, school education and vocational education and training systems. In fact, the Act does not currently make one single reference to First Nations people or learners.

In June 2024, I had the privilege of appearing before the Yoorrook Justice Commission and was challenged by the Commissioners to increase the rate of system change to support improved First Nations outcomes in education. The then Secretary to the Department of Education was also directly questioned by the Commission about the Act's application to, or provisions for, First Nations people and learners, and in response undertook to explore how the Act can be amended in line with current understandings about what works to lift learning and life outcomes for First Nations people and students.

As well as responding to issues raised through Yoorrook Justice Commission hearings, the amendments proposed in the Bill have also been developed with Treaty front of mind. The Bill includes an acknowledgement of the Victorian Treaty process, and all proposed amendments have been designed to strengthen self-determination in the administration and delivery of education in Victoria while not limiting the ability of the system to implement its Statewide Treaty commitments, or respond to any further Statewide and/or Traditional Owner Treaty matters that may be negotiated in the future.

The Bill before you today inserts into the Act a new Statement of Recognition that incorporates truth-telling and properly acknowledges the unique status of First Nations Victorians in the law underpinning education in Victoria. It recognises the historical and ongoing factors that have impacted and continue to impact First Nations outcomes, and the critical role of the education system in improving outcomes. It acknowledges the strength and advocacy of generations of First Nations leaders for better opportunities for their young people. This Bill is one example of the power of that advocacy.

Complementing the Statement of Recognition, the Bill also enacts a new set of principles which recognise and honour the cultural rights and history of First Nations people as the first teachers and learners of Victoria, and which embed self-determination at the core of the delivery of early childhood education, school education and vocational education and training services to First Nations learners.

The new statutory principles will apply to every person and institution working in or across Victorian early childhood services, government and non-government schools, and vocational education and training. They make it clear that First Nations people interacting with our system – whether they are learners, family or community members or staff – have a right to expect that education settings across Victoria are culturally safe and inclusive, and free of racism.

The Bill introduces a legal obligation for the departmental secretaries with responsibilities in relation to our education systems to promote and strengthen Aboriginal self-determination by working in partnership with First Nations community representatives. We know that for First Nations programs and policies to be effective, First Nations people need to lead decision-making about their design and implementation, including defining what success looks like and how those responsible for delivery should be held to account. This important amendment aims to put our stated commitment to self-determination in education and learning into practical effect.

The Bill will also introduce a new duty on the responsible secretaries to ensure that Aboriginal cultural understanding professional development training will be made available to anyone working to support

learning and wellbeing in or across early childhood education services, schools, TAFEs, Adult, Community and Further education providers and state funded or registered training organisations. This means that, wherever First Nations people interact with our education system, whether that be as a learner, a parent or family member, or as a member of the workforce, they can be confident that the staff they encounter and interact with always have access to high quality information and training about First Nations histories and cultures, and how to undertake their role in a way that is culturally safe.

The Bill also enshrines in law our commitment to ensuring all students learn about First Nations histories, cultures and perspectives as part of the curriculum in Victorian schools.

These elements have been part of the Victorian Curriculum since the nineties, and it is high time we recognised their importance within the core learning areas described in the Act.

First Nations communities rightly have the very highest aspirations for their young people's education and wellbeing – they want and expect our education system to be responsive to their children's needs and to enable them to excel.

As we move into the Treaty era, continue to respond to the Yoorrook Justice Commission's recommendations and plan for the next phase of ambitious reform in First Nations education, now is the time to establish a solid foundation for positive change. And this change is something for all Victorians to celebrate, because we know that when we strengthen the system for First Nations people, we strengthen it for all Victorians.

Restricting personal mobile devices in schools

In 2020, this Government was the first in the country to introduce a new requirement in government schools that student mobile phones must be switched off and securely stored during the school day. This policy has improved student focus on learning and increased student socialisation and physical activity during breaks. In addition, there have been fewer incidents of cyberbullying and critical incidents involving mobile phones during school hours since the introduction of the policy.

As technology has developed, government schools have reported increasing issues surrounding the use of other sorts of devices that are not covered by existing policy. Not only can these devices be a distraction in the classroom, but many can covertly capture images and footage, carrying significant privacy and safety risks.

With all of this in mind, the Bill proposes to require that all Victorian schools, both government and non-government, have a policy that restricts student use of personal electronic devices, including mobile phones, wearable devices and personal audio devices, during school hours, as a prescribed minimum standard for registration.

This new prescribed minimum standard for school registration will not only extend the benefits of the mobile phone policy for government schools to all Victorian schools, but will reduce some of the harmful effects of other sorts of devices. Requiring that the policies restrict personal electronic devices and not just mobile phones will also future proof this minimum standard and ensure all future Victorian students have improved student learning, engagement and mental health outcomes.

Improving the Teacher Registration Framework

The Bill will also make a number of amendments to Part 2.6 of the Act, which establishes the governance framework and powers and functions of the Victorian Institute of Teaching (VIT). By improving the effectiveness of this framework, the Bill will allow the VIT to discharge its responsibilities in a more effective and efficient manner, including when responding to child safety risks.

Interim suspension decision making authority

Currently, only the VIT Council and CEO (where the Council has delegated the power to the CEO) is empowered to impose an interim suspension of a teacher's registration. Interim suspensions are only able to be imposed in the most serious circumstances, namely where the Council or CEO reasonably believes both that person poses an unacceptable risk of harm to children and that a suspension to their registration is necessary to protect children.

While it is appropriate that there are limits on who is empowered to make such important decisions, the inflexibility of the current framework can create child safety risks when a decision needs to be made promptly to protect children and there is no authorised decision maker available to make the decision. For example, if the CEO is unavailable due to unforeseen illness or absence, a meeting of the VIT Council must be convened to impose an interim suspension, which results in delays in the exercise of the power and the overall response to child safety risk that the suspension is intended to address.

To introduce greater flexibility as to who may impose interim suspensions, the Bill will allow the VIT Council to specify VIT employees who the CEO will be able to subsequently authorise to make interim suspension decisions on behalf of the CEO. This ensures that someone will always be available to make those time critical

decisions when the CEO is otherwise unavailable while also ensuring that the CEO remains accountable for the decisions made by authorised employees.

The Bill includes additional protections, including by inserting requirements in relation to the skills, experience and knowledge of VIT staff members who may be authorised while also providing the VIT Council with the ultimate authority for deciding who may be authorised.

Periodic reviews of interim suspensions

The VIT is currently required to review the basis of an interim suspension 30 days after the original decision and every 30 days thereafter, regardless of whether it has received any new information. Many reviews result in a continuation of the interim suspension as the VIT has not received any new or additional information which is relevant to its opinion as to whether the interim suspension continues to be necessary to protect children.

The need to review interim suspensions every 30 days, even without any new or additional information, creates a resourcing burden on the VIT, which needs to support the Council or CEO (under delegated) authority to make a review decision. These are resources which the VIT would be able to better direct to address other high risk regulatory matters.

To ease these resourcing constraints while ensuring interim suspensions remain in force no longer than necessary, the Bill proposes two key changes to the way the VIT reviews and monitors interim suspension decisions.

First of all, the VIT will be required to review the basis for an interim suspension within 30 days of the initial decision and then within 90 days of that review and every subsequent review.

Secondly, the Bill will provide greater clarity about existing requirements in the Act that the VIT consider and act on any new information it receives about an interim suspension as soon as practicable after the information is received, including by deciding to, where appropriate, revoke the suspension. The amendment will put beyond doubt that, regardless of the date of a required review of an interim suspension, the VIT must consider new information presented to it and determine whether or not the interim suspension should remain in force. Together with the existing provisions in the Act, which require the VIT to hold a reasonable belief about the risk posed by an individual and the necessity of the interim suspension to protect children, this change will ensure that interim suspensions are only in place for as long as they are necessary. Despite the increase to the periodic review period, this change will create a fairer and more efficient process overall.

Information sharing and publication

The Bill will extend the VIT's powers to collect and disclose information about current and former registered teachers to also include as yet unregistered teachers applying for teacher registration. This will mean that the VIT will be able to obtain reliable, third party verified information about applicants for teacher registration to make safe, evidence-based decisions about who is suitable to teach.

The Bill will also expand what particulars must be included in the Register of Registered Teachers (RRT), a publicly available register that records information about persons who hold a registration to teach.

Currently, the VIT is only required to ensure that the RRT includes limited information about the disciplinary action taken against a registered teacher. It does not include other matters that may be relevant to persons accessing the RRT, such as information about any cautions or reprimands. This creates a child safety risk such as where a prospective employer or community member may not be informed of other, lower level actions taken against a teacher, particularly where they have not looked at the Register of Disciplinary Action (RODA), which is a separate publicly available register displaying disciplinary actions taken against registered teachers.

To address this gap and ensure child safety is promoted both inside and outside the classroom, the Bill will expand the RRT to include details about whether a teacher's registration is subject to any condition, limitation or restriction, or if the teacher has been subject to any caution or reprimand. While this information is already available on the RODA, also including these details are on the RRT will remove any potential gaps and help interested parties to obtain the information they need to make fully informed decisions.

Qualification requirements for the Chairperson of the VIT Council

The Bill will also widen the candidate pool for the for the Chairperson of the VIT Council. Currently, the Chairperson is required to be a registered teacher or principal. The VIT Council Chairperson has an important range of governance responsibilities, and it is appropriate that potential candidates for this role have the necessary broad governance and management experience required for such an important and high-profile role in our community.

While knowledge and experience of the teaching sector is important, the profession is already well represented on the VIT Council, with half its membership required to be made up of registered teachers, something that will not change as a result of this amendment.

The current and previous Chairpersons of the VIT Council have shown commendable leadership and knowledge of the sector throughout their tenures. However, broadening the qualification requirements for the Council Chairperson aims to provide greater flexibility in a landscape of increasing regulatory complexity.

These changes to the Act and the other amendments to the governance framework of the VIT look forward to the future to improve the operational efficiency of the VIT and strengthen child safety.

Victorian Student Register

The Bill also proposes changes that allow additional information to be recorded in the Victorian Student Register, enabling Victoria to implement its contribution to the national Schools Unique Student Identifier (USI) for Victorian schools and students as required by the Better and Fairer Schools Agreement 2025–2034 Heads of Agreement. This will bring us into step with the Commonwealth's national approach to the implementation of the national Schools USI, which aims to create a lifelong education record for students across educational institutions across the country.

These proposed amendments are required to permit the collection of 'country of birth' student data within the VSR, which is part of the minimum data set currently attached to a Victorian student's Victorian Student Number.

The VSR is the central repository for the Victorian Student Number and related data across the state. Victoria and Western Australia are the only jurisdictions with an existing student identity solution that services all the K–12 school settings. The amendments will enable Victoria to use the VSR to consistently implement the national Schools USI in all school settings. This will remove the administrative burden on schools needing to separately provide the information to the Commonwealth.

Additionally, the proposed amendments enable any future data sets required by the Commonwealth to be prescribed in the regulations, providing flexibility for data sets to be incorporated in the future without needing to amend the Act.

Together, this package of amendments stands to further strengthen the Act as part of our ongoing work to ensure Victoria remains the Education State.

I commend the Bill to the House.

Evan MULHOLLAND (Northern Metropolitan) (03:29): I move:

That debate be adjourned for one week.

Motion agreed to and debate adjourned for one week.

Health Legislation Amendment (Regulatory Reform) Bill 2026

Introduction and first reading

The PRESIDENT (03:29): 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 **Assisted Reproductive Treatment Act 2008** to require registered ART providers to comply with an approved accreditation scheme and to make amendments to provisions relating to the registration of registered ART providers and the inspection powers of the Secretary, the **Non-Emergency Patient Transport and First Aid Services Act 2003** to expand the scope of the regulation making power in relation to the incorporation of documents, the **Public Health and Wellbeing Act 2008** to amend provisions in relation to the registration of cooling tower systems and the **Radiation Act 2005** in relation to the disposal of radiation sources and to create a regulatory scheme for the provision of financial assurances and for other purposes.'

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:30): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Jaclyn SYMES: I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of charter compatibility

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:30): 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 *Health Legislation Amendment (Regulatory Reform) 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 base my opinion on the reasons outlined in this statement.

Overview of the Bill

This Bill is an omnibus Bill that proposes amendments to four Acts, including the:

1. *Assisted Reproductive Treatment Act 2008* (**ART Act**) to require registered ART providers to comply with an approved accreditation scheme, to make amendments to provisions relating to the registration for registered ART providers and to provide broader entry and inspection powers for the Secretary;
2. *Non-Emergency Patient Transport and First Aid Services Act 2003* to expand the scope of the regulations power in relation to the incorporation of documents;
3. *Public Health and Wellbeing Act 2008* (**PHW Act**) to amend provisions in relation to the registration of cooling tower systems and to clarify that responsibility for a cooling tower lies with the person who owns, manages, or operates it;
4. *Radiation Act 2005* (**Radiation Act**) in relation to the disposal of radiation sources including the creation of an offence provision for improper disposal of radiation sources and to create a regulatory scheme for the provision of financial assurances and for other purposes.

Human Rights

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

- right to life (section 9)
- right to privacy (section 13(a));
- right to freedom of expression (section 15);
- right to property (section 20);
- right to a fair hearing (section 24(1));
- right to be presumed innocent (section 25(1)); and
- right to protection against self-incrimination (section 25(2)(k)).

Human Rights issues

This Statement of Compatibility commences with an outline of the rights engaged by the Bill and then discusses the compatibility of relevant Parts of the Bill with those rights.

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

Right to life (section 9)

Section 9 of the Charter provides that every person has the right to life and the right not to be arbitrarily deprived of life. An 'arbitrary' deprivation of life may be described as one that is unreasonable or disproportionate. The right imposes a negative obligation on public authorities to refrain from conduct that causes an arbitrary deprivation of life, and in comparative jurisdictions has also been interpreted to impose a positive obligation to take reasonable steps to prevent arbitrary deprivation of life.

Right to privacy (section 13)

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 if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought. The right to privacy encompasses rights to informational privacy.

Right to freedom of expression (section 15(2))

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

Right to property (section 20)

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

Right to a fair hearing (section 24)

Section 24(1) of the Charter relevantly provides that a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The concept of a 'civil proceeding' is not limited to judicial decision makers but may encompass the decision-making procedures of many types of tribunals, boards and other administrative decision-makers with the power to determine private rights and interests. While recognising the broad scope of section 24(1), the term 'proceeding' and 'party' suggest that section 24(1) was intended to apply only to decision-makers who conduct proceedings with parties.

Right to presumption of innocence (section 25(1))

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

Right to protection against self-incrimination (section 25(2)(k))

Section 25(2)(k) of the Charter provides that a person charged with a criminal offence is entitled not to be compelled to testify against themselves or to confess guilt. This right is at least as broad as the common law privilege against self-incrimination. It applies to protect a charged person against the admission in subsequent criminal proceedings of incriminatory material obtained under compulsion, regardless of whether the information was obtained prior to or subsequent to the charge being laid.

Amendments to the *Assisted Reproductive Treatment Act 2008* (ART Act)

Creation of offence provisions regarding compliance with accreditation scheme and other accreditation scheme offences

The Bill inserts the following offences into the ART Act which contain an exception in the form of an excuse:

- New s 73 provides that a registered ART provider must comply with the requirements of an approved accreditation scheme unless they have a reasonable excuse;
- New s 77B makes it an offence for a registered ART provider not to advise the Secretary within 24 hours after receiving notification that their application for accreditation under an approved accreditation scheme is either refused or revoked, without reasonable excuse; and
- New s 80B(2) makes it an offence for a registered ART provider that is a body corporate not to comply with a request for information issued under new s 80A(1) in respect of a director or officer exercising control over the provider, without reasonable excuse.

Presumption of innocence (section 25(1))

These offences contain excuses (also known as exceptions) which place an evidential burden on the accused which require the accused to present or point to evidence that suggests a reasonable possibility of the existence of facts that would establish the exception or excuse. The Supreme Court has held that evidential onus provisions on an accused to establish an exception does not transfer the legal burden of proof and does not limit the right to the presumption of innocence. Once the accused has pointed to evidence of a reasonable excuse, the burden shifts back to the prosecution who must prove the essential elements of the offence to a legal standard. Further, the exceptions relate to matters which are peculiarly within an accused's knowledge,

being why they failed to comply with the regulator requirements and would be unduly onerous for a prosecution to disprove at first instance.

Accordingly, I am of the view that these offence provisions are compatible with the Charter.

Secretary's powers in respect of applications for registration, renewal, amendment or variation to registration, cancellation powers of the Minister, and other oversight functions

The Bill introduces a new regulatory framework for registration as an ART provider which provides the Secretary with various powers to make decisions regarding new applications for registration (per new s 74) and applications for renewal, amendment or variation to registration for existing ART providers (per new ss 74D, 75AB). In exercising the above powers in respect of applications, renewals and amendment or variation in new ss 74, 74D and 75AB, the Bill provides the Secretary the power to request that an applicant provide further information or documents in relation to the application by a date specified, and to refuse to consider the application until the applicant complies (new ss 74(3)–(4), 74D(3)–(4), 75AB(3)–(4)). The Secretary must decide to register, or refuse to register, a person as an ART provider (new s 74(5)).

Under the Bill, the power to cancel a registration generally sits with the Minister (new s 75F), unless the ART provider themselves applies for cancellation of their registration voluntarily. In this case, the Secretary has the power, and indeed must, cancel the registration on application by the ART provider (new s 75E).

In exercising the various powers to consider applications for registration, renewal, amendment or variation, or cancellation of registration, the relevant decision maker may take into account the matters set out in new s 74A (per the Secretary's powers in new ss 74(5), 74D(5), 75AB(5), and the Minister's powers in new s 75F(1)(f) noting the Minister's powers under new s 75F(1)(f) only extend to considering new s 74A(a), (b), (c) or (d)).

New section 74A considerations include (a) whether the applicant has been found guilty of an offence against this Act or the regulations, (b) whether the applicant is of sound financial reputation and stable financial background, (c) the applicant's history of compliance under the ART Act (including any registration conditions under Part 8) or any other Act prescribed in the regulations, (d) whether the applicant has been found guilty of an indictable offence or dishonesty offence in the previous 10 years, (f) if the applicant has ever been a registered ART provider or been involved in the management of a registered ART provider, whether they have been the subject of any complaints, how those complaints have been handled and their past compliance with the ART Act and regulations, and (g) any other prescribed matters. In respect of directors or controlling officers considerations also include: (e) whether the relevant person is suitable to exercise control over the ART provider.

The Minister may cancel the registration of a registered ART provider if satisfied of any of the matters in new s 75F(1) including whether: a registered ART provider has failed to comply with the ART Act, regulations, conditions on registration or requirements of an approved accreditation scheme, there are any circumstances that prevent the provider from being able to continue to carry on as a registered ART provider in the future, the registered ART provider is operating in a manner that poses a serious health and safety risk, or the registered ART provider is no longer a suitable person to hold a registration as a registered ART provider (new ss 75F(1)(a)–(f)). In making a decision to cancel under new s 75F(1), the Minister must have regard to the conduct of the registered ART provider, the seriousness of any failures to comply with the Act, the Regulations and the conditions of registration, and any circumstances that could prevent the registered ART provider from continuing to operate as a registered operator (s 75F(2)(a)–(c)).

The Bill also introduces an "own motion" power for the Secretary to amend or vary the registration of a registered ART provider (new s 75AC). In exercising this power, the Secretary must notify the ART provider of their intention, provide the ART provider an opportunity to provide submissions and must take those submissions into account when making their decision (new s 75AC(2)–(3)).

New sections 80A and 80B provide for Secretary oversight of directors and officers in control of registered ART providers by imposing notification requirements on the body corporate to give written notification to the Secretary in respect of appointment, cessation of employment, or criminal convictions of directors or officers exercising control (new s 80A), and powers for the Secretary to request any information or document that would assist them to determine the suitability of a relevant director or officer to control or manage a registered ART provider (new s 80B).

Right to privacy (section 13)

As outlined above, the right to privacy encompasses rights to informational privacy. In exercising its regulatory powers under the proposed ART Act provisions in the Bill, the relevant decision maker will be empowered to receive and take into account matters which may include personal information of the relevant applicant or ART provider, or personal information of directors or officers of registered ART providers.

To the extent that the Secretary or Minister may impact a natural person's right to privacy in exercising their powers under the Bill, I consider any impacts on the right to privacy are not unlawful or arbitrary. The interference with privacy is authorised under the legislation and is for the purpose of ensuring the appropriateness and suitability of persons accredited to provide assisted reproductive treatment services under the ART Act. Further, information relating to criminal convictions and financial history (per new ss 74A(a)–(b),(d), (e) 80A(2)), while personally sensitive, is generally information that is commonly provided when satisfying statutory tests that a person is appropriate and suitable for a regulated role. Additionally, a person seeking appointment as an accredited member of a scheme for the purposes of carrying out a profession or who is otherwise undertaking a directorship or controlling officer role is doing so voluntarily and is consequently choosing to engage with a scheme which requires their personal information to be considered.

To the extent that the right to privacy is limited, I am of the view that the limitation is appropriate and proportionate to the legitimate aim of ensuring greater transparency and rigour in the regulation of an industry which provides services of a sensitive nature, including medical procedures, and carries a high risk of potential physical or psychological harm to service users as well as connected persons who may be impacted by the provision of the service, such as a service user's partner or a child born from the procedure. This includes possible harm arising if important governance processes (e.g. informed consent processes) are not properly implemented, or where people delivering these services are not considered appropriate and suitable to do so.

I therefore consider that the relevant clauses which empower the Secretary or Minister to consider or request personal information for the purposes of administering the registration framework are compatible with the right to privacy in section 13 of the Charter.

Right to freedom of expression (section 15(2))

The Bill imposes mandatory obligations on registered ART providers (under new ss 77B(1)–(2)) to not fail to give notice to the Secretary regarding their accreditation being refused or revoked. To the extent that an ART provider may be a natural person, these powers may interfere with the right to freedom of expression, which includes a freedom to not impart information. The notification obligations carry penalties for non-compliance.

While the information gathering powers may impose a limitation on the freedom of expression, I consider that this is a lawful restriction which is reasonably necessary to both protect public health and the rights of others within the meaning of the internal limitation in section 15(3) of the Charter. It is to enable the Secretary to effectively undertake their regulatory oversight functions in relation to registered ART providers, by ensuring critical information about an ART provider's accreditation is provided to the regulator without delay. I note that an ART provider will be voluntarily assuming these obligations and waiving their freedom of expression in this particular context. Accordingly, I am of the view that to the extent the right is limited, that limit falls within section 15(3) of the Charter as it is reasonably necessary to protect public health and the rights of others.

Right to a fair hearing (section 24)

As the administrative decisions with respect to applications for registration, renewal, amendment or variation or cancellation do not involve the conduct of proceedings with parties, I am of the view that these decisions are not decisions to which the fair hearing right applies.

In any event, if a broad reading of section 24(1) is adopted and it is understood that the fair hearing right is engaged by this Bill, this right would nonetheless not be limited. The right to a fair hearing is concerned with the procedural fairness of a decision and the right may be limited if a person faces a procedural barrier to bringing their case before a court, or where procedural fairness is not provided. The entire decision-making process, including reviews and appeals, must be examined in order to determine whether the right is limited.

Should the Secretary exercise their "own motion" power to amend or vary the registration of a registered ART provider (under new s 75AC), they are subject to a show cause process in which the Secretary must notify the ART provider of their intention to exercise their "own motion" power, provide the ART provider an opportunity to provide submissions, and must take those submissions into account when making their decision (new s 75AC(2)–(3)). Further, any decision made by the Secretary to refuse registration, renewal of registration, or to amend or vary registration, or any decision of the Minister to cancel registration is reviewable by VCAT under new provisions in s 116O of the ART Act. This affords applicants and registered ART providers a hearing before an independent and impartial tribunal and satisfies the requirements in section 24(1) of the Charter. As such, I conclude that the fair hearing rights in section 24(1) of the Charter are not limited by this Bill.

Secretary's power to enter and inspect premises

Amended s 119 and new s 119A provide the Secretary expanded powers to enter and inspect premises, including powers to examine any thing (including a document), take photographs or make any type of

recording of the premises or any thing at the premises, powers to require a person at the premises to answer any question put to them by the Secretary (see new s 119(3)(d)–(g) and new s 119A(5)(a)–(c)). Amended s 119(2) also provides expanded powers for the Secretary to enter the premises of an existing registered ART provider at any time (no longer confined to during 'ordinary business hours').

While exercising powers of entry in respect of existing registered ART providers, new s 119(3)(f) also provides the Secretary the power to seize and remove any thing that may afford evidence of a contravention of the ART Act, the regulations or a condition of registration. If the Secretary exercises their powers of seizure, they must give the occupier a written record of the seizure and removal and must ensure the seized item is returned within 48 hours (new s 119(4)).

These powers of entry, inspection and seizure are limited, in that the Secretary may only exercise these powers to the extent that it is reasonably necessary to do so for the purpose of determining compliance with a registration under this Act (per existing s 119(1)), or considering the suitability of an application for registration as an ART provider, including in relation to whether conditions should apply to the registration if granted (per new 119A(1)).

Section 119B(1) provides that the Secretary may apply to a magistrate for a warrant to search a particular premises if the Secretary believes on reasonable grounds that treatment procedures are being carried out on those premises and they are not those of a registered ART provider, and that entry to the premises is necessary to investigate a possible contravention of the Act or Regulations. A magistrate may issue a warrant under s 119B(2) and the limits on the right of entry and the search must be specified in the warrant (s 119B(4)).

Right to property (section 20)

The Secretary's right to seize property under amended s 119(3)(f) engages s 20 of the Charter which provides that a person must not be deprived of their property other than in accordance with law. Additionally, if a search warrant is issued by a magistrate to the Secretary pursuant to new s 119B(1), which authorises the Secretary or their delegates to search for any "article, thing or material of a kind named or described in the warrant", the Secretary will be authorised to bring the article, thing or material before the Court so that the matter may be dealt with according to law (per the Magistrate's Court Act 1989, s 78(1)(b)(ii)). In this case, the right to property may be engaged to the extent that executing the warrant may result in the seizure of a person's property.

I am satisfied that the powers which authorise the deprivation of property are conferred by legislation, are formulated precisely, are accessible to the public, are structured and confined only to those items the Secretary considers may afford evidence of a contravention of the ART Act, the regulations or a condition of registration. In respect of s 119(3)(f), the powers of seizure are exercisable in the context of an already limited power of entry, which may only be exercised to the extent that it is reasonably necessary for the purpose of determining compliance with a registration under this Act (per existing s 119(1)). Additionally, the powers under new s 119B(1) are exercisable only with a warrant issued by a court in accordance with the limitations and requirements of the Magistrate's Court Act.

As such I am of the view that the right to property in section 20 of the Charter is not limited, but to the extent that it might be, any limitation is proportionate to and rationally directed at the legitimate aim of the Secretary ensuring compliance with the ART registration regime in order to protect public health and safety.

Right to privacy (section 13(a))

As outlined above, section 13(a) of the Charter provides that a person has the right not to have their privacy unlawfully or arbitrarily interfered with, which encompasses the right to informational privacy. The determination of whether certain activities amount to an interference with privacy depends on whether the person has 'a reasonable expectation of privacy' in all the circumstances. In exercising their powers of entry and inspection, the Secretary or its delegate has broad powers to examine any thing, take photographs, make any type of recording of the premises or any thing at the premises, or seize certain items which could contain personal, sensitive or health information, including of staff or clients of an ART provider.

As the premises subject to the powers of entry, inspection and seizure are places of work there is a reduced expectation of privacy in relation to such property and premises. Any expectation of privacy is further diminished by the fact that any current or prospective registered ART provider has voluntarily submitted itself to the oversight of, or consideration for, the regulatory scheme.

Whether exercising these powers under the ART Act or pursuant to a search warrant, I am of the view that the new entry and inspection powers are clearly circumscribed, reasonable and proportionate. For example, prior to exercising entry powers under ss 119 or 119A, the Secretary must advise the occupier of the purpose of their visit, and in the case of a delegate, must produce, on the occupier's request, the delegate's identity card for inspection (existing s 119(2A) and new s 119A(4)). The Secretary's powers are also constrained, in that they may only exercise their powers of entry, inspection or seizure under these sections to the extent that

it is 'reasonably necessary to do so' for the purpose of determining compliance with a registration under this Act or considering the suitability of an applicant for registration (existing s 119(1) and new s 119A(1)).

Additionally, the Secretary's powers of entry to premises of an unregistered ART provider are limited in that they may only be exercised pursuant to a search warrant issued by a magistrate. The Secretary may only apply for a warrant if they believe on reasonable grounds that treatment procedures are being carried out at the premises of an unregistered ART provider and that entry to the premises is necessary for the purpose of investigating a contravention against this Act or the regulations (new s 119B).

Access to any personal information that the Secretary requests or otherwise obtains through the exercise of these powers is not arbitrary, as it is necessarily confined only to information that the Secretary requires for those purposes. To the degree that these powers may intrude into the private sphere, the Secretary and delegates will be obliged to exercise them compatibly with the right to privacy.

I am therefore of the view that any limitation of a person's right to privacy which may arise in the exercise of the Secretary's right of entry and inspection is lawful and not arbitrary. It is appropriate and proportionate to the legitimate aim of safeguarding the health and safety of persons being provided ART treatment procedures and ensuring transparency and rigour in the regulation of an industry which carries a high risk of potential physical or psychological harm to service users or other people engaging with the service provider, and noting the importance of ensuring that persons and organisations providing such services are appropriately suitable and qualified to do so.

Freedom of expression (section 15(2)) and right against self-incrimination (section 25(2)(k))

The Secretary's powers of inspection under amended s 119(3)(g) and new s 119A(5)(c) extend to requiring a person at the premises to answer any question put to them by the Secretary for the prescribed purposes (per existing s 119(1) and new s 119A(1)). Before requiring a person to answer such a question the Secretary must inform the person that they may refuse to answer a question if to do so would tend to incriminate them (new s 119(5) and s 119A(6)). This engages the right to freedom of expression (s 15(2) of the Charter) and the right against self-incrimination (s 25(2)(k) of the Charter).

The right against self-incrimination provides that a person should not be compelled to testify against themselves or to confess guilt. The existence of the Secretary's obligation to advise a person of their right not to answer such a question if to do so would tend to incriminate them promotes their right to protection from self-incrimination, and therefore this right is not limited.

Self-incrimination is the only basis upon which the person can decline to answer such a question from the Secretary, meaning that the right to freedom of expression is limited to the extent that this right extends to a right not to impart information. A person at the premises of an existing registered ART provider will be committing an offence if they refuse to answer a question posed by the Secretary or their delegates pursuant to amended section 119 or new section 119A, if failing to do so is considered to obstruct or hinder the Secretary in the exercise of their powers (per existing section 120 in the ART Act).

While the Secretary's information gathering powers under amended s 119 and new s 119A may impose a limitation on the freedom of expression, the Secretary's powers are limited to requesting information only to the extent that it is "reasonably necessary to do so" for the purpose of determining compliance with a registration under this Act or for considering the suitability of an applicant for registration. To the degree that this power intrudes into the private sphere, the Secretary and their delegates will be obliged to exercise this power compatibly with the right to privacy. I am of the view that any limitation on the right to freedom of expression is proportionate to the legitimate aim of protecting public health and the rights of others, is rationally directed at ensuring the Secretary has the powers necessary for the proper oversight of the registration framework and is a lawful restriction in that falls within the internal limitation in section 15(3) of the Charter.

Amendments to the *Public Health and Wellbeing Act 2008* (PHW Act)

Notification to Secretary on change to responsible person

The proposed amendment to new s 87(2) of the PHW Act will require that the Secretary be notified within 30 days where there is a change in the "responsible person" for a cooling tower system, or a change in the address or contact details of the responsible person. This may require disclosures of personal information where such disclosures relate to a "natural person".

Rights to privacy (section 13(a)) and freedom of expression (section 15(2))

These powers engage the right privacy in section 13(a) (by requiring personal information to be disclosed) and the right to freedom of expression in section 15(2) (by compelling a person to impart information), however I am of the view that neither right is limited.

A person who has sought to become a 'responsible person' for a registered cooling tower will have done so voluntarily and on the understanding that they are engaging in a regulated regime which has certain requirements and obligations of disclosure.

Accordingly, any interference with the right to privacy or freedom of expression is lawful and (with respect to the right to privacy) not arbitrary in that the disclosure requirements are set out in a clearly articulated legal regime which is voluntarily assumed by persons who become responsible persons, and which is reasonably necessary to protect public health and the rights of others, by ensuring that the regulator has a current register of persons who carry duties and obligations under the regime.

Amendments to the *Radiation Act 2005*

New Part 6D of the *Radiation Act 2005* provides for the disposal of radiation sources, which includes powers for the Secretary to issue a disposal protocol in respect of radiation sources (new s 67P), provides the ability for a current or former management licence holder to dispose of a radiation source in accordance with a disposal protocol (new s 12(3)), and a new offence provision for failing to dispose of radiation source in accordance with a disposal protocol (new s 67Q).

Right to life (section 9)

The amendments with respect to appropriate disposal of radiation sources are intended to protect human health and the environment from the harmful effects of radiation by ensuring that disused radiation sources are disposed of safely and effectively. Noting the highly detrimental impact on human health and potential threat to human life posed by exposure to unsafe levels of radiation, I consider that the right to life is promoted by these amendments.

Right to property (section 20)

New section 67Q creates an offence for a person to knowingly, recklessly or negligently fail to dispose of the radiation source in accordance with the disposal protocol prepared by the Secretary and published in the Government Gazette. The disposal protocol may include methods and timeframes for the disposal of radiation sources. This offence provision has the effect of compelling a person to dispose of their own property, for example, when a person owns a radiation source which reaches the end of its life. There may be circumstances where a person inadvertently comes into possession of a radiation source if, for example, they find the radiation source or they take control of premises where a radiation source is located. In such circumstances, a person may be required to dispose of the radiation source in accordance with the disposal protocol to avoid committing an offence, thereby depriving another person of their property.

The right to property provides that a person must not be deprived of that person's property other than in accordance with law. While requiring a person to dispose of their own property to avoid committing an offence could amount to a compelled deprivation of property, a person engaging in a regulated regime would already have voluntarily submitted themselves to the terms of engaging in the regime, which includes an obligation to dispose of radiation sources they own at the end of their life. To the extent that this right might be limited by the amendments, I am of the view that any limitation is a lawful restriction in that falls within the internal limitation in section 20 of the Charter. Any potential deprivation of property is clearly conferred by legislation, is confined and structured rather than unclear (in that obligations with respect to method and timeframe for disposal will be clearly defined in the disposal protocol), is accessible to the public, and is formulated precisely. The amendments are therefore consistent with the right to property.

Hon Harriet Shing MP
Minister for Health
Minister for Ambulance Services
Minister for Water

Statement of treaty compatibility

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:31): I lay on the table a statement of compatibility with the Statewide Treaty Act 2025:

1. In my opinion, the Bill is compatible with the matters set out in section 66(3)(d) of the *Statewide Treaty Act 2025* I base my opinion on the reasons outlined in this statement.

Overview of the Bill

2. The Bill will make amendments to regulatory frameworks in four Acts to streamline and strengthen registration and licensing requirements, and to minimise the risk of harm to the health and safety of Victorians. These amendments will impact various entities regulated under these Acts by imposing new obligations on them.

3. The Bill will amend the following Acts:

   3.1 *Assisted Reproductive Treatment Act 2008* (**ART Act**), to require registered ART providers to comply with the requirements of an approved accreditation scheme; amend provisions relating to the registration of registered ART providers to enable the Secretary to grant and refuse registration and to issue a certificate of registration; and provide the Secretary with further inspection powers;

   3.2 *Non-Emergency Patient Transport and First Aid Services Act 2003* (**NEPTFAS Act**), by expanding the scope of the power to make regulations in relation to the application, adoption or incorporation of documents in regulations;

   3.3 *Public Health and Wellbeing Act 2008* (**PHW Act**), by amending provisions in relation to the registration of cooling tower systems and to clarify that the responsible person in relation to a cooling tower system is the person who owns, manages, or operates it;

   3.4 *Radiation Act 2005* (**Radiation Act**), in relation to the disposal of radiation sources by creating an offence provision for improper disposal of radiation sources and a regulatory scheme for the provision of financial assurances.

Consultation with the First Peoples' Assembly of Gellung Warl

4. Due to the recent establishment of the First Peoples' Assembly of Gellung Warl, it was not possible to give the First Peoples' Assembly the opportunity to advise on the Bill or for the Assembly to otherwise make representations about the effect of the Bill on First Peoples.

Compatibility of the Bill with each of the objects in section 66(3)(d) of the *Statewide Treaty Act 2025*

5. I have considered whether the Bill is compatible with the objects at section 66(3)(d) of the *Statewide Treaty Act 2025*:

   5.1 advancing the inherent rights and self-determination of First Peoples; and

   5.2 addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation; and

   5.3 ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples.

6. In my opinion the Bill does not affect any of the objects in specified in section 66(3)(d)(i)–(iii) of the *Statewide Treaty Act 2025* and is therefore compatible with each of those objects.

7. In my opinion, the Bill does not in its terms deal with First Peoples and does not directly or indirectly in its practical effect engage the human rights or fundamental freedoms of First Peoples.

Hon Harriet Shing MP
Minister for Health
Minister for Ambulance Services
Minister for Water

Second reading

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:31): I move:

That the bill be now read a second time.

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

The Bill will make amendments to regulatory frameworks in three Acts to streamline and strengthen registration and licence requirements, and to prevent or minimise the risk of harm to the health or safety of Victorians.

The reforms outlined in this Bill will be administered and enforced by the Health Regulator, a branch of the Department established in early 2024 to consolidate regulatory functions and enable the Department to adopt a more consistent, risk-based regulatory approach.

Health regulation plays a key role in minimising or preventing risk of harm to the health or safety of Victorians and contributes to the vision of a Victoria free of the avoidable burden of disease and injury, so that all Victorians can enjoy the highest attainable standards of health.

The key priorities addressed by this Bill are:

- To amend the *Assisted Reproductive Treatment Act 2008* to require registered ART providers to comply with the requirements of an approved accreditation scheme; amend provisions relating to

the registration of registered ART providers to enable the Secretary to grant and refuse registration and to issue a certificate of registration; and provide the Secretary with further inspection powers

- To amend the *Public Health and Wellbeing Act 2008* to ensure the person responsible for a cooling tower, whether owner, manager or operator, takes on key obligations and responsibility for any breaches; and
- To amend the *Radiation Act 2005* to introduce a financial surety scheme to cover the cost of the disposal of radiation sources and create an offence related to the disposal of radiation sources.

The Bill also amends the *Non-Emergency Patient Transport and First Aid Services Act 2003*, to enable documents, such as clinical protocols, to be incorporated into the Regulations as in force from time to time.

Assisted reproductive treatment accreditation, registration and inspection powers

The Bill also makes amendments to the *Assisted Reproductive Treatment Act 2008* (ART Act), to support implementation of reforms recommended by the Rapid Review of Assisted Reproductive Technology and In Vitro Fertilisation Regulation and Accreditation in Australia (the Rapid Review).

The Rapid Review was commissioned by the HMM in June 2025 following two prominent mistaken embryo transfers and related public discussion about safety and quality in the sector. Ministers agreed to its recommendations in September 2025.

The first phase of reform identified by the Rapid Review is centred on establishing a new national accreditation scheme for assisted reproductive treatment (ART) providers, administered by the Australian Commission on Safety and Quality in Health Care (the Commission).

The amendments to the ART Act in this Bill will ensure that the Victorian legislative and regulatory framework is ready to align with the national accreditation framework and standards, which are being developed by the Commission.

Currently, the Act effectively requires ART providers to be accredited by the Reproductive Technology Accreditation Committee (RTAC) in order to be registered and operate lawfully in Victoria. The Bill will replace those provisions with a requirement for registered providers to comply with an accreditation scheme approved by the Secretary to the Department of Health. It is intended that the scheme administered by the Commission will be approved by the Secretary for this purpose.

The Bill will also strengthen Victoria's regulatory scheme by ensuring that the registration framework operates independently from the accreditation scheme.

Under the current registration provisions, the Secretary has no discretion to refuse an application from a provider that has been accredited by RTAC. Further, while there is power to suspend registration of an accredited provider, there is no power to cancel that registration.

The Bill will give the Secretary a full suite of discretionary powers to grant, renew, vary, or refuse ART provider registration applications based on specified assessment criteria. This ensures that the decision about whether a provider has legal authority to operate in Victoria rests clearly with the regulator, as appropriate. The Bill also introduces a power for the Minister to cancel registration on specified grounds.

The Bill defers commencement of the offence for failure to comply with Conditions on Registration, to allow the current Conditions on Registration to be reviewed and updated in alignment with upcoming new national accreditation standards before the offence applies. In the interim, the current Conditions on Registration continue to apply and a range of enforcement actions are available for non-compliance.

The existing provisions concerning suspension of registration and imposition of conditions on registration will be slightly altered, to align to the other registration powers and ensure that the Secretary has the full suite of powers necessary to effectively manage the registration of ART providers.

These registration powers will be supported by enhanced inspection powers for the Secretary or their delegate. Current provisions allow inspection only for the purposes of considering compliance by providers already registered and are limited to inspection of documents during business hours.

The updated powers in the Bill provide for inspections of the premises of a registered ART provider or an applicant for registration, to inform registration decisions or compliance monitoring and enforcement. They also allow inspection of the premises beyond documentation where relevant. In addition, the Bill introduces a process for application to the Magistrate's Court for a warrant in relation to other premises (not belonging to a registered provider or applicant for registration) where there is reason to believe ART is being carried out.

The Rapid Review found that the current industry-led accreditation scheme is inadequate and lacks the transparency and rigour that governments and the community expect. Ministers agreed that the reforms offer a pathway to restore confidence, independence, and transparency in the ART sector. The Gorton Review of

ART in Victoria similarly highlighted the importance for clearer separation between accreditation and regulatory oversight. The amendments to the ART Act in this Bill will put Victoria in a position to effectively enable the agreed reforms and strengthen Victoria's ability to uphold community expectations of the ART sector.

In developing the Bill, the Department of Health has liaised with ART providers and sector stakeholders, as well as the Commission and other jurisdictions. Victoria is committed to successful implementation of this first phase of reform and will continue to actively engage in the recommended program of national improvements in regulation of this sector.

Responsibility for cooling tower systems

This Bill also proposes important reforms to Victoria's public health framework by clarifying responsibility for the registration, management and maintenance of cooling tower systems.

Cooling towers are often used for evaporative cooling in large buildings, including residential towers and big industrial or commercial sites. They are a recognised source of risk for the transmission of Legionella bacteria, which can cause Legionnaire's disease, a potentially fatal form of pneumonia. Victoria regulates cooling tower systems to manage this public health risk. All cooling towers must be registered under the *Public Health and Wellbeing Act 2008*.

Currently the owner of the land on which there is a cooling tower system is required to prepare and implement a risk management plan and to ensure the plan is audited annually by an approved auditor. This obligation does not always match the operational reality, which is that the entity with effective control and management of the cooling tower system may be a property or facilities management company, a lessee, occupier or owners corporation that is separate from the landowner.

The proposed amendments will require the responsible person, defined as the person who owns, manages or controls a cooling tower system, to assume obligations such as registration, development and review of a risk management plan and annual audits.

This approach ensures that primary responsibility for cooling tower safety is clearly identified, enforceable and aligned with practical control of cooling towers, taking into account contemporary building ownership and management practices. This change will attribute responsibility appropriately and enable effective compliance oversight, targeting the person whose acts or omissions create a public health risk.

These reforms are designed to improve regulatory clarity, not to impose unnecessary new burdens. The Bill complements existing regulatory requirements for cooling towers, including ongoing obligations relating to inspection, cleaning, disinfection and record-keeping, as set out in Public Health and Wellbeing Regulations 2017.

By making responsibility explicit, the Bill reduces uncertainty for industry, improves compliance, and supports timely regulatory intervention where risks arise. Ultimately, this reform will contribute to safer buildings and better protection for Victorians from preventable disease.

Financial surety and obligations in relation to disposal of disused radiation sources

This Bill also makes targeted amendments to the Radiation Act 2005 to strengthen Victoria's radiation safety framework.

Radioactive sources are used safely across Victoria in healthcare, research and industry and deliver significant public benefit. However, once a source becomes disused, there is no ongoing justification for its continued possession, and unmanaged or abandoned sources pose risks to human health and the environment.

While existing licence conditions require disposal, experience has shown that disposal does not always occur in a timely manner. In some cases, the government is required to intervene to manage or store disused sources, with the associated risks and costs borne by the community.

These amendments introduce a financial surety regime for the management of disused radioactive sources. The purpose of the reform is to ensure that licence holders make adequate provision for the safe and lawful disposal of radioactive sources when they are no longer fit for an authorised purpose.

The amendments enable the Secretary of the Department of Health to require a financial surety, where appropriate, when granting or renewing a radiation management licence. The framework is risk-based and proportionate and ensures that funds are available to support safe disposal if a licence holder fails to meet their obligations.

The Bill also provides for disposal protocols to be issued by the Secretary and introduces offences for noncompliance, ensuring the framework is effective and enforceable.

These reforms align Victoria's legislation with nationally agreed radiation protection standards and apply a well-established regulatory principle used elsewhere in Victoria's health and environmental laws: that those who create or control risk should be responsible for managing and funding that risk.

This Bill will enable the Health Regulator to more effectively minimise risks to the health and safety of Victorians.

I commend the Bill to the house.

Georgie CROZIER (Southern Metropolitan) (03:31): I move:

That debate be adjourned for one week.

Motion agreed to and debate adjourned for one week.

Occupational Health and Safety Amendment (Dangerous Goods) Bill 2026

Introduction and first reading

The PRESIDENT (03:31): 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 **Occupational Health and Safety Act 2004** to regulate the handling, and activities involving the handling, of dangerous goods including security sensitive ammonium nitrate and explosives at workplaces and other places and for other purposes.'

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:31): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Jaclyn SYMES: I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of compatibility

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:32): 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 Occupational Health and Safety Amendment (Dangerous Goods) 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 base my opinion on the reasons outlined in this statement.

Overview of the Bill

The purpose of the Bill is to incorporate dangerous goods laws into Occupational Health and Safety legislation and to modernise and streamline dangerous goods laws for the benefit of duty holders and the wider community. The Bill does this by making relevant amendments to the *Occupational Health and Safety Act 2004* (the Act).

These amendments will affect all occupational health and safety (OHS) duty holders but primarily streamline requirements for businesses and industries which utilise dangerous goods. To the extent that changes may apply to individual persons, I will discuss the relevant human rights issues below.

Human Rights Issues

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

- the right to freedom from forced work (section 11);

- the right to privacy and reputation (section 13);
- the right to property (section 20);
- the right to a fair hearing (section 24);
- the right to be presumed innocent (section 25(1));
- the right to protection against self-incrimination (section 25(2)(k)); and
- the right not to be punished more than once (section 26).

Freedom from forced work

Section 11 of the Charter relevantly provides that a person must not be made to perform forced or compulsory labour. 'Forced or compulsory labour' does not include court-ordered community work as a condition of release from detention, work or service required because of an emergency threatening the Victorian community or a part of that community, or work or service that forms part of normal civil obligations.

Powers to issue directions

Clause 173 of the Bill inserts new section 120(1A) into the Act, which sets out the power for an inspector to give an oral or written direction to an occupier, person in control or last in control or possession of, dangerous goods or dangerous goods paraphernalia reasonably believed to be present at a place. The direction must be necessary to address a serious risk of harm to a person or damage to property arising from the dangerous goods or paraphernalia.

The compulsion to undertake an activity or to 'do' something as required by a direction made in accordance with new s120(1A) could potentially, if a broad view of the right was adopted, engage the right to freedom from forced work under s 11 of the Charter, specifically the prohibition on compulsory labour in s 11(2) of the Charter. This being so, I am of the view that if the right is engaged, any work required by a direction issued by an inspector would fall within the scope of the exception in s 11(3)(c) of the Charter, which provides that forced or compulsory labour does not include work or service that 'forms part of normal civil obligations'. As the directions can only be given to a person who is the occupier of a property or a person in control of dangerous goods or dangerous goods paraphernalia that pose a serious risk of harm to persons or damage to property, and have a preventative or remedial purpose, namely to stop, mitigate or remedy any risks to health or damage to property, it is likely such directions to take remedial action would constitute a normal civil obligation. This is because a person in control of a regulated item that poses public safety risks assumes duties in relation to managing those risks.

When made in circumstances where dangerous goods are posing a threat to life, the directions would also be exempt under s 11(3)(b) of the Charter which provides that work or service required because of an emergency threatening the Victorian community or part thereof do not constitute forced or compulsory labour for the purposes of s 11 of the Charter.

In the event that the exceptions in s 11(3) do not apply to the directions that may be made under new s 120(1A), and the right therefore is engaged, I am nevertheless of the view that it is not limited by the provision. The issue with the existing direction power under s 17K of the *Dangerous Goods Act 1985* is that the power to issue directions is limited to dangers arising from damaged and/or spilled dangerous goods and containers. However, the West Footscray warehouse fire in 2018 and the Campbellfield chemical factor fire in 2019 show that serious impacts to the community and property can be caused by other risks aside from damaged or spilled dangerous goods. Therefore, the power to issue directions needs to be broader in scope to address issues of serious risk of harm and prevent or mitigate a major chemical incident. This new power will sit alongside an existing power in the Act which allows for an inspector to give directions at workplaces if they reasonably believe that a serious risk to the health or safety of any person emanating from an immediate or imminent exposure to a hazard.

The key difference is that in the dangerous goods context, the extent of harm that can affect persons and property can be far reaching and impact the surrounding community, not only the workplace. The ability to direct duty holders who may lack understanding or intentionally be non-compliant, outweighs their right not to be forced to perform work. Furthermore, compliant duty holders would already be undertaking such requirements in accordance with the Act and regulations; the direction is only to align non-compliant behaviour with the expected level of compliance and to reduce serious risks of harm. As such, I consider that this additional power in the context of dangerous goods is appropriate, justified and proportionate to a legitimate aim and is therefore compatible with the right to freedom from forced work under s 11 of the Charter.

Power to require assistance

Clause 176 of the Bill amends section 121 of the Act to extend the ability to request assistance from a person who occupies a place where dangerous goods or dangerous goods paraphernalia are present, or who manages or controls a place other than a workplace.

Given that this provision requires a person to do a particular thing to assist an inspector, it may be considered as 'forced or compulsory labour' and therefore may be relevant to section 11 of the Charter. However, the type of assistance required under this provision from an occupier or a person with control of a place, is likely to be practically limited in nature (such as assisting an inspector to gain access to an area, open doors that require security assistance and show inspectors particular areas on site). Further, the requirement to assist an inspector may fall within the internal qualification at s 11(3)(c) being a 'normal civil obligation' and therefore not constitute a limit on the right.

Insofar as this assistance can be considered 'forced or compulsory labour' under s 11 of the Charter, any limitation on this right would be both minor and temporary and would not be of a nature that could constitute an unreasonable limit of this right.

Right to privacy and reputation

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

Interferences with privacy will be lawful if it is permitted by a law which is precise and appropriately circumscribed, and will not be 'arbitrary' if it is not capricious, unpredictable, unjust or unreasonable in the particular circumstances, in the sense of being disproportionate to the legitimate aim sought.

Entry into residential premises

Clause 146 of the Bill inserts new s 98(5) sets out the power to enter residential premises with the consent of the occupier, or in circumstances where an inspector reasonably believes dangerous goods are present at that place and a person at the residential premises is contravening or is about to contravene the Act or the regulations. This entry power is based upon the premise that there is an underlying level of risk of harm which occurs from contraventions of the Act or regulations, especially when the breach involves dangerous goods given that they are inherently risky.

I consider the framework of the new residential entry power to appropriately balance personal privacy against protection of the wider community from dangerous goods which have unique physical risks such as explosive or other dangerous characteristics, and which can have far reaching consequences. To enter without consent, inspectors must have, a reasonable belief that dangerous goods are present at the residential premises and a person at the residential premises is contravening or about to contravene the Act or regulations. The power is confined to circumstances of urgency where a contravention is occurring or about to occur – and will not permit entry to investigate past contraventions of the Act or regulations, which will require a warrant or occupier consent to enter.

Clause 146 of the Bill also inserts new s98(6) into the Act which provides an inspector with the ability to enter a place near a property where an inspector reasonably believes a serious risk or an immediate risk of harm to a person or property damage is present, to take necessary action to address the risk. For example, it may be necessary to physically traverse through a property to get to the incident site to prevent or reduce harm.

Legislative safeguards set out under new s 98(7) reduce the impact of any interference upon occupiers' enjoyment of their property. This includes the need for an inspector to give immediate notice of entry, to enter at a reasonable time and to take reasonable steps to obtain consent from an occupier of a residential premises.

As such, a range of safeguards apply to ensure the powers may only be exercised in a reasonable and proportionate way that protects the privacy of individuals as much as possible. The powers serve the important purpose of enabling inspectors to address serious risks of harm caused by the presence or misuse of dangerous goods. Although the powers involve some interference with the privacy, particularly of persons present or residential premises, I consider that the interference is proportionate to the legitimate aim of protecting public health, and is neither unlawful nor arbitrary and is therefore compatible with the right to privacy in section 13 of the Charter.

Incidental powers of entry

Section 99 of the Act currently provides inspectors with a broad range of powers on entry such as an ability to inspect, examine, bring equipment, take photographs or seize things for evidential or testing purposes to enable the exercise of powers under the Act or regulations. In doing so, an inspector may interfere with a persons' privacy or correspondence by accessing, inspecting documents and/or taking samples or copies on premises.

Minor amendments are made to section 99 through clause 147, which will modernise and clarify the language used. For example, 'seize and remove' will replace the term 'seize' to explicitly state that a thing may be removed. Inspectors will also be empowered to examine, copy or take extracts from a document or seize, make audio, video or any other type of recording, take measurements or make sketches, and remove any substance or other thing for testing, if they reasonably believe that examination or testing in reasonably necessary and cannot be conducted on site.

These amendments will apply to all entry powers, including those specific to dangerous goods.

Clause 147 includes additional safeguards such as a requirements to give a written record of the seizure and removal as soon as possible to the occupier of the place, minimise disruption and only remain there as long as reasonably necessary.

In my view, the amendments effected by clause 147 are minor in nature and do not, or only minimally, extend the interference on a person's right to privacy that already exists under the Act. Rather, the provisions seek to modify and update the language.

To the extent that the amendments to the incidental powers of entry do interfere with a person's privacy rights, they appropriately balance a person's right to privacy with the need for the regulator to ascertain and investigate OHS and dangerous goods breaches and are reasonably required to ensure compliance with health and safety in relation to dangerous goods. I am of the view that they are proportionate and appropriately justified in my view such that they are compatible with the right to privacy under the Charter.

Powers to collect samples

Clause 149 amends section 101(1) of the Act to enable an inspector to require an occupier or apparent occupier to give them samples of any thing at the place that may require analysis, and includes an offence provision for non-compliance. Currently, the Act allows an inspector to take a sample, but not to compel a person to provide a sample. This expands the interference with a person's privacy; however, I am of the view that any such impact is minimal, the sample taking is for analysis only, and is proportionate to the purpose of the limitation, which is to protect public health in the context of dangerous goods. The provision is also subject to the notification safeguards and requirements of section 101(3). I am therefore content that clause 149 is compatible with the right to privacy.

Power to make inquiries following certain incidents

Given the risks to health and safety associated with dangerous goods, there is a power provided for in clause 150 for an inspector to make any necessary inquiries into certain incidents, such as where a fire or explosion results in the death of or injury to a person, property damage or public danger from the presence of dangerous goods. For the purpose of making such an inquiry, an inspector may enter any place.

This power mirror similar powers of incident inquiry currently provided by section 13E of the *Dangerous Goods Act 1985*. Whilst a power of entry may interfere with the privacy rights of the person whose property or business it is, on balance, any such interference is considered justified and appropriate given the serious nature of the incident which has taken place. Inquiring into the incident, as necessary, may help understand the cause and prevent reoccurrences or future events. Accordingly, I consider that clause 150 is compatible with the right to privacy.

Power for the inspector to intervene

Where a person who has been given a direction under new s 120(1A) fails to carry out the direction, or is unlikely to safely comply with it, the Bill provides an inspector with a subsequent power to intervene by taking action to address the serious risk before harm eventuates (clause 173, which inserts new ss 120A to 120I into the Act). These new provisions also allow an inspector to intervene without the issue of a direction if the inspector reasonably believes that there is an immediate risk of harm to any person or of property damage arising from the presence of dangerous goods. Under new s 120A(2), a higher threshold of risk is required to intervene without the issue of a preceding direction. For example, if an inspector observes flammable dangerous goods stored near an active heat source in a well-ventilated area. Given the immediate risk of fire an inspector may use their power to intervene to take immediate action to stop operations and evacuate the area.

The intervention power is contingent upon a high level of risk and therefore a need to act to prevent the eventuation of harm to persons or property. Given there will generally be opportunity for a person who is issued a direction to address a serious risk themselves, any interference with their right to privacy occasioned by this provision is expected to be minimal, particularly as new s 120A(3) provides that the intervention provisions do not apply in relation to residential premises. Accordingly, any intervention would presumably occur in a workplace or some other area where a reduced expectation of personal privacy exists, and would be less likely to interfere with a person's private sphere.

However, to the extent that clause 173 does interfere with a person's right to privacy, I consider that the importance of preventing harm from dangerous goods incidents outweighs any such interference, such that any limit on the right is reasonable and demonstrably justifiable and appropriate in the circumstances. I am therefore content that clause 173 is compatible with the right to privacy.

Power to issue notices

Clauses 165 to 167 of the Bill insert new Part 9.8 into the Act, amending current Part 9 Division 8 of the Act to expand the existing power of an inspector to issue various notices in relation to dangerous goods. Relevantly, clause 167 expands the power to issue a prohibition notice to circumstances where an inspector believes an activity is occurring, or may occur, at a place that involves or will involve a serious risk to the health or safety of any person or a serious risk of property damage emanating from an immediate or imminent exposure to dangerous goods. Accordingly, clause 167 engages the right to privacy by prohibiting a person from undertaking a particular activity on their private property or at their workplace.

I am of the view, however, that these powers are lawful and not arbitrary as inspectors would issue the prohibition notice pursuant to a properly circumscribed law employing an appropriately high threshold (requiring a 'serious risk' to health, safety or property emanating from 'immediate or imminent' exposure to dangerous goods). The purpose of the notices is to further the important aim of protecting persons and property from harm or damage, particularly in the context of the presence of dangerous goods. The prohibition notice ceases to have effect upon the inspector certifying in writing that the matters giving rise to the risk have been remedied.

Accordingly, I am of the view that the issue of prohibition notices are lawful and not arbitrary, and so do not limit the right to privacy under the Charter.

Information sharing and publication

Clause 22 inserts new section 11A to the Act to enable the Authority to share information proactively with a wider cohort of persons or bodies, reducing complexity in sharing information and supporting a coordinated inter-agency response towards non-compliance with OHS laws.

The Authority will be able to rely upon the new s 11A to share information with certain persons or bodies including the Coroners Court, Director of Public Prosecutions, councils, fire authorities and law enforcement agencies if the Authority reasonably believes it is in the public interest or necessary for the Authority's exercise of powers or functions, or necessary for collaboration or to eliminate or reduce serious risks to health, safety or property.

While this provision will promote information sharing and reduce opportunities for rogue operators to fall out of line-sight where there are two or more regulators who share remit, the disclosure of information by the Authority may interfere with privacy rights. However, I do not consider that the right will be limited, because the information shared is unlikely to include sensitive, personal or health information, and is for a limited and specific purpose including to protect public health and safety and to enable a more proactive regulatory approach across government and other bodies. Existing legislative safeguards in the *Privacy and Data Protection Act 2014* will continue to protect the integrity of information sharing practices. Accordingly, should privacy rights of individuals be limited by the information sharing provisions in the Bill, I consider that any limit will be reasonable and demonstrably justified under s 7(2) of the Charter.

In my view, therefore, clause 22 and the expansion of the Authority's functions are compatible with the right to privacy under the Charter.

Adverse Publicity Orders

Clause 197 enables Adverse Publicity Orders to be issued in relation to dangerous goods. The aim is to provide the regulator with a range of orders which can be made in addition to, or instead of, another penalty type imposed by the Court.

The provision will grant the court discretion to make an adverse publicity order having found a person guilty of an offence. The order may require an offender to publicise the offence or contravention, its consequences, the penalty imposed and any related matter, and/or to notify a specified person of the offence or contravention and its consequences. The offender must then give the Authority evidence of their compliance with the order. Failure to do so, or do so adequately, enables the Authority to take the relevant actions specified in the adverse publicity notice, including publicising the offender's offence and penalty. Clause 197 provides that there are protections enshrined which will require that the court not to make an adverse publicity order unless satisfied that the costs of complying with the order do not exceed the maximum penalty amount that the court may impose on the offender for the offence concerned.

These provisions may give rise to the publication of the identity of individuals and their convictions under the Act and thereby may impact negatively upon the reputation of those individuals, and interfere with their right

not to have their reputation unlawfully attacked under s 13(b) of the Charter. However, I consider that any interference with the right to privacy and reputation resulting from these provisions will be neither unlawful nor arbitrary. Adverse publicity orders will be made by a court pursuant to properly circumscribed legislation and are a proportionate measure aimed at notifying the public about operators who are non-compliant with health and safety legislation in respect of the transport of dangerous goods.

In my view, it is appropriate and reasonable in the circumstances that there is a power to name persons and detail conduct by way of Adverse Publicity Order as it serves the purposes of promoting accountability and transparency as to non-compliance and reflects important public policy. It may also help to deter other similar duty holders in the dangerous goods transport industry. I therefore consider that clause 197 is compatible with the right to privacy and reputation under the Charter.

Further, an adverse publicity order may only be made following conviction for an offence, with the associated safeguards of principles of justice and procedural fairness applying to the exercise of judicial discretion and the court process. Further, information in respect of a court order is likely to be on the public record in any event due to the judicial proceedings.

Property rights

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

Powers to impose a charge on land

Clause 173 will insert new sections 120A to 120H, into the Act. As outlined above, s120A will allow an inspector to take any action considered necessary by the inspector to address a serious risk set out in a direction if the direction is not complied with, or unlikely to be safely complied with, by the person to whom the direction was issued. It also empowers an inspector to act if she or he reasonably believes there is an immediate risk of harm to persons or property from dangerous goods.

Under section 120B, the Authority will be able to issue a costs notice to a person whom the Authority reasonably believes caused the circumstances which led to the inspector's intervention, as well as to an occupier, or previous occupier, of the relevant place.

New s 120C then allows the Authority to commence legal proceedings to seek to recover the remediation costs specified in a costs notice if a person to whom a notice has been issued does not pay within the relevant time period.

Section 120E then enables a charge to be imposed on the land on which the inspector took the intervention action if the costs notice is unpaid at the end of the relevant payment period, and the Authority has followed the required procedure for advertising. The Authority can require land to be registered under the *Transfer of Land Act 1958* to better protect the Authority's security. Safeguards under section 106B of the *Transfer of Land Act 1958* apply to the imposition of the charge and removal thereof, requiring the Authority to comply with such requirements.

Given a charge on land may restrict or prevent the transfer of that land, section 120E may therefore be relevant to property rights under s 20 of the Charter. However, the charge would be imposed pursuant to a properly circumscribed law in order to facilitate the recovery of remediation costs incurred due to a breach of OHS law. Therefore, in my view, any interference with a land owner's property rights occasioned by section 120E will be in accordance with the law and such that the provision is compatible with s 20 of the Charter.

Sale of land to recover debt

New s120G then provides the Authority with the power to enforce a charge imposed on the land under new s 120E by selling the land, if the charge has existed for at least 12 months and the court has made an order requiring payment and payment has not been made.

The sale of property to recover remediation costs will deprive the relevant property owner of that property, and may interfere with their property rights under s 20 of the Charter. However, I am content that the right is not limited by new s 120G because the deprivation of property would be pursuant to law in order to cover debts incurred in remediating breaches in respect of dangerous goods. Judicial oversight of costs enforcement proceedings and the requirement for a court order before land can be sold safeguards property rights, such that the provision strikes an appropriate balance between the rights of the affected parties and enabling the Authority to recover outstanding debts and properly administer its compliance and enforcement regime in respect of dangerous goods. I am therefore of the view that new s120G is compatible with the right to property under the Charter.

Forfeiture of seized property

There are existing return and forfeiture provisions with respect to seized property under sections 108 and 109 of the Act. These relate to a thing or document, and set out the parameters for the return of seized things and when appropriate, their forfeiture.

Clause 161 of the Bill amends s 109 to extend forfeiture to circumstances where the Authority considers it necessary to retain the thing to prevent the commission of an offence against the Act or the *Dangerous Goods Transport Act 2025*, or accompanying regulations.

The *Dangerous Goods Act 1985* also has similar provisions for things other than high consequence dangerous goods or explosives or their containers. This Bill seeks to incorporate provisions from the *Dangerous Goods Act 1985* relating to seizure and forfeiture of specific types of dangerous goods, being high consequence dangerous goods, explosives and their containers.

Clause 162 inserts new ss 109A and 109B which are specific to the return and forfeiture of seized things such as high consequence dangerous goods, explosives and containers. Under this provision, the Authority is required to return the thing to its owner immediately where retention is no longer necessary, unless forfeited to the Authority under s 109 of the Act. If not immediately returned or forfeited, then the Authority must return it within 12 months of seizure or as soon as possible after a proceeding and appeal has concluded. However, the Authority is not permitted to return it to a person unauthorised under the Act to possess the thing or not required to return it if the Authority cannot locate or return it to the owner. New s 109B allows for the forfeiture of certain goods such as SSAN, explosives and containers used in connection with these items, where the owner cannot be found, is unknown, or where the items cannot be returned despite reasonable efforts.

While the forfeiture of goods can interfere with property rights, I am of the view that the interference is lawful, being pursuant to properly circumscribed legislation in circumstances where the goods have and may still pose a risk to public safety, and where efforts have been made to locate the owner and return the goods. Accordingly, I consider that clauses 161 and 162 are compatible with the right to property under the Charter.

Forfeiture and disposal order

Clause 198 enables various entities to seek an order from the Magistrates' Court for forfeiture and disposal of SSAN, explosives or containers before a conviction. There are certain requirements including that the Court must be satisfied that unless forfeited or destroyed there is a reasonable likelihood that a contravention or the Act or offence against this Act or another, will occur. Special provision for this is required given that the storage of these specific dangerous goods may expose the Authority's workers to higher safety risks. In cases where seized explosives are unknown, they may well be past their expiration date and unstable, making it riskier for WorkSafe's magazine keeper to store the explosives. Explosives and high consequence dangerous goods can also be costly for the Authority to retain given they require strict procedures and security measures for their storage.

While clause 198 may interfere with the owners' property rights, I am of the view that there is no limit on s 20, as the forfeiture of property is in accordance with the law, overseen by the Magistrates Court and is a proportionate measure to ensure public safety in the context of dangerous goods.

Right to a fair hearing

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

Rights of appeal process to Victorian Civil and Administrative Tribunal (VCAT)

Section 10A of the Dangerous Goods Act 1985 enables the Authority's administrative decisions to be reviewable by Victorian Civil and Administrative Tribunal (VCAT) without a prior internal review.

The Bill will not replicate this right to a merits review from VCAT in relation to directions and step-in powers used by inspectors in relation to dangerous goods. Reviews will be limited to judicial review only. This will maintain a pathway to ensure inspectors are acting within their legal authority; but removes an alternative decision outcome based upon a merits review from VCAT.

The removal of the right to apply to VCAT for review of directions and step-in powers decisions of the Authority is relevant to the right to fair hearing under s 24(1) of the Charter, which utilises a broad concept of 'civil proceeding' that encompasses administrative decision-makers with powers to determine private rights and interests. While recognising the broad scope of s 24(1), the term 'proceeding' and 'party' suggest that s 24(1) was intended to apply only to decision-makers who conduct proceedings with parties. As many of the decisions here (directions and step-in powers) do not involve the conduct of proceedings with parties, there is

a question as to whether the right to a fair hearing is engaged. In any event, I will proceed to discuss the impact on fair hearing in the event a broad reading of s 24(1) is adopted.

While the opportunity to be heard by an independent tribunal on merits review has now been removed, an affected person will still ultimately have the right of judicial review.

To the extent, however that fair hearing rights are limited, in that an applicant is not afforded a right to merits review before an independent tribunal in relation to a decision which affects their private rights, I am satisfied that the limits are reasonable and justified in the circumstances in accordance with s 7(2) of the Charter. This is because the powers to issue a direction and to intervene are based upon a risk assessment at a point in time and by an officer with technical expertise in assessing dangerous goods. In my view, this type of decision is not suited to a merits review by a generalist tribunal such as VCAT which lacks the necessary technical expertise to make an informed decision. The VCAT process can also cause significant delays to exercising powers in instances of serious or immediate risk that require an urgent response. I consider that the removal of merits reviews in VCAT, while have the potential to engage the right to a fair hearing, appropriately balances this interference with rights with the need to take urgent action in the face of serious risks to public health and safety.

Accordingly, I am content that removal of this mechanism is still compatible with the right to fair hearing under s 24 of the Charter.

Right to be presumed innocent

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

Reasonable or lawful excuse offence provision

The following clauses insert offences which contain a 'reasonable excuse' or 'lawful excuse' exception:

- Clause 55 (new section 35D) – Duty to not recklessly engage in activities involving the handling of dangerous goods that places another person in danger of serious injury or death.
- Clause 149 – Failure or refusal to comply with giving an inspector samples.
- Clause 165 – Failure to comply with a non-disturbance notice
- Clause 172 – Failure or refusal to comply with a direction.
- Clause 176 (new section 121(1)–(4)) – Failure to provide assistance to an inspector
- Clause 179 (new sections 124B(3) and 124C(3)) – Failure for a person to comply with a modified section 120 direction.

By creating a 'reasonable excuse' or 'lawful excuse' exception, these offences place an evidential burden on the accused, in that they require the accused to raise evidence of a reasonable excuse. However, in doing so, this offence does not transfer the legal burden of proof. Once the accused has pointed to evidence of a reasonable or lawful excuse, which will ordinarily be peculiarly within their knowledge, the burden shifts back to the prosecution to prove the essential elements of the offence. I therefore do not consider that an evidential onus of this kind limits the right to be presumed innocent.

Accordingly, I am of the view that the above clauses are compatible with the right to the presumption of innocence under s 25(1) of the Charter.

Presumptions in criminal proceedings

Clause 194 inserts new section 133A which sets out matters that, when provided in evidence by an inspector in criminal matters, are presumed to be factual. For example, section 133A(a) provides that, in a proceeding for an offence, where an inspector gives evidence that they suspected that dangerous goods were involved in an offence and provides evidence of the grounds of their suspicion, and the court considers that suspicion is reasonable, the particular dangerous goods are taken to have been involved in the offence unless contrary evidence is provided. Subsections (b)–(d) provide similar provisions for other evidence that is provided by an inspector.

Section 25(1) is not engaged where there is an evidential burden as opposed to a persuasive burden. To avoid doubt, clause 194 places an evidential burden on the accused by requiring them to raise evidence to rebut the prima facie evidence. However, the legal burden of proof for the matter overall continues to remain with the Authority who must prove the elements of the offence. If the accused provides evidence that rebuts the prima facie evidence, the evidential burden shifts back to the prosecution to lead evidence which proves the

allegation. Noting this, the right to be presumed innocent in section 25(1) of the Charter is not engaged or limited.

Forfeiture and disposal order

Before making a forfeiture and disposal order under new section 135C (inserted by clause 198), subsection (3) requires the Magistrates' Court to be satisfied that there is a reasonable likelihood that, if the order is not made, the SSAN, explosives or container used for the transport of the same will be used in connection with a contravention of the Act or regulations or any other Act. The court must also be satisfied that the Order is in the interests of public safety.

When making an order, subsection (4) also provides for the Magistrates' Court to include findings of fact as to the quantity or nature of dangerous goods to include in a forfeiture and disposal order. A finding of fact can subsequently be produced in proceedings and as provided under subsection (5) will be prima facie evidence of the matter to which the finding relates.

The prima facie evidence status of a finding of fact in such an order is relevant to the right to presumption of innocence under s 25(1) because it places an evidential burden for the accused by requiring them to raise evidence to the contrary. It does not transfer the legal burden of proof. If evidence sufficient to rebut the prima facie evidence is raised by the defendant, the evidential burden shifts back to the prosecution to lead evidence which supports the finding of fact.

I do not consider that the prima facie evidence status of an order issued under clause 198 limits the right to be presumed innocent, and clause 198 of the Bill is therefore compatible with this right.

Right to protection against self-incrimination

Section 25(2)(k) of the Charter provides that a person charged with a criminal offence is entitled without discrimination to (amongst other things) not be compelled to testify against themselves or to confess guilt. This right is at least as broad as the common law privilege against self-incrimination. It applies to protect a charged person against the admission in subsequent criminal proceedings of incriminatory material obtained under compulsion, regardless of whether the information was obtained prior to or subsequent to the charge being laid.

Production of documents

Section 9 of the Act currently empowers the Authority to require a person to provide information or produce a document in their control to enable the Authority to ascertain compliance with the Act or regulations.

Clause 19 of the Bill will make a minor change to this to align section 9 with section 154 of the Act to make it clear that refusal or failure to give information on the basis that it would tend to incriminate the person may be evoked only in relation to information under section 9(1)(a) and not the production of documents.

Section 154 of the Act allows a natural person to refuse to, or fail to, give information or do any other thing that the person is required to do by or under the Act or the regulations if to do so would tend to incriminate the person, however not in relation to the production of a document (or part thereof) or the giving of a person's name or address in accordance with section 119.

Section 9 and section 154 affirm the right to protection against self-incrimination in relation to provision of information. However, to the extent that the Authority can compel the production of a pre-existing document, there may be an interference with the right against self-incrimination under s 25(2)(k).

At common law, the High Court has held that the protection accorded to pre-existing documents is considerably weaker than that accorded to oral testimony or to documents that are brought into existence to comply with a request for information. The compulsion to produce pre-existing documents that speak for themselves is in strong contrast to testimonial oral or written evidence that is brought into existence as a direct response to questions. This is particularly so in the context of a regulated industry or subject matter (such as dangerous goods), where documents or records are required to be produced during the course of a person's participation in that industry or engagement with that regulated subject matter, and are brought into existence for the dominant purpose of demonstrating that person's compliance with relevant duties and obligations when inspected. This is particularly justified where the main purpose of the regulation is to protect the public and prevent harm to persons and property in relation to the transport of dangerous goods.

The duty to provide documents in this context is consistent with the reasonable expectations of persons who are engaging within a regulated scheme and assuming the responsibilities and duties that apply to a person's manufacture, storage, transport, transfer, sale and use of dangerous goods. To provide for a full document-use immunity would unreasonably obstruct the role of inspectors and the accountability aims of the record-keeping obligations, as well as give the holders of such documents an unfair forensic advantage in relation to criminal and civil penalty investigations. Accordingly, any protection afforded to documentary material by the privilege is limited in scope and not as fundamental to the nature of the right as the protection against the

requirement that verbal answers be provided. A further safeguard is provided excusing the disclosure of any information the subject of client legal privilege.

Accordingly, I am satisfied that this is compatible with the protection of self-incrimination afforded under s 25(2)(k) of the Charter.

Right not to be tried or punished more than once

Section 26 of the Charter provides that a person must not be tried or punished more than once for an offence in respect of which that person has already been finally convicted or acquitted in accordance with law. This right reflects the principle of double jeopardy. However the principle only applies in respect of criminal offences – it will not prevent civil proceedings being brought in respect of a person's conduct which has previously been the subject of criminal proceedings, or vice versa.

The civil penalty regime introduced by clause 183 of the Bill may interfere with a person's right not to be punished more than once given the proposed parallel operation of the civil penalty regime with the criminal law. The new civil penalty regime is modelled on the *Environment Protection Act 2017* which provides that a person cannot be given a civil penalty order if a person has been convicted of an offence constituting the same conduct.

New section 126AF will provide that the Court must not make a civil penalty order against a person who has been convicted of an offence constituted by substantially the same conduct. New section 126AG will provide that civil proceedings for contravention of a civil penalty provision must be stayed if criminal proceedings are brought for an offence constituted by substantially the same conduct that is alleged to constitute the civil penalty contravention. These provisions seek to protect against concurrent civil and criminal proceedings for conduct that is substantially the same. However, if a person is not convicted of the criminal offence, new s 126AG(2)(a) provides that civil penalty proceedings may be resumed.

New s 126AH enables criminal proceedings to be brought against a person regardless of whether a civil penalty order has been made for conduct that is substantially the same as the conduct constituting the offence. Accordingly, a person may receive a civil penalty and then have a subsequent criminal sanction imposed upon a conviction for the same conduct, which is relevant to the protection against double punishment. Whether the right is limited in this context will depend on whether the civil penalty is of such nature and magnitude to constitute truly penal consequences. In my view, the civil penalties for breaching the relevant provisions would not be considered to be punitive, or in effect, criminal sanctions. Although some of the maximum pecuniary penalties are up to 2000 penalty units, the purpose of the civil penalties is to encourage regulatory compliance, which is necessary due to the serious risks of harm to human health that may arise from a contravention of the Act. A civil penalty order will be enforceable as a judgment debt and a person will not be liable to be imprisoned for a failure to discharge the debt.

While I do not consider that clause 183 limits s 26 of the Charter, to the extent that right may be limited, if a court should consider that the larger civil penalties do constitute punishment, I am of the view that the limit is reasonable and justified in the circumstances. This approach mirrors the 'pyramid of sanctions' model of enforcement employed by comparative regulatory schemes in other jurisdictions. This model is predicated on findings that implementing a bar against the use of both criminal and civil proceedings can undermine effective enforcement. Civil penalty proceedings can be more efficient in enforcing the scheme and deterring misconduct due to the lower burden of proof, streamlined procedure, availability of negotiated settlements and lower costs. However, civil penalties alone can be an insufficient deterrent in relation to the more serious and harmful misconduct which warrant criminal punishment. Criminal sanctions are directed at appropriate punishment and serve as a greater deterrent. A criminal conviction poses much more reputational risks for a defendant, with bad publicity and stigma of a conviction far outweighing the label attached to an adverse decision in civil proceedings and/or the making of civil penalty orders. The availability to commence criminal proceedings notwithstanding whether a civil penalty has been imposed is an important part of the pyramidal structure of enforcement of sanctions for more serious cases, while still providing for effective and efficient deterrence.

The Bill implements sufficient safeguards to protect criminal process rights, including deeming any information and documents produced by an individual in a proceeding for a contravention order to be inadmissible in a criminal proceeding concerning substantially the same conduct. Further, the Bill does not interfere with existing sentencing discretions, including a sentencing judge's consideration of the principle of totality and rule against double punishment in relation to imposing a criminal sanction for substantially the same conduct already subject to a civil contravention order.

Accordingly, I consider that clause 183 of the Bill is compatible with the right not to be tried or punished more than once as set out in s 26 of the Charter.

Rights in criminal proceedings

Section 25(1) of the Charter sets out that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law and section 25(2) provides for minimum guarantees relating to prompt information about the offence and appropriate defence opportunities, amongst other things.

Power to redirect certain body corporate obligations

Clause 179 of the Bill will adopt a new power for the Authority to issue a notice to redirect certain body corporate obligations to appropriate officers of the body corporate or other persons to whom a notice was issued. These provisions may be relevant to the presumption of innocence to the extent that they may operate to deem an individual liable for the actions of the body corporate that are indictable offences and carry criminal penalties (being a failure to comply with a non-disturbance notice, improvement notice or prohibition notice).

However, to the extent that this results in a limit on the right, I consider the limit reasonably justified. The power serves an important and legitimate purpose. The power will ensure obligations follow responsible individuals who might reasonably be said to bear some responsibility for the non-compliance. It would ensure that bodies corporates cannot avoid accountability by going into liquidation or phoenixing to avoid obligations and allow the Authority to continue to prosecute the responsible party for non-compliance.

In my view, it is appropriate to transfer obligations under the Bill to officers, and to make principals liable for the conduct of the body corporate and its employees and agents, in order to ensure proper compliance with the relevant OHS schemes and to protect public health and safety. A person who elects to undertake a position as an officer of a body corporate accepts that they will be subject to certain requirements and duties, including a duty to ensure that the body corporate complies with its legal obligations, and does not commit offences. Affected persons should be well aware of the regulatory requirements and, as such, should have the necessary processes and systems in place to effectively meet these requirements and not incur accessorial liability.

In terms of the extent of the limitation, the power is conditional on the Authority being satisfied of a number of mandatory elements with a relatively high threshold, including that the person knew or ought reasonably to have known of the circumstances that resulting the issuing of the specified notice, was in a position to influence the body corporate in relation to its compliance with the specified notice, and, in the case of a failure to comply, and that it would not be oppressive, unjust or unreasonable for the Authority to issue the officer the redirection notice. In being satisfied of the last matter, being that the redirection notice was not oppressive, unjust or unreasonable, the Authority will relevantly need to take into account human rights under the Charter, including the presumption of innocence.

Finally, the prosecution would still be required to prove each element of an offence, and any burden placed on an officer (such as to establish an applicable reasonable excuse defence) would be evidential only. In my view, there are no less restrictive means reasonably available for ensuring adequate deterrence for bodies corporate for breaches of OHS requirements in respect of dangerous good that may cause significant public harm.

Accordingly, I am satisfied that these provisions are compatible with the right under the Charter to the presumption of innocence.

Jaclyn Symes MP
Treasurer
Minister for Industrial Relations
Minister for Development Victoria and Precincts

Second reading

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:32): I move:

That the bill be now read a second time.

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

This Bill gives effect to reforms that will improve safety for the Victorian community by modernising the regulation of dangerous goods and strengthening WorkSafe's ability to enforce compliance with dangerous goods laws.

Dangerous goods are chemicals that carry inherent risks to persons or property, such as goods that are corrosive, flammable, combustible, explosive, oxidising or have other hazardous properties.

Dangerous goods are an integral part of our economy and are used across industries including agriculture, construction, manufacturing and healthcare to provide services and produce essential goods such as cleaning products, food, fertiliser, fuel, plastics and paint.

However, dangerous goods also present significant risks that need to be controlled. When they are not dealt with safely, dangerous goods can result in incidents exposing Victorian workers, emergency service personnel and the wider community to risks of harm to their health, safety and property. Dangerous goods also include explosives and security sensitive ammonium nitrate which present security risks to the Victorian community.

The changes in this Bill deliver on the Victorian Government's commitment to implement legislative reforms recommended in the *Final Report of the Independent Review of the Dangerous Goods Act 1985 and associated regulations* by Andrew Palmer KC, now Judge Palmer (Palmer Report) which was released in October 2022.

The Victorian Government commissioned this Independent Review in response to the major chemical fires that occurred in suburban Melbourne in 2018 and 2019 as a result of illegal stockpiling of chemicals. These fires released significant amounts of toxic smoke and dangerous chemicals, affecting nearby communities. The Independent Reviewer was asked to identify opportunities to strengthen laws and help prevent such significant incidents from occurring again.

The Palmer Report found that the current dangerous goods regulatory framework is outdated, difficult to navigate and inconsistent with other regulatory frameworks dangerous goods duty holders are required to comply with. The Independent Reviewer also considered that this is likely contributing to non-compliance and illegal activity as unscrupulous operators take advantage of weaknesses in regulation and regulatory oversight. To address these findings the Palmer Report made 49 recommendations. This Bill and the associated Dangerous Goods Transport Bill deliver legislative change required to address 24 recommendations agreed to in full or in-principle by the Victorian Government.

I will now address the key amendments in more detail.

Incorporating dangerous goods laws into workplace safety laws

As its core recommendation, the Palmer Report called for foundational structural reform to bring dangerous goods laws into alignment with the structure, concepts and language of the Occupational Health and Safety Act 2004.

In giving effect to this recommendation, the Bill will streamline and modernise Victoria's dangerous goods laws by incorporating the regulation of dangerous goods into existing occupational health and safety legislation. This will make it easier for duty holders to understand and comply with their dangerous goods obligations as almost all dangerous goods duty holders also have obligations under the Occupational Health and Safety Act 2004.

The Bill amends the objects of the Occupational Health and Safety Act 2004 to secure and seek to eliminate risks to the health and safety of persons and prevent damage to property in relation to the handling of dangerous goods.

A duties-based approach will modernise dangerous goods regulation

The Bill modernises the regulation of dangerous goods by introducing a broad general duty requiring a person involved in the handling of dangerous goods to ensure dangerous goods are handled in a manner that is safe and without risks to health, safety and property. Broad, principle-based duties shift the focus of duty holders from compliance with prescriptive obligations to the proactive identification, management and review of risks. General duties are also a familiar feature of Victoria's regulatory landscape with Victorian industry already being subject to duties-based-regulation in the Occupational Health and Safety Act 2004 and the Environment Protection Act 2017.

The Bill also provides for the new dangerous goods general duty to be supported by regulations, Compliance Codes and non-statutory guidance for duty holders. These will provide duty holders with further information about how the dangerous goods general duty should be performed and will promote continued improvements to the state of knowledge about how to ensure the safety of activities involving the handling of dangerous goods.

Strengthened enforcement, prosecution and penalties

An effective regulatory framework also requires an effective enforcement system comprising a range of enforcement options that are flexible enough to deter the full range of non-compliant behaviour.

Accordingly, contravention of the new dangerous goods general duty will be subject to significant maximum penalties of 2,000 penalty units for a natural person and 10,000 penalty units for a body corporate. The Bill also introduces new offences for an aggravated breach of the new dangerous goods general duty and for a person who recklessly engages in the handling of dangerous goods that places, or may place, another person

in danger of serious injury or death. These offences will apply to circumstances where the conduct of the offender represents a higher degree of culpability than other offences in the Act. An aggravated breach will be subject to higher maximum penalties of 4,000 penalty units, 5 years imprisonment or both for a natural person and 20,000 penalty units for a body corporate. The recklessness offence will be subject to maximum penalties of 5,000 penalty units, 10 years imprisonment or both for a natural person or 40,000 penalty units for a body corporate.

The Bill also expands the enforcement tools that can be used to address breaches across a range of dangerous goods and occupational health and safety offences. This includes the introduction of civil penalties provisions which will offer alternative legal proceedings where criminal prosecution is not warranted. Where a civil penalty provision is contravened a court may make an order that the person pay a pecuniary penalty (up to a legislated maximum penalty) and/or make any other order that the court considers appropriate. Other orders that a court may make in civil proceedings include compliance and restraining orders, adverse publicity orders, monetary benefit orders, orders to undertake improvement projects and an order of release on the giving of a health and safety undertaking. These expanded enforcement tools will provide for tailored enforcement to suit particular contraventions. Court orders will also enable WorkSafe to seek an order from the court requiring a duty holder, licence holder or permit holder to take specified actions or restrain from taking specified actions to ensure compliance with the Act. Such an order can be sought regardless of whether civil or criminal proceedings have been initiated against the duty holder, licence holder or permit holder.

The Bill also provides stronger enforcement powers to capture liable officers. Officers of body corporates will have a positive duty to exercise due diligence and take reasonable steps to be informed and ensure body corporates are complying with their duties. If an officer fails in their due diligence duty, the officer commits an offence and may be subject to the natural person penalty for an offence for failing to comply with the relevant duty or obligation. An officer of a partnership or unincorporated body or association will also be required to exercise due diligence and take reasonable steps to be informed. A failure by the partnership or unincorporated body or association will not be an offence by the officer if the officer exercised their due diligence to avoid the commission of an offence.

This Bill will also provide a mechanism to redirect obligations to comply with a direction to take actions to address serious risks arising from dangerous goods to a related or associated entity or to an officer of a body corporate. This can occur where the related or associated entity or officer knew or ought reasonably to have known about the circumstances that have led to the direction being issued and who had influence over the entity's compliance with the direction. This new mechanism seeks to stamp out companies "phoenixing", or refusing to comply, in order to avoid responsibility for their actions.

The Palmer Report's recommendations to expand enforcement tools were made with respect to dangerous goods; however, the incorporation of dangerous goods regulation into the Occupational Health and Safety Act 2004 has also required the Victorian Government to consider if these changes should also apply to the occupational health and safety regulatory framework. Accordingly, civil penalty provisions and the associated orders will also be introduced for contraventions of occupational health and safety provisions. A new offence for an aggravated breach of an employer's duty to employees under section 21 of the Occupational Health and Safety Act will also be introduced to align with the offence for an aggravated breach of the new dangerous goods general duty.

The Bill also increases the maximum infringement penalty under the *Occupational Health and Safety Act 2004* to align with the amounts outlined in the *Attorney General's Guidelines to the Infringements Act 2006*. Currently maximum infringement penalties are 12 penalty units for an individual and 60 penalty units for a body corporate. This will apply across both the dangerous goods and occupational health and safety frameworks and will ensure that penalties for infringement offences can be set at an amount that will achieve deterrence.

Strengthening WorkSafe's powers to take action to address serious risks and share information about dangerous goods

The Palmer Report also noted that WorkSafe requires adequate powers to intervene when non-compliance presents a serious risk to the Victorian community and made several recommendations to improve WorkSafe's capacity to enter places, give directions and take intervening action in relation to dangerous goods.

The Bill addresses these recommendations by expanding a WorkSafe inspector's power to intervene and take action to address a serious risk in circumstances where a person has refused or failed to comply, or is unable to comply in a safe manner, with a direction given by an inspector to address that serious risk. WorkSafe inspectors will also be empowered to take intervening actions where there is an immediate risk of harm to a person or damage to any property arising from the presence of dangerous goods. The Bill also provides a new entry power allowing an inspector to access a place if such entry is necessary to allow an inspector to exercise

their power to intervene to address a serious or immediate risk near the place. While powers to intervene currently exist under the Dangerous Goods Act 1985, the Palmer Report found that they did not adequately capture the cause and scope of risks that warrant intervention. The inability to access another place when necessary to facilitate an intervention to address a serious or immediate risk was also found to limit WorkSafe's ability to take effective action.

To support WorkSafe's powers to intervene, the Bill also provides a new cost recovery mechanism which will better enable WorkSafe to recover costs of taking action from a person who is believed to have caused the circumstances that gave rise to the risk or the occupier or previous occupier, of the place where the inspector took action. WorkSafe will also be able to place a charge on the property where the inspector took action and amounts are unpaid, noting that the owner may have benefited from remediation works, and may enforce the charge in certain circumstances. Impacted landlords may seek to recover as a cause of action from their tenants' who may have undertaken the unscrupulous conduct or caused the incident at the property which WorkSafe had to remediate. Ensuring WorkSafe has access to an effective cost recovery mechanism is essential to ensure that responsible parties continue to be subject to the financial consequences of their action, or inaction even when the public interest requires WorkSafe to intervene to address serious or immediate risks arising from dangerous goods.

The Bill also provides WorkSafe with increased powers to identify non-compliance and take action to address serious risks by expanding WorkSafe inspector powers to enter residential premises where it is reasonably believed that dangerous goods are present and a person is contravening or is about to contravene the Act or regulations.

The Bill provides for improved information sharing between agencies with complementary regulatory objectives by specifying additional agencies and departments with whom WorkSafe Victoria can share information.

To conclude, this Bill makes important reforms to dangerous goods legislation, which is over 40 years old, to modernise the regulation of dangerous goods and incorporate it with occupational health and safety laws. These will support industry and businesses to meet their obligations and better enable WorkSafe to enter, intervene and enforce compliance with a suite of modern enforcement tools. Importantly, this Bill will help keep the Victorian community safe from dangerous goods chemical fires and incidents.

I commend the Bill to the house.

Bev McARTHUR (Western Victoria) (03:32): I move:

That debate be adjourned for one week.

Motion agreed to and debate adjourned for one week.

Dangerous Goods Transport Bill 2026

Introduction and first reading

The PRESIDENT (03:32): 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 regulate the transport of dangerous goods by vessel on inland waters, by road or by rail, to promote public safety, to protect property and the environment from harm, to repeal the **Dangerous Goods Act 1985** and for other purposes.'

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:33): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Jaclyn SYMES: I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of compatibility

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:33): 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 Dangerous Goods Transport 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 base my opinion on the reasons outlined in this statement.

Overview of the Bill

The purpose of the Bill is to create a new statute to regulate the transportation of dangerous goods, including explosives and high consequence dangerous goods (HCDG), by road, rail, or vessel on inland waters. This Bill will also repeal the *Dangerous Goods Act 1985* (DG Act) and implement dangerous goods reforms to transport which are aligned to the relevant amendments to the *Occupational Health and Safety Act 2004* (the OHS Act).

This Bill will align requirements for businesses and industries which utilise dangerous goods, with national dangerous goods transport requirements. To the extent that changes may apply to individual persons, I will discuss the relevant human rights issues below.

Human Rights Issues

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

- the right to freedom from forced work (section 11);
- the right to privacy and reputation (section 13);
- the right to property (section 20);
- the right to a fair hearing (section 24);
- the right to be presumed innocent (section 25(1));
- the right to protection against self-incrimination (section 25(2)(k)); and
- the right not to be punished more than once (section 26).

Freedom from forced work

Section 11 of the Charter relevantly provides that a person must not be made to perform forced or compulsory labour. 'Forced or compulsory labour' does not include court-ordered community work as a condition of release from detention, work or service required because of an emergency threatening the Victorian community or a part of that community, or work or service that forms part of normal civil obligations.

Powers to issue directions

Clause 75 of the Bill sets out the power for an inspector to give an oral or written direction, with a time period for compliance, to a person involved in the transport of dangerous goods where the direction is necessary because of a serious risk of harm to persons or property arising from the transport of dangerous goods.

The compulsion to undertake an activity or to 'do' something as required by a direction made in accordance with clause 75 could potentially, if a broad view of the right was adopted, engage the right to freedom from forced work under s 11 of the Charter, specifically the prohibition on compulsory labour in s 11(2) of the Charter. This being so, I am of the view that if the right is engaged, any work required by a direction issued by an inspector would fall within the scope of the exception in s 11(3)(c) of the Charter, which provides that forced or compulsory labour does not include work or service that 'forms part of normal civil obligations'. As the directions can only be given to a person who is involved in the transport of dangerous goods by vessel on inland water, by road or by rail and in circumstances that pose a serious risk of harm to persons or damage to property, and have a preventative or remedial purpose, namely to stop, mitigate or remedy any risks to health or damage to property, it is likely such directions to take remedial action would constitute a normal civil obligation. This is because a person in control of a regulated item that poses public safety risks assumes duties in relation to managing those risks.

When made in circumstances where dangerous goods are posing a threat to life, the directions would also be exempt under s 11(3)(b) of the Charter, which provides that work or service required because of an emergency threatening the Victorian community or part thereof does not constitute forced or compulsory labour for the purposes of s 11 of the Charter.

In the event that the exceptions in s 11(3) do not apply to the directions that may be made under clause 75, and the right is engaged, I am nevertheless of the view that it is not limited by the provision. The issue with the existing direction power under s 17K of the *Dangerous Goods Act 1985* is that the power to issue directions is limited to dangers arising from damaged and/or spilled dangerous goods and containers. However, serious impacts to the community and property can be caused by other risks aside from damage or spilled dangerous goods. Therefore, the power to issue directions needs to be broader in scope to address issues of serious risk of harm and prevent or mitigate a major chemical incident.

The ability to direct duty holders who may lack understanding or intentionally be non-compliant, outweighs their right not to be forced to perform work. This is especially so in the context of transport, where an incident on the road may affect the public. Furthermore, compliant duty holders would already be undertaking such requirements in accordance with the Act and regulations; the direction is only to align non-compliant behaviour with the expected level of compliance and to reduce serious risks of harm. As such, I consider that this additional power in the context of dangerous goods is appropriate, justified and proportionate to a legitimate aim and is therefore compatible with the right to freedom from forced work under s 11 of the Charter.

Power to require assistance

Clause 88 of the Bill is similar to section 19 of the DG Act. It enables an inspector to request assistance from a person who occupies a place where dangerous goods or dangerous goods paraphernalia are present, or who manages or controls a place other than a workplace.

Given that this provision requires a person to do a particular thing to assist an inspector, it may be considered to be 'forced or compulsory labour' and therefore may be relevant to section 11 of the Charter. However, the type of assistance required under this provision from an occupier or a person with control of a place, is likely to be practically limited in nature and of low gravity (such as assisting an inspector to gain access to an area or a vehicle). Further, the requirement to assist an inspector may fall within the internal qualification at s 11(3)(c) being a 'normal civil obligation' and therefore not constitute a limit on the right.

Insofar as this assistance may be considered 'forced or compulsory labour' under s 11 of the Charter, any interference with this right would be both minor and temporary such that the right would not be limited.

Right to privacy and reputation

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

Interferences with privacy will be lawful if it is permitted by a law which is precise and appropriately circumscribed and will not be 'arbitrary' if it is not capricious, unpredictable, unjust or unreasonable in the particular circumstances, in the sense of being disproportionate to the legislation sought.

Entry into residential premises and specified places

Clause 51(3) of the Bill sets out the power to enter residential premises with the consent of the occupier or in circumstances where an inspector reasonably believes dangerous goods are present at that place and a person at the residential premises is contravening or is about to contravene the Act or the regulations.

I consider the framework of the new residential entry power to appropriately balance personal privacy against protection of the wider community from dangerous goods which have unique physical risks such as explosive or other dangerous characteristics, and which can have far reaching consequences. To enter without consent, inspectors must have a reasonable belief that dangerous goods are present at the residential premises and a person at the residential premises is contravening or about to contravene the Act or regulations. This power is confined to circumstances of urgency where a contravention is occurring or about to occur – and will not permit entry to investigate past contraventions of the Act or regulations, which will require a warrant or occupier consent to enter.

Clause 51(4) of the Bill provides an inspector with the ability to enter a specified place where an inspector reasonably believes a serious risk or an immediate risk of harm to a person or property damage is present, and it is necessary to take action to address the risk at the place that is near the specified place. For example, it is necessary to physically traverse through a property to get to the incident site to prevent or reduce harm.

Legislative safeguards set out under clause 51 reduce the impact of any interference upon occupiers' enjoyment of their property. This includes the need for an inspector to give immediate notice of entry, to enter at a reasonable time and to take reasonable steps to obtain consent from an occupier of a residential premises.

As such, a range of safeguards apply to ensure the powers may only be exercised in a reasonable and proportionate way that protects the privacy of individuals as much as possible. The powers serve the important purpose of enabling inspectors to address serious risks of harm caused by the presence or misuse of dangerous goods in transport. Although the powers involve some interference with the privacy, particularly of persons

present at residential premises, I consider that the interference is proportionate to the legitimate aim of protecting public health and is neither unlawful nor arbitrary and is therefore compatible with the right to privacy in section 13 of the Charter.

Other entry powers

Clause 51(1) enables an inspector to enter, at a reasonable time, a place (other than residential premises) believed by the inspector to have dangerous goods or related paraphernalia relating to transport. However, they may also enter at any time if they believe there is an immediate risk of harm under clause 51(2).

Clause 52 includes the power to stop, detain, inspect, or examine any vehicle or vessel used or likely to be used for the transport of dangerous goods. This includes the power for the Authority to, orally or in writing, direct the owner or person in control of the vehicle or vessel, to move the vehicle or vessel, or engage a suitable person to do so, and recover the costs from the owner. Alternatively, the inspector may direct the owner or person in control to move the vehicle or vessel if needed to inspect or examine it, by way of a written direction served on the owner or person.

These powers may interfere with a person's privacy in relation to their premises, vehicle or vessel. However, in my view, this interference is not arbitrary or unlawful, because the entry by inspectors would be pursuant to properly circumscribed legislation, and are qualified by conditions precedent that are proportionate and tailored to the necessity of the situation, being a situation that may endanger public safety or risk property damage. The entry power enables inspectors to carry out their functions and powers under the Act to ensure compliance. There is an appropriate safeguard protecting privacy of home. Accordingly, I am satisfied these clauses balance a person's rights to privacy against the public's interest in having safer dangerous goods transportation.

General powers on entry

Clause 53 outlines the general powers on entry in the new Act, including powers of inspection, examination, enquiry, testing, taking of extracts of documents, seizure of evidence, taking of photographs and measurements, making sketches and all other incidental powers necessary to perform the above. These are similar to existing powers under s 13B(1) of the DG Act, with some minor modernisations and clarifications in the language used. For example, 'seize and remove' will replace the term 'seize' to explicitly state that a thing may be removed. The provision also includes greater clarity as to the range of investigative steps that inspectors are empowered to undertake, including examine, copy or take extracts from a document or seize, make audio, video or any other type of recording, take measurements or make sketches, and remove any substance or other thing for testing, if they reasonably believe that examination or testing in reasonably necessary and cannot be conducted on site.

Clause 53 includes safeguards such as the requirement to give a written record of the seizure and removal as soon as possible to the occupier of the place, minimise disruption and only remain there as long as reasonably necessary. If a vehicle or vessel is used by an inspector to remove or detain dangerous goods then the Authority must pay reasonable compensation for that use to its owner, unless the owner is later found guilty of a related dangerous goods offence. This will also closely mirror the equivalent OHS Act provision.

While the incidental powers on entry do interfere with a person's privacy rights, including into their work or private sphere, I am of the view that, when properly exercised, they are lawful and not arbitrary, given they appropriately balance a person's right to privacy with the need for investigatory powers reasonably required to ensure compliance with and enforcement of health and safety legislation in relation to dangerous goods. To the extent there is any limit on the privacy right, I am of the view that the powers are proportionate and appropriately justified such that they are compatible with the right to privacy under the Charter.

Powers to collect samples

Section 13D of the DG Act enables the collection of samples of any thing at the place that may require analysis. Similarly, clause 55 of the Bill enables an inspector to require an occupier or apparent occupier to give them samples of anything at a place that may require analysis and includes an offence provision for non-compliance. While this may interfere with a person's privacy, I am of the view that any such impact is minimal, and is lawful and not arbitrary, given the sample taking is for analysis only and is proportionate to the purposes of the limitation, which is to protect public health in the context of dangerous goods transport. The provision is also subject to the notification safeguards and requirements of clause 509(3). I am therefore content that clause 55 is compatible with the right to privacy.

Power to make inquiries following certain incidents

Given the risks to health and safety associated with dangerous goods, there is a power provided for in clause 56 for an inspector to make any necessary inquiries into certain incidents, such as where a fire or explosion results in the death or injury of a person, property damage or public danger from the presence of dangerous goods. For the purpose of making such an inquiry, an inspector may enter any place.

This power mirrors similar powers of incident inquiry currently provided by section 13E of the *Dangerous Goods Act 1985*. Whilst a power of entry may interfere with the privacy of the person whose property or business it is, on balance, any such interference is considered justified and appropriate given the serious nature of the incident which has taken place. Inquiring into the incident, as necessary, may help understand the cause and prevent reoccurrences or future events. Accordingly, I consider that clause 56 is compatible with the right to privacy.

Entry via a search warrant

Clause 59 sets out the mechanism for an inspector to apply to the Magistrates' Court to obtain a search warrant for a particular place. There needs to be a reasonably held belief that a 'thing' is at the place within the next 72 hours, and it may afford evidence of an offence against the Act or regulations. There is a high standard of proof to satisfy that criteria and obtain a court issued warrant. The warrant must be applied for in accordance with the *Magistrates' Court Act 1989*. There are also other procedural protocols under the Act, including an announcement on entry. These legislated protocols ensure that the court is satisfied certain thresholds are met, and that the carrying out of the warrant is done according to set protocols and procedures. This helps to safeguard a person's right to privacy. Therefore, to the extent that powers to search a particular place interfere with a person's privacy rights, it is my view that any such limitation on a person's rights is justified and appropriate in a democratic society.

Power for an inspector to intervene

Where a person who has been given a direction under clause 75(1) fails to carry out the direction, or is unlikely to safely comply with it, clause 76 of the Bill provides an inspector with a subsequent power to intervene by taking action to address the serious risk before harm eventuates. Clause 76(2) also allows an inspector to intervene without the issue of a direction if the inspector reasonably believes that there is an immediate risk of harm to any person, or property damage arising from the dangerous goods transport. Under this provision, a higher threshold of risk is required to intervene without the issue of a preceding direction. For example, if an inspector observes flammable dangerous goods stored near an active heat source in a well-ventilated area. Given the immediate risk of fire an inspector may use their power to intervene to take immediate action to stop operations and evacuate the area.

The intervention power is contingent on a high level of risk and therefore a requisite need to act to prevent the eventuation of harm to persons or property. Given there will generally be opportunity for a person who is issued a direction to address a serious risk themselves, any interference with their right to privacy occasioned by this provision is expected to be minimal, particularly as clause 76(3) provides that the intervention provisions do not apply in relation to residential premises. Accordingly, any intervention would presumably occur in a workplace or some other area where a reduced expectation of personal privacy exists, and would be less likely to interfere with a person's private sphere.

However, to the extent that clause 76 does interfere with a person's right to privacy, I consider that the importance of preventing harm from dangerous goods incidents outweighs any such interference, such that any limit on the right is reasonable and demonstrably justifiable and appropriate in the circumstances. I am therefore content that clause 76 is compatible with the right to privacy.

Power to issue notices

Clauses 66 to 68 of the Bill creates powers for an inspector to issue various notices in relation to dangerous goods transport.

Relevantly, clause 68 includes a power for an inspector to issue a prohibition notice in circumstances where an inspector reasonably believes an activity involving the transport of dangerous goods is occurring, or may occur, at a place that involves or will involve a serious risk to the health or safety of any person or a serious risk of property damage. The prohibition notice ceases to have effect upon the inspector certifying in writing that the matters giving rise to the risk have been remedied. Accordingly, clause 68 engages the right to privacy by prohibiting a person from undertaking a particular activity involving dangerous goods transport.

Clause 67 of the Bill sets out the power to issue improvement notices. It is similar to section 17C of the DG Act and includes an ability to provide necessary interim directions or conditions to minimise risks to person, property or environment. This will align with the proposed amendment to section 111 of the OHS Act in the OHS Amendment (Dangerous Goods) Bill 2026. The notice must state the basis for the inspector's belief for issuing the notice, the alleged contravened provision of the Act or regulations, date by which the person must remedy the alleged contravention, review rights and more. The requirement for such information ensures accountability as each alleged contravention needs to be explicitly stated; mitigating the likelihood of breaches unfairly impacting a person's rights or freedoms.

Through the exercise of issuing a notice, an inspector who will be enforcing dangerous goods transport laws may access personal information and may also specify certain activities, or how the activities must be carried out which again may interfere with a person's freedom of expression.

I am of the view, however, that these powers are lawful and not arbitrary as inspectors would issue the notice pursuant to a properly circumscribed law employing an appropriately high threshold (requiring a serious risk to health, safety or property) that is proportionate to the purpose of the notices, which is to protect persons and property from harm or damage, particularly in the context of dangerous goods transport.

Further, the powers are exercisable only within the confines of the legislation and are justified and appropriate to ensure compliance. Information which is captured is not to be shared, unless it meets a threshold requirement set out in the legislation and discussed in the paragraphs below.

Power to require a name and address or to obtain information

Clause 74 enables an inspector to require a person to state their name and address if the inspector reasonably believes that the person may be able to assist in the investigation of an indictable offence under this Act. The right to privacy includes a right to be left alone and a protection against a compulsion to disclose personal information. This power is a necessary power to facilitate investigation and verify the identity of persons of interest or suspicion. It is limited to specific circumstances and qualified by the requirement to have reasonably belief in those circumstances. The inspector must inform the person of the grounds of their belief, which increases accountability for the inspector's actions, and ensures a just and appropriate use of powers for requiring certain limited information. This is appropriate in a democratic society, where the compulsion of information and impact to a person's rights must be weighed against the public's interest in having a safer community.

Power to require other information

Clause 91 allows an inspector to take copies or extracts of documents provided to the inspector, which may interfere with a person's rights to privacy.

Clause 153 sets out a power to obtain information or a document in custody of a person, for the purpose of ascertaining Act or regulatory compliance. This power is subject to a limited protection regarding self-incrimination, which will be discussed in more detail below under the right not to be compelled to testify (s 25(2)(k)).

In relation to the interference with privacy, the notice is limited to a specified purpose for requiring information, being for the purpose of ascertaining whether this Bill or the regulations have been complied with, or for investigating a suspected contravention. The Authority, as a public authority under the Charter, will be obliged to give consideration to the right to privacy when issuing a Notice and determining the scope of information to be required. The provision is common to the standard powers of a regulator to obtain information in relation to subject-matter concerning risk to public safety and environmental protection, and accordingly, I am satisfied that is compatible with the right to privacy.

Information sharing and publication

Clause 151 sets out the circumstances in which information may be used or shared. The clause provides that nothing precludes a person's use of information to the extent that it is necessary for the Authority's duties or functions or in the course of relevant legal proceedings. It also allows for the sharing of information with government agencies, municipal councils or law enforcement agencies (if it is in the public's interest), corresponding authorities, and bodies approved by the Governor in Council, amongst others.

The provision is intended to operate in a similar manner as section 10D of the DG Act and apply to listed persons who are appointed or otherwise engaged by the Authority.

These provisions will enable the Authority to share information proactively with a wider cohort of persons or bodies, reducing complexity in sharing information and supporting a coordinated inter-agency response towards non-compliance, which may be of particular importance in the transport context where dangerous goods may be moving quickly from place to place.

The Authority will be able to rely on clause 151 to share information with certain persons or bodies, including law enforcement agencies, public sector bodies, Government departments or statutory authorities or councils if the Authority reasonably believes it is in the public interest or necessary for the Authority's exercise of powers or functions, or necessary for collaboration or to eliminate/reduce serious risks to health, safety or property.

While this provision will promote information sharing and reduce opportunities for rogue operators to fall out of the line of sight of regulators who share remit, the disclosure of information by the Authority risks interfere with privacy rights to the extent that it may involve the disclosure of personal information. However, I do not consider that the right will be limited, because the information shared is unlikely to include sensitive, personal

or health information, and is for a limited and specific purpose including to protect public health and safety and to enable a more proactive regulatory approach across government and other bodies, and would be pursuant to legislation. Existing legislative safeguards in the *Privacy and Data Protection Act 2014* will continue to protect the integrity of information sharing practices.

In my view, therefore, clause 151 is compatible with right to privacy under the Charter.

Adverse Publicity Orders

Clause 128 enables Adverse Publicity Orders to be issued in relation to dangerous goods transport. The aim is to provide the regulator with a range of orders which can be made in addition to, or instead of, another penalty type imposed by the court.

This provision will grant the court discretion to make an adverse publicity order having found a person guilty of an offence. The order may require an offender to publicise the offence or contravention, its consequences, the penalty imposed and any related matter, and/or to notify a specified person of the offence or contravention and its consequences. The offender must then give the Authority evidence of their compliance with the order. Failure to do so, or do so adequately, enables the Authority to take the relevant actions specified in the adverse publicity notice, including publicising the offender's offence and penalty. Clause 128(5) provides that a court not make an adverse publicity order unless satisfied that the costs of complying with the order do not exceed the maximum penalty amount that the court may impose on the offender for the offence concerned.

These provisions may give rise to the publication of the identity of individuals and their convictions under the Act, and thereby may impact negatively upon the reputation of those individuals, and interfere with their right not to have their reputation unlawfully attacked under s 13(b) of the Charter. However, I consider that any interference with the right to privacy and reputation resulting from these provisions will be neither unlawful nor arbitrary. Adverse publicity orders will be made by a court pursuant to properly circumscribed legislation and are a proportionate measure aimed at notifying the public about operators who are non-compliant with health and safety legislation in respect of the transport of dangerous goods and deter future non-compliance.

In my view, it is appropriate and reasonable in the circumstances that there is a power to name persons and detail conduct by way of Adverse Publicity Order as it serves the purposes of promoting accountability and transparency as to non-compliance and reflects important public policy. It may also help to deter other similar duty holders in the dangerous goods transport industry. I therefore consider that clause 128 is compatible with the right to privacy and reputation under the Charter.

Further, an adverse publicity order may only be made following conviction for an offence, with the associated safeguards of principles of justice and procedural fairness applying to the exercise of judicial discretion and the court process. Further, information in respect of a court order is likely to be on the public record in any event due to the judicial proceedings.

Property rights

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

Certain insurance provisions are void

Clause 162 of the Bill replicates section 51D of the *Dangerous Goods Act 1985*, by setting out that a term of a contract, or other arrangement, that purports to insure or indemnify a person for the person's liability to pay a pecuniary penalty under this Act, is void to the extent that the term provides for that insurance or indemnity. This provision may interfere with existing contractual rights, which would likely be regarded as falling within the definition of property under the Charter.

The reason for making such a provision void, is to prevent unscrupulous behaviour by operators who may seek to avoid their liability by gaining insurance to cover their acts or omissions which may not have been done in good faith. The provision thereby promotes accountability for operators' behaviour. I consider the provision to satisfy the requirements of being in accordance with law, and to be compatible with the Charter's property right.

To the extent that Clause 162 may also interfere with broader freedoms to enter into arrangements or to seek insurance, I consider that, on balance, the interference is appropriate and justified to the extent that it helps to protect persons and property from harm.

Powers to impose a charge on land

As outlined above, clause 76 enables an inspector to intervene and undertake remediation works on a property where an inspector issues a direction and the person in receipt has failed, or is likely to fail, to comply. An

inspector may also intervene if there is an immediate risk of harm to persons or damage to property or the environment.

Clause 77 enables the Authority to issue a costs notice to a person whom the Authority reasonably believes caused the circumstances which led to the inspector's intervention as well as to an occupier or previous occupier of the relevant place.

Clause 78 then allows the Authority to commence legal proceedings to seek to recover the remediation costs specified in a costs notice if a person to whom the notice has been issued does not pay within the relevant time period.

Clause 80 of the Bill then enables a charge to be imposed on the land on which the inspector took the intervention action if the costs notice is unpaid at the end of the relevant payment period and the Authority has followed the required procedure for advertising. The lodgment of such a charge may interfere with a person's right not to be deprived of their property, other than in accordance with law. This is because a charge may affect the way in which a person uses their property, including affecting ownership rights and property transactions.

Safeguards under s 106B of the *Transfer of Land Act 1958* apply to the imposition of the charge and removal thereof, requiring the Authority to comply with such requirements.

Given a charge on land may restrict or prevent the transfer of that land, clause 80 may therefore be relevant to property rights under s20 of the Charter. However, the charge would be imposed pursuant to a properly circumscribed law that is precise and accessible by the public, in order to facilitate the recovery of remediation costs incurred due to a breach of dangerous goods transport laws. Therefore, in my view, any interference with a landowner's property rights will be in accordance with the law and such that the provisions are compatible with s 20 of the Charter.

Sale of land to recover debt

Clause 82 of the Bill then provides the Authority with the power to enforce a charge imposed on the land under clause 80 if the charge has been registered for at least 12 months, and the court has made an order requiring payment and payment has not been made within 12 months of the recovery order being made.

The sale of property to recover remediation costs will deprive the relevant property owner of that property and therefore interfere with their property rights under s 20 of the Charter. However, I am content that the right is not limited because the deprivation of property would be pursuant to law, and is a reasonable and proportionate measure to recover debts incurred in remediating OHS breaches in respect of dangerous goods. Judicial oversight of costs enforcement proceedings and the requirement for the making of a court order before land can be sold, as well as notice requirements to the landowner, properly safeguards property rights. I consider that the provision strikes an appropriate balance between the rights of the affected parties and enabling the Authority to recover outstanding debts and properly administer its compliance and enforcement regime in respect of dangerous goods. I am therefore of the view that clause 82 is compatible with the right to property under the Charter.

Forfeiture of seized property

Division 7 of Part 5 of the Bill creates provisions which are specific to the return and forfeiture of seized things (including HCDG, explosives and containers). These provisions are based on forfeiture provisions under section 16B of the DG Act. These relate to a thing or document (exclusive of HCDG, explosives or related containers) and set out the parameters for forfeiture of such seized things. This may include forfeiture when the Authority cannot find or return the goods to their owner despite making reasonable enquiries or efforts to do so, or when necessary to prevent an offence. The provision does require written notification to the owner with the review rights.

Clause 62 requires the Authority to, as soon as possible after seizing anything, return the thing to its owner unless the Authority considers it necessary to retain because it may afford evidence in a proceeding, it has been forfeited, the owner transferred ownership or the Authority is otherwise authorised to retain, destroy or dispose of the thing. Clause 63 pertains to the forfeiture of seized items.

Clause 64 creates a similar provision to clause 62 but is specific to the return or forfeiture of seized HCDG, explosives and containers. Under this provision, the Authority is required to return the thing to its owner immediately where retention is no longer necessary, unless forfeited to the Authority under clause 63 of the Bill.

If not immediately returned or forfeited, then the Authority must return it within 12 months of seizure or as soon after a proceeding and appeal has concluded. However, the Authority is not permitted to return it to a person unauthorised under the Act to possess the thing, and need not return it if the Authority cannot reasonably locate, or return it to, its owner. Clause 65 also allows for the forfeiture of HCDG, explosives and

containers used in connection with these items, where the owner cannot be found, is unknown, or where the items cannot be returned despite reasonable efforts.

While the forfeiture of goods can interfere with property rights, I am of the view that the interference is lawful, being pursuant to properly circumscribed legislation in circumstances where the goods have and may still pose a risk to public safety, and where efforts have been made to locate the owner and return the goods. Accordingly, I consider these clauses are compatible with the right to property under the Charter.

Forfeiture and disposal order

Clause 107 enables various entities to seek an order from the Magistrates' Court for forfeiture and disposal of HCDG, explosives or containers before any contravention of the OHS legislation has occurred, legal proceedings have been conducted or a conviction recorded. There are certain requirements including that the Court must be satisfied that unless forfeited or destroyed there is a reasonable likelihood that a contravention of the Act or offence against this Act or another, will occur. Special provision for this is required given that the storage of these specific dangerous goods may expose the Authority's workers to higher safety risks. In cases where seized explosives are unknown, they may well be past their expiration date and unstable, making it riskier for WorkSafe's magazine keeper to store the explosives. Explosives and high consequence dangerous goods require strict procedures and security measures for their storage.

While clause 107 may interfere with the HCDG owners' property rights, I am of the view that there is no limit on s 20, as the forfeiture of property is in accordance with the law, overseen by the Magistrates Court and is a proportionate measure to ensure public safety in the context of dangerous goods.

Right to a fair hearing

Section 24 of the Charter recognises a right to a fair hearing so that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

Rights of appeal process to Victorian Civil and Administrative Tribunal (VCAT)

Part 6 of the Bill sets out the review process for eligible persons whose interests are affected by an administrative decision.

Section 10A of the *Dangerous Goods Act 1985* enables the Authority's administrative decisions to be reviewable by Victorian Civil and Administrative Tribunal (VCAT) without a prior internal review.

The Bill will not replicate this right to a merits review from VCAT in relation to directions and step-in powers used by inspectors in relation to dangerous goods transport. Reviews will be limited to judicial review only. This will maintain a pathway to ensure inspectors are acting within their legal authority; but removes an alternative decision outcome based upon a merits review from VCAT.

The removal of the right to apply to VCAT for review of directions and step-in powers decisions of the Authority is relevant to the right to fair hearing under s 24(1) of the Charter, which utilises a broad concept of 'civil proceeding' that encompasses administrative decision-makers with powers to determine private rights and interests. While recognising the broad scope of s 24(1), the term 'proceeding' and 'party' suggest that s 24(1) was intended to apply only to decision-makers who conduct proceedings with parties. As many of the decisions here (directions and step-in powers) do not involve the conduct of proceedings with parties, there is a question as to whether the right to a fair hearing is engaged. In any event, I will proceed to discuss the impact on fair hearing in the event a broad reading of s 24(1) is adopted.

While the opportunity to be heard by an independent tribunal on merits review has now been removed, an affected person will still ultimately have the right of judicial review.

To the extent, however that fair hearing rights are limited, in that an applicant is not afforded a right to merits review before an independent tribunal in relation to a decision which affects their private rights, I am satisfied that the limits are reasonable and justified in the circumstances in accordance with s 7(2) of the Charter. This is because the powers to issue a direction and to intervene are based upon a risk assessment at a point in time and by an officer with technical expertise in assessing dangerous goods. In my view, this type of decision is not suited to a merits review by a generalist tribunal such as VCAT which lacks the necessary technical expertise to make an informed decision. The VCAT process can also cause significant delays to exercising powers in instances of serious or immediate risk that require an urgent response. I consider that the removal of merits reviews in VCAT, while have the potential to engage the right to a fair hearing, appropriately balances this interference with rights with the need to take urgent action in the face of serious risks to public health and safety.

Accordingly, I am content that Part 6 of the Bill is compatible with the right to fair hearing under s 24 of the Charter.

Right to be presumed innocent

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

Reasonable or lawful excuse offence provision

The following clauses insert offences which contain a 'reasonable excuse' or 'lawful excuse' exception:

- Clause 20 – Duty to not recklessly engage in the transport of dangerous goods that places or may place a person in danger of serious injury or death.
- Clause 22 – Failure to notify the Authority immediately after becoming aware that an incident has occurred during the transport of dangerous goods.
- Clause 23 – Failure to preserve incident sites.
- Clause 52 – Failure to comply with a direction.
- Clause 54 – Failure to produce a document or part of a document or to answer questions.
- Clause 55 – Failure to give an inspector samples.
- Clause 66 – Failure to comply with a non-disturbance notice.
- Clause 75 – Failure to comply with a direction.
- Clause 86 – Failure to comply with a modified section 75 direction.
- Clause 87 – Failure to comply with a modified section 75 direction.
- Clause 88(1) and (2) – Failure for occupier or person with management and control to provide assistance to an inspector that they may reasonably require.
- Clause 153 – Failure to give information or produce a document.
- Clause 163 – Duty to not enter into, or be party to, a contract or arrangement that purports to insure or indemnify someone against liability to pay a pecuniary penalty under this Act or regulations.

By creating a 'reasonable excuse' or 'lawful excuse' exception, these offences place an evidential burden on the accused, in that they require the accused to raise evidence of a reasonable excuse. However, in doing so, these offences do not transfer the legal burden of proof. Once the accused has pointed to evidence of a reasonable or lawful excuse, which will ordinarily be peculiarly within their knowledge, the burden shifts back to the prosecution to prove the essential elements of the offence. I therefore do not consider that an evidential onus of this kind limits the right to be presumed innocent.

Accordingly, I am of the view that the above clauses are compatible with the right to the presumption of innocence under s 25(1) of the Charter.

Presumptions in criminal proceedings

Clause 103 sets out matters that, when provided in evidence by an inspector in criminal matters, are presumed to be factual. For example, Clause 103(1)(a) provides that, in a proceeding for an offence, where an inspector gives evidence that they suspected that dangerous goods were involved in an offence and provides evidence of the grounds of their suspicion, and the court considers that suspicion is reasonable, the particular dangerous goods are taken to have been involved in the offence unless contrary evidence is provided. Subsections (1)(b)–(d) provide similar provisions for other evidence that is provided by an inspector.

Section 25(1) is not engaged where there is an evidential burden as opposed to a persuasive burden. To avoid doubt, clause 103 places an evidential burden on the accused by requiring them to raise evidence to rebut the prima facie evidence. However, the legal burden of proof for the matter overall continues to remain with the Authority who must prove the elements of the offence. If the accused provides evidence that rebuts the prima facie evidence, the evidential burden shifts back to the prosecution to lead evidence which proves the allegation. Noting this, the right to be presumed innocent in section 25(1) of the Charter is not engaged or limited.

Forfeiture and disposal orders

Before making a forfeiture and disposal order under clause 107, subclause (3) requires the Magistrates' Court to be satisfied that there is a reasonable likelihood that, if the order is not made, the HCDG, explosives or container used for the transport of the same will be used in connection with a contravention of the Act or regulations or any other Act. The court must also be satisfied that the Order is in the interests of public safety.

When making an order under subclause (3), clause 107(4)(b) also provides for the Magistrates' Court to include findings of fact as to the quantity or nature of dangerous goods to include in a forfeiture and disposal order. A finding of fact can subsequently be produced in proceedings and as provided under Clause 107(6) will be prima facie evidence of the matter to which the finding relates.

The prima facie evidence status of a finding of fact in such an order is relevant to the right to presumption of innocence under s 25(1) because it places an evidential burden for the accused by requiring them to raise evidence to the contrary. It does not transfer the legal burden of proof. If evidence sufficient to rebut the prima facie evidence is raised by the defendant, the evidential burden shifts back to the prosecution to lead evidence which supports the finding of fact.

I do not consider that the prima facie evidence status of an order issued under Clause 107 limits the right to be presumed innocent, and Clause 107 of the Bill is therefore compatible with this right.

Right to protection against self-incrimination

Section 25(2)(k) of the Charter provides that a person charged with a criminal offence is entitled without discrimination to (amongst other things) not be compelled to testify against themselves or to confess guilt. This right is at least as broad as the common law privilege against self-incrimination. It applies to protect a charged person against the admission in subsequent criminal proceedings of incriminatory material obtained under compulsion, regardless of whether the information was obtained prior to or subsequent to the charge being laid.

Production of documents

Section 19F(1) of the *Dangerous Goods Act 1985* currently allows a person to refuse or fail to give information or do any other thing that the person is required to do under this Act if giving the information, or doing the other thing, would tend to incriminate the person. Section 19F(2) however excludes the production of a document or part of a document required by the Act; or the giving of a person's name or address in accordance with section 18 of the *Dangerous Goods Act 1985*.

Clause 160 of the Bill replicates that privilege and sets out the protection against self-incrimination in relation to the provision of information, but not in relation to the production of documents or the giving of one's name and address. To the extent that the Authority can compel the production of a document, there may be interference with the right against self-incrimination under s25(2)(k) of the Charter.

At common law, the High Court has held that the protection accorded to pre-existing documents in relation to self-incrimination is considerably weaker than that accorded to oral testimony or to documents that are brought into existence to comply with a request for information. The compulsion to produce pre-existing documents that speak for themselves is in strong contrast to testimonial oral or written evidence that is brought into existence as a direct response to questions. This is particularly so in the context of a regulated industry or subject matter (such as dangerous goods), where documents or records are required to be produced during the course of a person's participation in that industry or engagement with that regulated subject matter, and are brought into existence for the dominant purpose of demonstrating that person's compliance with relevant duties and obligations when inspected. This is particularly justified where the main purpose of the regulation is to protect the public and prevent harm to persons and property in relation to the transport of dangerous goods.

The duty to provide documents in this context is consistent with the reasonable expectations of persons who are engaging within a regulated scheme and assuming the responsibilities and duties that apply to a person's manufacture, storage, transport, transfer, sale and use of dangerous goods. To provide for a full document-use immunity would unreasonably obstruct the role of inspectors and the accountability aims of the record-keeping obligations, as well as give the holders of such documents an unfair forensic advantage in relation to criminal and civil penalty investigations. Accordingly, any protection afforded to documentary material by the privilege is limited in scope and not as fundamental to the nature of the right as the protection against the requirement that verbal answers be provided. A further safeguard is provided excusing the disclosure of any information the subject of client legal privilege.

Accordingly, I am satisfied that clause 160 of the Act is compatible with the protection of self-incrimination afforded under s 25(2)(k) of the Charter.

Right not to be tried or punished more than once

Section 26 of the Charter provides that a person must not be tried or punished more than once for an offence in respect of which that person has already been finally convicted or acquitted in accordance with law. This right reflects the principle of double jeopardy. However, the principle only applies in respect of criminal offences – it will not prevent civil proceedings being brought in respect of a person's conduct which has previously been the subject of criminal proceedings, or vice versa.

The civil penalty regime in Division 3 of Part 7 of the Bill may interfere with a person's right not to be punished more than once given the proposed parallel operation of the civil penalty regimes with criminal laws. The civil penalty regime is modelled on the *Environment Protection Act 2017* which provides that a person cannot be given a civil penalty order if a person has been convicted of an offence constituting the same conduct.

Clause 116 of the Bill provides that the Court must not make a civil penalty order against a person who has been convicted of an offence constituted by substantially the same conduct.

Clause 117 of the Bill then provides that civil proceedings for contravention of a civil penalty provision must be stayed if criminal proceedings are brought for an offence constituted by substantially the same conduct that is alleged to constitute the civil penalty contravention.

These provisions seek to protect against concurrent civil and criminal proceedings for conduct that is substantially the same. However, if a person is not convicted of the criminal offence, Clause 117(2) provides that civil penalty proceedings may be resumed.

Clause 118 enables criminal proceedings to be brought against a person regardless of whether a civil penalty order has been made for conduct that is substantially the same as the conduct constituting the offence. Accordingly, a person may receive a civil penalty and then have a subsequent criminal sanction imposed upon a conviction for the same conduct, which is relevant to the protection against double punishment. Whether the right is limited in this context will depend on whether the civil penalty is of such nature and magnitude to constitute truly penal consequences. In my view, the civil penalties for breaching the relevant provisions would not be considered to be punitive, or in effect, criminal sanctions. Although some of the maximum pecuniary penalties are up to 2000 penalty units, the purpose of the civil penalties is to encourage regulatory compliance, which is necessary due to the serious risks of harm to human health that may arise from a contravention of the Act. A civil penalty order will be enforceable as a judgment debt and a person will not be liable to be imprisoned for failure to discharge the debt.

While I do not consider that these clauses limit s 26 of the Charter, to the extent that right may be limited, if a court should consider that the larger civil penalties do constitute punishment, I am of the view that the limit is reasonable and justified in the circumstances. This approach mirrors the 'pyramid of sanctions' model of enforcement employed by comparative regulatory schemes in other jurisdictions. This model is predicated on findings that implementing a bar against the use of both criminal and civil proceedings can undermine effective enforcement. Civil penalty proceedings can be more efficient in enforcing the scheme and deterring misconduct due to the lower burden of proof, streamlined procedure, availability of negotiated settlements and lower costs. However, civil penalties alone can be an insufficient deterrent in relation to the more serious and harmful misconduct which warrant criminal punishment. Criminal sanctions are directed at appropriate punishment and serve as a greater deterrent. A criminal conviction poses much more reputational risks for a defendant, with bad publicity and stigma of a conviction far outweighing the label attached to an adverse decision in civil proceedings and/or the making of civil penalty orders. The availability to commence criminal proceedings notwithstanding whether a civil penalty has been imposed is an important part of the pyramidal structure of enforcement of sanctions for more serious cases, while still providing for effective and efficient deterrence.

The Bill implements sufficient safeguards to protect criminal process rights, including deeming any information and documents produced by an individual in a proceeding for a contravention order to be inadmissible in a criminal proceeding concerning substantially the same conduct. Further, the Bill does not interfere with existing sentencing discretions, including a sentencing judge's consideration of the principle of totality and rule against double punishment in relation to imposing a criminal sanction for substantially the same conduct already subject to a civil contravention order.

Accordingly, I consider that this Bill is compatible with the right not to be tried or punished more than once as set out in s 26 of the Charter.

Rights in criminal proceedings

Section 25(1) of the Charter sets out that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law and section 25(2) provides for minimum guarantees relating to prompt information about the offence and appropriate defence opportunities, amongst other things.

Power to redirect certain body corporate obligations

Clauses 86 and 87 of the Bill will adopt a new power for the Authority to issue a notice to redirect certain body corporate obligations to appropriate officers of the body corporate or other persons to whom a notice was issued. These provisions may be relevant to the presumption of innocence to the extent that they may operate to deem an individual liable for the actions of the body corporate that are indictable offences and carry

criminal penalties (being a failure to comply with a non-disturbance notice, improvement notice or prohibition notice).

However, to the extent that this results in a limit on the right, I consider the limit reasonably justified. The power serves an important and legitimate purpose. The power will ensure obligations follow responsible individuals who might reasonably be said to bear some responsibility for the non-compliance. It would ensure that bodies corporates cannot avoid accountability by going into liquidation or phoenixing to avoid obligations and allow the Authority to continue to prosecute the responsible party for non-compliance. In my view, it is appropriate to transfer obligations under the Bill to officers of bodies corporate, and to make principals liable for the conduct of the body corporate and its employees and agents, in order to ensure proper compliance with the relevant OHS schemes and to protect public health and safety. A person who elects to undertake a position as an officer of a body corporate accepts that they will be subject to certain requirements and duties, including a duty to ensure that the body corporate complies with its legal obligations, and does not commit offences. Affected persons should be well aware of the regulatory requirements and, as such, should have the necessary processes and systems in place to effectively meet these requirements and not incur accessorial liability.

In terms of the extent of the limitation, the power is conditional on the Authority being satisfied of a number of mandatory elements with a relatively high threshold, including that the person knew or ought reasonably to have known of the circumstances that resulting the issuing of the specified notice, was in a position to influence the body corporate in relation to its compliance with the specified notice, and, in the case of a failure to comply, and that it would not be oppressive, unjust or unreasonable for the Authority to issue the officer the redirection notice. In being satisfied of the last matter, being that the redirection notice was not oppressive, unjust or unreasonable, the Authority will relevantly need to take into account human rights under the Charter, including the presumption of innocence.

Finally, the prosecution would still be required to prove each element of an offence, and any burden placed on an officer (such as to establish an applicable reasonable excuse defence) would be evidential only. In my view, there are no less restrictive means reasonably available for ensuring adequate deterrence for bodies corporate for breaches of OHS requirements in respect of the transport of dangerous good that may cause significant public harm.

Accordingly, I am satisfied that these provisions are compatible with the right under the Charter to the presumption of innocence.

Jaclyn Symes MP
Treasurer
Minister for Industrial Relations
Minister for Development Victoria and Precincts

Second reading

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:33): I move:

That the bill be now read a second time.

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

This Bill gives effect to reforms that will improve safety for the Victorian community by modernising the regulation of the transport of dangerous goods and strengthening WorkSafe's ability to enforce compliance with dangerous goods transport laws.

This Bill delivers on the Victorian Government's commitment to implement legislative reforms recommended in the *Final Report of the Independent Review of the Dangerous Goods Act 1985 and associated regulations* led by Andrew Palmer KC, now Judge Palmer (the Palmer Report).

The Victorian Government commissioned the Independent Review in response to the major chemical fires that occurred in suburban Melbourne in 2018 and 2019 as a result of illegal stockpiling of chemicals. These fires released significant amounts of toxic smoke and dangerous chemicals in suburban Melbourne, affecting nearby communities. The Independent Reviewer was asked to review Victoria's dangerous goods laws and regulations to strengthen laws and help prevent such significant incidents from occurring again.

The Palmer Report found that the current dangerous goods regulatory framework is outdated, difficult to navigate and inconsistent with other regulatory frameworks dangerous goods duty holders are required to comply with. The Independent Reviewer also considered that this is likely contributing to non-compliance and illegal activity as unscrupulous operators take advantage of weaknesses in regulation and regulatory oversight. To address these findings the Palmer Report made 49 recommendations, including four

recommendations specific to the transport of dangerous goods. This Bill gives effect to accepted recommendations from the Palmer Report that are relevant to the transport of dangerous goods in Victoria.

This Bill has been drafted with regard to the Model Act on the Transport of Dangerous Goods by Road or Rail to promote national consistency in the safety requirements and controls that apply to the transport of dangerous goods. The regulations, which will be developed after the passage of the Bill, will also promote consistency with other jurisdictions through the application of the Australian Code for the Transport of Dangerous Goods by Road & Rail (ADG Code). This Bill will also regulate the transport of explosives and high consequence dangerous goods, including management of security risks arising from their transport. However, the Bill includes some differences from the national approach, such as the inclusion of a broad general duty applying to a person involved in the transport of dangerous goods by vessel on inland waters, by road or by rail. The Victorian Government considers that such differences are appropriate to align administrative procedure and regulatory functions and powers with other Victorian statutes, and importantly, to align with reforms to the Occupational Health and Safety Act 2004 contained in the Occupational Health and Safety Amendment (Dangerous Goods) Bill 2026.

I will now address the key amendments in more detail.

Transport-specific dangerous goods legislation will support the transport industry

This Bill provides transport-specific dangerous goods laws to support businesses to understand and comply with their duties. It will also provide WorkSafe Victoria, as the regulator of dangerous goods transport, with a suite of modern regulatory tools to promote and enforce compliance with dangerous goods transport laws.

The Occupational Health and Safety Amendment (Dangerous Goods) Bill 2026 will modernise and incorporate the regulation of all other dangerous goods activities into the Occupational Health and Safety Act 2004. Similar obligations and language across occupational health and safety laws and dangerous goods transport laws will promote consistency and streamline laws for the benefit of duty holders and the wider community.

This Bill will also repeal the Dangerous Goods Act 1985, which is over 40 years old. This will allow for this Bill if enacted to provide the primary regulatory framework for the transport of dangerous goods by road, by rail and by vessel on inland waters in Victoria. It will also allow for the Occupational Health and Safety Act 2004 to become the primary framework for the regulation of the handling of dangerous goods.

Consistent duties will make it easier for duty holders to understand responsibilities

The Bill modernises the regulation of the transport of dangerous goods by introducing a broad general duty requiring a person involved in the transport of dangerous goods to ensure that dangerous goods are transported in a manner that is safe and without risks to public safety, property and the environment. This duty applies to dangerous goods transported by road or rail or on a vessel on inland waters in the State of Victoria. Broad, principle-based duties are a familiar feature of Victoria's regulatory landscape with Victorian industry already subject to duties-based regulation in the Occupational Health and Safety Act 2004 and the Environment Protection Act 2017. Importantly, the new general duty applying to the transport of dangerous goods aligns with the new general duty applying to the handling of dangerous goods in the Occupational Health and Safety Amendment (Dangerous Goods) Bill 2026. This will ensure that dangerous goods duty holders are subject to similar duties-based regulatory frameworks across the lifecycle of dangerous goods.

The Bill also provides for the new transport of dangerous goods general duty to be supported by regulations, the ADG Code, Compliance Codes and non-statutory guidance for duty holders. These will provide duty holders with further information about how the transport of dangerous goods general duty should be performed and will promote continued improvements to the state of knowledge about ensuring the safe transport of dangerous goods.

Strengthening the regulation of dangerous goods waste

The *Dangerous Goods Act 1985* currently provides the primary framework for regulating the transport of dangerous goods in Victoria but does not apply to the transport of reportable priority waste subject to the *Environment Protection Act 2017*.

The Palmer Report found that this exemption has resulted in the transport of dangerous goods waste not being subject to the same safety requirements that apply to the transport of all other dangerous goods. However, the same risks arise when transporting dangerous goods waste as those that arise when transporting all other dangerous goods. Accordingly, the Palmer Report recommended that the transport of all dangerous goods be subject to the same requirements regardless of whether they are also waste. This Bill delivers on that recommendation and will apply consistently to ensure the safe transport of both dangerous goods and dangerous goods waste.

The *Environment Protection Act 2017* will continue to apply to risks of harm to human health or the environment from the transport of dangerous goods waste.

Strengthened enforcement, prosecution and penalties

This Bill ensures that there is an effective enforcement system comprising a range of enforcement options that are flexible enough to deter the full range of non-compliant behaviour. Importantly, enforcement options provided in this Bill are consistent with those that will apply to the handling of dangerous goods should the Occupational Health and Safety Amendment (Dangerous Goods Bill) 2026 be enacted.

Contravention of the transport of dangerous goods general duty will be subject to significant maximum penalties of 2,000 penalty units for a natural person and 10,000 penalty units for a body corporate. The Bill also includes offences for an aggravated breach of the transport of dangerous goods general duty, and for a person who recklessly engages in the transport of dangerous goods that places, or may place, another person in danger of serious injury or death. These offences will apply to circumstances where the conduct of the offender represents a higher degree of culpability than other offences in the Act. An aggravated breach will be subject to higher maximum penalties of 4,000 penalty units, 5 years imprisonment or both for a natural person and 20,000 penalty units for a body corporate. The recklessness offence will be subject to maximum penalties of 5,000 penalty units, 10 years imprisonment or both for a natural person or 40,000 penalty units for a body corporate.

The Bill also expands the enforcement tools that can be used to address breaches across a range of transport of dangerous goods offences. This includes the introduction of civil penalties provisions which will offer alternative legal proceedings where criminal prosecution is not warranted. Where a civil penalty provision is contravened, a court may make an order that the person pay a pecuniary penalty (up to a legislated maximum penalty) and/or make any other order that the court considers appropriate. Other orders that a court may make in civil proceedings include compliance and restraining orders, adverse publicity orders, monetary benefit orders. These expanded enforcement tools will provide for tailored enforcement to suit particular contraventions.

Specific transport-related orders for compensation will align with the Model Transport Act to enable road or rail authorities to receive compensation for damages to road or rail caused by or contributed to by an offender under the Act.

The Bill also provides stronger enforcement powers to capture liable officers. Officers of body corporates will have a positive duty to exercise due diligence and take reasonable steps to be informed and ensure body corporates are complying with their duties. If an officer fails in their due diligence duty, the officer commits an offence and may be subject to the natural person penalty for an offence for failing to comply with the relevant duty or obligation. An officer of a partnership or unincorporated body or association will also be required to exercise due diligence and take reasonable steps to be informed. A failure by the partnership or unincorporated body or association will not be an offence by the officer if the officer exercised their due diligence to avoid the commission of an offence.

This Bill will also provide a mechanism to redirect obligations to comply with a direction to take actions to address serious risks arising from dangerous goods to a related or associated entity where there was control, or to an officer of the body corporate, who knew or ought reasonably to have known about the circumstances that have led to the direction being issued and who have influence over the entity's compliance. This new mechanism seeks to stamp out companies phoenixing, or refusal to comply, in order to avoid responsibility for their actions.

Providing WorkSafe with adequate powers to identify non-compliance, enforce compliance and take action to address serious risks

The Bill provides WorkSafe Victoria, as the regulator of the transport of dangerous goods, with adequate powers to identify non-compliance, to act and enforce contraventions of the Act. The Bill includes provisions for the appointment of inspectors and specifies their functions and powers in relation to the transport of dangerous goods by road or rail or by a vessel on inland waters. Many of these powers are consistent with inspector powers currently provided under the Occupational Health and Safety Act 2004 and the Dangerous Goods Act 1985, which this Act will replace, but the Bill also strengthens inspector powers in a similar manner to the Occupational Health and Safety Amendment (Dangerous Goods) Bill 2026. Specifically, the Bill provides WorkSafe inspectors with an expanded power to intervene and take action to address a serious risk in circumstances where a person has refused or failed to comply, or is unable to comply in a safe manner, with a direction given by an inspector to address that serious risk. WorkSafe inspectors will also be empowered to take intervening actions where there is an immediate risk of harm to a person or the environment, or of damage to any property arising from the transport of dangerous goods. The Bill also provides a new entry power allowing an inspector to access a place if such entry is necessary to allow an inspector to exercise their power to intervene to address a serious or immediate risk near the place. While

powers to intervene currently exist under the Dangerous Goods Act 1985, the Palmer Report found that they did not adequately capture the cause and scope of risks that warrant intervention. The inability to access another place when necessary to facilitate an intervention to address a serious or immediate risk was also found to limit WorkSafe's ability to take effective action.

To support WorkSafe's powers to intervene, the Bill also provides a new cost recovery mechanism which will better enable WorkSafe to recover costs of taking action from a person who is believed to have caused the circumstances that gave rise to the risk, or the occupier or previous occupier of the place where the inspector took action, or owners or possessors of the dangerous goods when the inspector took action. WorkSafe will also be able to place a charge on the property where the inspector took action and amounts are unpaid, noting that the owner may have benefited from remediation works, and may enforce the charge in certain circumstances. Impacted landlords may seek to recover as a cause of action from their tenants' who may have undertaken the unscrupulous conduct or caused the incident at the property which WorkSafe had to remediate. Ensuring WorkSafe has access to an effective cost recovery mechanism is essential to ensure that responsible parties continue to be subject to the financial consequences of their action, or inaction even when the public interest requires WorkSafe to intervene to address serious or immediate risks arising from dangerous goods.

The Bill also provides WorkSafe with powers to identify non-compliance and take action to address serious risks by enabling WorkSafe inspector powers to enter residential premises where it is reasonably believed that dangerous goods are present and a person is contravening or is about to contravene the Act or regulations.

The Bill provides for information sharing between agencies with complementary regulatory objectives by specifying additional agencies and departments with whom WorkSafe Victoria can share information.

To conclude, this Bill makes important reforms to modernise and improve the regulation of the transport of dangerous goods in Victoria. The changes in this Bill will support Victorian industry to comply with their obligations by complimenting requirements that will apply to all other activities involving dangerous goods and promoting national consistency. Importantly, they will help keep Victorians safe from incidents involving the transport of dangerous goods.

I commend the Bill to the house.

Bev McARTHUR (Western Victoria) (03:33): I move:

That debate be adjourned for one week.

Motion agreed to and debate adjourned for one week.

Racing Legislation Amendment (Entity Governance and Other Matters) Bill 2026

Introduction and first reading

The PRESIDENT (03:34): 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 **Racing Act 1958** and the **Domestic Animals Act 1994**, to amend the **Australian Grands Prix Act 1994** in relation to approved motor sport events under that Act and for other purposes.'

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:34): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Jaclyn SYMES: I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of charter compatibility

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:35): 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 Racing Legislation Amendment (Entity Governance and Other Matters) Bill 2026 (the Bill).

In my opinion, the 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 *Racing Act 1958* (the Racing Act) to:

- amalgamate the functions and powers of the Racing Integrity Commissioner and the Victorian Racing Integrity Board into a new integrity assurance body;
- facilitate the establishment of successor entities of Greyhound Racing Victoria (GRV) and Harness Racing Victoria (HRV) as public companies limited by guarantee;
- provide legal authority for the successor entities to act as the controlling bodies for greyhound and harness racing in Victoria, and to grant those bodies specific powers to enable them to fulfil their purposes;
- include savings, transitional and consequential amendments relating to the amalgamation of the Racing Integrity Commissioner and Victorian Racing Integrity Board, and the transition of GRV and HRV to public companies limited by guarantee; and
- make various other amendments to improve and modernise the operation of the Racing Act.

The Bill amends the *Australian Grands Prix Act 1994* (AGP Act) to:

- enable the Minister to approve a motor sport event, for the purposes of section 20(e) of the AGP Act, by notice published in the Government Gazette, and
- provide the Australian Grand Prix Corporation (AGPC) with the power to do the following in relation to approved motor sport events:
  - establish supporting facilities, services and activities in connection with holding an approved motor sport event; and
  - charge and collect fees for admission, whether the approved motor sport event is held at the Phillip Island Grand Prix circuit or elsewhere; and
  - grant, for free or for other consideration advertising rights, sponsorship rights, broadcasting rights or television rights or any other rights, licences or concessions in connection with an approved motor sport event.

The amendments made by the Bill will support the AGPC to host approved motor sport events, by empowering the AGPC with similar powers it has under AGP Act in relation to other events the AGPC hosts, such as the Formula One Grand Prix, the Australian Motorcycle Grand Prix, and approved events – being events which are not Formula One events or motor sport events.

Human Rights Issues for the Racing amendments

The following rights are relevant to the Bill:

- recognition and equality before the law (section 8);
- privacy and reputation (section 13);
- the right to freedom of expression (section 15);
- the right to freedom of association (section 16);
- the right to take part in public life (section 18);
- the right to property (section 20); and
- the right to a fair hearing (section 24).

Under the Charter, rights can be subject to limits that are reasonable and justifiable in a free and democratic society based on human dignity, equality and freedom. Rights may be limited to protect other rights.

Any limitations of these rights in the Bill are reasonable and justified in accordance with section 7(2) of the Charter.

Equality (section 8)

Everyone is entitled to equal and effective protection against discrimination, and to enjoy their human rights without discrimination. The meaning of discrimination is found in the *Equal Opportunity Act 2010* (Vic). The Equal Opportunity Act outlines attributes protected in Victoria under this law, this includes 'industrial activity'.

'Profession, trade or occupation' is a protected attribute in section 6 of the Equal Opportunity Act, which is relevant to the Bill. The Equal Opportunity Act does not define 'profession, trade or occupation' however a fair reading would suggest that this section protects Victorians who face discrimination and stigma because of their employment.

Racing Integrity Commission Victoria (RICV)

The eligibility criteria for appointment to both the RICV Board and the role of Deputy Chairperson of the Victorian Racing Tribunal engage section 8 of the Charter as they restrict who can be appointed. The criteria are specifically set out in the new sections 82C, 82D and 50H. The limitation on section 8 of the Charter is necessary, reasonable and proportionate to ensure the Board and Tribunal are constituted with individuals who have the requisite skillset to perform their functions to a standard that will uphold integrity in the racing industry and ensure public confidence.

HRV and GRV

The new sections 116 and 123 promote section 8 of the Charter as they ensure the employees of GRV and HRV are employed on the same terms and conditions with the successor entities following the transfer of their employment. Although employees will be employed on 'the same' terms and conditions, there will be aspects of the public sector employment framework that will be unavailable to employees when they transfer into private sector employment with the successor entities. In particular, the statutory protections and obligations set out in the *Public Administration Act 2004* (Vic) will not apply to the successor entities as they will not be public entities. This will mean that the public sector employment principles and values, and the obligation to comply with Victorian Public Sector Commission codes and standards will not apply, neither will the Public Sector Industrial Relations Policies 2025. However, the new sections 116 and 123 will protect the individual's overarching entitlements to employment benefits with the successor entities and ensure their service with GRV and HRV is treated as being continuous following transfer to the successor entities. In doing this, sections 116 and 123 ensure the integrity and effect of the employee's lawful actions in their employment with GRV and HRV is maintained through their transfer of employment to the successor entities. This promotes and protects the rights of the employees pursuant to section 8 of the Charter.

The new sections 114(c) and 121(c) ensure that the successor entity is substituted into any contract entered into by GRV and HRV as a party, including the executive employment contracts. This promotes section 8 of the Charter by securing the employment of the executives of GRV and HRV on substantially the same terms and conditions with the successor entities following the transfer of employment.

Right to privacy (section 13(a))

Section 13(a) of the Charter provides that a person has the right not to have their privacy unlawfully and arbitrarily interfered with.

'Personal information' is defined in section 3(1) of the *Privacy and Data Protection Act 2014* to mean any information or opinion, whether true or not, that is recorded in any form, about an individual whose identity is apparent or can readily be ascertained, from the information.

Racing Integrity Commissioner

The Racing Integrity Commissioner has held the power to receive, process and share integrity related information since the role was established through the *Racing Legislation Amendment (Racing Integrity Assurance) Act 2009*.

The Bill amends the existing section 37B, which outlines the functions of the Racing Integrity Commissioner. These functions include the ability to conduct racing integrity related audits, investigations and own motion inquiries, as well as writing reports and making recommendations as part of investigations and inquiries.

These functions require the Racing Integrity Commissioner to receive, process and, in certain circumstances, share personal information. This gives rise to a prima facie interference with the privacy of individuals, albeit the interference is both lawful and necessary.

Where section 13(a) of the Charter is interfered with by the Bill, such interference is clearly provided for and is intended to equip the Racing Integrity Commissioner with the powers required to uphold the integrity of

racing in Victoria. Interference with the right to privacy of persons occurs only as so far as is necessary. As such, the limitation of the right is reasonable and justified in a democratic society.

The right to privacy is engaged by the information sharing and consultation arrangements proposed in the new sections 37BAA(3)(a), 37BAB(1), 37BAC, 37BAE, 37BAF, 37F, 37FA(4) and 82K. The Racing Integrity Commissioner is responsible for investigating and liaising with external agencies in relation to racing integrity matters. The ability to share information in that context is critical to the overall success of the Racing Integrity Commissioner in their role of upholding integrity in Victorian racing.

The power to disclose personal information to specific third parties was prescribed through section 37E of the Racing Act, this contained both an exhaustive list of who information could be disclosed to, and a non-exhaustive list of what integrity related information was. The Bill substitutes a new section 37E into the Racing Act which largely aligns with the existing powers of the Racing Integrity Commissioner within this section. There is an expansion of the definition of 'integrity related information' to include information related to 'inquiries conducted under this Part', but this is a proportionate expansion and necessary in the context of the Racing Integrity Commissioner's power to conduct own motion inquiries prescribed within the Bill through the new section 37BAA.

The power for the Racing Integrity Commissioner to disclose information to appropriate agencies or persons, such as Victoria Police or the Ombudsman, through the new section 37E is necessary to uphold integrity in the Victorian racing industry. It is essential to any subsequent investigation that 'integrity related information' is disclosed to enable a full and proper investigation by the appropriate agency. Any interference with section 13(a) of the Charter is not arbitrary because the Racing Integrity Commissioner is subject to the requirements of the Privacy and Data Protection Act 2014. In addition, the new section 37E confines the disclosure of information by the Racing Integrity Commissioner to 'integrity related information' only and to a limited number of bodies or persons. This acts as a further protection against the arbitrary disclosure of information and represents a proportionate limit on the power.

The wording of the previous section 37E of the Racing Act, requiring that the Racing Integrity Commissioner only disclose information 'as appropriate', is retained. This means that the Racing Integrity Commissioner will exercise their power to disclose information at their own discretion. Although this is a significant discretionary power, the Bill maintains the safeguard against the abuse of such a power by requiring the Commissioner to submit to the Minister an annual report on the performance of their functions and the exercise of their powers, which will be tabled in Parliament, pursuant to the amended section 37F. This ensures accountability for the Racing Integrity Commissioner and acts as a check on the lawful use of their power.

The Bill clearly specifies the circumstances in which the sharing of information by the Racing Integrity Commissioner is lawful. The new sections 37BAB and 37BAC identify who a complaint can be referred to and the new section 37E prescribes who information can be disclosed to.

The provisions in the Bill that relate to the collection and sharing of information by the Racing Integrity Commissioner serve the legitimate aim of upholding integrity within the racing industry and are necessary to ensure the robust operation of the Victorian racing industry's integrity framework. This ensures public confidence and protects against corruption. Further, the individuals impacted by these provisions have a limited expectation of privacy in a regulated industry. For these reasons, any interference with privacy is neither unlawful nor arbitrary, such that the right to privacy is not limited by the provision.

RICV

The Bill engages section 13(a) of the Charter through the functions of RICV. The new section 82B provides that the RICV may receive and deal with complaints about the performance of the Racing Integrity Commissioner, as well as liaise with and give advice to the Minister, the controlling bodies and the Racing Integrity Commissioner. The new section 82NF sets out the process for dealing with a complaint, which includes the sharing of information that might be personal. In receiving and sharing personal information in the course of its duties, the RICV may interfere with a person's right to privacy.

There are limits within the Bill on the RICV's powers to deal with complaints about the Racing Integrity Commissioner, for example the complaint must relate to the performance of the Racing Integrity Commissioner's functions and powers. In addition to this, any advice or liaison with the Minister, the Racing Integrity Commissioner or the controlling bodies must be in relation to racing integrity matters.

These powers are given to the RICV to ensure that the Racing Integrity Commissioner, the Minister and the controlling bodies are appropriately executing their integrity related functions. Any associated interference with an individual's right to privacy occurs only as so far as is necessary to further this aim. The exercise of the power is monitored through the requirement that the RICV submit to the Minister an annual report on its operations, which will be tabled in Parliament, pursuant to the new section 82NA. This provides a mechanism

by which the RICV is directly accountable for its operations. As such, the interference with section 13(a) of the Charter is neither unlawful nor arbitrary and the right to privacy is not unreasonably limited by the functions of the RICV.

HRV and GRV

Following the certification of the successor entities of GRV and HRV, the property rights, liabilities and entitlements will be vested in the successor entities through the new sections 114 and 121. In addition to this, the successor entity will be substituted as a party to any arrangement entered into with the previous entities, or any proceedings in a court or tribunal which the previous entity were involved in. This may incidentally include or refer to information relating to persons. In each instance, the disclosure of information will be to the successor entity, as such disclosure is required to enable the new entity to undertake their new lawful duties, functions, or powers and fulfil any relevant liabilities or obligations.

The transfer of information from HRV and GRV to their successor entities may limit the right to privacy in the Charter. However, such a transfer would be lawful and aligned with the legitimate aims of the Bill of ensuring administrative continuity and effective delivery of statutory functions and services following the certification of the successor entities. In addition to this, the successor entities will be subject to legal obligations in relation to the handling, use and protection of information, such as the Privacy and Data Protection Act 2014.

It is accepted that the transition of functions, powers and assets through the Bill from HRV and GRV to the successor entities may incidentally involve the transfer or disclosure of information about individuals, but any such interference with privacy will occur in accordance with law, will pursue a legitimate and proportionate objective, and will not be arbitrary.

Right to reputation (section 13(b))

Section 13(b) of the Charter provides that a person has the right not to have their reputation unlawfully attacked.

The Racing Integrity Commissioner

The new section 37BAE gives the power to the Racing Integrity Commissioner to report the findings of an investigation or inquiry, or to make recommendations following the completion of an investigation or inquiry. This could result in an individual experiencing damage to their reputation. However, to uphold integrity standards and ensure accountability for those that fail to meet those standards, it is necessary for the Racing Integrity Commissioner to be able to take further action upon the completion of any investigation or inquiry, even if that might result in reputational harm. The further actions that are permitted within the new section 37BAE are clearly prescribed and are subject to proportionate limitations, for example section 37BAE(2) prevents the Racing Integrity Commissioner from identifying the complainant and the person who is the subject of the complaint if they are making a report pursuant to section 37BAE(1)(a). Further to this, when considering whether section 13(b) of the Charter is engaged, it is important to consider that an individual is only protected from having their reputation 'unlawfully attacked'. This Bill outlines the lawful processes that the Racing Integrity Commissioner must follow as part of any investigation or inquiry, any reputational harm that results following the proper completion of an investigation or inquiry would be lawful and therefore not an unlawful interference with an individual's rights pursuant to section 13(b) of the Charter.

RICV

The Governor in Council, on the recommendation of the Minister, previously had the power to remove members of the Victorian Racing Tribunal and Victorian Racing Integrity Board. This engaged the right to reputation. This power has been retained through the new section 82H, but it will now be applied to the RICV Board.

The RICV Board has the power pursuant to the new section 82NG to make a recommendation to the Minister that the Racing Integrity Commissioner be removed in circumstances where a complaint is made out against them.

The interference of the new sections 82H and 82NG to the right to reputation of the RICV Board members, and the Racing Integrity Commissioner, are neither arbitrary nor unlawful. The interference with reputation is limited to the circumstances outlined in sections 82H(a), (b) and 82NG(2)(c). These restrictions on the right to reputation are necessary to ensure that the functions of the RICV and the Racing Integrity Commissioner can be performed free from any perception of bias or conflict of interest and to ensure good governance led by members of appropriate expertise. As such, the interference is justified in a democratic society.

HRV and GRV

The Minister previously had the power to remove directors of the Board from HRV and GRV. The Minister will retain that power over the successor entities through the new sections 38C and 66C. This power does not automatically limit an individual's right to reputation, it will depend on the circumstances of the removal and, in particular, whether the removal results in reputational harm. It is imperative that the Minister retains the power to remove directors to secure effective oversight of harness and greyhound racing in Victoria. Such a limitation on the right to reputation is reasonable and justified having regard to the importance of integrity and public confidence in the Boards of the successor entities.

The new sections 116 and 123 provide for the transfer of employees from GRV and HRV to the successor entities. The transfer of an individual's employment is a necessary structural measure to ensure the efficient and effective reorganisation of GRV and HRV into the successor entities. The transfer of employees is not an assessment of their competence or conduct. If the transfer of employment to the successor entities results in an employee's reputation being incidentally impacted, then it would be a proportionate and lawful consequence of the decision to restructure public entities for legitimate purposes. The Bill's provisions may engage the right to reputation, but any limitation is reasonable and demonstrably justified in a free and democratic society. Therefore, the Bill is consistent with the right in section 13(b) of the Charter.

Freedom of expression (section 15)

Section 15(1) of the Charter provides that every person has the right to hold an opinion without interference. Section 15(2) of the Charter provides that every person has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds, whether within or outside Victoria and whether orally; or in writing; or in print; or by way of art; or in another medium chosen by him or her.

Racing Integrity Commissioner

The right to freedom of expression is engaged by the new section 37BDA. This gives the power to an individual to seek legal advice and be represented by a legal practitioner in relation to an inquiry or investigation conducted by the Racing Integrity Commissioner. The section generally empowers the rights of the individual under section 15(2) of the Charter by clearly stating their right to seek, receive and benefit from legal advice and representation.

The new section 37BDA(4) gives the power to the Racing Integrity Commissioner to direct that an individual cannot seek legal advice or representation from a specified legal practitioner if there are reasonable grounds for believing that the inquiry or investigation to which the matter relates may be prejudiced because the legal practitioner is representing another person who is involved, or suspected of being involved in the matter that is the subject of the inquiry or investigation. This limits section 15(2) of the Charter, but the limit is not arbitrary because the Bill outlines the circumstances where the Racing Integrity Commissioner may exercise this power. In addition, the Bill safeguards against any detriment the individual may experience from the exercise of the power under section 37BDA(4) by ensuring that the individual is given additional time to obtain alternative legal representation pursuant to section 37BDA(6). In the circumstances, this is a reasonable limit to maintain the independence and integrity of any investigation or inquiry.

Freedom of association (section 16)

Section 16(2) of the Charter provides that every person has the right to freedom of association with others, including the right to form and join trade unions.

Racing Victoria, HRV and GRV

The successor entities for HRV and GRV will retain the function to make rules for the control, supervision and regulation of their respective racing industries in Victoria, through sections 38D and 66D respectively. The Bill will also include a new section 3CA which will make explicit that Racing Victoria has the equivalent function in the Victorian horse racing industry. The successor entities and Racing Victoria will be able to enforce the rules, which will include the power to suspend or exclude an individual from participation. This engages section 16(2) of the Charter as it limits an individual's right to associate, assemble and participate. This limitation is both proportionate and justified because the integrity and effective governance of harness, greyhound and horse racing in Victoria hinges on the ability of the controlling bodies to implement and uphold rules that maintain lawful participation. In particular, these functions and powers allow the controlling bodies to act in a way that: upholds integrity in racing; ensures public confidence; safeguards against animal welfare risks and maintain standards for equipment used in racing. The penalties of breaking those rules, such as exclusion or suspension, may limit section 16(2) of the Charter, but such a limit is necessary and proportionate in the context of the overarching importance of the rules in protecting these fundamental elements of harness, greyhound and horse racing in Victoria.

HRV and GRV

The new sections 118 and 125 have the effect of retaining the decisions previously made by HRV and GRV relating to the exclusion or suspension of individuals. These new sections ensure that any decision previously made in accordance with the rules would be taken as if it were made by the successor entity. This engages section 16(2) of the Charter as it restricts participation. The limit is justified to maintain integrity, safety and public confidence in racing. The Bill simply retains these pre-existing decisions lawfully made under the previous rules and transfers the decisions to the successor entities.

The Bill expressly defines who the rules of the successor entities are binding upon in the new sections 38G and 66G. This ensures that the successor entities cannot exercise the powers given to them within the rules to apply penalties arbitrarily. In providing this reasonable and proportionate limitation of the application of the rules, the Bill further protects against the interference of an individual's rights pursuant to section 16(2) of the Charter.

Taking part in public life (section 18)

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

RICV

This right is engaged by the eligibility requirements for appointments to the RICV Board. The new sections 82C and 82D provide criteria for appointments to the RICV Board.

The criteria and exclusions for appointments are set out in the Bill. They may be perceived as interfering with a person's right to have access, on general terms of equality, to the Victorian public service and public office to the extent that they restrict who can be appointed based on defined criteria. However, these criteria ensure the appointment of members is based on principles of merit and facilitate effective governance practices and integrity. To the extent that these provisions impose a restriction on a person's right to take part in public life, they are a reasonable limitation that is justified in a democratic society.

Property rights (section 20)

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

RICV

The eligibility requirements for appointment to the RICV Board engage this right. The new section 82C outlines eligibility requirements for the appointment of the RICV Board, including ineligibility if the person has, or obtains, a proprietary interest in a thoroughbred or standard bred racehorse, or a racing greyhound. This limitation is necessary to mitigate any commercial conflict of interest that may undermine the independence and impartiality of the Victorian racing industry's integrity framework.

As part of the establishment of the RICV, the new section 82A(2)(d) gives the power to the RICV to acquire, hold and dispose of real and personal property. This provision is included to assist with the effective organisation and running of the RICV. It allows them to purchase and maintain property for that reason. There is no power within this Bill for the RICV to collect fines or acquire property for a punitive purpose. On that basis, this provision does not engage section 20 of the Charter.

HRV and GRV

The new sections 114 and 121 transfer property rights and liabilities that were vested in GRV and HRV to the successor entities. This may impact on the property rights of individuals where they have an existing property or financial relationship with GRV or HRV. An example of this would be if an individual was owed a debt or was due to receive a bonus payment from GRV or HRV. Section 114 and 121 do not limit the property rights that arise from section 20 of the Charter, instead they have the effect of promoting and protecting those rights.

Fair hearing (section 24)

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

RICV

The new section 82NC provides the RICV Board members with statutory immunity from civil liability and restricts causes of actions being brought against a member of the RICV Board. These immunities interfere

with a person's right to a fair hearing as they restrict the right of an individual to pursue a legal course specifically in relation to members of the Board.

The limitation of the liability of the RICV Board members confines claims that might otherwise have existed under statute or general law. However, it is appropriate as the absence of immunity may undermine the function of the Board members who would operate under a fear of liability. The provisions promote the independence of the RICV Board. In addition to this, the protection is limited within section 82NC(1)(a) and (b) and any individual seeking to pursue a cause of action following a perceived wrong is still able to bring a claim against the Integrity Commission, pursuant to the new section 82NC(2). For these reasons, the interference is justified in a democratic society.

The new section 82ND(2) introduces a time limit on when a complaint can be made to the RICV about the Racing Integrity Commissioner. The time limit engages section 24 of the Charter it may restrict an individual's access to the complaints process if a complaint is pursued out of time. However, the time limit is necessary to promote procedural fairness and ensure a timely resolution to issues. This reduces the risk of prejudice arising from the delay of any investigation process. In that context, the extent to which the time limit restricts section 24 of the Charter is reasonable and justified.

The new section 82NE(2) outlines circumstances in which the RICV Board may reject a complaint. This is a procedural filtering mechanism which is a legitimate aspect of a fair hearing system. Section 24 of the Charter does not guarantee an unconditional right to have a complaint accepted. Section 82NE(2)(b) details the statutory criteria that set fair limits on the pursuit of a complaint. These limitations are necessary to avoid the misuse of the complaints process. In addition to the clearly defined limits, section 82NE(3) requires the RICV Board to set out in writing for the complainant, as soon as possible, the reasons for rejecting a complaint. These safeguards ultimately promote section 24 of the Charter and are reasonable and justified.

Victorian Racing Integrity Board

The Victorian Racing Integrity Board will be abolished by the Bill. It is intended that the RICV will manage all integrity outcomes currently provided by the two bodies and enhance the integrity framework by streamlining functions, reducing confusion amongst stakeholders, while reducing the overall burden on code bodies and sharing support staff, information and expertise. As a result of these improvements, to the extent to which section 24 of the Charter might be engaged, the right is strengthened through the changes.

Human rights issues for the Australian Grands Prix amendments

The following rights are relevant to the Bill:

- freedom of movement (section 12)
- freedom of expression (section 15)
- the right to property (section 20)

Clause 81 of the Bill amends the AGP Act to provide for three new powers for the AGPC. This reform is aimed at providing the AGPC with similar powers for hosting approved motor sport events to those it is already granted under section 21(1) of the AGP Act for hosting other events (such as the Formula One Grand Prix and approved events).

Clause 81(1) provides the AGPC with a new power to establish supporting facilities, services and activities in connection with holding an approved motor sporting event. This reform may engage the right protected under section 12 (freedom of movement) of the Charter but does not restrict this right.

Freedom of movement (section 12)

It is possible that the AGPC exercising its new power to establish any supporting facilities, services and/or activities in connection with holding an approved motor sport event may engage the right to freedom of movement.

However, it is noted that unlike other powers that the AGPC has under the AGP Act in relation to hosting other events, this amendment does not provide the AGPC with the power to control or restrict admission to any supporting facilities, services or activities held in connection with holding an approved motor sport event.

This is compared to the powers the AGPC has under the AGP Act for controlling admission to certain areas in Albert Park for hosting Formula 1 Grand Prix events (section 21(1)(d) of the AGP Act) and the Phillip Island Grand Prix circuit for Australian Motorcycle Grand Prix events (section 21(1)(da) of the AGP Act).

I consider then that where the right to the freedom of movement may be engaged by the reforms to the AGP Act made by this Bill, that the right is not restricted.

Power to charge and collect fees for admission to an approved motor sport event

Clause 81(2) provides the AGPC with the power to charge and collect fees for admission to an approved motor sport event, whether held at the Phillip Island Grand Prix circuit or at other motor sporting circuits elsewhere.

Property rights (section 20)

It may be possible that the reform to provide the AGPC the power to charge and collect fees for admission to approved motor sport events, engages with the property rights of motor sport circuit owners, in their ability to charge entry or otherwise organise motor sport event at these venues.

As section 6(1) of the Charter provides that only persons have human rights, the extent to which this new power may engage with property rights is limited to scenarios where the AGPC has entered into an agreement with a motor sport circuit owner who is a natural person or an unincorporated entity, rather than a company or other incorporated body.

Further, this amendment does not prevent or restrict a motor sport circuit owner from charging and collecting fees for entry to the motor sport circuit, or to organise an event at their motor sport circuit. Rather, this amendment merely permits the AGPC, when hosting an approved motor sport event at Phillip Island Grand Prix circuit or elsewhere, to be able to charge and collect fees for admission to the event.

I therefore consider that where property rights may be engaged by the reforms made to the AGP Act by the Bill, that this right is not restricted.

Power to grant, for free or other consideration advertising rights, sponsorship rights, broadcasting rights or television rights or any other rights, licences or concessions in connection with an approved motor sport event

Clause 81(3) provides the AGPC with the power to grant advertising, sponsorship and broadcasting or television rights, or any other rights, licences or concessions in connection with an approved motor sport event.

It is intended that this will allow the AGPC to enter into commercial arrangements to support any approved motor sport event that it may be arranging.

Freedom of expression (section 15)

By providing the AGPC with the power to grant advertising, sponsorship, broadcasting and other rights in connection with hosting approved motor sport events, this could engage with the right to freedom of expression.

While this right may be engaged by this new power, it is noted that the reform does not empower the AGPC to authorise any recording or filming that is undertaken by people attending an approved motor sport event. This is compared to the power the AGPC is provided to authorise certain types of filming or recording of Formula 1 Grand Prix events, Australian Motorcycle Grand Prix events and approved events by patrons (see sections 35(1), 35(1A), and 42B(1) of the AGP Act).

I therefore consider that where the right to freedom of expression may be engaged by the reforms made to the AGP Act by the Bill, that this right is not restricted.

Other reforms made to the AGP Act by the Bill

In my view, the other amendment made in clause 80 by the Bill to the AGP Act, which enables the Minister to approve a motor sport event for the purposes of section 20(e), does not engage with any rights protected under the Charter.

Accordingly, I am satisfied that the reforms to the AGP Act introduced by this Bill are compatible with the Charter.

Hon Enver Erdogan MP
Minister for Environment
Minister for Casino, Gaming and Liquor Regulation
Minister for Outdoor Recreation

Statement of treaty compatibility

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:35): I lay on the table a statement of compatibility with the Statewide Treaty Act 2025:

1. In my opinion, the Bill is compatible with the objects set out in section 66(3)(d) of the *Statewide Treaty Act 2025*. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

2. The Bill amends the *Racing Act 1958* (the Racing Act) to:
   - amalgamate the functions and powers of the Racing Integrity Commissioner and the Victorian Racing Integrity Board into a new integrity assurance body;
   - facilitate the establishment of successor entities of Greyhound Racing Victoria (GRV) and Harness Racing Victoria (HRV) as public companies limited by guarantee;
   - provide legal authority for the successor entities to act as the controlling bodies for greyhound and harness racing in Victoria, and to grant those bodies specific powers to enable them to fulfil their purposes;
   - include savings, transitional and consequential amendments relating to the amalgamation of the Racing Integrity Commissioner and Victorian Racing Integrity Board, and the transition of GRV and HRV to public companies limited by guarantee; and make various other amendments to improve and modernise the operation of the Act.
3. The Bill implements reforms to the *Australian Grands Prix Act 1994* (AGP Act) to:
   - enable the Minister to approve a motor sport event, for the purposes of section 20(e) of the AGP Act, by notice published in the Government Gazette, and
   - provide the Australian Grand Prix Corporation (AGPC) with the power to do the following in relation to approved motor sport events:
     - establish supporting facilities, services and activities in connection with holding an approved motor sport event; and
     - charge and collect fees for admission, whether the approved motor sport event is held at the Phillip Island Grand Prix circuit or elsewhere; and
     - grant, for free or for other consideration advertising rights, sponsorship rights, broadcasting rights or television rights or any other rights, licences or concessions in connection with an approved motor sport event.
4. The amendments made by the Bill will support the AGPC to host approved motor sport events, by empowering the AGPC with similar powers it has under AGP Act in relation to other events the AGPC hosts, such as the Formula One Grand Prix, the Australian Motorcycle Grand Prix, and approved events – being events which are not Formula One events or motor sport events.

Consultation with the First Peoples' Assembly of Gellung Warl

5. Due to the recent establishment of the First Peoples' Assembly of Gellung Warl, it was not possible to give the First Peoples' Assembly the opportunity to advise on the Bill or for them to otherwise make representations about the effect of the Bill on First Peoples.

Compatibility of the Bill with each of the objects in section 66(3)(d) of the *Statewide Treaty Act 2025*

6. I have considered whether the Bill is compatible with the objects at section 66(3)(d) of the Statewide Treaty Act 2025:
   6.1 advancing the inherent rights and self-determination of First Peoples; and
   6.2 addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation; and
   6.3 ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples.

7 The Bill does not in its terms deal with First Peoples, nor is it expected that any aspects of the Bill will, in practice, have a differential impact on First Peoples. It therefore does not affect the objects in the *Statewide Treaty Act 2025*.

Conclusion

8 In my opinion the Bill does not affect the objects specified in section 66(3)(d)(i) to (iii) of the *Statewide Treaty Act 2025* and is therefore compatible with each of those objects.

Hon Enver Erdogan MP
Minister for Environment
Minister for Casino, Gaming and Liquor Regulation
Minister for Outdoor Recreation

Second reading

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:35): I move:

That the bill be now read a second time.

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

The Victorian Government is committed to supporting the long-term sustainability of the Victorian Racing Industry (VRI).

The VRI contributes $4.7 billion to the Victorian economy annually, including $501 million in taxation revenue, and supports over 34,500 full-time equivalent jobs. It operates within the context of an ever-evolving racing landscape, and it is important to ensure that entity arrangements that govern the industry remain fit-for-purpose and that public confidence is upheld in the racing integrity framework.

The Bill will amend the *Racing Act 1958* (the Racing Act) to:

- Enhance Victoria's racing integrity framework by amalgamating the functions and powers of the Racing Integrity Commissioner (RIC) and the Victorian Racing Integrity Board (VRIB) into a new integrity assurance body, the Racing Integrity Commission Victoria (the Integrity Commission)
- Establish Greyhound Racing Victoria (GRV) and Harness Racing Victoria (HRV) as public companies limited by guarantee
- Make amendments to improve the operations of the Victorian Racing Tribunal, and
- Make miscellaneous minor amendments to improve the operation of the Racing Act.

<u>The Integrity Commission</u>

Robust racing integrity systems are integral to the ongoing success of the Victorian Racing industry.

The office of the RIC was established in 2010 to provide independent assurance of racing integrity across the three codes. The functions of the RIC include powers to audit the performance of the integrity systems of the code bodies and to act as a quasi-ombudsman in responding to complaints in relation to racing integrity. The RIC also holds significant board of inquiry powers.

The VRIB was established in 2019 to provide additional assurance of racing integrity within the controlling bodies.

The RIC and VRIB have successfully operated side by side over the past 5 years to provide racing integrity assurance of the delivery of integrity services by the codes. Whilst their activities have complemented each other, the similarity of some functions has led to confusion within the industry regarding the relative responsibilities of each body.

The amalgamation of the functions and powers of the RIC and VRIB into the new Integrity Commission will streamline and enhance the provision of racing integrity assurance within the industry.

The establishment of the Integrity Commission is consistent with the government focus on removing duplication and focusing on excellence in service delivery as advocated in the government response to the Silver Review.

Importantly, the responsibility for the day-to-day delivery of racing integrity services will remain the responsibility of the three racing controlling bodies – Racing Victoria, GRV and HRV.

The Integrity Commission will be comprised of the statutory office of the RIC, which will be retained due to the nature of its investigatory and inquiry powers, and a small five-person board. VRIB will be abolished.

The existing functions and powers of the RIC will remain largely the same but will be broadened to:

- Recognise that the RIC will also perform the duties of the Chief Executive Officer of the Integrity Commission

- Extend audit powers to cover racing integrity matters, including an assessment of controlling bodies performance against racing integrity policies, procedures, and plans
- Broaden the RIC's function to also investigate complaints made by a senior member of an integrity department of a controlling body in relation to integrity matters which are internal to the controlling body. This will ensure that any complaints considered by the former VRIB can still be investigated.

The Bill also contains a requirement for controlling bodies to provide an annual integrity plan to the RIC each year. The adequacy of this plan can be audited as part of the RIC's audit function.

The RIC will be required to consult with the Integrity Commission before exercising its audit function and prior to conducting an own motion inquiry. This will provide an additional level of oversight of the performance of some of the RIC's functions.

One of the main functions of the Integrity Commission board will be to provide oversight of performance of the RIC's functions and powers, and compliance with the policy and procedures set down by the board. While the RIC will act independently of the board in the conduct of inquiries and investigations, they will be accountable to the board in terms of the performance of its functions and exercise of its coercive powers.

This will provide assurance that the RIC acts lawfully and properly in the performance of their functions.

The Integrity Commission will also be able to receive and deal with complaints about the performance of the functions and exercise of the powers of the RIC.

The Integrity Commission may accept complaints from someone who is the subject of, or affected by, a decision, finding or recommendation made by the RIC during an investigation or inquiry, where that complaint is made within one year of the outcome of the investigation or inquiry.

The Integrity Commission is not required to accept all complaints and may reject a complaint if it is trivial, not genuine or does not meet other criteria specified in the Bill. The Integrity Commission may also refer a complaint to other people or bodies if appropriate.

Following consideration of the complaint the Integrity Commission can determine if the complaint is made out and what, if any, action is warranted. This may include making recommendations to the Minister, including that the RIC be removed.

The Integrity Commission will undertake other functions to ensure there is no gap in racing integrity assurance following the abolition of the VRIB.

The Integrity Commission will undertake the important function of considering and providing advice on any disciplinary action that a controlling body proposed to take against a senior member of an integrity department in relation to integrity matters which are internal to the controlling body. This continues to ensure that senior integrity staff within controlling bodies are free from undue influence from other senior members or Board members in carrying out integrity related duties.

It will monitor developments and trends related to racing integrity to inform its oversight of the RIC and any advice that it might provide to the Minister, RIC, or controlling bodies. The Integrity Commission will also have the authority to provide advice to controlling bodies on specific racing integrity issues if the Board considers it appropriate to do so.

The Integrity Commission board will be comprised of five members, appointed by the Governor in Council on the recommendation of the Minister for Racing. The board members must have the skills, experience and sufficient knowledge of any of the codes to carry out the functions of the board.

The Bill sets out eligibility criteria that precludes certain persons from being appointed to the board, including a person with a position in a code body or those with a proprietary interest in a racehorse, standardbred or racing greyhound.

Operationally a single body of staff in will support the operations of the RIC and the Board.

The Bill allows the department to recover the costs of the Integrity Commission from the controlling bodies. This is consistent with the approach taken to the former VRIB and consistent with the wider government principles that those who benefit from the service should pay for it.

The Bill will enhance natural justice principles by introducing an express right for a person subject to an inquiry or investigation by the RIC to seek legal advice and be represented.

Transition of GRV and HRV to companies limited by guarantee

The existing governance arrangements for Victorian thoroughbred, harness and greyhound racing are an artifact of policies at the time of their establishment.

From 1871 until 2001, thoroughbred racing in Victoria was controlled and administered by the Victoria Racing Club (VRC), a privately constituted association. In 2001, the Victorian Parliament passed legislation to facilitate the creation of a new governing body for thoroughbred racing in Victoria – Racing Victoria (RV).

At the time Parliament noted that the body vested with powers to govern thoroughbred racing in Victoria should be independent, accountable, and totally committed to the task of developing, encouraging, promoting and managing the conduct of thoroughbred racing in the state. Accordingly, RV was established as a public company limited by guarantee.

By contrast, greyhound and harness racing in Victoria have been administered and controlled by statutory entities since 1954 and 1946 respectively.

At the time of their establishment many of the key business planning powers and functions critical to racing operations were subject to ministerial or other government control. This included the distribution of monies to those bodies and racing clubs and the setting of race dates. Under these conditions it was sensible for the greyhound and harness code bodies to be set up as government entities.

However, the key accountabilities and responsibilities of the greyhound and harness code bodies have changed in recent years in response to industry conditions and governance arrangements.

While GRV and HRV do have some regulatory and advisory functions, the bulk of the code bodies' responsibilities in the current day have little alignment with those highlighted by the government as typically undertaken by public entities.

It is critical that these important industries, that provide significant employment in regional Victoria have governance arrangements that are fit for purpose and enable them to innovate and operate as demanded by their commercial environments.

To that end, the Bill dissolves the statutory authorities of GRV and HRV and provides for the establishment of two new bodies to control the harness and greyhound racing industries in Victoria. These new bodies will adopt the same legal structure as RV, as public companies limited by guarantee, providing consistency in regulatory settings across the three codes of the Victorian racing industry.

While the new harness and greyhound companies will not be statutory authorities, they will continue to deliver the same core functions as the current entities.

The new companies will have the function to, amongst other things:

- Act as the bodies that control and regulate the Victorian greyhound and harness racing industries respectively in Victoria
- Make and adopt rules for participation in, and the control, supervision and regulation of their respective industries
- Undertake activities to protect integrity and promote participant and horse and greyhound welfare respectively within their industries, and
- Undertake commercial activities conducive to the promotion and development of their respective industries.

The Bill includes appropriate safeguards to ensure the operations of the new bodies are aligned with government policy objectives. This is a similar approach to that taken by government when RV was established in 2001.

The Bill sets out specific requirements for the constitutions of each company. This includes specifying the core objectives of the company that are essential to the proper management of the harness and greyhound racing industries and the governance framework that the companies will adopt.

The Minister for Racing will be empowered to appoint directors to the boards of the companies and remove a director or reconstitute the boards in specific circumstances.

Corporations Act displacement provisions

The Bill also includes specific provisions that ensure that there is appropriate oversight of future changes to the company constitutions, and that the companies continue to operate within the initial parameters established by the Parliament.

Specifically, the Bill requires that the companies must notify the Minister of any special resolution to modify or repeal the company constitution, or a provision of the constitution. If the Minister receives such a notification, they must cause a copy of it to be laid before each House of Parliament. Parliament may, on or before the 6th sitting day of that House after a copy of the notification is laid before it, resolve to disapprove the special resolution.

The government notes that this conflicts with Section 136(2) of the *Corporations Act 2001* (Cth) that provides that a company may modify or repeal its constitution by special resolution. Consequently, the Bill includes provisions that declare the proposed new section 38B and 66B of the Racing Act 1958 to be Corporations legislation displacement provisions for the purposes of section 5G of the Corporations Act.

The Bill also provides the companies with the power to suspend the members of a committee or other managing body of a harness racing club (new section 38I) or a greyhound racing club (section 77) and may appoint a fit and proper person to be the administrator of the club. While this maintains the current powers set out in the Act, it is inconsistent with Chapter 5 of the *Corporations Act 2001* (Cth) that deals with external administration.

The Bill recognises this and declares that those provisions are Corporations legislation displacement provision.

Transitional provisions

The Bill includes transitional provisions to enable an efficient transfer of powers and functions from the GRV and HRV statutory authorities to the newly certified companies.

Specifically, the Bill provides amongst other things that various rights, properties, liabilities, proceedings, rules of racing, decisions of the respective GRV and HRV boards, and existing arrangements and agreements relevant to the GRV and HRV statutory authorities immediately before commencement of the new companies are preserved and vested in the new companies.

The Bill also deems that a person who was employed by GRV/HRV immediately before the commencement day will transfer to the new companies on the same terms and conditions as those that applied to the employee as an employee of old GRV/HRV immediately before the commencement day.

Operational improvements to the Victorian Racing Tribunal (the Tribunal)

The Bill also makes various other amendments to improve and modernise the operation of the Act, including the qualification and composition provisions for the Tribunal.

The Tribunal plays a pivotal role in upholding integrity within Victoria's racing industry, addressing disciplinary matters across thoroughbred, harness, and greyhound racing.

It is responsible for hearing appeals relating to steward's decisions to impose penalties on racing industry participants under the various Rules of Racing and to determine charges relating to serious offences under the Rules of Racing.

It is vital that these matters are dealt with in a timely and efficient manner.

To that end, the Bill makes several improvements to the operational effectiveness of the Tribunal. The Bill expands the eligibility criteria for the appointment of deputy chairpersons to include former and reserve judicial officers from other jurisdictions. It also amends the eligibility criteria for appointment as a deputy chair to remove the requirement that all deputy chairs be former or current judicial officers and that each deputy chair has knowledge and experience in a specified racing code.

The amendments will require that one deputy chair is a former or current judicial officer with the other deputy chairs being Australian lawyers with at least 15 years' experience, that have knowledge and experience in greyhound racing, or harness racing, or thoroughbred racing.

The Bill will also amend the Act to enable the appointment of up to 4 deputy chairs, improving scheduling flexibility.

Racing Victoria amendments

As previously mentioned, the Bill sets out the functions and powers for the new greyhound and harness racing companies. For consistency and greater transparency about the functions and powers of all three of the racing controlling bodies, the Bill inserts a new section 3CA into the Act that sets out the functions and powers of RV. The new section provides an explicit legislative basis for the functions and powers that were initially transferred from the Victoria Racing Club to RV in the *Racing (Racing Victoria Limited) Act 2001* but were not specifically detailed within the Act.

Miscellaneous amendments

The Bill also makes miscellaneous amendments to refresh definitions, repeal obsolete terms, some of which date back to the early 1900's, and redundant provisions. The Bill also consolidates the provisions relating to racing on ANZAC Day in section 22 of the Act and provides the Minister with the power to vary a racing club licence, or conditions attached to a racing club licence.

The Australian Grands Prix amendments

The *Australian Grands Prix Act 1994* (the AGP Act) empowers the Australian Grand Prix Corporation (AGPC) to hold a range of events, including the Formula 1 Australian Grand Prix (Grand Prix) at Albert Park, the Australian Motorcycle Grand Prix (motogp), as well as approved motor sport events, and approved events – being events that are not a Formula One event or a motor sport events.

The AGPC is adept in delivering world class motor sport events. For example, the Grand Prix, a pillar of Victoria's major events calendar since 1996, provides a significant contribution to the Victorian visitor economy and holds the record for the highest attended weekend sporting event ever staged in Melbourne.

In 2025, the Grand Prix increased Victoria's Gross State Product by $323.9 million, generated an estimated $3.08 in economic impact for the state for every dollar invested by the Victorian government and supported an estimated 1,631 annual full-time equivalent jobs through roles such as event construction and hospitality.

The AGP Act currently provides the AGPC with a range of powers in relation to hosting events. However, the AGPC is not provided with similar powers for hosting all event types and limitations have been identified on the AGPC's ability to arrange approved motor sport events.

The Bill addresses these limitations by providing the AGPC with the following powers for approved motor sport events:

- Establishing supporting facilities, services and activities
- Charging and collecting fees for admission, whether held at the Phillip Island Grand Prix circuit, or elsewhere
- Granting, for free or other consideration advertising rights, sponsorship rights, broadcasting rights or television rights or any other rights, licences or concessions.

The Bill also enables the Minister to approve motor sport events for the purposes of section 20(e) of the AGP Act by notice published in the Government Gazette.

The amendments will ensure the AGPC has adequate powers to efficiently host approved motor sport events in Victoria and similar powers exist under the AGP Act for all events the AGPC can host. It will also enable the AGPC to leverage its expertise and vast industry connections to attract and deliver new and exciting motor sport events to the sporting and major events capital.

Without these amendments, the AGPC's capacity to leverage the maximum economic benefit from hosting approved motor sport events including via ticket sales and granting certain commercial rights could not be realised. This would decrease AGPC's revenue potential and would minimise the commercial viability and attractiveness of Victoria to motor sport event owners as a replacement for the motogp.

Conclusion

The amendments to the Racing Act will ensure the ongoing success and sustainability of the racing industry and uphold public confidence in the integrity framework. Amendments to the AGP Act will ensure the AGPC has adequate powers to efficiently host approved motor sport events in Victoria.

I commend the Bill to the house.

I advise the house that there are amendments to the Racing Legislation Amendment (Entity Governance and Other Matters) Bill 2026 that were passed in the Legislative Assembly. The amendments increase the number of members of the racing integrity board, which is being established by the bill, from three to five. I commend the amended bill to the house.

Bev McARTHUR (Western Victoria) (03:36): I move:

That debate be adjourned for one week.

Motion agreed to and debate adjourned for one week.

Dangerous Goods Transport Bill 2026

Occupational Health and Safety Amendment (Dangerous Goods) Bill 2026

Cognate debate

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:36): I move, by leave:

> That this house authorises the President to permit the second-reading debate on the Dangerous Goods Transport Bill 2026 and the Occupational Health and Safety Amendment (Dangerous Goods) Bill 2026 to be taken concurrently.

Motion agreed to.

Business of the house

Adjournment

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:36): I move:

> That the Council, at its rising, adjourn until Tuesday 28 July 2026.

Motion agreed to.

Adjournment

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (03:36): I move:

> That the house do now adjourn.

Waste and recycling management

Melina BATH (Eastern Victoria) (03:37): (2607) My adjournment matter this evening is for the Minister for Environment in his capacity as the responsible minister for the Sustainability Fund. The action I seek from the minister is to review the Sustainability Fund to investigate the potential for the deployment of funds for best practice energy-from-waste infrastructure in Victoria. I raise this matter recognising that overall Victoria's current waste and resource recovery framework must be workable. There are specific policy settings which, if refined, could better align with environmental, economic and circular economy objectives. I put this in the context that energy from waste should be in the right location. I speak specifically about the Opal energy-from-waste proposal in Morwell in Latrobe Valley, which has been rigorously doing its homework, meeting its objectives and getting its permits over almost a decade. This can actually work in Victoria's favour. When there is no further residue recycling and reuse, rather than red bin waste going to landfill, there is an opportunity in the waste hierarchy to use energy from waste. The place I speak of, Opal, have been incredibly rigorous and consultative in the way they have gone about it and have met their EPA agreements et cetera. But when we look at the overall framework for this, having end-of-life use that can produce thermal energy in the right location, that can produce its own electricity and power, what that can do is take away gas utilisation and therefore reduce our carbon emissions footprint, which seems to be growing. So what I ask the minister to do is look at opportunities – and the Sustainability Fund could be one – do an assessment and a review and see if it could meet some objectives by providing a small amount of funding to support very viable operations coming to fruition.

Automated external defibrillators

Sarah MANSFIELD (Western Victoria) (03:39): (2608) My adjournment is for the Minister for Health, and the action I am seeking is a commitment to introducing mandatory requirements for automated external defibrillators, or AEDs, in public spaces and venues. Every day around 21 Victorians suffer a cardiac arrest, and only one in 10 will survive. These are not abstract statistics;

they represent parents, children, neighbours and colleagues, whose lives could have been saved with faster access to the right equipment. A cardiac arrest occurs when the heart suddenly stops pumping blood effectively around the body, and time is everything. For every minute that CPR is delayed, the chance of survival decreases by 10 per cent, and even if you survive, the risk of permanent neurological damage increases. Yet when a bystander is able to administer CPR and deliver a shock from an AED before emergency services arrive, the chance of survival more than doubles. That is the difference a defibrillator makes. Currently, without that intervention, the survival rate sits at just 5 per cent.

With access to an AED and early CPR, we know from international evidence, including the Canadian model, that survival rates can reach 50 to 60 per cent. That is not a marginal improvement, that is transformation. So what is stopping us? The technology exists. It is proven. It is accessible. What we need now is the political will to ensure it is available where Victorians live, work and gather. South Australia has led the way with legislation to mandate a staged rollout of publicly accessible defibrillators. Critically, that legislation also provides indemnity to bystanders who attempt to use an AED in good faith, removing one of the most cited barriers to public use. Victoria should follow that lead. I would also draw the minister's attention to the work of St John Ambulance, whose letter to the minister I am proud to support. They are calling for greater public education, community involvement and increased AED uptake. Initiatives like Shocktober, held each October, play a vital role in raising awareness of AEDs and CPR training, but awareness alone is not enough. We need defibrillators that are physically present, clearly signposted and accessible 24 hours a day. I urge the minister to commit to exploring a mandated staged approach to AED installation across public venues in Victoria, because in cardiac arrest every second counts and every defibrillator saves lives.

Learner driver training

Bev McARTHUR (Western Victoria) (03:42): (2609) My adjournment matter is for the Minister for Roads and Road Safety, and the action I seek concerns the future of the Transport Accident Commission (TAC) L2P learner driver mentor program in Greater Geelong. This is an excellent program. It is practical and targeted, and it meets a real need. For many young people in regional communities a drivers licence is not a luxury. It is a serious issue in my electorate. It is often the difference between getting to work or missing out, taking up an apprenticeship, attending TAFE or being cut off from opportunity. That is why L2P matters in Geelong, the Surf Coast and Golden Plains. It helps young people without access to a supervising driver or suitable vehicle to gain the supervised driving hours required for a probationary licence. It is also a road safety program, helping young people to learn safely rather than being pushed toward unsafe and unlicensed driving.

I particularly acknowledge the mayor of Greater Geelong Dr Stretch Kontelj OAM, who has written to the minister on this issue. Mayor Kontelj rightly says the city has delivered one of Victoria's largest L2P programs, highlighting the scale of supervised driving hours delivered, the contribution of volunteer mentors and the program's importance in reducing unlicensed driving and improving access to employment, education and training for young people. Since 2009 Greater Geelong's program has helped 662 learners achieve their licence, supported by more than 60,000 volunteer mentor hours. In 2024–25 it managed 235 learners, delivered an average of 457 supervised hours per month, processed 248 applications and supported 74 licence outcomes. Yet demand is outstripping capacity, with around 180 young people waiting. Mayor Kontelj says the challenges continue to intensify, with rising costs, constrained funding flexibility and performance measures that do not reflect nonlinear learner engagement or regional delivery realities. He says that further funding is required and that reform is necessary to maintain program quality, support the volunteer workforce and ensure equitable access for young people across the Greater Geelong, Surf Coast and Golden Plains shires.

Minister, the action I seek is that you meet with mayor Stretch Kontelj and the City of Greater Geelong and commit to a sustainable funding model for TAC L2P, including multiyear funding, proper indexation, recognition of participant complexity and adequate support for volunteers, administration and compliance.

Wildlife protection

Georgie PURCELL (Northern Victoria) (03:45): (2610) My adjournment matter is for the Minister for Environment and relates to the to the destruction of swift parrot habitat. The Department of Energy, Environment and Climate Action is currently carrying out a tree-felling operation on Scrubby Road near Rushworth as part of strategic fire access roadworks in an area that is a key biodiversity area, or KBA, for the critically endangered swift parrot. KBAs are globally significant sites for conservation. Those sites meet strict international conservation criteria and assist the Australian government to meet its obligations to international treaties such as the Convention on Biological Diversity. Activities that degrade or destroy KBA values are considered internationally significant impacts, not just local disturbances. Not only is felling primary swift parrot feed trees inside a KBA environmentally harmful, it is considered an internationally significant damage operation. DEECA have suggested that as this current operation only involves the removal of approximately 30 trees, the works are not likely to have a significant impact, assessing the project in isolation and therefore not referring it under the Environment Protection and Biodiversity Conservation Act 1999. This is, however, just the most recent in a series of destructive operations within the KBA. In 2023 DEECA allowed an operation that involved the felling and poisoning of thousands of swift parrot feed trees and ripping the roots of thousands of those not felled. Around this time they also carried out a major roadwork project involving large primary swift parrot feed tree removals on Heathcote-North Costerfield Road. The action I seek is for the minister to explain why DEECA's self-assessment did not consider other recent habitat destruction, particularly considering the EPBC act's significant impact guidelines require assessment of the context of an action, including existing levels of impact from other sources.

Country Fire Authority Axe Creek and Yarrawonga stations

Wendy LOVELL (Northern Victoria) (03:47): (2611) It is now 10 to 4 in the morning, and I am just doing my adjournment, which is for the Minister for Emergency Services. The action that I seek is for the minister to urgently allocate funding to build new CFA fire stations in Yarrawonga and Axe Creek, which were ignored in the 2026–27 state budget. Volunteers at Yarrawonga and Axe Creek CFA brigades fought a hard summer fire season and showed outstanding bravery in protecting their communities and helping their neighbours, yet they still do not have the firefighting facilities that they need. It is a disgrace that the Allan Labor government has once again refused to include funding in the state budget for new fire stations in Yarrawonga and Axe Creek.

The problems at the existing stations are well known. Yarrawonga is an old station that is no longer fit for purpose and too small to house larger new appliances. The brigade has had to turn down the chance of a new tanker and pumper because they are too big to fit in the truck bays. I raised the urgency of a new station back in 2020, and the government said it was aware of the needs of the Yarrawonga fire brigade. Yet despite being the top priority for district 22 for many years, the Labor government has failed to fund a new fire station every year since then, including in the most recent budget. Axe Creek brigade is even more desperate for a new station. They currently have no change rooms and only a single portable toilet connected to a sewer tank for the whole crew. There is no running hot water or proper handwashing station and no storage space for their turnout gear. Crews have nowhere to wash their breathing apparatus other than on the truck apron, which is contrary to the CFA standard operating procedures.

Both stations fail to meet current health and safety standards, and that hurts their ability to keep existing members and recruit new ones. Worst of all, the lack of adequate facilities at both stations impedes operational readiness and effectiveness. Seconds can make the difference between life and death when a bushfire is moving fast, and these brigades deserve to have the right facilities and equipment to do the job that their community relies on them to do. We know the government can afford it. Labor intends to rip $6.8 billion in taxpayers money over the next few years through the emergency services tax; the CFA will only see a small part of that money while Labor ignores vital projects like new stations for Yarrawonga and Axe Creek. Labor's financial mismanagement and overspending on

consultants has led to massive cost blowouts and endless delays on other promised new stations. The member for Macedon Mary-Anne Thomas promised a facility upgrade at Riddells Creek CFA in 2018. Eight years later, it still has not been built. New stations were promised in 2020 for other towns in my electorate – for Hoddles Creek, Kinglake, Raywood and Keysborough. Six years later, they still have not been built. Three of these towns were affected by the 2009 Black Saturday fires. Labor's failure – *(Time expired)*

Community legal centres

Katherine COPSEY (Southern Metropolitan) (03:50): (2612) My adjournment matter is for the Attorney-General. I was proud today to attend and support the Federation of Community Legal Centres' launch of its We've Got Your Back campaign here at Parliament house. 'We've got your back' is an important message to every Victorian who may need legal assistance. It says that when things go wrong, there is somewhere to turn. It is also a clear ask of the government: adequately fund the community legal sector so it can meet the legal needs of the communities it serves. Victoria's 50 community legal services provide free, trusted legal help across the state. Last year they assisted more than 75,000 Victorians with over 170,000 legal problems. They give people information, advice, support and representation, helping prevent small problems from becoming serious crises. These services keep people safe from family violence, help people remain in their homes, ease financial hardship, support children and young people, work in hospitals and schools and stand with communities affected by fires and floods. Demand has far outstripped capacity. For every person a community legal service assists, another two are being turned away. The Victorian Law Foundation has produced data cited by the federation that shows that 78 per cent of legal needs go unmet, often because people cannot afford a private lawyer. That unmet need has real consequences. Without early legal assistance, housing problems can become homelessness, debt can become a financial crisis and family violence risks can escalate. It also creates greater pressure on our courts, health services, housing services and other government systems.

The federation is asking for secure five-year funding for existing community legal programs and an investment of an additional $120 million over the next term of the Parliament. That investment would enable community legal services to assist another 120,000 Victorians. Legal help should depend on need, not income, location or postcode. This is a practical investment in fairness, in prevention and in community safety. Secure funding would also give services the certainty that they require to retain their skilled staff, to plan effectively and to provide consistent support. Attorney, I ask the government to back this campaign and to commit to securing five-year funding and the additional $120 million investment so that community legal services can genuinely have the back of every Victorian who needs help.

Grey-headed flying fox control

Gaelle BROAD (Northern Victoria) (03:53): (2613) My adjournment is to the Minister for Education. Bendigo Senior Secondary College, which has more than 1800 students, is adjacent to Rosalind Park, where a colony of grey-headed flying foxes has at times exceeded 38,000 bats. There is constant screeching and smell and the excrement on the footpaths has caused both staff and students to slip or fall over. The school recently purchased 30 umbrellas for staff undertaking yard duty to protect them from bat droppings as thousands of bats constantly fly above the school grounds. Rosalind Park was once a stunning public park and a space where students could go to relax during breaks. Many residents are saying that the smell and noise of the bats have made the park unusable. The fernery opposite the school's front entrance remains locked up and closed to the public because it is now home to the colony of bats. When a colony of bats were located at the botanic gardens in Melbourne, they were relocated. Will the government take action to relocate the bats from Rosalind Park in Bendigo and protect the health, safety and wellbeing of staff, students and the wider community?

Midland Highway–Girgarre-Rushworth Road, Stanhope

Rikkie-Lee TYRRELL (Northern Victoria) (03:54): (2614) My adjournment this evening is for the Minister for Roads and Road Safety, and the action I seek is for an urgent safety audit of the intersection of the Midland Highway, A300, and Girgarre-Rushworth Road, C348, in Stanhope. This intersection is a major junction connecting local residents, farmers, freight operators and visitors travelling in the region. Situated alongside the Fonterra milk factory, which operates 24 hours a day, seven days a week, with numerous tanker trucks coming and going, the safety of this intersection is of the utmost importance. Constituents have raised ongoing concerns regarding safety at this location, particularly the risks associated with traffic entering and crossing the Midland Highway. On Saturday 6 June 2026 there was a horrific accident where a woman lost her life and two others were injured in a two-car collision at the intersection when a ute travelling north on the Girgarre-Rushworth Road collided with a car travelling along the Midland Highway. On 31 March a vehicle travelling north on Girgarre-Rushworth Road collided with a truck travelling along the Midland Highway. On 25 March 2024 a single-vehicle crash occurred on Girgarre-Rushworth Road near the Midland Highway, where a car left the road, hit a tree and caught fire, resulting in a fatality. This intersection is clearly dangerous and in need of an upgrade. Three serious accidents in three years is completely unacceptable, and something needs to be done without delay. Minister, the action I seek is for an urgent safety audit of the intersection of the Midland Highway and Girgarre-Rushworth Road in Stanhope.

Education system

Renee HEATH (Eastern Victoria) (03:56): (2615) This week I had a wonderful year 10 student doing work experience with my office. His name is Mason Vidot, and he has got an incredible interest in politics. As somebody who is currently experiencing our education system firsthand, I asked him to share his perspective, and here it is:

> As a student currently in high school, I spend … my whole week learning subjects that are supposed to prepare me for my future. While what we do learn is important for some situations, I don't often use what I've learnt in real life. I, and many other classmates ask the same question: how is this going to prepare us for life?
>
> Most … subjects revisit the same content every year. I believe this is why many students have become disengaged in school and misbehave. I have become disengaged in school myself because relearning the same content becomes boring. As students, we often discuss school being "pointless" because of this.
>
> I have noticed that all students are behaved better and more engaged when they're learning about subjects that interest them or apply to their future.
>
> The main subjects in school that repeat topics are, Math, and English. I use what I learn in English, however Math and Science seem less relevant unless you're pursuing a career in that field. In Humanities would I think we should learn politics, how voting works, and Australian history.
>
> Many students leave school without knowing how taxes work, how to manage bills, rent a property, apply for a loan, or even how to create a realistic budget. These are things that every Australian deals with as an adult, yet they receive no attention in the classroom.
>
> I think schools could do more to help students understand their future career options. It would be valuable to learn about different pathways, what jobs involve, what qualifications are needed and how to get there. It would help them pursue a career that they love. Understanding these opportunities could help students make better decisions about their future. When students cannot see how their education connects to their future, become less motivated and less engaged.
>
> Communication is a skill that deserves greater attention. No matter what job you pursue. Being able to communicate professionally and confidently is essential. It can affect job opportunities, workplace success, and everyday life.
>
> We are constantly being told that young people are the future. Well when will we learn the skills we need to thrive outside of school?

I thought that was a fantastic perspective. My adjournment is for the Minister for Education, and the action I seek is for him to meet with Mason and his fellow students to discuss how the education system can support young people better.

Patient transport

Georgie CROZIER (Southern Metropolitan) (03:59): (2616) My adjournment is for the Minister for Health. NurseLink Healthcare is a Department of Health–approved non-emergency patient transport provider. Recently I spoke to the group chief operations officer of NurseLink, who contacted me regarding a significant barrier to delivering NEPT services. Following a rigorous application process and compliance assessment in April, NurseLink Heathcare was granted a NEPT service licence by the Department of Health. In anticipation of commencing operations, this small business has invested over $2 million in vehicles, equipment, compliance and infrastructure. But despite the department issuing a licence, NurseLink Heathcare has been advised they cannot operate in the Victorian public hospital system because they are not listed on the HealthShare Victoria NEPT panel. They have now been advised that the HSV panel is closed to new entrants until April 2028, despite hospitals confirming to NurseLink that there is demand for additional NEPT capacity. To quote from the chief operating officer's email to me when he initially contacted me:

> Non-emergency patient transport is not a luxury. Victorians are currently waiting extended periods for transport to and from medical appointments, hospital admissions, and discharge services. The demand is real, it is documented, and it is growing. The hospitals we have spoken with have been unambiguous and they want and need more NEPT capacity. We are here, we are ready, and we are approved. And yet we are prevented from helping.

NEPT services are essential to Victorian patients to access the health care they need, yet this approved provider is denied the ability to operate for two years, placing considerable financial strain on the business. This is extraordinary. The action I seek is for the minister to ensure the department meets with the chief operating officer of NurseLink Heathcare to sort this out. He has been granted the licence. He needs to be able to operate.

Growth areas infrastructure

Evan MULHOLLAND (Northern Metropolitan) incorporated the following (2617):

> My action is to the Minister for Transport Infrastructure and the action I seek is to explain why the government is hell bent on failing growth area communities.
>
> I believe that part of the fracturing of our politics is due to this government's failure to adequately plan for growth. This government has allowed the social license for a well-managed immigration program to be broken.
>
> I wanted to speak to a speech at the National Press Club this week by Senator Pauline Hanson.
>
> As the Shadow Minister for Multicultural and Multifaith Affairs, and as someone who proudly represents the Northern Metropolitan Region – one of the most vibrant, diverse, and hard-working communities in Victoria – I feel it is my duty to draw a line in the sand.
>
> Senator Hanson used her platform to argue that Australia must choice between a rigid monoculturalism or a fractured multiculturalism. She painted a picture of a nation divided, suggesting that diversity is inherently incompatible with a cohesive national identity.
>
> Mr President, the Liberal Party completely rejects this false dichotomy.
>
> Our party has a proud history of building the modern, successful immigration story of this country. It was the **Menzies Government** that began dismantling the White Australia Policy. It was the **Fraser Government** that welcomed Vietnamese refugees with open arms, **our own colleague Trung Luu** was part of that intake, and codified a model of integration that demanded commitment to Australia first, and it was the Abbott Government that began the single largest humanitarian intake in Australian history of 12,000 persecuted minorities intake from Syria and Iraq after the ISIS crisis.
>
> Senator Hanson decries identity politics but weaponises the very same identity politics she decries from the left.
>
> We do not view multiculturalism through the lens of modern identity politics. We don't see it as a collection of separate, siloed grievance groups, which is how the hard left often seeks to weaponize it. But neither do we see it through the lens of fear and exclusion, which is the path Senator Hanson invites us down.
>
> True Liberal multiculturalism is built on a simple, enduring bargain: **Integration, not segregation.**

We value the great Australian value of egalitarianism, where everyone is equal under the law, regardless of race, background, belief, preference, culture.

When people come to this country, we do not ask them to erase their heritage, their faith, or their culture. Those traditions enrich our suburbs, power our small businesses, and strengthen our communities. But we *do* demand an absolute, unwavering commitment to Australian values: the rule of law, democracy, freedom of speech, freedom of religion, a fair go, and a fierce loyalty to our nation.

Senator Hanson's speech ignored the millions of migrants who have integrated seamlessly, who love this country deeply, and who want nothing more than to work hard, buy a home, and give their children a better life. **In places like Craigieburn, Roxburgh Park, and Reservoir**, I see families from every corner of the globe who are living the Australian Dream. They are building small businesses, volunteering for the CFA, and contributing to our economy. They are not a threat to our way of life; they are actively building it.

I still carry my Italian heritage like a badge of pride, when I go back to visit my family, it feels like home. Every migrant share that sentiment. It doesn't mean they love Australia any less.

When communities are targeted with implicit support of Senator Hanson, I recall stories my late Nonno used to tell me about his time on the factory floor in Campbellfield in Melbourne's North, where shop stewards would call him a Diego and it was completely acceptable to bully those of Italian and Greek background.

When we hear rhetoric that treats entire faith communities or ethnic backgrounds with sweeping suspicion, it doesn't protect Australian culture – it undermines the very fair go that defines us.

While Senator Hanson was quick to hype her electoral achievements like in South Australia, which after a whole lot of hype didn't amount to the media briefing, and the seat of Farrer, there was one electoral outing they didn't mention, that was the seat of Nepean. As much as they hyped it up. The good people of Nepean didn't see them as a credible alternative.

Mr President, Australia is the most successful multicultural and multifaith nation on earth precisely because **we are *not* a monoculture**, nor are we a collection of warring tribes. We are a single, united people bound together by a shared future, not just a shared past.

We face real challenges today. We face challenges with social cohesion, and we must be clear-eyed about demanding that everyone who lives here respects our democratic institutions. But the answer to those challenges is more integration, stronger citizenship standards, and a renewed pride in our shared Australian identity, and making sure we are prioritising infrastructure that supports growth – not the politics of division.

The Liberal Party will always defend an Australia that is free, safe, diverse, and united. We reject the politics of fear, and we will continue to stand up for every single Australian who works hard and pledges their loyalty to this great country.

Responses

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Development Victoria and Precincts) (04:01): There were 10 adjournment matters for this evening – an all-female line-up. It shows who are the stayers; President, you are in good company. They were all for other ministers, not me. Mrs McArthur, I am sure the Minister for Roads and Road Safety will be delighted to give you a response in relation to L2P. I was the opposition adviser for road safety back in the day, and we had to restore the funding because the Liberals cut it. It is good to see that Liberal members have changed their tune in relation to support for that important program. Everyone else will get a response in due course.

The PRESIDENT: The house stands adjourned.

House adjourned 4:02 am (Friday).