



Hansard

LEGISLATIVE COUNCIL

60th Parliament

Thursday 10 September 2026

Members of the Legislative Council

60th Parliament

President

Shaun Leane

Deputy President

Wendy Lovell

Leader of the Government in the Legislative Council

Jaclyn Symes

Deputy Leader of the Government in the Legislative Council

Lizzie Blandthorn

Leader of the Opposition in the Legislative Council

Bev McArthur (from 18 November 2025)

David Davis (from 27 December 2024)

Georgie Crozier (to 27 December 2024)

Deputy Leader of the Opposition in the Legislative Council

Evan Mulholland (from 31 August 2023)

Matthew Bach (to 31 August 2023)

Member	Region	Party	Member	Region	Party
Bach, Matthew 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, Gaele	Northern Victoria	Nat	Mulholland, Evan	Northern Metropolitan	Lib
Copsey, Katherine	Southern Metropolitan	Greens	Payne, Rachel	South-Eastern Metropolitan	LCV
Crozier, Georgie	Southern Metropolitan	Lib	Puglielli, Aiv	North-Eastern Metropolitan	Greens
Davis, David	Southern Metropolitan	Lib	Purcell, Georgie	Northern Victoria	AJP
Deeming, Moira ²	Western Metropolitan	FFV	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 ⁸	Northern Victoria	ON
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 Dec 2023

² Lib from 26 Nov 2022 until 28 Mar 2023;

IndLib from 28 Mar 2023 until 27 Dec 2024;

Lib from 27 Dec 2024 until 28 Jul 2026;

Ind from 28 Jul 2026 until 6 Sep 2026

³ Appointed 14 Nov 2024

⁴ LDP until 26 Jul 2023

⁵ Resigned 8 Nov 2024

⁶ DLP until 25 Mar 2024

⁷ Appointed 7 Feb 2024

⁸ PHON until 3 Aug 2026

Party abbreviations

AJP – Animal Justice Party; ALP – Australian Labor Party; DLP – Democratic Labour Party;
 FFV – Family First Victoria; 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; ON – One Nation Victoria;
 PHON – Pauline Hanson’s One Nation; SFFP – Shooters, Fishers and Farmers Party

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Thursday 10 September 2026

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

Petitions

Victorian Civil and Administrative Tribunal

Anasina GRAY-BARBERIO (Northern Metropolitan) presented a petition bearing 116 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative that Clause 37 of Schedule 1 of the Victorian Civil and Administrative Tribunal Act 1998 automatically restrict all people who are subject to guardianship or administration orders. These restrictions, often described as ‘gag laws’, prevent individuals from publicly identifying themselves or sharing their own experiences unless they first obtain permission from the Victorian Civil and Administrative Tribunal. While intended as a protective measure, the default provisions can silence people with disability, reduce transparency and accountability, and deny individuals the fundamental right to tell their own stories. Currently, Clause 37 can continue to restrict a person’s ability to identify themselves or speak publicly about their experiences even after their guardianship or administration order has ceased.

We seek reform to introduce a targeted, rights-based framework that ends default non-publication and upholds autonomy and freedom of expression, applies protective orders only where there is clear evidence of exploitation or harm and aligns Victorian law with the UN Convention on the Rights of Persons with Disabilities and Recommendation 6.12 of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

The petitioners therefore request that the Legislative Council call on the Government to repeal Clause 37 in Schedule 1 of the Victorian Civil and Administrative Tribunal Act 1998 and restore dignity, open justice, and human rights to people with disability in Victoria by introducing a targeted, rights-based framework.

Anasina GRAY-BARBERIO: I move:

That the petition be taken into consideration on the next day of meeting.

Motion agreed to.

Papers

Papers

Tabled by Clerk:

Border Groundwaters Agreement Review Committee – Report, 2024–25.

Local Jobs First – Report, 2025–26.

Statutory Rules under the following Acts of Parliament –

Children, Youth and Families Act 2005 – No. 120.

Racing Act 1958 – No. 121.

Business of the house

Notices

Notices of motion given.

Members statements

Felicitations

The PRESIDENT (09:50): I seek leave to make a statement from the chair.

Leave granted.

The PRESIDENT: I am going to say some kind things about people all across the chamber, so I would hold interjections as I go through the different sides of the thing. Today I want to give a shout-out to some MPs I have worked with over the years. Brian Tee, we learned a lot together. Then came Sonja Terpstra, who has an amazing work ethic. No Sunday festival or market has been Terps merch-free, and I have also enjoyed her take-no-prisoners attitude. Speaking of take-no-prisoner attitudes, starting and finishing my time with Gayle Tierney is a really cool thing for me. Others to mention are Johan Scheffer, one of the smartest guys I have known; Kaye Darveniza; Justin Madden; Jaala Pulford, Martin Pakula; and so many more. MPs I have shared boundaries with are Vicki Ward, Anthony Carbines, Colin Brooks, Lily D'Ambrosio, Jackson Taylor, John Mullahy, Paul Hamer, Matt Fregon, Tony Robinson and Kirstie Marshall. Of course there are all my buddies this term in here. I declare Lee Tarlamis the GWISH, the greatest whip in the Southern Hemisphere. I will mention leaders and others next sitting week, but I have got to say I admire MPs that go hard, so I have mostly enjoyed jousting with people like David Davis, Bev McArthur, Georgie Crozier and others – even Bernie Finn – and I acknowledge the late Inga Peulich. I have really enjoyed working and jousting with the crossbench and the Greens. All the crossbench and committee work with people like Samantha Dunn and Colleen Hartland has been a real highlight.

State election

Moira DEEMING (Western Metropolitan) (09:52): I am pleased to finally announce that I have joined Family First and will recontest the 2026 election as their lead candidate for the upper house in Western Metro and as leader of the party for Victoria. I am running to win because I know the west. I have chosen to raise my family in the west, and the west needs a representative who is a true local and who will put their families first. That is what I have always done, and that is what I intend to keep doing. Other politicians and the media have tried to end my political career, but I am still here and I am still fighting. There is absolutely nothing and nobody that could make me abandon the fight for child safeguards. I care about the people in the west, and if I am elected, perhaps even if I hold the balance of power, I am going to make sure that the days of both major parties taking the west for granted are over. Family First and Lyle Shelton have been very, very kind and gracious to me over the years, and I am very excited to take this next step. I am very excited to join a party whose principles line up with their policies. Contesting as a minor party candidate is hard, and I know that, but I have been encouraged to recontest this election by people across every party and political cross-section of society and especially by the great people in Melbourne's west who already know me and have continued to stand with me through thick and thin. I am running again because the work is not finished. I am going to fight for parental rights and child safeguards and get rid of corruption in this state.

State election

Melina BATH (Eastern Victoria) (09:53): The Nationals are ready to deliver a strong and stable government with a positive plan to rebuild Victoria. We will fix our roads with a \$5 billion invested target in the state's road network, and we will bring back the country roads and bridges program to fix our bridges and our local roads. We will tackle crime with more police, tougher laws and stronger consequences for repeat offenders. We will rebuild regional health care by attracting and incentivising more doctors, nurses and allied health professionals and rebuild our hospitals as needed. We will also rebuild homes and make sure that we are cutting red tape, unlocking land for families and ensuring first home buyers get a fair go. We will ease cost-of-living pressures by scrapping Labor's divisive emergency services tax and deliver more reliable and dispatchable energy. Through our fair share guarantee we will ensure that regional Victorians finally get their fair share of infrastructure investment, better roads, safer communities, stronger health care and more housing at lower costs. That is what country people deserve, and that is what they will get on 28 November this year.

R U OK? Day

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (09:55): Today is R U OK? Day, a day that reminds

us of the importance of checking in with the people around us and making time for honest conversations about our mental health. R U OK? Day may be today, but looking out for one another is something that matters every day. Checking in, listening and reminding someone that they are not alone can make a real difference. We know that talking openly about our mental health is not always easy. As a government we are getting on with the important work of rebuilding Victoria's mental health and wellbeing system, but government cannot do this work alone. We all have a role to play in creating communities where people feel safe to talk openly about their mental health. That means being willing to ask how someone is really going and listening without judgement when the answer is, 'I'm not okay.' Today I encourage everyone to take the time to check in with a friend, family member, colleague or neighbour.

Recreational fishing

Georgie PURCELL (Northern Victoria) (09:56): I rise to celebrate the end of Victoria's disastrous little anglers program. For the past three years the government spent millions of taxpayer dollars distributing tens of thousands of fishing kits to Victorian primary school children. People hated it. Year after year my office has received complaints from parents and teachers questioning its appropriateness, and I agree: the decision for a child to fish is not one that should be made by the state. But there was another dark side to little anglers that took the government far too long to acknowledge: the impact that it had on wildlife. Soon after its commencement, volunteer wildlife rescuers were inundated with calls about native animals that had become entangled in discarded fishing line and hooks, including flying foxes, kookaburras, platypuses, seals, tawny frogmouths and swans. In fact Wildlife Victoria documented a 158 per cent increase in call-outs for entanglement cases since the program was rolled out. What is worse is that, despite many reports and complaints, education on responsible disposal was never incorporated into the curriculum when rods and kits were rolled out in schools. Instead of supporting our volunteer wildlife rescuers, who already face so many challenges, it meant another avoidable burden was placed on them to respond to. Encouraging children to go outdoors should not come at a cost to animals and the environment, and connecting children with nature should mean teaching them how to respect it. The end of the little anglers kits program must mark a shift towards giving children the tools to love wildlife rather than the weapons to kill them.

Road maintenance

Wendy LOVELL (Northern Victoria) (09:57): The Liberals have pledged to invest \$5 billion to repair a million potholes, fix Victoria's road crisis and bring back a proper maintenance program that stops potholes occurring in the first place. But it is not enough to just fix the problems with state arterial roads. Many local roads and bridges maintained by councils also need work, but councils cannot afford to fix them because Labor has cost-shifted so many things to local government authorities, forcing them to do more with less. As a result, council budgets are under strain, especially in rural and regional Victoria, and they cannot afford to carry out all the capital works that need to be done. That is why the Liberals have announced a \$288 million country roads and bridges program. Under this program, each of Victoria's 48 rural and regional councils will receive \$1.5 million every year for four years in untied funding for councils to spend as they see fit to fix local roads and bridges. Twenty-four councils in my electorate of Northern Victoria Region will receive a combined \$144 million. That will allow local communities to give feedback on their highest priorities and let local governments invest the funds into the most appropriate local projects, instead of competing for state government grants. Providing reliable funding will allow councils to do forward planning with more certainty, and it will save time and money that is currently being spent on filling out paperwork for grant applications.

Future Geelong Leadership Awards

Gayle TIERNEY (Western Victoria) (09:59): This morning I wish to acknowledge the Future Geelong Leadership Awards, presented by the *Geelong Advertiser* and the Committee for Geelong. It celebrates people helping to shape a stronger future for our region. This year Justin Giddings received not one but two honours: the City Shaper award and the evening's highest accolade, the Frank Costa

Leadership Award. I have known Justin for many years, from his leadership of Avalon Airport and the AMDA Foundation to his time as chair at the Gordon TAFE. Whatever hat he is wearing, Justin brings the same practical approach, quiet determination and commitment to Geelong. As CEO of Avalon Airport, he helped transform it into an economic and employment hub. At the Gordon TAFE he understood the power of TAFE to change lives and build the skilled workforce our region needs. Today he continues to champion Australian aviation, advanced manufacturing and career opportunities for young people. Justin's contribution to Geelong has been substantial and lasting. I can think of few people more deserving of these awards. I also take this opportunity to congratulate other outstanding award winners Professor Peter Vuillermin, Tina Johnston, Gus Verwoert, Lee Troop, Ashleigh Wall and Hanlon on their well-deserved awards. They make this region a powerful region and a stronger region because they know what we need, and we work together to improve the reputation and the longevity of the Geelong region.

Charles Qin

Aiv PUGLIELLI (North-Eastern Metropolitan) (10:01): I am going to use my statement a little bit differently today. There is a member of Melbourne's Chinese diaspora community who has been maligned in the media. His name is Professor Charles Qin. He has lived here since 1991, and he became an Australian citizen not long after. He has served this country as a Mandarin interpreter and supported several prime ministers. He is a leader in his field and an Officer of the Order of Australia. So to see articles and statements from federal politicians, Labor and Liberal, questioning his allegiance to our country, claiming high-risk links, emphasising he is China born – I am going to call it what it is – is racism. I will share the professor's words:

Australians of Chinese heritage should not have to continually prove that they belong. Their citizenship, professional record and contribution to Australia should be judged by the same standards applied to every other Australian.

I completely agree.

Community sport

Ann-Marie HERMANS (South-Eastern Metropolitan) (10:02): Australia is a sport-loving nation, but something is clearly very wrong when our teenagers are amongst the most sedentary in the world. In what may come as a shock to most people, Australia was ranked 140 out of 146 countries for teen physical activity in a world-first study that was published in the *Lancet Child & Adolescent Health*. The study found that only one in 10 adolescents participate in at least 1 hour of daily physical activity, as recommended by the World Health Organization. This Andrews–Allan–Carroll Labor government wasted hundreds of millions of dollars of taxpayers money to not hold the Commonwealth Games this year, but instead of throwing money overseas, our hard-earned, tax-supported money could have been spent on community team sport programs to incentivise our teens to get moving. Crime is rampant in this state, with older teenagers increasingly recruiting their younger peers to commit carjackings, home invasions and robberies, knowing they will not face any serious consequences. The majority of carjackings and home invasions in Victoria last year were carried out by offenders under the age of 18, according to the latest crime statistics. I want to acknowledge a number of organisations that are trying to do a lot with youth in sport. One of course is Red Roo Basketball, which has helped over 50 players sign scholarships to play basketball at university level in the United States. Another is NextGen Unite, a not-for-profit – (*Time expired*)

Quantem

Tom McINTOSH (Eastern Victoria) (10:03): I want to use my members statement today to mention the fact that workers have been stood down without pay at Quantem fuel on Melbourne's docks. They have been replaced by workers flown in from overseas. This is the first time Victorian wharf labour has been flown in since the Patrick dispute in 1997. These workers handle dangerous liquids and chemicals. After watching their real wages go backwards for years and taking protected industrial action, the Maritime Union of Australia organised a rally at the docks, which I and many

others attended last week. The turnout shows the workers have the backing of their union, and the labour movement is backing them until they get a fair go.

Trung Luu Award for Academic Achievement and Inspiration

Trung LUU (Western Metropolitan) (10:04): It is the time of year when thousands of young Victorians are preparing for the end-of-year examination assessments that may shape their future pathway. One of the greatest privileges of serving in this Parliament has been meeting young people who demonstrate academic excellence, resilience, leadership, service and consideration for others. While many of these students work quietly behind the scenes overcoming challenges and striving to be the best version of themselves, their achievements deserve recognition. That is why I have established the Trung Luu Award for Academic Achievement and Inspiration – to celebrate young Victorians whose commitment and character make a difference in their communities. Over the past four years these awards have recognised hundreds of students, not only for academic success but also for the values that strengthen their communities and inspire others. Over recent weeks I have had the privilege and pleasure to start to present the 2026 awards to year 11 and year 12 students at Homestead Senior Secondary College in Point Cook – thanks to Raja Reddy, who is standing for Point Cook, for his assistance; at Penleigh and Essendon Grammar School in Keilor – thank you to Samantha Byrne for her assistance; and at Salesian College Sunbury – thank you, Simmone Cottom, for your assistance. I look forward to meeting up with students at Suzanne Cory in Werribee tomorrow and Rosehill college in Niddrie – *(Time expired)*

State election

Gaelle BROAD (Northern Victoria) (10:06): I am grateful to be part of the Nationals team, a team of hardworking people with real-life experience who are committed to serving their local communities and delivering a fair share for regional Victoria. We are ready to get on with the job of a strong and stable government with a positive plan focused on regional Victoria. We will make sure Victoria is open for business again, lowering the cost of employing people, reducing Labor's tax burden and fast-tracking permits and licences for businesses. The Nationals will fix our roads, investing \$5 billion to repair and rebuild our state road network, plus \$288 million for local country roads and bridges. The Nationals will tackle crime with 3000 additional police, tougher bail and sentencing laws and consequences for repeat offenders. The Nationals will rebuild regional health care, attracting more doctors, nurses, midwives and allied health professionals and getting mental health reform back on track. We will abolish stamp duty for first home buyers on properties up to \$1 million and unlock more land so people and families have a better opportunity to buy or build their home and renters have more affordable choice. We will ease the cost of living, scrapping Labor's emergency services tax and unlocking our conventional gas reserves to deliver affordable and reliable energy to keep our power bills down. We will upgrade schools and invest in public transport, and through the Nationals fair share guarantee, regional Victoria will finally get the 25 per cent of new infrastructure investment that we deserve.

Jewish community

Renee HEATH (Eastern Victoria) (10:07): This weekend Jews across Victoria are going to celebrate Jewish New Year. I just want to read a little bit of an article that was in the *Herald Sun*, which I just think is incredibly inspiring. It talks about the man, Senior Constable Barraza, who ended the Bondi terrorist attack by taking down one of the shooters. It says:

Sen Const Barraza, an experienced police marksman, was eating nachos at Bondi police station when a call came through on the police radio: "Possible armed offenders. Shots fired."

He waited to hear confirmation.

Then his colleague Const Dyson's voice came through: "I think I've been shot."

It is the most amazing story. This man just picked up his gun – did not get his mobile phone, did not get his bulletproof vest – and ran towards the gunfire. He did not even know where it was, but he ran

where people were fleeing from. He just listened to the sound of gunfire, and he ran to them. It reminded me that last week I was with a Holocaust survivor, Eddy Boas, and a great-granddaughter of Holocaust survivors. She asked Eddy this: 'What is your one take-home message when responding to antisemitism, especially for the next generation?' He said, 'When facing antisemitism, you have got to not give in. Do what you normally do. Do not take off your Star of David, and do not give in.' I thought that was a powerful message for us, because in order for them to do that, we have to stand up for them.

Road maintenance

Bev McARTHUR (Western Victoria) (10:09): Having travelled across the vast majority of Victoria's rural shires and regional cities, I have seen firsthand the urgent need for more investment in local roads and bridges. At the Rural Councils Victoria annual forum in Swan Hill, I announced our commitment to restoring the country roads and bridges program. Labor axed the original program, leaving country councils to carry the cost of maintaining local roads and bridges on small ratepayer bases. We will bring it back bigger and better. This upgraded \$288 million program will see each of Victoria's 48 rural and regional councils receive \$1.5 million in untied funding a year for four years. This will provide councils with funding certainty and allow them to determine which road and bridge projects are the highest priorities in their communities, rather than forcing them to compete for limited funding through a complex grants process. This program builds on our previous commitments, including our 25 per cent fair share guarantee and our \$5 billion investment to repair and rebuild Victoria's roads, and re-establish a proper planned system of preventative road maintenance. The Liberals and Nationals have listened, and a Wilson-led government will help councils get the basics right across rural and regional Victoria.

Business of the house

Notices of motion

Lee TARLAMIS (South-Eastern Metropolitan) (10:10): I move:

That the consideration of notices of motion, government business, 278 to 1619, be postponed until later this day.

Motion agreed to.

Bills

Justice Legislation Amendment (Family Violence, Coercive Control, Good Character, Risk Assessment and Other Matters) Bill 2026

Committed.

Committee

Clause 1 (10:13)

Jaclyn SYMES: I am very happy to take all questions in clause 1. I think it will facilitate the committee stage. If you just let me know which topic in terms of what you are asking, then I think I will be able to acquit it that way.

Georgie CROZIER: I have just got a couple of questions on behalf of my colleague Ms McLeish, who has done an enormous amount of work on this issue, as I previously have said during the second-reading debate. They relate to part 2, division 1, 'Power of court to extend or vary order on own motion'. There have been concerns from a number of stakeholders, I have been led to believe, that courts may be required to make decisions about future risk using information from criminal proceedings that could be incomplete, outdated or focused on a single incident rather than a broader pattern of family violence. Can the minister explain what safeguards are in place to ensure courts are able to consider all relevant and current risk information?

Jaclyn SYMES: I thank Ms Crozier and by default Ms McLeish in relation to their interest in these reforms. The own-motion powers – at the outset I acknowledge that you are picking up on some of the stakeholder feedback. I certainly want to start with advising the house of the level of consultation in this bill. The department and the Attorney-General consulted widely on the reforms, including with the family violence sector and the legal assistance sector. The own-motion power was discussed and developed in detail with the legal assistance sector for a very long period of time. New South Wales and Queensland have comparable provisions for extending equivalent family violence orders in their criminal divisions. What we know is that victim-survivors have repeatedly told us of the trauma involved with having to return to court to seek an extension or variation of the family violence intervention order despite recent criminal proceedings involving clear and serious family violence being committed against them, and I think what is important for the purpose of this amendment is the acknowledgement that it has to be a family violence offence. The own-motion power is intended to benefit victim-survivors by reducing their need to return to court to seek that extension or variation, where the risk is clear.

In terms of other relevant factors, the court, in terms of other information they can consider and other information that would more appropriately go back to the civil jurisdiction and how that will interact, has the opportunity to be put on notice that there are other issues, like family law or child protection proceedings, through the course of its obligation to take the protected persons' and respondents' views into account. However, the court cannot receive independent evidence about those matters, because that would start to replicate a civil proceeding and cause delay and basically create two parallel processes. So if the protected person or respondent indicates to the court that there are other issues at play, it indicates to the court that it should not exercise its own-motion power but should instead leave those issues to be settled in the existing civil application process.

Georgie CROZIER: Just for some clarity – and I think you have explained it in the answer to my first question – if there were proceedings before a family law or other court, that would be taken into consideration through these own-motion proceedings?

Jaclyn SYMES: Sorry, could you just say it again?

Georgie CROZIER: If they have got proceedings in other courts, like the family law court or another court, for whatever reason, I think you answered it to say that they would take it into consideration and that it would have to go through a different court. Is that what you said? Could I get some clarity about that?

Jaclyn SYMES: They can be advised that they exist or that there is a matter afoot – say, a child protection proceeding, for example – but they cannot take evidence on it. It would have to go back to the civil jurisdiction. So it can be a relevant factor, but it cannot be considered in the determination of extending the family violence intervention order, other than as a relevant factor. It cannot determine the matter or give it any interrogation based on receipt of evidence.

Katherine COPSEY: I also have some questions on own-motion powers. Minister, why does proposed section 125F restrict the court when exercising the own-motion power from considering material that was not already before it in the criminal proceeding when the court is being asked to assess future risk?

Jaclyn SYMES: This is probably useful for Ms Crozier's question as well, so thank you for your question, Ms Copsey. The own-motion power is intended to be used in matters where the risk is clear based on the evidence in the criminal proceeding, without needing the parties to make a new application or provide new evidence. Allowing new evidence to be considered would require a process similar to a further civil proceeding to enable any additional evidence to be provided and tested. This could create challenges given the different standards of proof in criminal and civil matters, particularly as the prosecution is not generally a party to a family violence intervention order proceeding. This would result in significant delays, undermining the efficiency and intent of the reform, and would risk

compromising the integrity of the criminal proceeding by requiring the court to consider material beyond the offending before it, including what was presented at sentencing.

Katherine COPSEY: What is the legal distinction in the government's mind between a court inquiring about current circumstances and the court receiving new evidence that is prohibited by proposed section 125F?

Jaclyn SYMES: A court may inquire about certain circumstances, because the bill requires the court to have regard to all the circumstances of the case, the safety of each protected person and the views of each protected person. The court may need to make these inquiries when deciding how long an order should be extended for or what conditions should be changed. Ultimately, if the court makes inquiries and it becomes apparent that further information is needed – if matters are complex or contested in any way that would require a further, more comprehensive hearing with new evidence – then it should not exercise the own-motion power. In essence, the bill is drawing a distinction between a court asking questions that help it to determine what information is relevant and needed for it to exercise the own-motion power and a court then seeking to rely on new information obtained on a basis for a decision. This is a nuanced exercise, but necessary to achieve the purpose of the reform.

Katherine COPSEY: If a protected person tells the court about a new family law order, a child protection order or a changed living arrangement, can the court rely on that information in deciding whether to extend or vary the family violence intervention order (FVIO), even though that information may not have been in evidence in the criminal proceeding?

Jaclyn SYMES: Similar to the answer that I gave to Ms Crozier, a protected person may tell the court this information as it may be directly relevant to the safety of the victim-survivor. A court can use the information about the existence of a family law order or child protection order, but it could not seek to obtain and rely on details included in those orders, unless that information was otherwise presented as part of the criminal proceedings.

Katherine COPSEY: Can the court consider a current family violence multi-agency risk assessment and management framework (MARAM) or other family violence risk assessment? I am aware there has been correspondence between the Attorney-General and the community legal centre family violence working group, but I do not think that situation is covered by the letter.

Jaclyn SYMES: Yes, I have got a copy of the letter here, but just to answer your question directly, the own-motion power is not intended to replace civil processes. We have covered that. Prosecuting agencies will need to advise courts if there is a current MARAM or other risk assessment that could not be put before the court. This is relevant to the court's decision on whether or not it is appropriate to exercise their own-motion power.

Katherine COPSEY: Can the court consider new family violence threats or escalation that has occurred after the offending that is the subject of the criminal proceeding?

Jaclyn SYMES: If this information is included in materials forming part of the criminal proceedings, then yes, it can be considered – for example, if it was considered as part of the assessment process for a community correction order. Otherwise, prosecuting agencies will need to advise the court if there are matters that are relevant to risk that the court is unable to consider – for example, any new criminal charges.

Katherine COPSEY: If those matters do require a separate civil application, who is expected, in the government's understanding of these reforms, to initiate that separate civil process and how does that square with the government's stated intent of avoiding another court proceeding for the victim-survivor?

Jaclyn SYMES: Civil applications will be initiated in the usual way by a protected person or applicant, most likely a police applicant.

Katherine COPSEY: Still on the own-motion powers but just turning to the concerns that are held around potential for misidentification and the interaction of this with systems abuse behaviour, what safeguards has the government put in place to ensure that the own-motion power does not compound victim-survivor misidentification or facilitate systems abuse where the broader family violence context of a particular case was not before the criminal court?

Jaclyn SYMES: It is a really important issue, something that I know you and I have probably had conversations about in the past, and certainly the Attorney has spent a lot of time on issues of misidentification in the development of this bill. There are a range of views, and everyone is alive to systems abuse and the harm that it can cause. The own-motion power is discretionary. If a court considers that broader contextual information is needed to properly assess family violence risk or determine the nature of the relationship between the parties, it should not exercise the power. In circumstances where there is no information before the court, either from the parties or in the materials in the proceeding, a court is still required to consider all the circumstances of the case. A court may seek advice from a prosecuting agency as to whether there may be reasons as to why the own-motion power should not be exercised.

Katherine COPSEY: In a circumstance where a misidentification occurs and the offence for which a victim-survivor was convicted arose from self-defence, resistance or conduct occurring within a broader pattern of coercive control that may not have been fully explored in the criminal proceeding, how is the court to inform itself about that context?

Jaclyn SYMES: As you have identified, that is a common feature of misidentification instances, and so where there are issues about the nature of criminal offending and its context, these should be explored within the criminal proceeding. The respondent must also be given an opportunity to be heard before the own-motion power can be exercised, which is when issues regarding misidentification, coercive control and the general dynamics of the relationship may be raised before the court. The court may then decide not to exercise the own-motion power if it considers the civil process would be more appropriate.

Katherine COPSEY: What monitoring will the government be undertaking to identify with this new power whether the own-motion power is disproportionately being activated, involving particular vulnerable cohorts – women, Aboriginal people or other groups – who are at higher risk of misidentification?

Jaclyn SYMES: We know this is a known risk. It is something that is discussed regularly with relevant stakeholders, particularly the Aboriginal Justice Forum and the like. It will for that reason be closely monitored, and a lot of feedback will be sought and encouraged as part of the work that will also feed into cross-agency forums focused on addressing the risk of misidentification in family violence matters more broadly. It goes without saying when you know that this is a possibility and in fact a known risk that it is something that will be very closely monitored, and as I said, feedback will be encouraged.

Katherine COPSEY: That might be a good moment to shift similarly onto the risks of misidentification and systems abuse, but now in relation to the new offence of coercive control. What safeguards could you outline for us, please, that will operate before charge to minimise the risk of victim-survivor misidentification in relation to coercive control? If I could ask: what changes are going to be made to the Victoria Police policy supervision, training and risk assessment processes before commencement? How will the government identify cases where a victim-survivor has been wrongly charged or prosecuted? Similarly to monitoring, what data is going to be collected on investigations, charges and prosecutions, including – hopefully – data categorised by gender and Aboriginality? What early oversight mechanisms will identify if there are troubling patterns and unintended consequences emerging to enable intervention before that statutory three-year review period?

Jaclyn SYMES: I thank Ms Copsey for raising a series of issues in relation to misidentification and system abuse in the context of the establishment of the standalone coercive control offence. You have picked up on issues that are longstanding and have been considered for many years in relation to whether to proceed with this offence as a standalone offence in its own right. In that respect I can give you a lot of confidence that these issues are acknowledged, and it is why it has taken some time to be confident that the system has matured to a point where we can have a standalone offence. With respect to safeguards, the offence protects against criminalising reasonable or innocent actions, including where the accused has been misidentified by its elements and the reasonableness defence. This includes the requirement that the accused engaged in specified conduct that makes up a course of conduct, the requirement for a continuity of purpose in relation to the course of conduct and the requirement that both the intentional and objective fault elements be satisfied. The bill includes a defence: the course of conduct was reasonable in the context of a relationship as a whole. You asked about Victoria Police. They have been closely consulted during the development of this new offence, and this engagement will continue during the implementation period. Issues that you have raised will form part of that discussion.

In terms of the ability for government to identify cases of victim-survivors wrongly charged – basically misidentification in individual cases – it will be a matter for prosecution agencies. However, the government is committed to supporting complementary policy and system reform to minimise the risks of this occurring. Similar to what we were talking about in relation to closely monitoring the impacts of the changes in the court system, both of the changes will be highly important, and a commitment is given to that. Data will form part of monitoring, in a sense, because we will continue to closely monitor the impact and implementation. There are some forums, particularly the victim-survivor justice advisory group. Once the offence commences that group will work to monitor impacts including misidentification, which can consider a range of data, but particularly the Crime Statistics Agency will be relevant once the offence commences.

In relation to the statutory three-year review it should be noted that the offence has a long commencement time to enable critical system-wide reforms to mitigate the unintended consequences or get in front of what we know are the risks, and a statutory review will be required three years from commencement. As always, the government will ensure its laws are implemented safely and effectively. This is an area of law reform where a statutory review is important, but we know that ongoing monitoring from day one will also be vital.

Katherine COPSEY: This is my last question on the bill. You just spoke, Minister, about the extra work that is going to result from the implementation of this reform. What additional funding and resources will be provided to police, courts, the judicial college, legal assistance services and specialist family violence services to implement the coercive control offence and the new own-motion powers? If you could touch on specifically: what training will be provided to judicial officers hearing criminal matters who may now exercise family violence powers? What training will be provided to police and prosecutors on coercive control, predominant aggressor identification, systems abuse and victim-survivor resistance or self-protection? What additional funding will legal assistance and specialist family violence services receive to meet the presumably increased demand? What role will specialist family violence organisations, Aboriginal community controlled organisations and people with lived experience have in designing that training? And how will competency be assessed?

Jaclyn SYMES: Thank you, Ms Copsey, for your question. I think it contains a lot of suggestions. The additional funding and resources for relevant agencies will be subject to budget outcomes. As always, it is the government's intention to ensure its laws are implemented safely and effectively. I think we have similar concerns on misidentification. Some of the questions that you have asked have also been in the bill briefing process for me as well and are things that I have asked about. This is something that is acknowledged by Victoria Police; it has been, even in my time as Attorney-General, and a lot has happened since I was in the portfolio. It has been a commitment across agencies to make

sure that we are doing better in this regard. It is an acknowledgement that it exists, and there is no hiding of that, so that is a great foundation for training and ongoing improvement.

I do not have a breakdown of the training modules et cetera. I know the courts' continual improvement is also – misidentifications come up time and again across agencies in relation to making sure everyone continues to talk about it and do better. I do not know what the training models look like, but I can give you confidence that that is something that is acknowledged, and therefore it is the government's expectation that these things would be addressed. Because there is a long lead time for this law reform, we want to get it right. We want to make sure everyone is ready to avoid any of those risks as much as possible. I think that engagement with the Attorney's office would be the best way forward to remain updated in some of those processes, but a lot of the forums that involve lived experience and agencies that come together will continue to have these conversations and identify any gaps.

Katherine COPSEY: Thank you for engaging with the answer. Can I just confirm, though – going and looking at the bill in its totality again, there are significant reforms here. Has the government committed some budget to assist the frontline services in particular, who are going to be out there and hopefully helping to achieve the government's broad intent? Is there any funding or resourcing to support them in that endeavour?

Jaclyn SYMES: As I indicated, additional funding resources will be subject to budget outcomes. This is not an area of justice response that is new as an issue. These changes will result in making sure that those discussions translate into policy changes. If there are funding requirements, then government will consider those appropriately.

David LIMBRICK: I have a couple of questions around different areas. I will start with the area around coercive control. Proposed section 34AQ(1)(c) speaks about non-sexual intimate personal relationships. What type of relationship is this actually? Could the minister give some examples of what type of relationship we are actually talking about here?

Jaclyn SYMES: There has been a lot of discussion and consultation in relation to the relationships where the offence will apply. There were discussions around parent–child, elder abuse and where it all can be relevant. It is a complex offence. It is the first time a pattern of behaviour and a relationship dynamic is at the core of a criminal offence here. We know that coercive control occurs in many different types of relationships, and we are not pretending that it does not. We have listened to the sector very much. This is informed by the consultations that we have had to limit the scope to begin with, recognising that intimate partner relationships are the relationships where coercive control presents the greatest risks. In terms of intimate partner relationships, that is where we are starting. The statutory review could assess if we want to apply it more broadly in the future. Does that cover your question?

David LIMBRICK: Actually, the type of relationship that I would like clarification on is parent–child relationships. Is this intended to cover that or is that not –

Jaclyn SYMES: No.

David LIMBRICK: No. Definitely not. Okay, good.

Jaclyn SYMES: It is just intimate partner relationships. In terms of the description, that is sometimes obvious, I suppose, but not always. It does not necessarily have to involve a sexual relationship, particularly in terms of people that might be waiting until marriage, that kind of thing. But that is the relationship that we are talking about, not parent–child and not elder abuse, acknowledging that there is coercive conduct in those relationships as well.

David LIMBRICK: I thank the minister for that clarification because, yes, I can see the problem with applying it to parent–child relationships. If you want to discipline a child, the difference between discipline and coercive control might be very difficult. Another type of what could be classified as a

non-sexual intimate personal relationship is potentially someone and their carer. Is that not intended to be covered under this either?

Jaclyn SYMES: Not by virtue of them just being a carer in its own right. But if they are an intimate partner as well as a carer, then that would be covered.

David LIMBRICK: Okay, I think I understand. So what we are trying to capture here is what people would consider couples, I guess, regardless of their sexual relationship. That is basically what we are trying to cover here. Would that be a good summary?

Jaclyn SYMES: That is a good summary, Mr Limbrick.

David LIMBRICK: To another section on the abolition of good character: the NSW Sentencing Council report and the royal commission were limited in scope to sexual offending and institutional offending. The proposed new section 5AAA relies on these findings to justify it, but it applies to every offence. Why is this new prohibition on good character references applicable to all classes, not just those mentioned in the materials relied on?

Jaclyn SYMES: Because good character is a vague, uncertain and subjective concept that cannot predict the risk of offending or prospects of rehabilitation. We know it is exploited mostly in sexual offending, but as it is irrelevant and uncertain as a concept in general, we are getting rid of it for all offending.

David LIMBRICK: A couple of questions regarding clause 8, about the own-motion FVIO: in proposed sections 125S to 125U why is a merits appeal from a County Court or Supreme Court own-motion order ousted rather than leaving the existing Family Violence Protection Act 2008 (FVPA) appeal path in place?

Jaclyn SYMES: I might need you to re-ask that, sorry.

David LIMBRICK: Why is a merits appeal from the County Court or Supreme Court own-motion order ousted rather than leaving the existing FVPA appeal path in place?

Jaclyn SYMES: I will just get some advice on that.

Mr Limbrick, we are picking up the existing process in the Family Violence Protection Act and the offences and applying them to this process. It is replicating an existing process for the new process.

David LIMBRICK: I thank the minister for that clarification. When a court uses the proposed section 125E, the respondent cannot test the criminal brief the way they could on a civil variation. Is that intended?

Jaclyn SYMES: Yes, it is intended. This change is not wanting an outcome where the things that are best dealt with in the civil system move to the criminal system. You would not use an own-motion power when it is more appropriate to stay in the civil jurisdiction – different evidentiary requirements, different tests. Where it is appropriate to stay in civil, it is not brought in.

David LIMBRICK: I thank the minister for that clarification. If the conviction or sentence that triggered the own-motion order is later set aside or cut, the FVIO is varied or extended and stays up unless someone starts a fresh civil application. Is that intentional?

Jaclyn SYMES: If a person has successfully appealed their criminal conviction or sentence after the exercise of the own-motion power, the family violence intervention order will remain in force as extended or varied. This is because the outcome of a criminal appeal and the related criminal conduct is not the main determination of family violence risk. A criminal conviction may be overturned for a range of reasons, but the protected person may still be at significant risk of harm. To ensure procedural fairness for respondents who have successfully appealed a criminal conviction or sentence, the bill removes existing legislative barriers for respondents to apply to vary or revoke the family violence intervention order in the Magistrates' Court. If the respondent wishes to have the order changed, they

can apply without having to seek leave or demonstrate a change in circumstances. Hearing an application to vary or revoke in the Magistrates' Court instead as part of the criminal appeal allows for a more fulsome consideration of evidence and more established processes for obtaining victim-survivors views about that order.

Georgie CROZIER: I have just got a clarification, if I may, Minister, regarding the question Mr Limbrick asked on good character. I understand that, according to the explanatory memorandum, the amendments draw on the majority view of the NSW Sentencing Council's report into good character on sentencing, the *Good Character at Sentencing* report, which I think you referenced. It appears that this amendment goes much broader than New South Wales, which I think you confirmed to Mr Limbrick.

Jaclyn SYMES: It is for all offences, not just sexual offences.

Georgie CROZIER: Yes. What advice did you get and what feedback from stakeholders? Where that advice came from to go broader than what is being applied in New South Wales is really what I am trying to understand.

Jaclyn SYMES: Just to clarify, New South Wales does apply to all offences as well. I think we were all going down a bit of a different pathway there. In New South Wales it applies to all offences. Our proposed laws will apply to all offences. It is mostly exploited in sexual offending, and that is where the main community campaign has been focused. But when we have looked at the reason for the laws, it made sense that when good character is so vague and so subjective, as has been demonstrated, and does not predict risk of offending or prospects of rehabilitation, it was determined through a range of consultation measures and a range of feedback from victims and other stakeholders that it was appropriate to apply to all offences. It was considered that it be confined just to sexual offences. So that policy debate has been discussed with a range of people, and we have landed on all offences.

Georgie CROZIER: For my understanding and confirmation, it does align fairly closely with what New South Wales has done? Minister, is that what you are saying?

Jaclyn SYMES: Yes. Applying the reforms to all Victorian offences responds directly to the recommendations of the majority of the NSW Sentencing Council, an expert independent body that prepared a detailed report on the issue following extensive public and expert consultation. The concerns regarding good character at sentencing can apply to all offences. These include, as I said before, that it can be based on a vague and subjective concept, cannot predict the risk of offending or prospect of rehabilitation and can cause further harm and trauma to victims. Only applying the reforms to certain offences would be unfair to those victims who would not be protected. A consistent approach across all offences minimises complexity in sentencing and inconsistency in sentencing practices and outcomes. So this is very much driven by the impact on victim-survivors, and there are strong policy grounds that it should be afforded to all offences, because all victims have a similar experience when hearing that the offender who did them harm is okay in someone else's eyes.

Georgie CROZIER: Thank you, Minister, for that clarification. Just one final question. You have mentioned the victim-survivors, and the campaign, I think you said, came into a lot of the decision-making. What was the feedback from the legal fraternity in relation to some of the proposed changes that this bill seeks to do?

Jaclyn SYMES: The advice that I have here in front of me is obviously that we did not need to replicate the sentencing council's comprehensive review in New South Wales because it was a similar topic. It was a big process because it was a law reform type process, so everyone was able to feed into that. In relation to feedback from specific stakeholders, I will have to get the Attorney-General's office to follow up with you on any of that. If you have had any representations yourself that you want to put on record, then I would be happy to do so, but this has gone through consultation. I will see if the box has got anything else to add.

Just having checked with the box, there has not been an extensive concern raised by any particular stakeholders. The reforms, as I said, have drawn on New South Wales. That was extensive public and expert consultation. Since the government's commitment in February to deliver this there has been an opportunity to consult with key legal and justice stakeholders. There have been mixed reviews but not a strong opposition to the change.

Georgie CROZIER: I understand that, but if that could be provided by the Attorney's office, that would be helpful, I think.

Rachel PAYNE: I move:

1. Clause 1, page 3, line 29, omit "violence." and insert "violence; and".
2. Clause 1, page 3, after line 29 insert –
 “(i) to amend the **Summary Offences Act 1966** to repeal the offence of begging or gathering alms.”.

I am just noting that the house agreed to an instruction motion on this amendment. This amendment seeks to amend the Summary Offences Act 1966 to repeal the offence of begging or gathering alms. I note that since 2005 an average of 141 people have been charged with begging every year. Other states and territories such as New South Wales, Western Australia and Tasmania have all decriminalised begging, and I just want to note that when this government decriminalised public intoxication in November 2023 it recognised that doing so would allow people to access safe and appropriate care. The same is true for begging. People who are experiencing homelessness, long-term unemployment, mental illness, drug and alcohol dependence and violence are for various reasons much more likely to beg. I just also want to note in regard to this amendment the tragic murder of Jessica Geddes. The state coroner's report from John Cain as coroner noted regarding Jessica's death that it was recommended that the Victorian government work with Victoria Police to develop a welfare-oriented response to people who beg rather than a criminal one.

Georgie CROZIER: Ms Payne, I know that you have been a strong advocate in this area, but the Liberals and Nationals do not believe that this is the right bill for these amendments to be put into place, and so we will not be supporting your position at this time.

Jaclyn SYMES: I thank Ms Payne for her amendment. Whilst there is an argument that this is not the right bill, there has been an instruction motion that allows the chamber to consider it. People know my long-term view that we should use private members bills and substantive bills, but in acknowledgement that there are not a lot of opportunities to do that and that this is a piece of law reform that the Attorney-General is on record as being very interested in progressing, we are going to take the opportunity to support Ms Payne's amendment.

A criminal response to begging disproportionately punishes the most vulnerable people in our community. It is inconsistent with the government's commitment to early prevention, health-based reform and harm reduction. I know, Ms Payne, that you have had a lot of interaction with Jessica Geddes's family. I want to acknowledge the coronial findings into her death, the Yoorrook Justice Commission and the longstanding advocacy from community groups and welfare-based organisations in response to begging. Victoria Police of course will still be able to rely on existing powers and alternative offences, and in that respect we do not believe that a repeal is going to cause a significant increase in demand or concern in that regard. The existing powers that police have to address antisocial or concerning behaviour include move-on powers if a person is endangering the safety of any other person or is a risk to public safety. Other offences are available for more serious conduct of course, such as assault or threatening another person, so we believe the current statute books would adequately address any concerns about antisocial behaviour. The simple act of begging, we know, is at its heart due to a vulnerability of an individual, and the criminalising of vulnerability is something that I am happy to support exiting the statute book. Thank you for your amendment. I acknowledge it is

unconventional in this respect, but given that there are only 3½ more sitting days, Ms Payne, the government will support your amendment.

David LIMBRICK: The Libertarian Party will also be supporting this amendment. I see begging all the time in the city, and it does not seem to be something that is policed very heavily in any case. As the minister has pointed out, if people are acting in antisocial ways or committing other crimes, there are other powers that police have to deal with that, so I do not feel that this is a necessary thing to have as an offence.

Katherine COPSEY: The Greens will be supporting this amendment today. It is fantastic to finally see a very overdue reform. As has been noted, decriminalisation of begging has happened in many other states prior. I think in practice it has long been the preference to respond to people who are in a dire situation with care, not by criminalising them. However, this threat has hung over people's heads for far too long. We must not kick people when they are down, when they are in desperate straits. The Greens have been pushing for this change for many years. I want to acknowledge the work of my predecessor in this place Sue Pennicuik, for whom this has been a vital area of reform, and also of course my dear colleague Dr Tim Read, the previous Greens Victorian justice spokesperson, who have both been passionate about this topic. We are very pleased to support the amendment today.

The DEPUTY PRESIDENT: We are dealing with Ms Payne's amendments 1 and 2 on her sheet RP25C, which deal with the repeal of begging or gathering alms. They test all of the remaining amendments on her sheet RP25C.

Council divided on amendments:

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

Noes (13): Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Ann-Marie Hermans, Wendy Lovell, Trung Luu, Bev McArthur, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Amendments agreed to.

Rachel PAYNE: Just to be clear, with the amendments on sheet RP26C, I will be moving amendments 1, 2 and 4, and I will not be proceeding with amendments 3 and 5. I will be speaking to them, though. I move:

1. Clause 1, page 3, after line 26 insert –

“(iii) to void certain warrants to imprison made in respect of a person in default; and”.

In regard to amendments 1, 2 and 4, this is an amendment in relation to imprisonment for unpaid fines. Imprisonment for unpaid fines is unjust, particularly for Victorians who are vulnerable. It punishes people for poverty, not wrongdoing. Imprisonment itself and threats of imprisonment cause severe, avoidable harm for individuals, families, communities and especially First Peoples. Up to 83 per cent of fines involved in enforcement warrant cases are toll fines or private fines, according to Magistrates' Court data. While there are existing safeguards designed to prevent the imprisonment of vulnerable Victorians in the Fines Reform Act 2014, there are failings in practice, resulting in outcomes that disproportionately affect marginalised Victorians. It should be noted that threatening to imprison people as well as imprisoning people for unpaid fines ignores the extensive national evidence about the harm that is caused by the discriminatory impact of this practice, especially to First Peoples. The amendment that I seek in relation to amendments 1, 2 and 4 is for the government to remove historic imprisonment warrants made under repealed laws, which came into effect on 31 December 2017. I will be calling a vote on that one, which is new division 3A. New subsection 171AAA is intended to remove historical unexecuted warrants to imprison, making them null and void. This provision draws

a line under an outdated and unfair system. It makes historical unexecuted warrants for imprisoning people over unpaid infringement fines null and void. The reason behind moving this amendment is that no-one should face imprisonment today because of an old warrant issued under laws that have since been replaced.

Jaclyn SYMES: Can you confirm what you are proceeding with and not proceeding with?

Rachel PAYNE: Just in relation to new sections 90A to 90F in amendments 3 and 5 on sheet RP26C, I will not be proceeding with this amendment, but I will speak to them. For division 4A, 'Person in default and imprisonment', these clauses remove a number of the Magistrates' Court's powers under the Fines Reform Act 2014, particularly powers connected with imprisonment and enforcement of unpaid fines. The justification for me speaking to this is that these provisions ensure that a fine should be a financial penalty, not a pathway into prison for someone who cannot afford to pay it. In conversation with government over this and with the department, I am satisfied that the department is looking into this issue more broadly.

Georgie CROZIER: You said 'In conversation with government' around these amendments. When did the conversation start?

Rachel PAYNE: When I moved these amendments initially. I moved amendments that looked at the pre-fine period and the post-fine period. In my conversations with government and advice that was then provided in response to those amendments from the department, I was satisfied that the department had suggested that they would be looking at this issue more broadly. There were questions around constitutionality and the like, so I felt it best that I leave that to the department to further investigate. It was outside the scope of this bill more broadly, and more time would have been required.

Jaclyn SYMES: Thank you, Ms Payne, for clarifying what you are proceeding with and what you are not. The ones that you are not proceeding with we were not going to support, but I do not need to speak to that; you have done that yourself. In relation to voiding imprisonment warrants made under now repealed legislation, the government will support this amendment. We understand the intention is to void all historical imprisonment warrants arising from orders made under now repealed provisions of the Infringements Act 2006. The amendment put forward by Ms Payne will void imprisonment warrants for infringement fine defaults that were first issued before 2018, even if they have since been reissued. However, these amendments as drafted will not fully capture all the imprisonment warrants for fine default arising from orders made before 2018. Cohorts left out include imprisonment warrants relating to court fine default – imprisonment warrants that were made in or after 2018 based on a court order made before 2018. This means further legislative work may be required to realise the intention of the amendment in full.

Katherine COPSEY: The Greens will be very happy to support this amendment. We have been on the record similarly about the unjust outcomes that placing people at risk of imprisonment for unpaid fines produces. It compounds vulnerability, drives people further into poverty and increases stigma, rather than approaching these issues through a lens of assisting people to get back on their feet. No-one should be jailed simply because they cannot afford to pay a fine, and it is plainly unjust in the case of the historic warrants for people to remain exposed to imprisonment warrants that were issued under an outdated enforcement regime. Cancelling the historical warrants is an important step that the Greens will support. For the record, had Ms Payne proceeded with her prospective set of amendments, removing imprisonment as an enforcement option for unpaid fines altogether, the Greens would have been supportive of this as well.

Criminalising poverty is not what Victoria is about. We need to work towards a fairer fines system, and I am again very proud to build on the work that my predecessor Sue Pennicuik put in in this place. We should not be imprisoning people for fines, and we encourage all parties to support these amendments because they are a proportionate and humane justice response consistent with people's

rights and the outcomes that we actually seek from our justice system, rather than driving people further into the dirt.

David LIMBRICK: The Libertarian Party will be supporting this amendment. In the case of historical fines it is obviously unjust that a warrant is still outstanding for a law that is now outdated and obsolete, but I do note the minister's response that this is not a complete solution and will require further work and I urge the government to do that work.

On fines more generally, I still get people contacting my office about outstanding fines from the COVID period. There were enormous fines during that period. I have urged the government many times to forgive those fines. Some other states have done similar things to that. I still think that the government should forgive those fines. Many of these fines are of a magnitude that these people just cannot pay. Compounding the injustice even more is that many of these people were fined for protesting after they lost their jobs. This is an awful thing to do to people, and the idea of going to jail for that is wrong. Therefore, in general, I do not think that imprisoning people over fines is a very good solution for anything. We need our prisons for people that hurt other people, not for people that cannot afford to pay a government fine.

Georgie CROZIER: Whilst we understand the approach Ms Payne has provided to the house, again we think these amendments should not be put into this bill. This bill is the Justice Legislation Amendment (Family Violence, Coercive Control, Good Character, Risk Assessment and Other Matters) Bill 2026, and we do not believe that these amendments should be in this.

Jaclyn SYMES: They are not part of the instruction motion. These are in scope.

Georgie CROZIER: I am just saying, in terms of the overall amendments that Ms Payne has moved, whether it is the previous one or this one, we will not be supporting them based on the government's response to all of these matters. They have had years to do this. Again, Ms McLeish brought this issue to the Parliament and the government voted against it some 12 months ago, so we will not be supporting Ms Payne's amendment.

Jaclyn SYMES: Just to respond, Ms Crozier, obviously I am not the responsible minister, I just have custody of the bill today. Just to clarify your argument that these are not appropriate amendments for this bill, the advice from the clerks is that these are in scope and therefore not part of the instruction motion. Just to be very clear, we are supporting the voiding of imprisonment warrants made under now-repealed legislation. We have confined our support to that amendment. We would not have been in a position to support removing imprisonment as a last resort to act as a deterrent for unpaid fines. We have made that clear. As you have heard, Ms Payne has withdrawn that amendment. Perhaps I should not speak for Ms Payne, but if you have had amendments that are similar to hers and you were upset that they did not get voted up, it is kind of illogical that you are going to oppose the same amendments because they are put by someone else.

Georgie CROZIER: Minister, what I was referring to was the previous amendment. As with the instruction motion, I was saying that, similarly to that amendment, the Liberal and Nationals will not be supporting this amendment. That is what I was referring to. That is our opposition.

The DEPUTY PRESIDENT: We are now dealing with Ms Payne's sheet RP26C and her amendment 1, which is in relation to the voiding of warrants to imprison. It tests all her remaining amendments on that sheet.

Council divided on amendment:

Ayes (21): Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Anasina Gray-Barberio, Shaun Leane, David Limbrick, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Ingrid Stitt, Jaclyn Symes, Sonja Terpstra, Gayle Tierney, Sheena Watt

Noes (11): Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Renee Heath, Wendy Lovell, Trung Luu, Bev McArthur, Nick McGowan, Evan Mulholland, Richard Welch

Amendment agreed to.

Amended clause agreed to.

Clause 2 (11:24)

Rachel PAYNE: I move:

2. Clause 2, line 31, omit “3” and insert “3, 3A”.

Georgie CROZIER: Again, the Liberals and Nationals will not be supporting Ms Payne’s amendment.

Amendment agreed to; amended clause agreed to; clauses 3 to 88 agreed to.

New clause 88A (11:25)

Rachel PAYNE: I move:

4. Insert the following New Division to follow Division 3 of Part 9 –

‘Division 3A – Warrants to imprison

88A New section 171AAA inserted

After section 171 of the **Fines Reform Act 2014** insert –

“171AAA Historical unexecuted warrants to imprison are null and void

Any warrant to imprison a person in default of payment of any outstanding infringement fine (however described) issued by the Magistrates’ Court before the commencement of this Act under any of the following provisions, including any warrant to imprison re-issued under section 58(3) of the **Magistrates’ Court Act 1989** after the commencement of this Act in respect of the same outstanding infringement fine, that has not been cancelled, executed or recalled before the commencement of this section is null and void –

- (a) Schedule 7 to the **Magistrates’ Court Act 1989** as in force immediately before its repeal;
- (b) section 68 of the **Magistrates’ Court Act 1989** in respect of an order of the Magistrates’ Court, under Part 12 of the **Infringements Act 2006** as in force immediately before 31 December 2017, for imprisonment in default of payment of any outstanding fine.

Note

This Act came into operation on 31 December 2017.”.

Just while I have a moment, I would just like to thank the infringement notices working group for all of their support and advocacy in helping me with these amendments and the Federation of Community Legal Centres and community legal centres more broadly.

New clause agreed to; clauses 89 to 93 agreed to.

New clause 93A (11:26)

Rachel PAYNE: I move:

4. Insert the following New Part after Part 10 –

‘Part 10A – Repeal of offence of begging or gathering alms

93A Section 49A amended

- (1) For the heading to section 49A of the **Summary Offences Act 1966** substitute –

“Offence to cause, procure or encourage child to beg or gather alms”.
- (2) Section 49A(1) of the **Summary Offences Act 1966** is repealed.”.

New clause agreed to; clauses 94 and 95 agreed to.

Long title (11:27)

Rachel PAYNE: I move:

5. Long title, after “the **Sentencing Act 1991**” insert “, the **Summary Offences Act 1966**”.

Amendment agreed to; amended long title agreed to.

Reported to house with amendments, including amended long title.

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (11:28): I move:

That the report be now adopted.

Motion agreed to.

Report adopted.

Third reading

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (11:28): I move:

That the bill be now read a third time.

The PRESIDENT: I am of the belief that this bill needs an absolute majority, so I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in chamber:

The PRESIDENT: We need to determine if there is an absolute majority to pass this bill, so I ask members who are voting for the third reading to now stand in their place.

Required number of members having risen:

Motion agreed to by absolute majority.

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.

Business of the house

Orders of the day

Lee TARLAMIS (South-Eastern Metropolitan) (11:33): I move:

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

Motion agreed to.

Bills

Equal Opportunity Amendment (Work from Home) Bill 2026

Second reading

Debate resumed on motion of Lizzie Blandthorn:

That the bill be now read a second time.

Richard WELCH (North-Eastern Metropolitan) (11:34): I am pleased to rise and speak on the Equal Opportunity Amendment (Work from Home) Bill 2026. I will start my contribution with a bit of a reflection about my own experience of working from home. When I started my company in the early 2000s, we did not have much capital. We bootstrapped about £27,000 to buy some basic equipment and lived off that very humble pie for about a year. We all worked from home. Not only was it cheaper, it was cheaper and more efficient. Our first premises that we could afford was a decommissioned RAF hangar outside Oxford – with one light bulb, one power point and one tap, and the toilets were a mile away. In the English winter it was absolutely freezing. But we needed that space because we needed to work together on something, and we had very different roles individually, but they only had value when we came together. But we could only use it for research and testing. We could not use it as an office, so we worked from home. We connected by laptop, by email and by Skype, which was all that was available at the time, and came together in person whenever there was a reason to do so. And it worked. In fact it more than worked; it was incredibly useful. As the employer, I trusted my team to manage their own time and their own productivity. When we needed to be in a room together, we called it for next week or the next day, and because we had to call it, we came together with a purpose.

Flexible working also helped us attract and keep good people we could not have otherwise afforded or attracted. I say this at the top: it was good for home life. We were working 50-, 60-, 70-hour weeks, and yet I could still take my children to school and I could step away from the laptop when they came home and be present and go back and finish afterwards. We could deal with the school, the council and the supplier inside the hours those people actually keep. The flexibility was not a perk for us. My wife also held down a full-time job, and it was an arrangement that made our household work. We did it at a time when it was not normal and it was not common and we were breaking the model, and I am glad that we did. So I come to this bill as an advocate for flexible work, and I can say that with the authority of someone who has done it as an employee and as an employer.

I also say this: working from home is popular, desirable, and where it suits the work, it is plainly good for families and can be, when done right, plainly good for business. It does not suit all work. In some roles clear arrangements are essential for safety and for practicality. You do not want people doing dangerous work tired or unsupported. People in customer-facing roles need to face customers. People in human contact roles cannot deliver that service remotely. Small companies have people fulfilling multiple hybrid roles and functions and as backups to each other, not just on given days but on given hours – for example, in lunchbreaks. Businesses running complex shiftwork arrangements always struggle with availability dynamics. Workplaces, even small ones, are complex and operate differently, even within the same industry. Work arrangements are not just an organisational chart. In some cases they actually form part of the business model itself. In desk-bound, administrative or siloed work, much of the old scaffolding is artificial. The start time, the break time, the end time – those rules were established to provide workers with dignity and predictability in their work lives, and they mostly deliver it. But in part they are arbitrary, and it does not matter when the work starts as long as the role is fulfilled across the day and across the week. These roles need your effort, your intellect, your focus and your attention in business hours to do a job in a practical, predictable and value-adding way. But it does not necessarily require your presence, especially when aided by technology.

I say all this to the house to be clear about where we stand as the Liberals and Nationals, and we will not be opposing the bill. Work from home is, in the modern context, a very valuable component of modern life, and it has changed many lives. The principle is strong, and we endorse it. But there are challenges when it comes to legislating it, because what we are doing is migrating from an extremely flexible – you could say infinitely flexible – arrangement to a more rigid, regulated concept with all the belts and braces and additional regulation that that requires. I think that is where the core of the challenge lies, because the vast majority of employers support work from home where it is possible and of course the vast majority of employees support work from home where it is possible. The challenge is taking that ‘where it is possible’ from being a really nuanced discussion between employer and employee according to the mutual situation of that person and that employer – suddenly

half-a-dozen other arms of law and regulation and government and considerations are inserted into that relationship in a completely new way. We swing across that into an arrangement that says it is up to the employer to prove it is not possible, that it has to be a minimum of two days if desired and that it does not matter how big or small your business is.

I am not saying that is impossible – far from it, because I am a good example of this actually working – but it does make it obvious that the quality of the law that implements these needs needs to retain the flexibility and foster the existing goodwill somehow and avoid unintended consequences for either party. What we do not want to set up is a system that takes a cooperative, mutually beneficial exercise and structurally makes it prone to dispute and when in dispute defaults to adversarial solutions rather than reasoned ones.

To that point, we have some amendments standing in my name, and I would ask that those amendments be circulated now. Having circulated them, we will note that the government has at the last minute put through some amendments of their own which overlap with ours, and we will reconsider a couple of those amendments further down the process. We may withdraw a couple of those.

I will start to work through what the bill does. As an eligible employee gives notice, the employer must allow the arrangements set out in the notice unless it is not reasonable. These are the new sections 102K and 102L. If the days do not work, the employer must offer an equivalent period on other days, and if that does not work, the employer must offer whatever lesser period is reasonable. A complete refusal is available only where no period at all does not have an impact. In deciding this, the employer may consider only the matters listed in new section 102L(4) – only those. The employer has 21 days – I understand the amendment is going to make this 28 days – to answer in writing with reasons. The employer must pay any reasonable costs necessary to enable the arrangement, and if the employee disagrees, the matter goes to the Victorian Equal Opportunity and Human Rights Commission or straight to VCAT.

The importance here is that, as we all understand, we are creating a presumptive entitlement with the onus of justification sitting on the employer, enforced through the Victorian Equal Opportunity and Human Rights Commission. So far, so good. But where there is doubt is whether the practical consequences of the procedure have been worked through fully, keeping in mind – and I would hope everyone agrees – that we want to ensure this is a win-win for all parties. Importantly, in the bill briefing the government conceded that there were scenarios it had not fully considered, and to be fair in acknowledging them it undertook to come back to the opposition with answers, but it never did, which is unhelpful, and it implies they still are not resolved. But hopefully we can navigate those questions and answers today.

However, it has got even a bit more coloured since then, because in the meantime Premier Ben Carroll has said additional things about the operation of the bill that have added confusion and further questions. He said that there would be a reset with the business community and he said he would work through amendments that businesses had put to him, but as of this morning not one of the business or industry groups we have spoken to had received a copy of the new amendments the government has just issued, let alone had the courtesy of a briefing and opportunity to comment.

I can tell you that the business sector is absolutely ropeable at him over this, and who could possibly blame them? What are Victorians, employees and employers alike, to think? He has given a very strong impression that he is a Premier who cannot be relied on, that the government does not know if it wants to proceed or if it does not want to proceed, does not know what clauses are good or bad and is trying to please everyone 80 days out from an election and barely a month or so from caretaker mode. It has ended up bumbling from one crisis to another with no attention to detail and is much more interested in press releases and distractions from hidden taxes, the Victorian Auditor-General's Office's Suburban Rail Loop report, the fact that 50 per cent of our roads are officially in poor condition and the inadequate IBAC remit, which has cut out any retrospective powers of investigation.

The Premier has wedged himself in more flip-flops in six weeks than actual decisions. In fact I suggest the reason this bill is before us today is for no other reason than as a distraction to the other problems this government has. If you look back at the history of the bill, every time it was announced – and it has been announced about five times – it was in a week where government performance was in the spotlight. It has been used as a human shield multiple times, and there is no doubt that explains the timing today. It is not about workers, it is not about employers or Victoria's ability to do business; it is about government stage-managing its reputation.

There are also a range of regulations that are yet to be defined or announced or explained. That is a really poor way to start the life of this legislation. I said earlier that we want to create opportunities, not confusion and conflict. The first one of these challenges was the original start date. I note that the government will be circulating amendments on the start date, which we are glad about. It is certainly something we were fighting for. It was an amendment we ourselves put forward because it is really important to give time, to this or any future government, in which the regulations that this bill relies on can actually be made, because they do not exist at this point. The pro-rata calculation – there are some very high-level figures on that. The prescribed matters are left to regulation. Prescribed classes of employee are left to regulation. None of it is written. So this gives time for guidance to be issued to businesses, for policies to be rewritten and for managers to be trained. This is a very practical matter.

Let me turn to another practical matter, which is the matter of costs, because this is one of the areas where I think the drafting works against the very thing we want it to achieve. New section 102N says the employer must pay any reasonable costs necessary to enable the employee to work from home. It says these costs include essential hardware and software and secure access to the employer's information systems. Fine – nobody argues with the laptop, and you are probably issuing something similar no matter where you are working from or where the job is done. But to not define what else might need to be included – 'reasonable' is not defined anywhere in this part. Our amendment 6 caps that obligation at \$1000. It could be said that their amendment will limit costs as 'reasonable', but that remains arbitrary and uncertain. Everyone needs clarity. A number is certain; an adjective is not. Ask any three tribunal members what 'reasonable' is and you will get three answers. That is not a criticism of tribunal members; it is just that that is what the word does. It is elastic, and businesses cannot budget against an elastic word. They need to budget against a number. This is where I say the drafting works against the bill's own intentions and can have unintended consequences – that is, inviting maladaptation. What does anyone do when they cannot price an obligation? They get cautious and they get defensive. They start looking for a reason to say no. An uncapped, undefined cost does not make someone confident; it makes them nervous, and a nervous employer is not a confident employer.

My understanding of this bill is that we want to make this, as far as possible, a win-win situation, not an adversarial one. But the best way to destroy goodwill is to leave uncertainty and ambiguity. So this amendment is not a shield for businesses against employees; it is the opposite. Put a number on it, and the employer can say yes with confidence. It is better for employees, not worse. The exposure to the employer is material, because the government has failed to lock in precisely how far it runs. A couple of examples do not provide the clarity required. Laptops can cost anything between \$800 and \$4000, depending on the spec. What if a desk is approved by some employers but not by others – is that not a dispute waiting to happen?

In the bill briefing the member for Brighton put a scenario to the government: if an employee is significantly injured, what does the employer have to do? The government confirmed the answer: reasonable costs would be extended to fitting out the person's private home: ramps, rails, accessibility works – a full ergonomic refit of the home office. That is tens of thousands of dollars for one employee, let alone if there are multiple. Then came the questions the government could not answer: what if the employee rents and the landlord says no? What if they live on the fourth floor of a building with no lift? Who wears the cost, and who wears it when the employee moves house? None of this is set out in the bill. The question a small employer in Eltham or Doncaster will be asking their bookkeeper

shortly is: what are the costs? There is actually nowhere for them to look up and find the answer. And this scales up.

The Victorian Chamber of Commerce and Industry's own research found that 77 per cent of Victorian businesses already allow their people to work from home. Ninety-two per cent, though, are worried this legislation will create additional costs in legal advice, policy development, technology, insurance, cybersecurity and compliance. Employers surveyed by the automotive association put the cost at \$3000 to \$10,000 per employee, with 87 per cent expecting to be out of pocket. Add those numbers up together, and this aggregates. Seventy-seven per cent already do this voluntarily and willingly, but 92 per cent expect a law about the thing they already do to cost them new money. This is the gap between practice and the statute and is the gap this bill has to close if it is going to work well for all parties and not lead to conflict.

Our second amendment goes to land tax. It provides that in determining land tax under the Land Tax Act 2005 no account is to be taken of an employee exercising their right to work from home. A family home used as a workplace two days a week should not make people's homes taxable commodities for the Labor government. To be fair, the government has said publicly it has no intention of collecting land tax in this way, and I accept that is what has been said. But we have very good reason to doubt a Labor government's word on tax. It could easily change its position. Ministers change, governments change and revenue offices interpret and reinterpret. If the government means what it says, this amendment costs nothing at all; it simply writes down an assurance already given and settles the question for every Victorian household. For the avoidance of doubt it should be written into the bill. I will tell you why this is a good thing. It removes uncertainty and reduces the chance of this becoming any kind of artificial barrier to working from home. I hope the house supports this.

Our third amendment, which we are likely to withdraw, addresses the question of working from home locality. The bill as originally drafted did not preclude the possibility that someone could work from home but work from home internationally or from another state or jurisdiction, and that created all sorts of confusion and concern. I am glad to see that the government has taken our amendment and agreed to what we felt should happen and what the employer groups felt should happen and is proposing, rightly, now that the employee should work from home in Victoria as opposed to anywhere else. There may be flexibility about the exact location, but it needs to be within the state of Victoria. I think that is a good thing.

I now come to the part of the bill which many people find concerning because of the confusion. I want to put it carefully, because it is not an objection to working from home; it is again about methodically working through the practicalities of it when you legislate it. These things are being navigated now quite well, but we are legislating it, so we now need to understand the mechanics of that when we create legal obligations. This is around where we are creating a legal duty but simultaneously removing the means of meeting that duty. Section 21 of the Occupational Health and Safety Act 2004 (OH&S act) requires an employer to provide and maintain a safe working environment. Subsection (2)(e) requires them to monitor the health of employees and conditions of the workplace so far as reasonably practicable. That is the section that business owners and directors get prosecuted under. It is the frontline of safety law in this state, and as a state, we want employers and employees alike to take OH&S very, very seriously, not cut corners, and keep up to date. This is in 99 per cent of cases a very mutual care and concern for employees and employers. Every good company I know operates a bit like a family. There is genuine care and goodwill on all sides. If the Parliament creates a statutory right to perform work at home for two days a week and that home is a place where work is performed, an employer with 10 people exercising this right does not have one workplace, they have 11, 10 of which they did not build, 10 of which they may not have ever seen and 10 of which they have no lawful right to enter.

The problem here is not working from home. It is that OH&S arrangements are simply not anticipated within the bill. It cannot be fixed by telling employers to go in and inspect, because they cannot. A director cannot walk into an employee's home, and nor should they. It would be even harder to get

around multiple homes, 10 or 15 of them, and nor should they. A WorkSafe inspector cannot enter a private residence without consent, and nobody in this chamber is suggesting they should, I would hope. So we are left with a bit of a conundrum over legal responsibility without control. Again, look at what this does to the cooperation this bill depends on. Left unclarified, an employer facing unqualified personal liability for a house they have never seen may have some challenges, and again, that could be a hit to confidence. This is again a matter of basic fairness for everyone.

I would hate to think that this bill in effect dissolves the difference between work premises and homes, but we are unavoidably by this bill determining workplace considerations and how they fit into a home setting. The member for Narracan gave an example of this in the other place, and it has stuck with me, so I will borrow it. Homes have steps. A step up into a house that should be a maximum of 185 millimetres is in reality 210 millimetres. Somebody catches it and breaks their shoulder. Whose step is it? Whose liability is it if it is done on work hours? Two of our amendments go to that, and I want to describe them carefully because I do not want them to be mischaracterised.

Our amendment 4 provides that a director of a company, a director within the meaning of the Corporations Act 2001, does not incur personal liability under occupational health and safety legislation for an incident occurring because an employee is working from home. I think everyone can understand that that is fair. That touches on personal liability of directors – only that – and the company’s own duties under the OH&S act are entirely unchanged. Not one obligation on the business is removed. Our amendment 5 provides that such incidents are not taken into account in determining an employer’s contribution or premium under the Workplace Injury Rehabilitation and Compensation Act 2013. Again, that precisely goes to the premiums. It does not touch a dollar of an injured worker’s entitlement. A worker hurt at home is compensated in exactly the same way as they are today.

Business interrupted pursuant to standing orders.

Questions without notice and ministers statements

Health system

Georgie CROZIER (Southern Metropolitan) (12:00): (1477) My question is to the Minister for Health. Minister, an elderly patient with sepsis waited 15 hours for transfer from an ambulance to an overcrowded emergency department at Ballarat Base Hospital, a very dangerous situation. VAU Secretary Danny Hill has said wait times at Ballarat Base Hospital are consistently poor. He also said:

Members report that staff are really quite distressed and broken by how busy it is.

Minister, why has your government failed to address the ambulance ramping, ED wait times and workforce shortages that are putting patient safety at risk?

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:01): I thank Ms Crozier for her question. At the outset I do want to thank our staff right across the health system, including our paramedics and including our doctors and nurses and all of the support staff, who are working incredibly hard to care for Victorians every day. We know that some patients are experiencing long wait times, including at Ballarat, and I understand that this can be very difficult and distressing. It can be distressing for patients and their families. I absolutely acknowledge that. But like health systems across Australia, we are seeing record demand here in Victoria for our emergency department supports, and we are also seeing more complex patients and pressures across the hospital system, including the need to get patients into the right bed or the care that they need. I want to be very clear, though: the sickest and most critically ill patients will continue to be seen as an absolute priority in the system.

We do know that there is more work to be done, and that is why we have provided \$58 million to hospitals to improve patient flow, including at Grampians Health, and of course our other important investments in the virtual emergency department and urgent care clinics are helping to take some of the less urgent cases off the pressure that EDs are experiencing. I have mentioned a number of times

in the chamber this week the important redevelopment project at Ballarat, because some of the infrastructure limitations at Ballarat are actually part of the problem.

I do take these concerns that are raised by our health workforce very seriously, and I will always listen to our paramedics, our doctors and our nurses. The department and Grampians Health are already working together to address these critical issues within emergency care services, including patient flow and access to beds. That work will include bringing together the health service, the relevant unions and relevant stakeholders on the ground to identify the practical improvements that can be made, and this has been working very effectively in some other health services where that collaborative effort has been a focus.

I of course cannot speculate about an individual patient's clinical circumstances without all the facts, but if there are additional facts that Ms Crozier has with her that she would like to provide me, I would be happy to follow up any individual circumstances or cases. But I reiterate that the government is looking very closely at how we can continue to support our health services.

Georgie CROZIER (Southern Metropolitan) (12:04): Minister, there is pressure right across the system, where ramping and transfer times and the like are putting patient safety at risk. That was one example, a very dangerous one – sepsis is a very serious health issue. Despite telling the house two weeks ago it would be available 'very shortly', you steadfastly refuse to release the health data, including ambulance response and transfer times. So much for integrity under a Carroll government. Minister, you have the data. What is the average time for ED patients to be seen at Ballarat Base Hospital?

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:04): The data will be released in due course, Ms Crozier. You are not in a position to make assertions about where that data is at and whether I have been briefed on that data or not. I will make that point. I will also –

Members interjecting.

Ingrid STITT: In addition, Ms Crozier made a few comments in the preamble to her supplementary question. I again make the offer that if there are individual patient circumstances that you want me to follow up, I will. The government is singularly focused on supporting our health services to deliver the –

Georgie Crozier: On a point of order, President, I know the minister is struggling here. She has only been in the role for – she is my fifth health minister. She is really struggling and deflecting. I was asking about the data, not about individual patient details. I would ask you to bring the minister back to responding to my question.

Jaclyn Symes: On the point of order, President, a point of order should not be used as an opportunity to insult and degrade another member of Parliament in the course of answering a question.

The PRESIDENT: There are rulings about questions being provocative as well. Minister, have you finished your answer?

Ingrid STITT: I think I was being talked over.

The PRESIDENT: I think that is part of the problem, Ms Crozier. I appreciate you raising the point of order, but when you are yelling, I hear your yelling more than the answer. If the minister could continue in silence, then we can make a better judgement I think.

Ingrid STITT: I was in the process of trying to be heard on the point that our government will always back our healthcare workforce in and do whatever we can to support our health services to deliver the world-class care Victorians deserve.

Georgie Crozier: On a point of order, President, I am not criticising the health workforce. This is about patient care and patients. Where is the minister on that? Does she not care about the patient?

The PRESIDENT: Ms Crozier, please. We were talking yesterday about gesturing across the chamber being unparliamentary.

Georgie CROZIER (Southern Metropolitan) (12:07): I move:

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

Motion agreed to.

Wildlife protection

Georgie PURCELL (Northern Victoria) (12:07): (1478) My question is for the Minister for Environment. Last year tens of thousands of native birds were killed under the authority-to-control-wildlife permit system across Victoria. Some of the species killed by shooting or poisoning include silver gulls, rainbow lorikeets, black swans, white-faced herons and even tiny little silvereyes. These permits can be obtained easily for reasons as simple as birds being deemed a nuisance, such as being too loud. But with H5N1 bird flu in our state, native birds are facing potential catastrophic population losses, and it is clear they should not be subjected to additional unnecessary harm. Minister, will you reconsider the approval of these lethal private permits to ensure the best possible protection of our native bird populations?

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (12:08): I thank Ms Purcell for her question. The conservation regulator is the responsible body for overseeing the authority-to-control-wildlife system. They assess every application on a case-by-case basis. I am very happy to have conversations with you. At the outset, your engagement with my office since coming in is obviously – you have got a lot of views and information in relation to this portfolio, as do a lot of members of Parliament, as I am working out as a new environment minister. I certainly encourage you to continue those conversations with my office. I am very happy to provide information where possible.

Your assertion that they are easy to obtain is actually at odds with my experience as a local member for the last 12 years. The amount of complaints about not being able to get them is something that comes into my office regularly. I am interested in a little bit of back and forth on your experience and how some of the stakeholders you are hearing from experience this. The system is designed around balance. Nonlethal means are always preferred. It is not something that is, I believe, used unnecessarily. I would certainly take evidence to the contrary. It is about genuine risks to property, public safety and biodiversity while maintaining transparency through public reporting. It is listed on the website. It is reported annually, and it is where you can see some of the species you have mentioned featured. I understand why there would be reasons for people to question that and want to make sure that that is appropriate.

It is not my role as minister to issue blanket edicts to the department and entities when they have a responsibility, but as you have indicated and as we have discussed in this place for about the last month in terms of the impacts of bird flu, these will be relevant factors in relation to the consideration, because on a case-by-case basis, if we are having instances of sick birds, it is going to be a factor where it might rub up against an authority-to-control-wildlife permit. It would be relevant, and I am happy to continue the conversation with you.

Georgie PURCELL (Northern Victoria) (12:10): Thank you, Minister. My supplementary is in relation to the accessibility of these permits. Certainly, in my experience, they have been easy to get. In fact someone spoke to my office about having one within 24 hours for wombats. But I understand that some are probably also rejected, and in saying that, the government does say nonlethal options must be considered first. However, applicants do not need to prove that they have actually attempted

those measures or what they were; they must only tick a box saying that they have. The killing is also undertaken privately without supervision from authorities, and there is no reporting requirement or obligation to prove that the number of animals authorised to be killed on the permit was not actually exceeded. If the government is not prepared to totally suspend these authorities, would there be consideration for additional safeguards such as stronger evidence requirements, supervision by authorities when shooting occurs and tighter limits on numbers and species?

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (12:12): Thank you, Ms Purcell, for your supplementary question and your suggestions. As I understand it, applicants must provide evidence of the damage or risk being caused and demonstrate that appropriate nonlethal management options have been considered before lethal control is authorised. I am happy to seek more information from my department to give you comfort that that is provided and examined. The government of course expects the conservation regulator to apply rigorous assessment processes and will continue to monitor the operation of the system to ensure that it remains evidence based, proportionate and consistent with the objectives of the Wildlife Act. As I indicated in my answer to your substantive question, with the impacts of bird flu impacting all parts of Victoria, these will be complementary matters that I am very interested in examining and monitoring. Thank you for your feedback.

Ministers statements: Victorian energy upgrades program

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (12:13): Today I would like to speak about how the Labor government is continuing to help Victorians save money on their energy bills through the Victorian energy upgrades program. This is the largest energy efficiency program in the country. The VEU saves Victorians on the up-front costs of energy-efficient appliances and guarantees continued energy bill savings by reducing energy demand. This places downward pressure on wholesale prices, and it is contributing to why Victoria continues to have the lowest energy prices in the country.

Members interjecting.

Jaclyn SYMES: Those opposite hate me saying that we have the lowest wholesale prices in the country. They just hate it. You are champions for higher prices, we know that. If the VEU did not exist, Victorian energy bills would be higher; it is a fact. Over 2.4 million households and 180,000 businesses have taken advantage of the program – a program that those opposite do not support. Just last year a record 62,000 households accessed discounted heating and cooling upgrades: 62,000 people have taken opportunities to reduce their bills with their cooling and heating. It saves Victorians on their bills each and every year: \$460 when you replace a room gas heater or up to \$1140 when replacing a ducted gas system, and discounts off the initial up-front costs of installation can be up to \$7000.

Last sitting week we passed legislation which strengthens and enhances the program. We have also extended the VEU program out to 2045. I would like to see those opposite confirm that they would support the program out to 2045, considering they voted against it. The only related policy suggestion that the Liberal–National–One Nation coalition have managed to come up with is something that we actually already do. We already provide solar discounts to commercial and industrial businesses under our VEU program, and we have made Victoria the home of big batteries.

Western Victoria Region mental health services

Bev McARTHUR (Western Victoria) (12:15): (1479) My question is to the Minister for Mental Health. Western Victoria is the only part of our state without a designated mental health and wellbeing

local service for adults. Despite submitting repeated proposals for extra local capacity, Grampians Health chief executive Dale Fraser said regional priorities continue to be overlooked. He said:

I don't think I should have to make the case. The Royal Commission already made that case for me.

On 29 May 2023 your predecessor Gabrielle Williams put out a statement to claim that planning work had started on a Ballarat facility. Minister, why more than three years later have you failed to deliver a dedicated mental health and wellbeing local service in Ballarat?

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:16): I thank Mrs McArthur for her question, and I do want to acknowledge the great work that the health services down in the south-west are doing. I have had the opportunity to go and visit a number of their brand new mental health services that serve that growing and large footprint down in that part of the state, and they are doing an amazing job. I do want to just correct the record for you, Mrs McArthur, through the Chair, that there have been important investments made down in that part of the state, and in terms of the mental health and wellbeing hubs in that part of the state, those are continuing and are supported in the budget, including the Horsham mental health and wellbeing hub, which services Horsham, Yarriambiack, Hindmarsh, Northern Grampians and West Wimmera, and the Warrnambool mental health and wellbeing services hub, which services the Warrnambool, Moyne, Glenelg, South Grampians and Corangamite parts of the region. I have actually gone and met with those staff. They are amazing, and they are doing great work in that community.

In terms of our rollout of locals, I am very proud that we have already rolled out 22 locals across 24 locations, and we are in the planning stage for the next tranche of locals, which will be servicing other parts of the community. These services are free. They have already supported more than 40,000 Victorians, and they are taking pressure off the rest of the health system by ensuring people are seen early. I look forward to continuing to roll out these important programs in the parts of the state where commitments have been made for locals.

Bev McARTHUR (Western Victoria) (12:18): There is nothing in Ballarat. Minister, the only thing in Ballarat is a small mental health and wellbeing hub at Uniting. It provides support but no treatment. Grampians Health chief executive Dale Fraser said the lack of dedicated psychiatric supports forces emergency departments to frequently take patients experiencing severe crisis. He said:

We, on any given day, would have one to two people sitting in a bed at a hospital here, waiting for a bed somewhere else ...

They're in a bed, normally under the care of nursing teams and security ... in a space designed for kids having their tonsils out.

Minister, this is clearly unacceptable. Your own health bureaucrats are now publicly saying this is a huge issue. Do you concede that the lack of government investment in mental health services is putting pressure on the Ballarat Base emergency department?

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:19): Whilst I appreciate Mrs McArthur's strong advocacy for her community, I need to just point out the misunderstanding that she has about the mental health system. What she is talking about are acute presentations, which are not the types of consumers who can be adequately supported through the locals, which are at the lower level of acuity. Our government has been proud to invest over \$6 billion into the mental health system and has been pursuing with vigour all of the recommendations of the royal commission. I want to point out that those opposite actually opposed the levy that is enabling us to double the investment in mental health reforms in our state, more than any other state or territory.

Bev McArthur: On a point of order, President, the minister referred to a levy, but where is it going to? Nothing has been delivered in Ballarat.

Sonja Terpstra: Further to the point of order, President, again, it is not a point of order.

Members interjecting.

The PRESIDENT: I uphold your point of order that it is not a point of order. The minister has finished her answer.

Bev McARTHUR (Western Victoria) (12:21): I move:

That the minister's answers be taken into consideration on the next day of sitting.

Motion agreed to.

Gambling harm

Anasina GRAY-BARBERIO (Northern Metropolitan) (12:21): (1480) My question is to the Minister for Casino, Gaming and Liquor Regulation. Minister, today is R U OK? Day. People experiencing gambling harm are more likely to have mental health concerns from feelings of guilt and regret, right through to bankruptcy, broken relationships, depression, anxiety or thoughts of suicide. Young men especially face a greater risk of gambling harm, with one-third to one-half of young adults aged between 18 and 24 gambling each year. Young men are most exposed to gambling through online manosphere content. This weaponises young men's mental health and ideas about masculinity, status and financial success. Minister, will this Labor government commit to a targeted education campaign on the harms of gambling to stop the gambling industry profiting off young men's vulnerabilities and insecurities?

Enver ERDOGAN (Northern Metropolitan – Minister for Finance, Minister for Casino, Gaming and Liquor Regulation, Minister for Government Services) (12:22): I thank Ms Gray-Barberio for a really good question today in relation to the harm caused by gambling. We do know that it is an epidemic across all segments of society, across all our electorates. We hear it, and we have seen federally some of the worst elements play out publicly in relation to the industry more broadly. But as a government we are proud of our record. No government has done more in the history of this state to tackle gambling harm. We have put in closure periods from 4 am to 10 am and slowed down spin rates, and load-up limits have come down from \$1000 to \$100 for people playing pokies. We have implemented advertising bans near schools and on public transport. This is really nation-leading work, and we are committed to doing more.

In relation to some of these measures, I know that the regulator, the VGCCC, runs a range of campaigns in relation to gambling harm. I regularly meet with the CEO and chair Chris O'Neill, who does a fantastic job in raising these issues. This is what the regulator's work is in terms of raising concerns about gambling harm. Of course some of this also falls into broader health policies, especially when you are talking about the mental health aspects. But the gambling regulator, the VGCCC, is the lead, and it is doing a lot of work in this space.

Anasina GRAY-BARBERIO (Northern Metropolitan) (12:23): Thank you, Minister. The Victorian Responsible Gambling Foundation found that advertising at sporting events and during broadcasts normalises gambling. Advertising and promotions influence behaviour, with 27 per cent of betters and 35 per cent of weekly betters reporting that advertising and promotions motivated them to bet. Minister, will the Victorian Labor government prohibit gambling advertising, including in-stadium advertising and advertising on sports jerseys?

Enver ERDOGAN (Northern Metropolitan – Minister for Finance, Minister for Casino, Gaming and Liquor Regulation, Minister for Government Services) (12:24): I thank Ms Gray-Barberio for her supplementary question. It is a really good question. I think with advertising more broadly there is a broad overlap with the Commonwealth, and I look forward to the Commonwealth's announcements about reforms in this space around advertising, especially in terms of television and digital media. I think when we are talking about sports jerseys, obviously we are talking about a crossover with the Corporations Act. Again, there is a bit of Commonwealth overlap. But from our perspective we are

committed to seeing this advertising reduce, and that is why we have already taken measures that are within our realm – close to schools and on public transport we have banned it – but of course there is more work to be done. I look forward to the Commonwealth introducing the broader package of reforms, a lot of which is related to advertising.

Ministers statements: suicide prevention

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:24): Today is World Suicide Prevention Day, which is an important day for all of us to come together to raise awareness and take action to prevent suicide in our communities. Every life lost to suicide is one too many, and we know that the impact of suicide reaches far beyond the individual affected families, friends, colleagues and communities and that it often leaves a profound and lasting grief.

Since the Royal Commission into Victoria's Mental Health System we have established a suicide prevention and response office to strengthen Victoria's suicide prevention and response efforts and deliver a systems-based, whole-of-government and community-wide approach. SPARO has been central to delivering Victoria's suicide prevention and response strategy. Co-designed with people with lived and living experience of suicide, the strategy sets out our long-term approach to reducing suicide and supporting people impacted by suicide. The release of the strategy's first annual report provides an important opportunity to reflect on how this commitment is being put into practice. It highlights the progress made during the strategy's first year, including strengthening community-led and peer-based supports and expanding targeted supports for young people, LGBTIQ+ Victorians, families and carers. Additionally, the Victorian government is also trialling a distress support service in Greater Shepparton, delivered by Mind Australia, and in the City of Darebin, delivered by ermha365 in partnership with the Commonwealth.

I also want to acknowledge the many dedicated workers, volunteers, organisations and people with lived experience who contribute to suicide prevention across Victoria every day. Today is a reminder that preventing suicide is everyone's business. We need to come together to build communities where people feel connected, where people experiencing distress are supported and where no-one feels they have to face their struggles alone.

Drug harm reduction

Georgie CROZIER (Southern Metropolitan) (12:26): (1481) My question is to the Minister for Mental Health. Last week City of Melbourne councillors and CBD traders expressed their concerns regarding the hydromorphone treatment trial at the Flinders Street Community Health Hub and the potential for amenity, safety and security impacts in the surrounding precinct. Minister, what measures are you putting in place to address the safety risks to residents, traders and visitors in the vicinity of the proposed facility, given the litany of failures to protect local residents and traders from crime and antisocial behaviour around the injecting room in North Richmond?

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:27): I thank Ms Crozier for her question. There were a few assertions and dare I say a few prejudgements included in the preamble to the question. I have said in the chamber many times that the hub is part of our statewide action plan to save lives, to reduce drug harm and to give people in the CBD who are often doing it the toughest the supports and health care that they deserve. This is a facility that will be safe and practical, and it will provide that coordinated care for people experiencing substance use, homelessness, mental health challenges, family violence, social isolation and barriers to other more mainstream health service supports. There will be dedicated teams there, including primary health care, mental health, alcohol and drug treatment programs, counselling, outreach and so on, all under one roof in a purpose-built hub designed to have that wraparound support.

In terms of the issues around local amenity, we – the department and Cohealth, who will be operating the facility – have been working very closely with the City of Melbourne and with the traders through the reference group we have in the CBD to deal with some of these issues around rough sleeping and drug harms in the city. We have also done great work with the Salvos, but that is not specific to your question. We will be working on a continuous basis to make sure that the amenity and safety around that important service, when it opens later this year, are a very sharp focus for the service, and I have made my expectations very clear to them about the way that this ought to operate. The fact is that they want to be a very good neighbour and be proactive and talk with traders and residents, and I am encouraged a lot by the approach that the service is taking.

In relation to the hydromorphone trial, this is a drug treatment program. It has nothing to do with injecting drugs. This is an opioid substitute therapy for people who are resistant to other forms of pharmacotherapy. This is something that the New South Wales government have trialled on a smaller scale up in St Vincent's Hospital in Sydney. We will be operating a trial out of this hub. It will be overseen with very strong clinical governance by a tertiary hospital, and we look forward to that being able to assist some people who will be part of that trial to really turn their lives around and to break that terrible cycle of addiction. We are proud of this work, and I am very much looking forward to it opening later this year.

Georgie CROZIER (Southern Metropolitan) (12:30): Thank you for that response, Minister. A working group was formed but not all traders and residents were invited to participate. You have mentioned that there was a traders reference group in the CBD that was consulted. Could you provide information on who the traders were in that reference group and what locations they were at?

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (12:31): In relation to Ms Crozier's supplementary question, that CBD reference group has been operating for some time. It does not just deal with the issues around 244 Flinders Street and the hub. It has been dealing with questions around drug harms in the CBD more broadly. I am happy to provide, outside of the standing orders, a list of the members of that committee for Ms Crozier if she would like to be availed of that information. But I do want to point out that that is not the only engagement that is happening. There is assertive outreach going on via my department and Cohealth to traders and residents and other organisations that provide social services in the city and of course close engagement with the Melbourne City Council. It is happening constantly. That will be ongoing, as I said in my answer to the substantive question.

Hunters for the Hungry

Jeff BOURMAN (Eastern Victoria) (12:32): (1482) My question is for the Minister for Environment. Minister, as we come out of another cold Melbourne winter and with the cost of living biting hard on many in the community, it is time we talk about how as a community and a society we can assist those in need by providing much-needed red deer meat to food banks and homeless shelters. Hunters for the Hungry already operates in the New Zealand North Island towns of Taupō and Tūrangi. It began in 2020 to use surplus red protein – over six tonnes of it – and give it to charities. Only meat that hunters would put on their own family's dinner table is accepted for processing, and it cannot be traded or sold on. Hunters believe they can donate even more venison mince to food banks, which would decrease the ever-increasing cost of red protein for many charity organisations. Minister, my question is: if New Zealand can do it, why can't Victoria?

Jaelyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (12:33): I thank Mr Bourman for his question and his long-term and passionate support of Hunters for the Hungry. They obviously do important work assisting vulnerable members of the community experiencing food insecurity, and I thank Mr Bourman for his advocacy and his suggestions in relation to how we can do more in this space. This year's budget included \$300,000 for policy work to enable – you know all this, but I will tell the chamber as well – the processing of recreationally harvested wild

venison. This will examine pathways for wild-shot venison to enter regulated processing and potentially support the donation or broader use of harvested deer meat. Mr Bourman, I am very happy to continue to work with you and Hunters for the Hungry on what steps we can take to realise their ambitions.

Jeff BOURMAN (Eastern Victoria) (12:34): I thank the minister for her answer. Minister and everyone else in here, will you join me and the SSAA Victoria at our lunch today to try for yourself the quality of the game meat on offer in Victoria, with vegan and vegetarian options available?

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (12:34): The inclusive nature of this event is noted, Mr Bourman. It is an event that I can attend given the diversity that you do offer. My office have already got it in their diaries and have had for some time. I have got a meeting that clashes, but I will certainly swing by and say hi.

Ministers statements: digital services

Enver ERDOGAN (Northern Metropolitan – Minister for Finance, Minister for Casino, Gaming and Liquor Regulation, Minister for Government Services) (12:34): I rise to update the house on the data and digital ministers meeting last week with Commonwealth, state and territory ministers. The data and digital ministers meeting is an important forum for governments to work together on the opportunities and challenges presented by data, technology and digital transformation. Technology is changing how Australians live, work and interact with government. This makes it increasingly important for all of us to work together, aligning approaches, sharing expertise and addressing issues that extend beyond state jurisdictional borders. The forum provides an important opportunity to progress national reform, including improving the interoperability of data and digital systems, strengthening digital capability and public trust, advancing digital identity and making it easier for people to navigate government during key life events.

At last week's meeting data sharing was a particular focus, including the commencement of the five-year review of the national Intergovernmental Agreement on Data Sharing. Ministers also considered how public sector data can be made more accessible and useful while maintaining the strong privacy, security and ethical safeguards that Australians rightfully expect. Digital inclusion was another important focus, including new principles to support the secure and sustainable reuse of government ICT devices, as well as work to improve connectivity for remote First Nations communities. These discussions highlight the value of a coordinated approach to digital reform, sharing what works, tackling common challenges and developing practical solutions that can deliver better outcomes for all Australians. By working collectively, governments can ensure digital reform is coordinated, practical and focused on delivering tangible benefits for Australians. Victoria will continue to play an active role in this national work because contributing our experience and expertise will ensure Victorians can benefit from the digital reforms being progressed across our country.

Energy policy

David DAVIS (Southern Metropolitan) (12:36): (1483) My question is to the minister for energy. Minister, yesterday you appeared bewildered when I asked about the MT PASA, the medium-term projected assessment of system adequacy. I hope you have had time to look up the MT PASA and realise a new notice was published on Tuesday 8 September. It says that:

AEMO declares Low Reserve Conditions ... for the following region(s) and periods:

– July 2028 in Victoria

when forecast demand exceeds supply under some circumstances.

I therefore ask, Minister: is it not a fact that after 12 years of Labor your legacy is that in July 2028 the lights may go out?

Members interjecting.

The PRESIDENT: Order! Please. Members on my right! I just remind the chamber that questions should not be provocative, but I will let the minister answer.

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (12:38): What I am bewildered by, Mr Davis, is the fact that you want to talk about electricity reliability in this place. Your own policies are so reckless –

David Davis: On a point of order, President, question time is a time for questions from non-government members to government ministers and an opportunity for ministers to answer questions, not to attack the opposition. The question was squarely about the MT PASA and the government's position.

Members interjecting.

The PRESIDENT: Order! Mr Davis, life cannot be just a one-way street. I said that questions should not look to provoke a response in this way, but in saying that, I am going to put a couple of people on yellow cards. Mr Galea, you are on a yellow card. Mr Batchelor, you are on a yellow card.

A member: Throw out Mr McIntosh.

The PRESIDENT: I did not hear Mr McIntosh at all.

Members interjecting.

The PRESIDENT: The minister to respond, in silence.

Jaclyn SYMES: Mr Davis, I was not proposing to be provocative to you. Yes, you are entitled to ask me questions, and I answer them, but you have asked a question squarely about reliability and policies that will turn the lights out. Your reluctance to talk about your own energy policy is so telling because I reckon you know the consequences of your own policy. It is why you are not really out there talking about it. You are letting the local National Party members in that region of the VNI West do your policy work for you.

David Davis: On a point of order, President, it is clear that the minister is not entitled to answer by attacking the opposition. She is entitled to answer the question and the substance of the question, which is about the MT PASA and about July 2028 and about the fact that the lights will go out under this government's 12-year policies.

The PRESIDENT: My view is the minister began her answer by addressing the preamble and she will get to the question.

Jaclyn SYMES: What is clear, Mr Davis, is that AEMO's 10-year reliability forecast again shows that Victoria is prepared for the closure of Yallourn power station in 2028. We have implemented a clear plan in relation to the transition to cheaper, more reliable renewables with strong targets and with streamlined planning approvals to get critical renewable energy projects up and running and built in time. However, AEMO clearly states that to keep the lights on and to maintain the lowest power prices as well we must stick to our plan. That includes building critical transmission projects such as VNI West, as I referred to yesterday. What is at risk – there is a title. The title of Nexa Advisory's report yesterday is *Delay is Putting Victoria's Energy Security at Risk: The Cost of Delaying Replacement Generation and Transmission Delivery*.

David Davis: On a point of order, President, my question was very, very specific about the MT PASA. In fact I named the date of it – Tuesday this week. It was about a specific document. I actually quoted from the specific document.

The PRESIDENT: I think you are debating the point of order.

David Davis: No, President. On this occasion the minister is deviating off and needs to answer directly about the MT PASA. She will not mention those words.

The PRESIDENT: I believe the minister has been relevant to the question. Ms Crozier, you are on a yellow card for flashing your props around.

Michael Galea interjected.

The PRESIDENT: Mr Galea, you are going to go and have an early shower for half an hour.

Michael Galea withdrew from chamber.

Tom McIntosh: Don't use all the hot water.

The PRESIDENT: That is a good point, Tom, because there might be some people following him.

Jaclyn SYMES: Reliability modelling is the job of the experts at AEMO, which reports annually on electricity reliability through the ESOO, which we have talked about. The lights under our program will stay on, Mr Davis. Ignoring the independent market operator will result in blackouts, higher prices and investment going elsewhere. AEMO has come out clearly stating that we need to stick to the Labor government's path. What they have said is that your plan does not stack up. The only risk to people's electricity supply and power prices is those opposite.

David DAVIS (Southern Metropolitan) (12:43): I notice again the minister does not want to mention the MT PASA and just cannot utter those words. It is an AEMO document. You know, you can only feign ignorance for so long. Minister, you have now been briefed –

Sonja Terpstra: On a point of order, President, I gave Mr Davis the benefit of waiting a substantial amount of time for him to get to his point of order, which he did not – it was a point of debate. I would ask that the minister be allowed to continue her contribution in silence without further frivolous interjections by Mr Davis.

The PRESIDENT: Mr Davis, I will call you back to your supplementary.

David DAVIS: As I said, you can only feign ignorance on this for so long. But let me now ask therefore: Minister, have you now been briefed on the MT PASA and the AEMO forecasts from the MT PASA? Don't they conclude that there is a risk from July 2028? In particular, will you make those briefings available?

The PRESIDENT: Mr Davis, you started that question quite provocatively, so please do not reflect to me if your feelings are hurt if the minister responds in kind.

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (12:44): Mr Davis, I can repeat what I said to you in my answer to the substantive question. When it comes to the reliability of energy in this state, the only risk is those opposite.

David Davis: On a point of order, President, that went nowhere near answering the simple question about whether she had been briefed and whether she would make the briefings available.

The PRESIDENT: I will consider answers at the end of question time.

Beulah Outreach Preschool

Rikkie-Lee TYRRELL (Northern Victoria) (12:45): (1484) My question is for the Minister for Children. I have previously raised in this house the significant travel burden placed on families living in Beulah to access kindergarten services. For three days out of the week, parents are travelling 25 minutes to Hopetoun, and this is putting real pressure on families. Minister, what is the government doing to ensure children in Beulah have adequate access to kindergarten?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:45): I thank Ms Tyrrell for her question and for her continued advocacy on behalf of the Beulah community and indeed her constituents as a whole. I note that Ms Tyrrell has asked me questions in relation to this matter in the chamber previously, but I also want to thank Ms Tyrrell for the constructive way in which she has worked with me and my office in order to resolve the issues for the community of Beulah and ensure that we continue to deliver free three- and four-year-old kinder for the families of Beulah, which we know those opposite might oppose but Ms Tyrrell understands saves those in her community more than \$5000 a year.

I am really pleased to be able to report to the house this afternoon that we will fund and upgrade the library room at Beulah Primary School and will also build brand new toilets for the kinder students at Beulah. For those children who are attending kindergarten, this will ensure that both a three-year-old and a four-year-old program can operate full time at Beulah, without families needing to travel to Hopetoun to access a service on those other days. This is a great outcome for Beulah Primary School and is a great outcome for the kinder families at Beulah, and it is what happens when people in this place work together in the best interests of children. This is what Labor governments do. We listen to communities. We work with those who are focused on delivering real outcomes for families, rather than just playing politics with it like those opposite who would cut free kinder. The Leader of the Opposition has written to me saying she would cut free kinder.

Melina Bath: On a point of order, President, this is not the time: question time is to respond to a question, not to attack the opposition.

The PRESIDENT: I will call the minister back to the question.

Lizzie BLANDTHORN: I would remind those in this house that what we are talking about here is the delivery of free three-year-old kinder and free four-year-old kinder. Thank you to Ms Tyrrell for the advocacy on behalf of her community, which will ensure that, despite what those opposite might hope for, we can continue to offer the families of Beulah free three-year-old and free four-year-old kinder in their home town.

Ministers statements: kindergarten funding

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:48): I rise to update the house on how the Carroll Labor government is helping kindergartens across Victoria to become more inclusive, accessible and welcoming for every child. I recently visited Attwood Childcare Centre and Kindergarten with the member for Greenvale, Iwan Walters, in the other place to announce that 89 kinders will share in more than \$4.5 million through our Building Blocks inclusion grants. It was great to meet with Leanne, Sharon and the whole of the team who have created a wonderful space where children can really connect with the nature around them. I had the opportunity to tour the centre's outdoor area and see some of the beautiful features. They have compost and veggie patches, innovative water pumps and a beautiful, accessible wooden fort. There were even some chickens and, unlike those opposite, they were not trying to peck away at free kinder. Through a \$171,000 grant the team will have the opportunity to further improve the space by building new, accessible pathways and purchasing musical equipment and play features.

Our Labor government has delivered more than \$27 million in Building Blocks inclusion grants, supporting more than 200 projects. On this side of the house we believe that every child deserves the chance to learn, play and grow in a great local kinder where they have every opportunity to thrive. It is why we are building hundreds of new kindergartens and why we are expanding and upgrading hundreds more. It is why we are delivering additional hours of free four-year-old kinder, giving children more time to learn through play and build their confidence. It is why we are delivering free kinder for children right across the state. Through our Best Start, Best Life reforms we are expanding access to kindergarten by removing barriers to participation, whether they be financial, geographical or otherwise. Contrast that with those opposite, who as I said earlier in response to Ms Tyrrell's

important question, want to cut free kinder and want to rip that support away from families – more than \$5000 on kinder journeys. Those opposite want to strip it away from them.

Bev McArthur: On a point of order, President, we have been continually suggesting that members opposite should not point. The minister just pointed – with a pen, no less. Can you please call them to account? Ms Terpstra is continually doing it.

Sonja Terpstra: Further to the point of order, President, the members opposite who have been here long enough should know the standing orders, and the standing orders talk about aggressively pointing. There is a difference between using hand gestures and aggressively pointing, which Mr Davis does day in, day out.

David Davis: No matter how much pointing is done, it will not fix the potholes.

The PRESIDENT: Mr Davis, you might be finding where Mr Galea is having his lunch. Mrs McArthur, I am not going to set a precedent for the next President that someone cannot hold a pen and move their hand, but I will uphold that there should not be pointing.

Constituency questions

Southern Metropolitan Region

Ryan BATCHELOR (Southern Metropolitan) (12:52): (2610) My constituency question today is to the Minister for Housing, Building and Precincts. Has the new social and affordable housing development on Bluff Road in Hampton East been completed? Last Friday I had the opportunity to tour the recently completed social housing development at Bluff Road in Hampton East with the federal Minister for Housing, the state minister for housing and the Special Envoy for Social Housing and Homelessness. It was great to see the 285 new social, affordable and market rental homes on the site, including a 16 per cent increase to the amount of social housing on that site, replacing homes that were built there in the 1950s. I got to meet Steven, a resident who is moving back in. He had been a resident of that social housing for 10 years prior to the redevelopment. He moved out during the redevelopment and has now moved back into a brand new energy-efficient unit. He loves it. The complex looks fantastic. Residents are moving in. This is Labor delivering more social housing.

Eastern Victoria Region

Renee HEATH (Eastern Victoria) (12:53): (2611) Crime has rocked Main Street in Pakenham recently. There has been shoplifting from many stores, including the sports store. There has been graffiti to many stores, including Toyworld. There have been windows smashed, including at Lazy Frog, and residents have been talking to Radmila Dyson about how they are worried about the crime that is happening, particularly because there has been a rise in violent crime, including a murder on 31 July. What we are asking and what these people are wondering is: how can they trust a government that says that it will not close police stations when in just one week, last week, they closed four – permanently, not temporarily? They closed Collingwood, Fitzroy, North Melbourne and Southbank. So my question for the Minister for Police is: can you guarantee that you will not close or reduce the hours of the Pakenham police station?

Western Victoria Region

Sarah MANSFIELD (Western Victoria) (12:54): (2612) My question is for the Minister for Planning. Over 8000 Victorians and counting have signed a petition by Save Port Phillip Bay calling for the Victorian Labor government to protect Port Phillip Bay from the environmental impacts of toxic discharge from Vopak's Victoria energy terminal at Avalon. This project plans to discharge 480 million litres of chlorine-contaminated waste into water in the bay every day for a minimum of 10 years. Independent scientists and environmental advocates strongly argue that the potential risks to marine ecosystems from this discharge are vastly understated in Vopak's reports. Given that Vopak has a clear commercial interest in minimising environmental risks of their projects, it is inconceivable that the government would risk the health of our bay by relying on their self-assessments. Will the

government commission an independent assessment of the environmental impact of toxic discharge from Vopak's terminal, rather than relying on self-assessment reports by Vopak themselves?

Western Victoria Region

Jacinta ERMACORA (Western Victoria) (12:55): (2613) My question is for the Minister for Energy and Resources Jaclyn Symes. Minister, the coalition's promise to cancel VNI West and pause the Western Renewables Link would increase reliance on gas and coal-fired power. What impact would this have on the reliability and cost of power in Western Victoria?

Western Metropolitan Region

Trung LUU (Western Metropolitan) (12:56): (2614) My question is for the Minister for Health. Infusion centres across Victoria that provide biologic treatments are operating beyond capacity. Despite the opening of a new infusion centre at the new Footscray Hospital in my electorate of Western Metro Region, it is reportedly functioning at only about 50 per cent capacity due to a staffing shortage and lack of funding for additional staff. As a result, patients in my electorate commencing biologic therapies are experiencing treatment delays of between six and eight weeks, potentially impacting their health outcomes and quality of life. My question asks the minister to update my constituents. What is the Carroll Labor government doing to address the shortfall in infusion centre capacity and to fully utilise the new Footscray Hospital infusion centre and reduce waiting times for patients requiring biologic treatment?

Western Metropolitan Region

Moira DEEMING (Western Metropolitan) (12:57): (2615) My constituency question is to the Minister for Roads and Road Safety. When will the potholes on the Western Freeway exit onto Christies Road be repaired, and will the minister commit to fixing these potholes before the government's announced Western Freeway upgrade? I do welcome the announcement of \$550 million to upgrade the Western Freeway between Melton and Caroline Springs, but these promises have been made before. Sometimes they turn out to be evolving commitments, rather than definite commitments, and promises for elections. Let us face it, the west has waited more than long enough for extra lanes and proper interchanges, and all of that work is needed. But the potholes at the moment are damaging residents' cars. My constituent in the west who uses the exit tells me that these potholes are only getting bigger because the trucks that use it every day to go to the industrial sites along Palm Springs Road are damaging the surface to the point where they are damaging other people's cars. People in the west should not have to wait for upgrades.

North-Eastern Metropolitan Region

Aiv PUGLIELLI (North-Eastern Metropolitan) (12:58): (2616) My question today is for the Minister for Skills and Training, and I am raising this matter on behalf of a constituent of mine who lives in Templestowe with her partner. She is keen to study here in Victoria. However, she currently holds a bridging visa while waiting for a partner visa subclass 820 outcome and therefore would have to pay prohibitive fees to study at a Victorian TAFE or university. People can be waiting for a partner visa outcome for many, many years, and my constituent is keen to continue to progress her life here, including by accessing education. In other states, such as South Australia and New South Wales, there is broader access to subsidised training for at least some people on bridging or temporary partner visas. At a time when we have many skills shortages here in Victoria, I support allowing people who are establishing their lives here and simply waiting for more permanent visas to be granted to be able to access affordable education in this state. Minister, will you consider subsidising training for Victorian residents, including those in the North-Eastern Metro Region, who are on bridging visas or waiting for a partner visa outcome?

Eastern Victoria Region

Tom McINTOSH (Eastern Victoria) (12:59): (2617) My constituency question is for the Minister for Homelessness. Housing is central to quality of life, yet far too many people are sleeping rough across Victoria, especially on the Mornington Peninsula. We need to build more homes, maximise the efficient use of existing housing stock and increase frontline support services on the ground in local communities. Across the peninsula we have seen an incredible local effort, and I am proud to have worked alongside Southern Women's Action Network, Fusion, women's community shelters –

David Davis interjected.

The PRESIDENT: Order! Mr Davis! Can we reset the clock, please?

Tom McINTOSH: Yes. Just before I start, this is a serious matter about people sleeping rough. We have had a lot of people die on the peninsula. So can you just maybe pull your head in?

The PRESIDENT: Can we reset the clock. From the start, Mr McIntosh.

Tom McINTOSH: My constituency question is for the Minister for Homelessness. Housing is central to the quality of life, yet too many people are sleeping rough right across Victoria, especially on the Mornington Peninsula. We need to build more homes, maximise the efficient use of existing housing stock and increase frontline support services on the ground in local communities. Across the peninsula we have seen an incredible local effort, and I am proud to have worked alongside Southern Women's Action Network, Fusion, Women's Community Shelters, Southern Peninsula Community Support, Mornington Peninsula Shire Council, my colleague the member for Hastings Paul Mercurio, the YWCA, federal housing minister Clare O'Neil and special envoy Josh Burns. I am proud that this advocacy has been heard and that the Labor government is investing in building new supportive housing on the peninsula funded by the short stay levy and funding new targeted assertive outreach services for our region. Minister, how will this latest support be rolled out across the peninsula to ensure vulnerable community members receive immediate housing and support?

Northern Victoria Region

Wendy LOVELL (Northern Victoria) (13:01): (2618) My question is for the Minister for Roads and Road Safety. Will the minister urgently fix Glenlyon's dangerous potholes on Barkly Street? The amazing Liberal candidate for Macedon Kate Kendall has been touring all over the district, and everywhere she goes she hears the same things. People are sick and tired of Labor's neglect and failure to do the basic things like fixing roads and keeping schools maintained. When Kate drove through the small town of Glenlyon she was shocked to see the numerous massive potholes on Barkly Street, the C316, a state arterial road. There were no workers to be seen or hazard signs, and it is believed that locals have had to circle the craters with bright orange spray paint to warn drivers about the danger. Kate Kendall, as part of Jess Wilson's new Liberal team, will invest \$5 billion to fix Victoria's roads crisis, bring back proper road maintenance and repair a million potholes, including those on Barkly Street in Glenlyon.

Northern Metropolitan Region

Anasina GRAY-BARBERIO (Northern Metropolitan) (13:02): (2619) My constituency question is for the Minister for Public Transport. Minister, Broadmeadows train station is rated the fifth worst train station in Melbourne's public transport network. The accessibility ramps do not meet current standards, once again letting down my constituents with disability and mobility aids. Broadmeadows was my train station growing up, taking me to school, work and connecting me to the rest of Melbourne, and yet it has not changed much at all since the early 2000s. It was also where I had to sprint through the tunnel because it had such poor lighting that, as a young woman at night-time, you had no choice but to actually do this just to get to the other side of the tracks. To this day it still looks the same. Minister, our Greens Broadmeadows candidate Maryam Nasim and I join the cause of the

Broadmeadows constituents in asking: when will you finally modernise this ageing, substandard train station and make it the integrated transport hub it has the potential to be?

South-Eastern Metropolitan Region

Ann-Marie HERMANS (South-Eastern Metropolitan) (13:03): (2620) My question is to the Minister for Small and Family Business. This Labor government is failing small businesses. A constituent of mine who runs a small store contacted me explaining how they are struggling to survive due to extremely high rent, wages, taxes, insurance and bills. But it is the out-of-control crime in this state, especially youth crime, that is pushing them over the limit. The constituent explained how they have had their store broken into and money stolen and customers who have run away without paying. For a small business every dollar and every crime is a huge hit that is difficult to recover from. They have said:

Please listen to the voices of small business owners ... We are exhausted, frightened and struggling to keep going.

Please help us.

Minister, Jess Wilson's team has a plan. The Liberals and Nationals have a plan to get things back on track. But when will you get youth crime under control in this state, and what meaningful action will you take to protect our small businesses?

North-Eastern Metropolitan Region

Richard WELCH (North-Eastern Metropolitan) (13:04): (2621) My constituency question is for the Minister for Police. Early on Saturday 22 August a 53-year-old man was found with a stab wound and in need of urgent medical attention at Box Hill Gardens. Last week police charged six teenagers with offences. This is the most recent of a long list of growing assaults and crimes in Box Hill in recent times. Crime has gone up by 10 per cent in the area recently, and this is an area of mainstream community use. The beautiful gardens are used for basketball, tai chi and other activities. Crime has come right to our doorstep. The question is: can you guarantee that we will still have front-desk operations at Box Hill station and that it will not be one of the additional closures of police stations in Victoria?

Southern Metropolitan Region

David DAVIS (Southern Metropolitan) (13:05): (2622) I am also worried about local police stations, and it is clear that many of the police stations in my area are in the gun. We have seen the announcement that Southbank will go on 4 October. We have already seen Ashburton closed and reductions in other police stations as well. My question to the Minister for Police is: will you guarantee that Camberwell, Prahran, St Kilda, Mount Waverley, none of these police stations, and Oakleigh included, will be downgraded or have their hours reduced in any way? We have got crime rising across Southern Metropolitan Region. We have seen really very significant increases in crime over the last three years, and yet we are having the wind back of police and police station hours. It is not community safety that is brought to the fore, and it should be.

Northern Victoria Region

Gaelle BROAD (Northern Victoria) (13:06): (2623) My question is to the Minister for Mental Health. I met with the Australian Veterinary Association at Parliament this week, and we discussed the shortage of vets, particularly in regional areas – even larger regional centres like Bendigo. It is a highly regarded profession that takes years of study followed by 52 weeks of an unpaid placement program. It is not easy to encourage vets who have trained at Melbourne University to relocate to regional areas. For those who do, we need to support them in their important work. It is a very demanding role and very important in regional areas, an integral role in animal and public health. I understand that 75 per cent of emerging infections in humans are transmitted from animals, so we all benefit when animals are kept in the best of health. Today is R U OK? Day, and I thought it important

to highlight the high mental health risks within the veterinary profession. I was very concerned to hear about the personal stories of lives lost. The risk is much higher in the profession, driven by factors including burnout, financial stress and ongoing workforce shortages, particularly in the regions. I ask the minister to outline what mental health support is available for vets working in northern Victoria.

Northern Metropolitan Region

Evan MULHOLLAND (Northern Metropolitan) (13:07): (2624) My constituency question is to the Minister for Mental Health. I think it is a fact that Craigieburn consistently gets shafted, and we saw that with the delays to the community hospital, one that they still cannot staff and fit out and does not have the services that were promised. In August 2022 the government first announced, as an election commitment following recommendations from the royal commission, both a Sunbury and a Craigieburn mental health local. Most people thought that was a great idea. We have a mental health crisis. Of course that would be welcomed. Only after the election, in the May 2023 budget, it was then classified as a grouped Sunbury and Craigieburn mental health local, but they announced that planning had begun back in 2023. As of today we have no progress on planning, no physical location, no announcement. My community is waiting. Minister, where is the Craigieburn mental health local?

Sitting suspended 1:08 pm until 2:06 pm.

Bills

Equal Opportunity Amendment (Work from Home) Bill 2026

Second reading

Debate resumed.

Richard WELCH (North-Eastern Metropolitan) (14:06): I was talking about WorkCover charges, and I will resume from that point. We were talking about amendment 5 to the bill and how such incidents are not taken into account in determining an employer's contribution or premium under the Workplace Injury Rehabilitation and Compensation Act 2013. That brings me to our amendment 8. Part 3-4 of the Fair Work Act 2009 gives a union official holding a permit the power to enter premises where work is being performed to hold discussions or to investigate a suspected contravention. The bill makes a private residence a place where work is performed. The conflation of the two things is unresolved in the bill. The Minister for Cost of Living told the other place that this was not a concern and that entry into homes does not follow, but he did not demonstrate how. I think those who work from home and their families would want absolute certainty and for that to be reflected in the bill. There is no way people are going to accept even the remote possibility that someone from a union could turn up to their house and push for access to it just because they work from home. People work at home alone in quiet residential streets. They are entitled to determine who enters their house and who does not. We do not want people turning up at a door, brandishing a permit and insisting they be let in. Let us not ask anyone to trust the government, because we have seen how OH&S roles have been corruptly filled on Big Build sites with impunity. There is a precedent here that requires steps to restore confidence, so we will amend that.

I turn finally to where this could all end up in the very unfortunate situation where the agreement goes wrong and we have a dispute. The bill sends contraventions to the Victorian Equal Opportunity and Human Rights Commission or straight through to VCAT. The commission does not investigate it and does not decide it; it conciliates voluntarily under section 122, and that can be bypassed entirely. But the problem here is really the risk of delay. VCAT has not been set up for the volume of likely disputes, and it has already got very long lead times. Nobody wins in that queue, and it is certainly not a win-win.

We also need to discuss the matter of jurisdictions. One of the absolute worst scenarios we could have here is to pass a law and put it into process and have people preparing for it if we know all along that it is likely to be unconstitutional. The government says it has received advice. We would like to see

that advice, because to put this into law when it is knowingly unconstitutional would be a terribly cruel joke on the people of Victoria. I am not a constitutional lawyer – I will not pretend to be one – but we have been down this road before where we have had laws that were unconstitutional, and it was incredibly disruptive.

I will conclude by reiterating what I have said throughout. We support flexible work. I have run a business on it myself. We are not opposing this bill, and so we will not. But we want it to work, and working here means something specific. It means: the employee can ask and the employer can answer, and both of them know where they stand – without a lawyer, a tribunal or a 12-month queue. I think there are ultimately three important tests for the success of this law. Does it create more working-from-home choices for workers? Does it increase productivity? And are there few disputes? To anyone who says this is simple, going from an analogue discretionary system to a regulated system, it simply is not. It is the mechanics that will make it work or not work. It is the mechanics that we must examine so that we actually get the outcome this bill is seeking to achieve. We want people having flexible work arrangements and we want work from home to work, but if you are going to regulate it, then the mechanics need to be right.

Sonja TERPSTRA (North-Eastern Metropolitan) (14:10): I rise to make a very efficient contribution on the Equal Opportunity Amendment (Work from Home) Bill 2026. This bill is an important bill, and it is important because it gives people who want to work from home a right to work from home. As somebody who has represented working people for many, many years – for many decades in fact – one of the things that was quite obvious just before I came to this place was that there were a lot of women and people who had young families who were wanting to work from home because it basically made their lives a lot easier. Working 9 to 5, you have still got the dropping off of children, the shopping, the cooking, the washing, the cleaning – all those things have to go on top of trying to hold down a job. But also, when you have got young children, it becomes quite challenging. Being able to work from home means you can combine your work and family responsibilities just that little bit more easily.

In the lead-up to having this bill brought before the house today I was approached by employer groups, who I met with, and they went through some of their concerns. They indicated to me that they were not necessarily opposed to working from home but just had some clarification aspects around it. Those are some of the things that have been touched on in the bill and that Premier Carroll has also spoken about. There were some things that were reasonable requests – like if there are any additional costs, who is going to bear those costs, what happens if someone is working part-time and how the entitlement would work if it is part-time – and reasonableness factors.

I can say that when I was a union official, particularly working for the nurses union, we had a lot of women who were seeking flexible work arrangements. That was not work from home necessarily, but flexible working arrangements around hours, which would give them the capacity to balance their work and family better. It was always very difficult. It was very rare that I would have a large employer just say, ‘Yes, we can make that work.’ And always those nurses then would have to no longer work in an ongoing permanent capacity but would shift to casual, and that meant a loss of entitlement as well. So there is a gendered aspect to this when we are talking about women with family responsibilities and children. It was always difficult, and in my mind, as somebody who had worked from home successfully myself as a public servant in the past – when I was a union official, my car was my office. I was out on the road and I had a boot full of files and the like. So the idea that we all have to be anchored to an office is outdated.

But there are unfortunately some pretty outdated views and positions on working from home. It does not have to be difficult. When an employer and a worker sit down to try and nut through these things, most things can be resolved. But as I said, sitting down with the employer groups, they had some, I thought, quite reasonable points of clarification around costs and how it would work: what happens if there is an injury? Does a union have right of entry? They are all legitimate questions. It does not matter whether we resolve those questions or not today, but certainly for employers and workers to sit

down and have a conversation themselves to see whether they can resolve those issues is where it all needs to start. Of course then, if it cannot be resolved, what this bill will do is give workers the capacity to go to VCAT to have those matters resolved. As someone who has represented workers in many industrial jurisdictions, including this jurisdiction – not here in this state, but in New South Wales – when you are going to these sorts of tribunals, of course the first part of any application is you have mediation. The parties sit down in a room with someone who is quite learned, and they go through and work out whether they can come to some kind of arrangement. That is a positive thing, and sometimes you can get to a resolution with a little bit of help. That is not a bad thing; it is actually a good thing.

As I said, I have got to be efficient today with my contributions. But again, it is an important thing to have working from home as a right. Not only will it be a really great right but it will save time for people who are commuting. It will save money. It is a really good cost-of-living initiative as well. Again, parents can be there for school pick-up and school drop-off, particularly if you have got kids at kinder and kids at school and you have got the double drop-off – all those sorts of things. Our model of work in Australia and most Western countries was really founded around postwar notions of men going to work in factories and having set hours, and in a modern society those norms do not apply to many people, because they have families and they have other obligations – and not only family responsibilities but also caring responsibilities like caring for older parents. These days a lot of gen Xers and boomers are having to get parents to appointments and the like, so if you can work from home, you can juggle all of those different aspects of your life. It is actually really, really helpful. I might leave my contribution there – as I said, I have been told I need to be efficient – other than to say I commend the bill to the house.

Aiv PUGLIELLI (North-Eastern Metropolitan) (14:16): I am pleased to rise and speak on behalf of my Greens colleagues and myself on the Equal Opportunity Amendment (Work from Home) Bill 2026 today. It has been a while coming. I cannot even recall how long ago now it was when this legislation was first announced under a former Premier, and it has been a bit of a journey since that time. I got the sense that there was a much bolder approach from the Labor government when this was first being spruiked. I believe it opened – was it? – a state conference. I cannot recall. But since the former Premier and the way in which this was approached, as opposed to now, there has been quite a significant shift, at least from what I have observed in public commentary.

We are now at a situation where we have just had a myriad of amendments that have been dumped on my desk late yesterday evening that people have been asking to see for a long time – and reportedly others in the community have as well, including the ones that were supposedly consulted. We are getting across those. My speaking notes today will not speak to those particular amendments, because we are literally still going through all of them and understanding their full implications. What has arrived does, from the immediate outset, appear to be somewhat of a capitulation to the business lobby, frankly. Seeing a sheet of paper that says ‘11th draft’ on the top of it says quite a lot. What we see now under the new Premier and the Labor government at this point in time, as opposed to when these laws were announced – laws which my colleagues federally back in and would like to see applied in a similar fashion across the country at the federal level – is the new Premier and the Labor government being afraid of their own bill. They are hiding under the doona from what was a bold announcement that they were spruiking so heavily when it was first brought before the Victorian people. After a few whispers in the ear of the business lobby, suddenly there is a raft of amendments that are appearing right before us at 2 minutes to midnight, and we have to get this through today with all of these amendments. Words like ‘constitutionality’ are being thrown around, and frankly, I do not take that word out of the mouth of the business lobby. That is something we need the time to consider and get advice on.

As I said, I will comment on the amendments when they come up later in the committee stage of the bill, but I did hear from some of these business voices that I suspect are the people that are being talked about that have gone to government. One of them – I will not name them – put to me on the phone,

‘What happens if someone does not have a home?’ in relation to these laws. I just thought, ‘What a ridiculous question that is.’ I would think that the person being homeless is the more significant issue there than whether they have a working-from-home entitlement. And then also, are they saying that person should not also have flexibility to ensure they stay participating in the workforce? Some of the questions that I suspect are being put to this government around these laws to water them down further in an anti-worker fashion are pretty appalling.

Anyway, to come to the matters before us, the Greens absolutely support the right for people to work from home. It benefits so many workers in many different ways. It helps women, it helps carers and it helps people with disability to stay in the workforce. Working from home saves people money. It saves on transport costs, it saves people other expenses and it really helps at a time when so many of us are hearing about people’s bills going up and up and up. It increases overall workforce participation. It allows parents and carers as well as people with chronic illness and people with disabilities to work in a more accessible way. They can stay participating in our Victorian workforce. Working from home reduces your commute – reduces it to zero – affording you less time sitting in traffic or on public transport and also more time to do the things that you enjoy without having that commute eat up the before and after of the working part of your day. It gives people the opportunity to balance their work and home life much more easily, which improves physical and mental wellbeing.

I know not all workers have the option to work from home. There are many workplaces where it is just not possible or it is just not practical to do your job from home. But for those that can, this bill, in its unamended original form, ensures that this right is protected and cannot be arbitrarily denied. Again, this is something that the Greens here in Victoria support, and it is a matter that my federal colleagues have backed in and would like to see applied across the nation.

Many people out there are already working from home a day or two a week right at this moment. Most have been doing this since perhaps the pandemic or even before. It has become a normal part of many parts of working life across the Victorian community. This bill does not change that. If anything, it is legislating what is currently commonplace across many parts of the workforce here in this state. I do not take this view that has been put by, again, parts of the business lobby and perhaps some voices from across the chamber that suddenly businesses will close, that people will flee the state, that jobs will flee the state. If anything, this is an opportunity for the state to be a leader in this space and set what hopefully is a national trend that we have this increased uptake in working-from-home entitlements and the assuredness for workers that they can approach their employers to take the right that is before them to have that ability to work in a more flexible way from home.

This bill is just going to protect the right for workers to request that they work from home a day or two a week and ensure that their requests will be accepted, if reasonable. That is it. If we were going to be far bolder than what the legislation before us actually seeks to do, I would point to the Greens also supporting a four-day work week, a matter which has been proven across many countries, to allow people to complete their full-time job in four days or 30 hours with no loss of pay, bringing a raft of benefits. A proposal like that gives people less stress to experience and less burnout. They have literally more time for their hobbies and families and recreation. They take less sick leave, and workplaces also then see the benefits of happier, healthier workers who continue to complete their jobs in reduced hours.

I think around all of these things we have been told by this market economy world that we need to give our whole selves to our jobs – to be productive, to be wealthy, to be successful, we have to sell our souls to our jobs – but it is just not true. For some work can bring great pride and satisfaction, but for others it is an absolute chore, and many people are only choosing to work for such a significant amount of their lives because they have got bills to pay. If it is possible for people to do their jobs in less time, then we should encourage this. If people can do their jobs in a more flexible way, such as what is proposed under this legislation, we should encourage this.

To reiterate, I will come back to the amendments when we get to the committee stage on this bill. Again, they have been dumped at 2 minutes to midnight before me on the crossbench and I imagine

other members of the chamber. So to fully understand their implications and speak to those, the committee stage would be when I would be seeking to do that. But my Greens colleagues and I absolutely support the right for Victorian workers to work from home. We would love to see further progress and workplace flexibility so people can even more easily balance their jobs with family, friends, hobbies and all the rest. I will come to those amendments later in the committee stage, but at this point I will commend the bill in its unamended form to the house.

Sheena WATT (Northern Metropolitan) (14:23): Thank you very much for the call and opportunity to rise and speak on the Equal Opportunity Amendment (Work from Home) Bill 2026. Every Victorian family deserves a chance to get ahead, build a secure life and spend meaningful time with those they care about. Our Labor government understands that the cost of living and daily pressures of modern family life are very real. We are committed to delivering practical reforms that make life easier and more affordable for working people. This legislation is a landmark Australian-first reform that amends the Equal Opportunity Act 2010 to enshrine the legal right for Victorian workers to work from home two days a week where reasonable.

Coming out of the pandemic, the way we work underwent a permanent shift. We proved that productivity does not rely on sitting at a specific desk five days a week. Flexible working became an absolute lifeline for families, and it remains just as vital today. For parents and carers working from home is about managing the reality of modern family life. It is about having time to do the school drop-off without racing through traffic or help an elderly parent with an appointment. It gives working people the breathing room to handle what life throws at them without choosing between keeping their job and showing up for their family.

For so many Victorians flexible working has become a permanent part of how modern workplaces operate. The economic, social and health benefits are clear. This arrangement delivers immediate, tangible financial relief at a time when every dollar counts. On average, working from home puts money back into the household budget, saving on fuel, public transport fares, parking, vehicle maintenance and daily commuting expenses. When household budgets are stretched, having that extra money makes a massive practical difference to family life. It also hands back something just as vital: time. Victorians who work from home save precious hours each week that would otherwise be spent sitting in traffic gridlock or standing on the train. That time returned to families translates directly into reduced stress, improved mental health and better work-life balance. By taking cars off the road during rush hour, working from home eases congestion across our transport network. That delivers faster, more reliable commutes, even for workers whose job must be done in person.

Working from home has driven gains in workforce participation, which is now higher than before the pandemic. It has opened genuine employment pathways for women, primary carers, people with disability and workers in regional communities, where long commutes are a severe barrier to full-time work. It allows parents to stay connected to the workforce while managing caring duties and allows skilled workers in regional Victoria to access high-quality jobs without uprooting their families.

Yet despite these proven benefits, working from home currently exists only as a discretionary favour. An employer can offer flexibility today and arbitrarily pull it back tomorrow, leaving employees with no say, no certainty and no legal protection. We know that this is happening across Victoria. During our public consultation over 37,000 Victorians had their say, and more than 74 per cent said that the right to work from home was extremely important. Thousands told us that they felt anxious about even asking their manager for hybrid arrangements, fearing informal punishment. Of those who could perform their duties remotely but did not, the majority had requested to do so but were refused without a genuine explanation.

Our government is stepping in to ensure workers are not left unprotected. This bill takes a practice that has proven its value and enshrines it as a clear enforceable right. Under the amended Equal Opportunity Act eligible full-time employees will have a statutory right to work from home for up to two days per week. Crucially, Victorians working less than full-time hours will have a strict pro-rata

entitlement for 40 per cent of their working hours. Part-time workers, carers – predominantly women – and students should never feel they have a lesser claim to flexibility. In fact often that is what attracted them to part-time work to begin with. Adding this explicit entitlement gives every part-time worker absolute certainty. We also have confirmed this right applies strictly to employees whose principal place of residence is within Victoria. The legislation applies broadly across industries and business sizes, ensuring an office worker in a small enterprise has the same basic access to flexibility as an employee at a multinational firm.

In fact the bill establishes some really sensible boundaries. To ensure new entrants receive hands-on mentoring, employees on initial probation and workers in formal training schemes like apprenticeships and graduate programs will not access the statutory right during their training. Casual employees who do not work on a regular, systemic basis are excluded to avoid unworkable scheduling burdens. The bill also respects federal industrial relations laws; workers already entitled to request flexible work under the Fair Work Act 2009 based on specific personal circumstances will continue to make those requests under the federal scheme.

To exercise this right, an eligible employee must provide a written notice to their employer. This notice must set out the days and times they intend to work from home and whether they will work from their principal residence or another agreed location. This legislation makes it explicitly clear that the days and times set out must be times the worker is already required to perform their duties. This right is about location, not scheduling. Workers' existing hours and rostering protections are absolutely not up for renegotiation.

The test of reasonableness is a core safeguard in this legislation. If the right can be knocked back for any vague reason, it is not much of a right, which is why this bill strictly sets out what is reasonable. An employer must consider the inherent requirements of the role, and I think that is really important, including whether the job can actually be completed remotely, whether it requires physical attendance, relies on specialist onsite equipment or requires direct, in-person interactions with the public. In assessing these requirements, the employer must have direct regard to legal obligations relating to safety, security, welfare and supervision. These specific criteria ensure our frontline workforce will continue their critical work without interruption. People in occupations that inherently require physical presence, such as nurses, police officers, teachers and construction workers – well, their work cannot be performed from home. The legislation fully respects the essential nature of these roles and ensures frontline service delivery is completely protected.

The employer must also consider the practical impacts on the operational needs of the business. We have strengthened this test to require genuine, specific consideration of these needs. An employer can assess whether working from home on specific days will cause a material decrease in productivity, have an adverse impact on workplace safety, undermine staff training, impact customer service outcomes, breach data confidentiality – which I think is a really important point here – impose excessive financial costs or create impractical staffing disruptions.

We have extended the period in which employers must respond to a notice to 28 days. This makes sure every worker's circumstances are thoughtfully considered rather than dismissed in a rushed, box-ticking assessment. Where an employer finds that the proposed days are not reasonable, but an alternative arrangement is, they must offer that alternative. If two days is not workable, but one day is, the employer must permit that one day. Where an employer refuses a request entirely, they must provide clear written reasons explaining exactly why the arrangement is not reasonable. If an employer asks a worker for further information about their set-up, that request must be strictly relevant to assessing reasonableness, ensuring informed decisions are made rather than creating arbitrary new hurdles.

We have also recognised that operational circumstances change. The updated legislation allows an employer to issue a written notice if a worker is no longer eligible or if continuing the arrangement is no longer reasonable, whether temporarily or on an ongoing basis. For example, if a sales officer

usually works from home on Thursdays but is required to attend a week-long trade show in person, the employer can temporarily adjust the arrangement. However, we are making it very clear that this is not a back door for employers to walk away from commitments to their staff. Any change must be fully justified with written reasons and alternative arrangements must be provided where reasonable.

To ensure workers are not financially disadvantaged, the bill requires employers to cover the reasonable costs necessary to enable remote work. When an arrangement is agreed upon, the employer must meet the costs for essential equipment, such as hardware and software, and secure access to the employer's information systems. Importantly, to maintain fairness for the businesses out there, the employer is not required to pay for a worker's basic utilities or general internet services.

Where disputes occur, this legislation establishes a highly accessible, fair resolution pathway. An employee who believes their request was unreasonably refused can bring a dispute to the Victorian Equal Opportunity and Human Rights Commission for free conciliation. If conciliation does not resolve the matter, they can apply directly to the Victorian Civil and Administrative Tribunal, which has the power to make binding orders directing an employer to allow the employee to work from home. In cases involving federal jurisdictions, the matter can be referred to the Magistrates' Court of Victoria.

We are ensuring a reasonable timeline for the rollout of these major reforms. The right will formally commence on 1 July 2027 for most employers, and we have provided a further delayed commencement of 1 January 2028 specifically for small businesses – that is, those with less than 15 employees. Workers in small businesses absolutely deserve these flexible rights too, and this delay ensures smaller employers have the time they need to prepare. To guarantee this right is working seamlessly for the people it is designed for, we are bringing the statutory review of the legislation forward to 18 months, commencing on 1 January 2029. If workers are still hitting unfair barriers, this early review will enable us to find out sooner and act sooner to fix them.

In this era of wider political debate we are seeing an open call for workers rights to be wound back by some political leaders and conservative voices. At a time when those voices are advocating the stripping away of hard-won protections, it is more important than ever that our government take a different path: the path of backing workers, supporting working families and strengthening workplace rights. This bill strikes the right balance. It gives businesses clear, workable parameters while giving Victorian workers the legal certainty they deserve. Our Labor government will always fight for working people. I commend this bill to the house.

David LIMBRICK (South-Eastern Metropolitan) (14:36): I rise to speak about the great work-from-home swindle. The Libertarian Party is not in the habit of trying to fool the public, and I will not start by supporting this legislation. This con job works on multiple levels, and if you stay with me, we will get to the very top and get a clear view of the absolute state of political leadership in Victoria. All of this is underpinned by one big falsehood: that people could only work from home because of the generosity of the government. This legislation changes nothing for people who work from home thanks to voluntary agreements with their employers, but that is where the good news ends. This legislation will be disastrous for some employers who need people to turn up. If this legislation ever came to be, it would punish wealth creators and cause businesses to flee. Meanwhile, VCAT will be brought to a virtual standstill as it deals with ridiculous cases, quite possibly while its own staff are working from home. The government have waited until now to introduce this, I suggest, because they do not want people to see the clown show before the election.

But this is not even the biggest swindle going on here. We already know that there will be legal challenges. The Property Council of Australia released independent constitutional law advice finding the bill is inconsistent with the Fair Work Act 2009. Very well credentialled legal experts have said this law will be rendered invalid under the Australian constitution. They seem to be excited, which means Victorians should be less excited. We know the government have not released the legal advice, and we know they will not, because it was never designed to be good legislation; it was purely designed

to embarrass the Liberal Party. We remember they did not release expert advice during the pandemic, and much of that advice never actually existed.

I shudder to think how much this will cost. I do know about Limbrick's law, which states that if you have to ask who is paying for something, the answer is: it is you. This is what happens when governments make promises they cannot keep before elections, just like at the last election, when the government promised to deliver a regional Commonwealth Games and wasted \$589 million in the process. This is Commonwealth Games 2.0. Let us take a minute to think about where the money this Parliament is probably about to splash against the wall comes from. It comes from things like stamp duty, paid by people who have slaved for years trying to buy somewhere for their family to live. It comes from things like payroll tax, which is a fine imposed on wealth creators for employing people – people who may no longer be required to show up. But unfortunately the Liberal Party are in on it. They know all this but would rather waste our money than risk being called names by the government. When the legislation fails, they intend to put on their best surprised face and blame the government, and we will all end up paying.

All of this is based on basic disrespect by both major parties – disrespect for Victorians' money and a belief that they will not remember this or hold anyone to account. So much for a new direction and a fresh start. This legislation is a multilevel hoax, with the major parties at the very top. Ironically, there are many sitting days like this one when we would be better off if we worked from home. The Libertarian Party, for one, will not be part of this.

Jeff BOURMAN (Eastern Victoria) (14:39): This is a very interesting bill. I am not for it and I am not against it at the moment. The internet has driven a number of possibilities, some good, some bad. The ability to work from home is one of the good things in a lot of ways, but it also brings up the point: if I can work from home, why can't I work from Barbados or South-East Asia? As an IT nerd in a previous career – in one of my many previous careers – it enabled me to, in one case, work from Vancouver in Canada, where I had to do a database restore over very dodgy wi-fi. That was, back when I did it, groundbreaking; it is just so ho-hum and everyday now.

I support the principle of working from home as a best effort, but I am not convinced yet that it should be a right. We have no idea how it is going to work. We have no idea how many people are going to contest determinations and how the businesses will have to react – like whether they will be able just to turn up themselves if they can or whether they will need legal counsel. And VCAT yet again will get another role. I have been in this place 12 years or so now, and VCAT have been a dumping ground – I do not like using the term, but I cannot think of a better one – for various dispute resolutions that have come up. They as an organisation obviously are going to need more and more resources. The questions I have and that I am hearing here – the many questions – are the basis for my reasoned amendment, and I have other amendments which we will get to should the reasoned amendment fail. I ask that my amendments be circulated now, please.

My reasoned amendment is basically a mechanism to get a short, sharp but in-depth inquiry into the bill. There have been plenty of questions raised by the business lobbies; I have plenty of questions myself. I feel these need to be answered through a mechanism that allows people to have their say, and a report will be made and all that sort of thing. Although there is not a large amount of time, the review is designed so that there is an ability for the bill to be delivered, as there will still be the possibility of a sitting day before we hit caretaker mode. Obviously if the bill review gets done earlier, then we can get into it earlier. That should be basically the crux of it. It is a fairly standard inquiry. I am not going to go through it all, but I would suggest that it would be a good thing. This whole working-from-home thing could actually end up being a problem or it could end up not being a problem, but we have not had a chance as a society to look into it. We have got to be so careful that

this does not drive further businesses away from Victoria because it is all just getting too hard. I commend my reasoned amendment and my other amendments to the house. I move:

That all the words after ‘That’ be omitted and replaced with ‘:

- (1) this bill be referred to a select committee for inquiry, consideration and report, by 20 October 2026, and the second reading of this bill be deferred until the final report of the committee is presented to the house;
- (2) in undertaking this inquiry, the committee should consider whether the Equal Opportunity Act 2010 should be amended to clarify that using prescription medication or requiring medical treatment for a disability is a characteristic that a person with that disability generally has;
- (3) the committee consist of two members from the government nominated by the Leader of the Government in the Council, two members from the opposition nominated by the Leader of the Opposition in the Council, and two members from among the remaining members in the Council, to be nominated jointly by those remaining members;
- (4) substitute members may be appointed and the provisions outlined in standing order 23.08 will apply;
- (5) the members will be appointed by lodgement of the names with the President within seven calendar days of the Council agreeing to this resolution; and
- (6) the first meeting of the committee will be held within one week of members’ names being lodged with the President.’

David ETTERS HANK (Western Metropolitan) (14:44): I rise to make a contribution on the Equal Opportunity Amendment (Work from Home) Bill 2026. The name is on the tin. The bill seeks to amend the Equal Opportunity Act 2010 to enact a right to work from home for two days per week where reasonable. I do not need to go into further details of what this bill entails, as this has been very thoroughly covered and articulated by other speakers before me. I want to say from the outset that Legalise Cannabis Victoria absolutely supports the right of people to work from home where reasonable. That is not conditional. It is a reasonable thing. Everyone in my office works from home. I work from home. We do it on a weekly basis, and it would be hypocrisy, which people are all too familiar with, for us to say that should not be a right whenever it is practicable. My staff love it and I love it, and we would love to see it available to all workers where practical.

This bill – and I will talk about this more in a minute – will not deliver a right. This bill is a wedge. I gave a second-reading speech yesterday for a private members bill on property development integrity. It calls for truth in advertising for new housing estates. It is a pity that truth in advertising does not apply to legislation, because whatever the government is spruiking, this bill is unlikely to deliver. It is like a piece of cheese that has been sitting in the fridge mouldering away since the 2025 federal election, when the coalition very quickly scrapped their return-to-office mandate after realising that people actually like flexible workplace arrangements, including working from home. That spectacular coalition own goal was manifestly the inspiration for the government introducing this bill, and to be blunt, it has not aged well. In a way this is the answer to a question that possibly not a lot of people are actually asking. Of course there are people that would not be accessing working from home that would like to. There are undoubtedly people who want to access working from home who are being denied that, and that is part of the workplace. I am not saying it makes it acceptable, but whether you look at wages, hours, classifications or any of those things, it has always been thus that there are differences between employers and employees as to what is reasonable, and that is why we have unions. Because we have unions, we have the Labor Party, and because of the Labor Party, we have this bill. Somewhere it has gone a bit wonky.

This bill addresses, clearly, a huge unmet demand for working from home at a rhetorical level. But does this bill deliver a remedy? Does it actually provide for a level of confidence that that employee who might well be making a perfectly reasonable request will have that request delivered and that justice shall be done? I think it is really fair to say that is very much a moot point with this legislation. If an employee applies to their employer to work from home and if that employer denies that request, the bill states that the employee can seek resolution via the Victorian Equal Opportunity and Human Rights Commission as the first port of call. Cool. We have nothing but admiration for VEOHRC –

great people doing important work. We have referred a number of things ourselves, and we will later be referring something further to the human rights commission, such is our regard for them. But it is not the Fair Work Commission. It cannot make an order; it can only make a recommendation. I am sure this will be litigated, but it can probably provide a level of protection to an employee who is seeking relief via the commission. But that will have to be tested, because that will require an extension of the current act, and obviously that is one of the intentions of this bill. But VEOHRC cannot, and this bill will not give it the right to, make a decision that is enforceable. If the employer decides not to accept the recommendation of VEOHRC, or if the employee is not happy with the decision of VEOHRC or the recommendation from VEOHRC, their only recourse is to apply to VCAT.

I suspect there are probably lots of people here that have made applications to VCAT or have been involved in those things. With the greatest respect to the commissioners at VCAT, it is like: 'Take a number, come back in a year and we'll have a look at this' or 'Come back in six months and it'll have a mention.' These are not like timely remedies. I heard a number of the speakers here say, 'This bill will provide certainty,' I mean, if you were selling vacuums, you would be in the mags in no time for misrepresentation. This will not provide certainty. This is at best overselling, and at worst untrue, and that is pretty piss-poor. Pardon my French, but that is the nature of what we are dealing with here. My apologies, Acting President Broad, that was a bit of improvisation that was beyond parliamentary good manners.

The government can legislate for work from home, and that will be no doubt popular. But at the end of the day – and I think Mr Bourman and Mr Limbrick before me have alluded to the fact – we do not really have much in the way of industrial relations powers left in this state. And to my colleagues from the Liberal Party, that is all your own work. I know it precedes you, but in 1996 Jeff Kennett transferred the state's industrial relations rights to the Commonwealth – no news there – and that is why the government is resorting to very much a secondary option, which is to try and create this head of power through the Victorian Equal Opportunity and Human Rights Commission. But of course it immediately then opens its way up to a question of: is this legislation effectively ultra vires? Can it actually be done, or does it contravene the constitution and does it contravene the rights? I am not going to try and get into the explanations. There are a number of opinions floating around.

A number of leading commentators have said that this is a dead bill walking, but such is the nature of the industrial relations powers and the fact that they are vested in the Commonwealth. There is no state version, for all intents and purposes, of the Fair Work Commission that can apply to employees. But of course most Victorian employees are in federal awards now or covered by federal EBAs or safety net awards, and of course there is redress for this in many awards and EBAs. They make specific provision with regard to this, and that is probably more likely to be successful. The government knows this. It will inevitably be challenged, it will inevitably go to the High Court, and in all likelihood it will die there. If that does not occur, then we will just have a potentially half-arsed scheme that purports to deliver working from home, but we sincerely doubt that it will. We wish that it could – that would be terrific – but we just do not think that this bill is, if I may use the parlance, fit for purpose to deliver that outcome.

Can I also note, in conclusion, that we know this thing has been sitting around for years. It has been bounced around: 'We're going to deliver it' and 'It's going to bring certainty' and 'Don't you worry, vote for us and we're going to do it.' In that context I just wonder why on earth we would be receiving government amendments at a quarter to 10 last night. In fact we did not even get government amendments; we got a summary of the amendments we are going to get from the government. That is just insanity. They have been on this for so long, and we are getting these at the eleventh hour.

This is at its heart I believe a cynical bill. Mr Bourman talked about the need for clarity, and Legalise Cannabis is very supportive of that. The reality is that I believe, if I may speak colloquially – and I do not want to offend Ms Purcell here – it is a dog's breakfast. I hope that does not cause concern.

Georgie Purcell interjected.

David ETTERSHANK: Excellent. Thank you. It is a dog's breakfast.

Georgie Purcell interjected.

David ETTERSHANK: Yes, they should have breakfast, and they are not going to get much sustenance out of this bill, I can tell you that much.

We should have the right to work from home, of course. Will this bill deliver it? No, it is highly unlikely. But either way, we would like to see this bill referred to a bill review so that all of this stuff that we are getting buried with now – and it is not just the government that has left it until the eleventh hour; there are amendments everywhere. Let us put them all in front of that. Let us take evidence. Let us hear from people who understand these issues and let us allow for a public debate and discussion around this question. If the government is so committed to it and there are a set of changes made, Parliament can easily be recalled and within the timeframe that is being proposed, for half a day or whatever is required to process that. If that is the government's commitment, to getting this through in an agreed manner, we would be delighted to support it.

Georgie PURCELL (Northern Victoria) (14:56): I rise to speak on this piece of legislation as well, which has obviously been a journey and a long time coming. I have put a lot of consideration into speaking on this bill today, because there are a range of different stakeholders who have really strong views for very valid reasons that I understand. Certainly as a regional MP, as a woman who has recently had a baby, as someone who is neurodivergent and as someone who is chronically ill, I do really understand the importance of having the ability to work from home while also getting the balance right with business. Certainly the way that Victorians work has changed profoundly and quite significantly over the past several years. What was once viewed as an occasional workplace luxury has, for many people, become an ordinary part of the job.

In preparing my speaking notes for this bill today, I thought about a number of stages in my life when I lived in a regional area but worked in the city and the pressures that having to come to the office every single day put on me such that it resulted in burnout and when I was having flare-ups with my autoimmune disease how difficult it would be. I was having to use sick leave for fatigue and management of my symptoms. I actually requested to work from home in one of my jobs and was told that I could not.

Of course when COVID hit it was an incredibly stressful time in many people's lives, but it did bring one thing that has benefited many, which was that this became normalised. We realised that it came with so many benefits, particularly for communities who may have to travel longer distances or for women, for mothers. I think that has been a really, really good thing.

My staff and I all enjoy a day here and there to work from home. For many people the benefits associated with that are undeniable. I certainly know that some of my most productive days at work are when I am working from home, when I can get up early without interruption and not have to travel to the office, when I can work late and when I can fit in a walk with my dogs at lunchtime. It has benefited my physical health and mental health in so many ways. It has reduced my stress, and as a new mum I have really benefited from the ability to work from home over the past year, after returning to work just one month after having my baby to be in the Parliament. But I needed the ability to work from home in the weeks that we were not in here to spend those early moments with my child and to be able to bond and have time with her but also to be able to continue to work and serve my community and represent the wonderful people of northern Victoria.

It is really not an exaggeration when I say that working from home has changed many, many people's lives for the better. According to the government's own figures, more than a third of workers already work from home regularly, including 60 per cent of professionals. That is a key reason why we have actually seen workforce participation higher than prepandemic levels, because this ability has allowed people to come back to work and have more flexibility when perhaps they could not have previously.

I have touched on this, but flexible work has been particularly beneficial for women, parents and carers, many of whom have been able to remain in or return to the workforce because of the flexibility that it provides. Living regionally and representing a very regional electorate – I live in the part of the electorate that is probably one of the most commuted from into Melbourne – it is certainly a significant distance. That is hard for anyone. It takes a huge chunk of time out of the day, but for mothers or carers or people who might have to do drop-offs, that completely removes the ability to work full time. But the ability to work from home has allowed more women and more parents to be able to take on more days and have that flexibility where they can accommodate it with the time working from home. It does not make those competing demands disappear whatsoever. But certainly for me it has made those demands more manageable.

There are broader benefits associated with improving a person's work-life balance. Cutting out the commute also cuts out congestion on our roads and saves people both time and money. In fact I have worked out when I think most people where I live work from home. I know the days that I should come into the office because the traffic is going to be lighter and I can avoid that rush on the day that people are heading into the office. Prior to the pandemic I used to commute from Kyneton to an office across from Parliament, actually right across from here, every single day, five days a week. It required a drive to the station and two trains, and this was before half-price fares as well. I was spending a significant amount of money on transport, and it was taking a huge chunk of time out of my day. In fact I used to get on the train around 6 am and I used to get home at around 8 pm, and that took time away from my friends, it took time away from my family and it took time away from my animals. It removed my ability to exercise or go to the gym and do all those things that make our life better and reduce the risk of poor mental health or burnout or stress. Like so many regional Victorians, that was the same story for so many years.

Certainly in the Macedon Ranges and in other areas, our lives have significantly shifted. In fact we have the tree changers coming to live in the Macedon Ranges now. Many people who actually laughed at me when I moved out that way have moved out to our wonderful area to raise their families. People that I even used to work with who were perplexed when I moved to Kyneton have moved out to our wonderful part of the world because they can now get the balance of living in a great area for families, out in nature, with so much to give, while also commuting into the city a few days a week, and it is perfectly manageable for them.

Flexible working arrangements do a lot of things, but they also create more inclusive workplaces. This shift has been particularly life changing for Victorians who live with disability or chronic illness. This is particularly true for people who live with invisible illness and may find it harder to ask for accommodations or to express their needs in the workplace and have a fear of other forms of discrimination. I have spoken about this before, not extensively, but a little while ago I received an AuDHD diagnosis and began to understand more about myself and the ways in which office environments and the Parliament, as much as I love my colleagues, can completely overstimulate me and overwhelm me. To be in an environment that is people focused, with a lot of stimulation going on at all times, really impacts my ability to put out significant work output all of the time. I know that is true for so many other Victorians who may be experiencing the same thing and are unable to work five days a week in an office full of people, with interactions, with constant speaking, with distractions, with stimuli. On top of that there are many living with invisible illness or chronic illness that commuting can impact and which can potentially take away people's ability to work at all. I have been living with an autoimmune disease, a rheumatoid illness, for around a decade now. If I did not have the ability to work from home when I was experiencing a flare-up or when I was having exacerbated symptoms, I would be really questioning my ability to continue to work at the pace that I do. Certainly my staff know that I work at an unhealthy pace at times, and the ability to be able to do that in a way that separates the physical and the face to face with the online and the emails and the catch-up work without having to head into the office means I feel really lucky that I am able to make that decision for myself, being the boss.

It is something that I have always made an effort to extend to my staff, because there are many people in my office who have different but similar experiences. A number of my staff have endometriosis, and working from home allows them to manage their symptoms, which can come on rapidly or suddenly, and the pain can be so debilitating that they could not drive a car or get on public transport, but certainly they can work from home with a heat pack on and in comfortable clothes. That is an incredible thing for a lot of workplaces. It is an incredible thing for productivity. It limits the amount of times that people call in sick to work and the time spent away from the office. I actually think it is a really good thing that on days when workers who would potentially be calling in sick they can actually work from home and continue to do their jobs. It is a great thing for many, many workplaces and businesses. As I said, in many ways it would allow people to stay in the workforce, or to stay in the workforce having that arrangement to work from home two days per week, as per this legislation.

I want to touch on an example of the way that working from home can potentially limit discrimination that could be going on in a way that exists through loopholes. When I was considering what I was going to do about this bill and my views on it, taking in all the very different positions, something that really stuck with me was a conversation with a women's organisation that represents women particularly in insecure work or that are already marginalised in the workforce. They were telling me about the fact that of course it is illegal to discriminate against someone based on the fact that they are pregnant, but it is not uncommon for this to be done under the existing legislation without saying so.

One example was given to me. Anyone who has had a baby knows that morning sickness is very, very common, and that can be debilitating in itself, but hyperemesis in particular can make people dysfunctional at times. It is short lived and only happens throughout part of a pregnancy, and even if it is throughout the whole pregnancy that does not mean that they will live with that forever, so they should not have to leave their jobs on the basis that they are struggling to work. However, the ability to work from home in those moments when they are fatigued, when they are out of energy or when they are feeling unwell can be something that gets women through what can be a really difficult time of pregnancy and a difficult time of their lives. They gave me the example that, while you cannot sack someone for being pregnant, what can happen is that someone who is pregnant could be experiencing effects of the pregnancy such as illness or extreme fatigue. They could put in a request to work from home on that basis, and that request could be denied. Their performance could then go down because they are struggling to get to work, they are being late to work or they are having to get off the tram on their commute to throw up, and they could be performance-managed out of their role while pregnant and that would technically not be a crime. Whereas if there was the ability to put in the request to work from home where reasonable, that would allow them to continue to stay in their job, get through that stage in their life and come back to the workforce after having their baby. I thought that was a really important one to share, because it is one that I actually had not considered. I had not thought about the fact that there could be women out there, particularly in workplaces where we know there is still rampant discrimination on the basis of pregnancy – it is just done in different ways and with different excuses – who without this right could absolutely be discriminated against at what is a really vulnerable and critical time of so many women's lives.

In the justification for this legislation the government has pointed to economic benefits and stated the policy will save Victorian workers more than \$5000 a year, or \$110 a week, primarily through the cost of commuting. While it is clear that there are many significant benefits to working from home, it would be remiss of me not to mention, especially as a regional MP, that many regional Victorians remain far less likely to have jobs that can be appropriately performed from home. Certainly, Northern Victoria is an incredibly diverse electorate – it is half the state, so it has to be – and there are many parts of my region that cannot see the benefits in this legislation, but there are certainly many parts of it that can. I did just want to touch on that. Of course there are industries that dominate regional economies in my own electorate and other parts of the state – such as agriculture, manufacturing, construction and health care – that do not have the ability to work from home. There is also in the regions the issue of unreliable internet. While the government has been championing this legislation, there should be action alongside their federal counterparts to guarantee that every Victorian can actually benefit from these laws and

have the ability to work from home and do all the things that they need to do, and that just is not possible in many parts of the state still without connectivity, whether that be phone reception or wi-fi.

I just want to touch on the way that the government has approached this legislation, and I know many on the crossbench have shared the same views. The lack of consultation as soon as we heard the bill was to be amended – I mean, I cannot speak on behalf of others – was probably non-existent. We certainly did receive the amendments that we had been waiting on for some time at 5 pm yesterday, and that has left me with quite limited time to consider them properly, noting that I had a general business slot yesterday – I had a documents motion. Many of us have been seeking just clarity on when we would get these amendments so we could set aside the time to consider them. The communication was not there. Of course, they went to business before us. It would have been, I think, very beneficial to get them to us sooner to consider so we do not feel like we are rushed in making decisions on such important legislation.

I just want to talk about the way in which this is being legislated, because obviously we cannot amend the Commonwealth Fair Work Act 2009. This bill will legislate the right to work from home through the state-based Equal Opportunity Act 2010, and doing this raises genuine and fair questions about what we consider to be a fundamental right that deserves protection within this framework and whether this framework is even appropriate in the first place. Putting industrial relations matters into discrimination laws is something that appears perhaps to be becoming somewhat more common. I guess I just want to highlight the fact that it is rather contradictory to do this given that the right to housing itself is not a right under our charter of human rights and housing status is not a protected attribute. You cannot work from home if you do not have a home to do it in, and I am not sure that this is the best place or even the best Parliament to be making this consideration. But I do understand the difficulties when a state government wants to do something that they might not technically have the ability to do or the legislative tools that are most appropriate to do so.

The Equal Opportunity Act exists to protect Victorians from discrimination, harassment and vilification. For some time the Victorian Equal Opportunity and Human Rights Commission itself, along with advocates, has been calling for significant reform to the act so it can better fulfil its purpose. The commission also needs stronger enforcement and investigative powers to ensure compliance with the law and ensure organisations are taking necessary steps to prevent harassment from occurring. Any workplace disputes relating to this legislation will be run through the Victorian Equal Opportunity and Human Rights Commission, or VEOHRC, rather than the Fair Work Commission, and if conciliation fails, the dispute will proceed to VCAT. There have been concerns raised about the already strained capacity of VCAT and VEOHRC. There are also genuine concerns raised by the business community, and I note that the government has made a series of amendments.

I have already spoken about the fact that it is so incredibly hard, if you take your job seriously, with the chronic under-resourcing of crossbench offices to actually get through this. It is happening week after week at the moment where we are getting hit with so many amendments at the last minute. I did just want to speak about the stresses that this puts on our staff. Of course those in major parties have pressures in many different ways; I am not denying that for a second. But for MPs on the crossbench, particularly sole MPs like my friends over here, we only get one extra staff member to consider every single thing that comes through the Parliament. When we are considering not just the legislation itself but amendments from a range of different parties and a range of different MPs, sometimes we are left with no choice but to not support them because we have not considered them or had the ability to consider them. I do want to speak about that. For such an important piece of legislation, it felt like I, as a member of Parliament with a vote on it, was getting my latest updates through the media and through calls coming to my office from stakeholders. It was really hard to keep control of, and it has been an incredibly stressful process. It is not what we are used to, and I think this has been incredibly messy.

That is why I want to finally speak to Mr Bourman's amendment. I have found my consideration on this to be quite difficult, because I understand the concerns of the business community, I really do, and I have many stakeholders who genuinely believe in the importance of this legislation, whether that be

within women's groups or in my region or within the disability community. I just want to note that I am having quite a bit of difficulty making up my mind, because certainly I think when we receive amendments at such late notice that are hard to consider, looking into the detail of the bill and the amendments is a really important thing and perhaps should happen. But I do understand that there is a wish to get this legislation done.

In closing, I absolutely do support every worker's right to work from home, and I think it has changed so many people's lives in so many ways. For me in particular, I look back at my life when I was commuting into the city every day on the train, getting on in the dark in the morning and getting off again in the evening when it was dark. I felt like I did not see daylight until the weekend, and certainly for women, for mums, for people living with a disability, for those who are chronically ill and for those who are neurodivergent and need low-sensory environments at times, there is so much benefit from ensuring that it can be reasonably done and it can be protected. I understand the need to protect it, and not everyone has generous workplaces that will give them accommodations. In saying that, those are my comments, and I look forward to further conversation in the committee stage.

Jacinta ERMACORA (Western Victoria) (15:17): I wondered if this moment would come today for me, but here we are. Here I am actually speaking on the Equal Opportunity Amendment (Work from Home) Bill 2026. I am very, very pleased to be talking about this bill and the amendments as well. It is particularly good for regional people, and I thought I would make that contribution. But before I go into how it uniquely supports regional communities I will cover off on some of the technical changes that are being made in this bill today. The bill before us creates a genuine and enforceable right for eligible Victorian workers to request to work from home and to have that request properly considered and reasonably considered. Importantly, it recognises just how much our workplaces have changed in a relatively short time. Working from home certainly was not invented during COVID, but I think that we can all agree that the pandemic fundamentally changed the way we think about where work can be done. I suspect there are some young people in the gallery who have done some study from home as well, online.

For many Victorians working from home has become part of their new normal. Improved technology has played an enormous role in that change. Video meeting platforms such as Zoom and Teams and many others allow colleagues to work together, hold meetings and maintain personal interaction even when they are not physically sitting in the same workplace, and that technological change extends well beyond the workplace. It has changed the way we communicate and even shaped our popular culture. Most Victorians watch video platforms now as opposed to free-to-air TV. More significantly, telehealth and our wonderful Victorian Virtual Emergency Department are changing the way people can access medical professionals and health services using online platforms. These technologies are particularly important for people living in regional Victoria.

When new social, technological and scientific capabilities change the way we live, governments must keep up. Work from home is an opportunity, but it is also an area where workers and employers need to have their roles, obligations and protections clearly set out. Labor has recognised the opportunities that working from home can provide for working people and their families. More than a third of Australian workers now regularly work from home, including about 60 per cent of professionals. This bill recognises the reality and gives Victorian workers greater certainty. Since introducing it we have listened carefully to workers, employers, businesses and other stakeholders about how these new rights and responsibilities should operate in practice, and we have made changes. That is what a good legislative process should do.

The amendments do not change the fundamental purpose or the fairness of this bill. They clarify its operation and make sure the framework is workable for workers and employees. One important change relates to commencement. After listening to the business community, the bill will now commence on 1 July 2027, with small business employers having an additional year, until 1 January 2028. Workers in small businesses deserve these rights too, but we recognise smaller employers may need additional time to understand and set up the new framework. The bill also confirms that the

legislation applies to employees who reside in Victoria, and importantly, we are bringing the statutory review forward from three years to 18 months. This means that we will be able to assess sooner how these new rights are operating in practice and respond if we need to.

The bill also provides greater clarity around reasonableness. This bill has never pretended that every job can be done from home – clearly they cannot. Our nurses, our delivery occupations, our transport industries, our tradies and our hospitality workers and many, many other Victorians perform work that requires them to be physically present. Equally, a right that can simply be knocked back without a proper reason is not much of a right. This bill makes clear that decisions need to reflect the genuine operational circumstances of the particular job and particular workplace. This is the balance at the heart of this legislation: a genuine right for workers alongside legitimate operational needs of employers. Part-time workers will also have the opportunity and greater certainty, with a pro-rata entitlement of up to 40 per cent of their working hours each week. This is important for people balancing employment with caring responsibilities, study and other commitments.

The bill also recognises that circumstances can change. A work-from-home notice can be revisited where an employee is no longer eligible or where continuing the arrangement is no longer reasonable, either temporarily or on an ongoing basis, but any change must also be justified. It is not a mechanism for simply walking away from an agreement. There are also practical changes to work-from-home notices. The days and times in a notice must already be times when the employee is required to work. This legislation is about where eligible work is performed. It does not rewrite existing hours or rostering arrangements. Employers will have 28 days, rather than 21, to respond to a notice, giving them sufficient time to respond to a request. Where further information is sought from an employee, it must be relevant to assessing whether the arrangement is reasonable.

The bill also provides clarity around costs. Where a work-from-home arrangement is agreed, employers will meet reasonable costs for essential equipment and secure system access necessary for the employee to work properly and safely from home. Workers should not be expected to personally fund essential workplace equipment simply because their agreed workplace is their home for part of the week.

As a member for Western Victoria, I note flexibility is of great significance for regional communities. Distance is part of our lives. For some travelling between regional towns, working from home for part of the week can mean less money spent on petrol, less wear and tear on the family car and, most importantly, more time back in their day. We should not underestimate the significance of that time. Many Victorians, whether they are city based or regionally based, will save on average an hour to an hour and a half each way. That is 3 hours in a day. My colleague Ms Purcell was just talking about her own personal daily timeline – a great example. Saving this time might mean being able to do a school drop-off or a school pick-up or more family time, time for exercise or involvement in the local community.

Working from home can also allow people to live in regional communities while accessing employment opportunities that might previously have required them to relocate or commute long distances. That is a clunky way of saying that some people can stay living in their regional community and still gain employment in Melbourne or in other regional communities and quite satisfactorily do that because they are working from home. This matters for our regional towns and cities. If someone can live in Warrnambool, Portland or Hamilton, for instance, or another regional community while working for an employer based somewhere else in Victoria, they can build their career without necessarily leaving that regional community.

Likewise, the opposite is the case as well. Technical experts from Melbourne, usually, can do work in regional communities, or communities at great distance, whilst still remaining based in Melbourne. They might use our capped fares, quite affordably taking a train to another regional city to provide their technical expertise one or two days a week, and continue to do so on days 3, 4 and 5 from Melbourne. It is win-win for regional communities, no matter which way you look at it. Their wages

are then spent in local shops and local businesses, and their children attend local schools as well. They join our sporting clubs and community organisations. The benefits of greater workplace flexibility can extend beyond the individual worker and their family.

Working from home provides sorely needed productivity benefits in the Australian economy. This legislation is not about telling employers how to run their business or pretending every workplace is the same; it is about establishing a fair and reasonable process. The bill demonstrates that the government has listened to the feedback received since the bill was first introduced. We have adjusted commencement arrangements, brought forward the statutory review and provided greater clarity around part-time workers, reasonableness, changed circumstances, notices and costs. Ultimately, this reform is about something very practical: giving working Victorians greater flexibility, more certainty and more control over how they balance their work and the rest of their lives.

I might finish up there, other than to say I think it is an extremely positive combination to have capped fares for regional communities and a work-from-home framework as well in place. It provides workers and students an enormous opportunity to make the world a smaller place and to do so more affordably as well. I really look forward to this bill being implemented and seeing the changes and opportunities that it provides not just for regional communities but also for the whole state of Victoria.

David ETTERSHANK (Western Metropolitan) (15:31): I am afraid I erred in failing to distribute some amendments, so I seek leave of the chamber to distribute those amendments now.

Leave granted.

John BERGER (Southern Metropolitan) incorporated the following:

President, I rise today to speak on the Equal Opportunity Amendment (Work From Home) Bill 2026.

I would like to thank the Minister for Industrial Relations in the other place for his work on this issue, and his work to ensure that our industrial relations laws are up to date and are giving workers the protections they need in modern workplaces, rather than the workplaces of the past.

I would also like to acknowledge the work that the Premier has done to make sure that employers have been brought on board to consult with government regarding this legislation.

President, in most industries, the workplaces of the 21st century are not the same as the workplaces of the 20th century.

Industries across all sectors of the economy: manufacturing, construction, finance, and many others, have all been transformed.

Technological advancement in industries should be a good thing, and it should be mutually beneficial towards both businesses and their workers.

This type of advancement is one of the main mechanisms in which we achieve higher productivity in our economy.

According to conventional economic wisdom, higher productivity should mean higher rates of business revenue and in turn, greater capacity for wage increases for working people.

I do not think that it is an unreasonable request or suggestion that this type of progress should also benefit workers.

It is important to remember that if the progression of technology only benefits those at the top and works against the interests of workers and ordinary people, then they can expect the social license and public enthusiasm for technological advances will be very thin indeed.

One such development over recent years which has been of an enormous benefit to everyday workers has been the ability for workers in certain jobs to work remotely, facilitated by 21st century technology.

The ability to work from home allows workers to save time on their commutes, thereby reducing traffic and public transport congestion.

The second-order benefits of working from home can impact in a positive way all economic actors, including those in jobs that are unable to adapt to remote work models.

In a time of high petrol prices caused by global conflicts, remote work allows workers to save money on commute costs, whilst also reducing the demand, and in turn the prices of petrol across the economy.

Given that, I think it is fair to say that expanding the scope of remote work where possible will have net-positive impacts for Victorians both directly and indirectly.

The group of people who, arguably, find the most benefit from work from home would, of course, be working parents.

Balancing a career with raising a family has never been easy, but for many families, the ability for one parent to work remotely in recent years has made things easier.

Remote and flexible working arrangements make it easier for parents to return to work after having a child, and to stay in work while raising a child.

This is important for our economy and good for business because we need capable, skilled, experienced people to be able to stay in the workforce while they are raising a family.

It is also important for the families themselves because, for so many households, having a second income is simply not optional, it is not an additional luxury, it is how they pay the bills each month.

Additionally, for workers who are in a position where, without the ability to work remotely, they would be forced to make decisions between prioritising family and prioritising their careers, work from home helps them prioritise both.

These are the sorts of decisions which are made by everyday Victorians who are stuck between competing priorities.

Without this sort of legislation to prevent employers from taking away their right to work remotely, these decisions could be made more difficult for families when the tools which they use to navigate between both are taken away.

Now, Victorians understand that life is about making decisions and choosing what to prioritise; that the world is a difficult place, and that nothing is free.

But this is not the same as somebody tossing up between the priorities of whether to go to Paris or to New York on their next holiday.

We consider the goal of making Victoria the best place it can possibly be to work and the best place it can possibly be to raise a family to be core duties of the state government.

Protecting the right to work from home goes directly to both of these priorities.

Helping Victorians to develop and pursue fulfilling, productive careers is good for them as individuals, but it is also good for the economy.

When people see the path to a secure and fulfilling future to be developing their skills and working hard in their jobs, businesses are more productive and public services run more efficiently.

This has greatly positive effects across the economy.

A happier and more productive workforce, I would argue, is something we should consistently strive for.

It is good for society, and it is good for the economy.

And there can be little doubt that expanding access to remote work allows for both greater productivity and greater job satisfaction to take place.

An example of a different policy which supports Victorians to pursue productive and fulfilling careers would be what we have done with Free TAFE.

The state government subsidises TAFE courses in areas with high demand for skilled workers, because having a skill shortage can hold back an economy, make it harder for businesses to open, to run, and to grow; and can prevent anything from being built.

Likewise, we consider making Victoria the best place it can be to raise a family to also be the core business of government.

This goes directly to what we value as a society, the importance we place on family, and our collective determination to leave things better for the next generation.

Giving parents more time to spend with their families means they can be more active and more involved in the lives of their kids.

One of the key issues which this bill goes to is the issue of balance, and the recognition that, for those working parents who struggle to find balance, when we can give them new rights at work to support them, we should.

Because, frankly, this government does not believe that work-life balance should be a dirty word or something to be sneered at.

We do not believe wanting to spend less time commuting and more time with one's family to be a reliable indicator of a lack of ambition or capability.

It is at the core of what it means to be human, and those who wish to prioritise that should not be looked down upon.

We also do not believe that working from home should be a bargaining chip leveraged against wage rises and other workplace conditions during negotiations.

It should not be a privilege which can be revoked out of pettiness, at the whims of the supervisor.

Workers are not wrong to be asking for the right to work from home, they are not lazy for it either.

They are asking to be treated fairly, to have their wishes respected, and to be able to save time and money in a way that will help them to balance their work responsibilities with their personal responsibilities.

Of course, we understand that work from home does not work for every workplace or every job, and this bill includes provisions giving employers the ability to refuse work from home requests if they have reasonable grounds to do so.

Additionally, we understand that work from home isn't right for every employee, and we want to work as much as possible with the business community to make sure that these reforms work.

For example, younger workers at the start of their career may choose to prioritise going into the office every day to help them develop their relationships with coworkers and supervisors to help build their professional network.

Other employees may feel as though they can work more effectively in an office environment than in a home environment.

I would like to make very clear that absolutely nobody will be forced, compelled, or obligated to work from home by the content of this bill being passed into law.

This is because this bill is ultimately about choice, giving workers the right to make these decisions for themselves, giving them more control over their own working lives.

I would usually like to think that, at least in principle, giving workers more control over their own lives would be something that all of us in this place could support.

That is what this latest advancement in technology has provided us, it would be a shame to not take advantage of it.

I would urge members of the opposition and the crossbench to think about how this bill will affect their constituents, those people who get up every day, commuting long distances to get to work.

To think about the frustration caused by sitting in traffic or at a tram, train, or bus stop, panicking as to whether or not you are going to be able to get to work on time.

We in this place should not be standing in the way of making their lives just a little bit easier.

I will now outline some of the key provisions of the bill and how they will benefit Victorian workers.

The purpose of this bill is to enshrine in law the right to work from home two days a week for workers who can reasonably complete their duties remotely.

This bill does not require that an employee be facing some special or difficult circumstance which requires them to work from home, it allows them to work from home for two days a week as a matter of personal choice.

I am of the belief that giving people personal choice and control over their lives is one of the best ways to make them feel respected and included in a workplace and in society more broadly.

This is the intention of the bill, though it includes caveats which recognise that work from home is not always appropriate for every job and every workplace.

Whether or not work from home is appropriate for any given worker is something which comes down, in this bill, to the requirements of the job itself.

This bill recognises that many workplaces simply could not accommodate a work from home request.

Jobs which require physical activity at the worksite, jobs which require operating specific equipment which can't be taken home, or jobs which require interacting with the public in person, are just some of the examples which the bill gives of jobs which could not be reasonably done from home.

This bill has been very specifically drafted and amended in a way which would not allow workers in key frontline roles which depend on them being present on the site to work from home.

Jobs which have responsibilities for security and safety, or for supervision have inherent requirements which would require a worker to be on-site, and would not be eligible to work from home under this bill.

Additionally, employers will be given the ability to determine which days a worker may be able to work from home, subject to reasonableness grounds.

If the work of an employee varies day to day, or if the requirements and intensity of work are different on different days of the week, then these factors can be considered by the employer in deciding which days an employee can work from home.

The bill also sets out the appropriate process through which an employee can make a request to work from home.

The worker must make the request in writing, and the employer must provide a response within 21 days; in situations where the request has been denied, the employer must provide reasons as to why the worker's role cannot reasonably be performed remotely.

If the employee believes that this decision is unreasonable, they will be able to lodge a complaint to the Victorian Equal Opportunity and Human Rights Commission, or to make an application to the Victorian Civil and Administrative Tribunal.

Where VCAT determines that an employer has unreasonably refused a request, it will be able to order the employer to allow the employee to work from home.

At the end of the day, this bill is being brought forward for the benefit of those workers who can benefit from work from home because we already know that it can save them time and money and make their lives just that little bit easier.

Giving people the choice to decide for themselves whether or not they want to work from home is also about showing Victorian workers the respect that says that we believe that they are capable of making these judgements about their own lives for themselves.

It is also about recognising that when technology improves, workers should also be able to benefit from these improvements and these advancements.

At the same time, the Carroll Labor government is listening to the business community and what they need to make these laws work.

We have made sensible amendments to the original bill passed in the other place to make these laws work for business as well as for workers.

For instance President, Small businesses will not be subject to these laws until 2028 and the burden to challenge a workers right to work from home will shift to be more lenient to business, whilst still backing in the workers.

These changes, among others, represent small but meaningful amendments that I believe will strengthen these laws in the long run.

President, We would not have had this debate twenty years ago, because most of the workplaces where work from home is possible today have changed in that time.

It is appropriate that we update our laws to reflect the changing times and to protect the rights which matter to workers today.

As technology advances, and the ways that we work evolve, it is critical that workplace protections and regulations advance and evolve alongside it.

That is what this bill does.

It is important that we not only stay on top of those changes through the work that we do in this chamber and in this parliament.

But that we also protect workers and ensure that workers' rights keep up when those changes occur.

That is why I think this bill is so important, and it is why I am supporting it and why I encourage all of my colleagues here to support this bill.

I commend the bill to the chamber.

Rachel PAYNE (South-Eastern Metropolitan) incorporated the following:

I rise to make a contribution to the *Equal Opportunity Amendment (Work from Home) Bill 2026*.

We all know that working from home is not a new concept.

It was the COVID-19 pandemic that fundamentally changed the scale and perception of working from home.

During lockdowns and stay-at-home orders, working from home was no longer a privilege available to a small number of workers.

It became an essential part of keeping our economy moving.

Businesses continued to operate. Employees continued to work.

Working from home can create genuine opportunities for people who have historically faced barriers to participating in the workforce.

For a parent or carer, working from home can make it easier to balance employment with caring responsibilities.

Greater flexibility can make it easier for parents and carers to manage school drop-offs, appointments and other responsibilities without paying for additional services.

For some, it means the difference between being employed and not being in paid work at all.

For many families, paying for help – with home and family responsibilities – is simply not an option.

Victorians are now spending 16% more to live, than they did in 2021.

At a time when the cost of living continues to rise, we must do everything we can to ease the pressure on household budgets.

The money saved on commuting, petrol, public transport and childcare can make a real difference to household budgets and help ease the financial pressure facing working families.

For a person with disability, it can remove physical barriers associated with commuting, inaccessible workplaces or environments that are difficult to navigate and may limit the types of opportunities available to them.

For carers, work from home arrangements are essential.

Most unpaid carers are women, and every carer advocacy body will tell you that one of the best things we can do for carers is to keep them in paid employment.

Both for their financial wellbeing and, for their mental and emotional health.

Then there's distance.

For someone living in regional or outer suburban Victoria, working from home can remove hours of commuting every week and provide employment opportunities that would otherwise be out of reach to them.

And for many workers, simply removing the requirement to spend hours travelling to and from work can mean more time with their families, more time in their communities, more time exercising, cooking and taking care of themselves and, generally, a better quality of life.

Working from home isn't just about where we work. It is about how we live and whether we can help Victorians achieve work-life balance.

Working from home often gives people back time, reduces household expenses, supports families and carers and is gendered.

Studies have shown that women bear the brunt of unpaid domestic and caring responsibilities and it is women who usually give up work or reduce their work hours to make family life sustainable.

This debate is not simply about whether people prefer to work from home.

It should be about **equal opportunity**, and this is the core of what our *Equal Opportunity Act* is.

With this, it would be remiss of me not to talk about discrimination.

We have an opportunity through this Bill to give Victorians greater choice and flexibility in how they work, but I think it also gives us an opportunity to step back and ask a much bigger question:

What forms of discrimination are preventing people from having a genuine opportunity to participate in work?

My Party and I have advocated strongly around medication-based discrimination, particularly where people are excluded from employment or treated differently because they use prescribed medication, rather than because there is any evidence that they are unsafe or unable to perform their job.

If we are serious about equal opportunity, we need to consider the barriers that people face in accessing and remaining in employment.

A person should not have to choose between managing a health condition with medication prescribed by their doctor and maintaining their livelihood.

Where a medication is lawfully prescribed, the starting point should be whether the person can safely and effectively perform the inherent requirements of their role, not assumptions or stigma about the medication they take.

My Party and I have advocated strongly around medication-based discrimination.

If we are serious about creating equal opportunities for everyone, then I truly feel that this must extend to all medications.

Victorians should not be excluded from employment from employment or opportunities simply because they take a prescribed a medication.

LCV's amendments are very simple:

“where a person with a disability is taking medication that has been lawfully prescribed by a registered health professional, they should not be unfairly penalised for doing so.”

If a person needs a medication as part of managing their disability, that medication should be recognised as part of the circumstances of their disability under equal opportunity law.

This is important because discrimination does not always happen because of the disability itself.

Sometimes it happens because of medication or treatment that a person chooses.

I have drawn attention to this issue many times with regards to the discriminatory treatment of people prescribed medicinal cannabis who have been removed from employment, stood down from duties, or not being able to continue a treatment that provides them a better quality of life.

Not because of impairment or misconduct, but purely because of the medication that they have been prescribed by a doctor.

The Amendment to this Bill that Legalise Cannabis Party is proposing, is very simple – to ensure that a person with a disability who is taking medication for a disability or receiving medical treatment for a disability cannot be discriminated against for doing so.

This is about ending discrimination against people who have a medical condition and are simply accessing the treatment or taking the medication prescribed to them.

This proposed amendment reflects the recommendation made by the Victorian Equal Opportunity and Human Rights Commissioner in the December 2023 inquiry into workplace drug testing:

That there is currently no explicit protections against unlawful discrimination for people who take prescribed medication or undergo medical treatment.

The status quo is not good enough.

It is not fair.

People should not have to choose between accessing the treatment they need and being treated fairly at work, in employment, or in their everyday lives.

If we believe Victorians should have the choice to work from home, then surely we should also give them the right to take a prescribed medication to manage their health.

Equal opportunity means giving people the opportunity to participate based on their ability, while making reasonable adjustments where necessary, not excluding people because of stigma or assumptions about their medical treatment.

A prescription should not become a reason for discrimination.

Ryan BATCHELOR (Southern Metropolitan) incorporated the following:

Labor knows that working from home works, and that's why we're enshrining a legal right for Victorian workers to work from home two days a week in the *Equal Opportunity Act*.

Legislating a right to work from home gives Victorian workers a choice on how they want to work so they can spend more time with the people who matter most to them.

In preparing this bill we consulted with more than 37,000 Victorians, and 75% valued the right to work from home as 'extremely important'.

In that same survey, 3,200 Victorians said they didn't feel as though they could ask their current employer to work from home – that is why Victorians need us to pass this legislation today.

Operation of the Bill

Today, the government also brings forward several house amendments to this bill.

These amendments reflect feedback that the government has listened to from a range of stakeholders, making clarifications where required and strengthening areas of the bill.

This Bill will protect employees from unreasonable refusals of work from home request by granting Victorian workers who are able to perform their duties from home the right to do so two days per week.

A right that can be knocked back for any reason isn't much of a right. That's why this Bill sets out what is reasonable.

These amendments before us today strengthen that test by requiring genuine, specific consideration of operational need, rather than vague or reasons being used to knock back a worker's request.

In determining whether it is reasonable for an employee to work from home, consideration will be given to a range of factors, including:

- Whether the requirements of the role can be performed remotely;
- Whether the role requires use of workplace-based equipment;
- Whether the role requires in-person interaction with clients, customers, or members of the public;
- Whether working from home would have a material impact on the operational needs of the employer – including in health and safety, productivity, training, confidentiality, or data protection; and
- Whether it would impose an excessive financial cost on the employer.

The bill establishes a clear pathway for dispute resolution; the Equal Opportunity and Human Rights Commission will have the power to offer conciliation services between an employer and employee to reach a mutually-agreeable solution – or the employee will be able to make an application to VCAT to have the matter determined.

Workers will have the right to work from home no matter how or where they are currently employed.

No matter if you work full-time, part-time, or as a regular casual – if you are reasonably able to, you will have a right to work from home.

Benefits

Those who oppose this bill say the economy will suffer if we pass this legislation.

But the truth is working from home works for everyone – for employees, for families, for businesses, and for the economy.

It works for workers, who save three hours a week on average that would otherwise be spent commuting – and this includes saving time for workers who aren't working from home by reducing congestion.

It works for families, who get to spend more time to together.

It means a parent who works can drop off and pick up their kids from school, and it saves them an average of \$110 per week – that's \$5,300 per year.

It works for businesses, many of which already allow their employees to work from home and reap the benefits from an increase in productivity.

28,000 workers surveyed said they got more done at home – almost 20% more than someone working full-time in an office.

And it works for the economy.

Working from home allows people who may not be able to work from an office full-time to re-enter the workforce.

We saw this through the Covid-19 pandemic, when working from home became a necessity, participation in the workforce increased by 4.4%.

The reality is that we now live and work in a world where the internet means we can connect with each other, work together, and achieve more no matter where anyone is.

In such a world, working from home makes sense, and is fast becoming a normal and valued part of contemporary working life, resulting in better outcomes for employees and employers alike.

One in three Australians already work from home from a regular basis. In fact many of them already work at least two days from home – the only difference is we are making sure that everyone who can reasonably work from home can do so, by legislating this right in law.

On the night of the 2021 census, over 40% of workers in my electorate said they worked from home, a figure significantly higher than the statewide figure of 25.74%.

Constituents in the Southern Metropolitan Region frequently tell me how they are benefitting from working at home.

From being able to take the family dog for a walk in their lunchbreak, to being able to buy their morning coffee from their favourite local coffee shop, or saving petrol by not having to drive into the office every day.

Being able to work from home has changed so many lives for the better.

It allows thousands of Victorians to balance their work life and their family life.

Summing Up

But without a legal right to work from home, workers are vulnerable to having the opportunity denied to them or taken away from them even where they reasonably can work from home.

That's just not fair.

This legislation strikes a balance that allows businesses to continue to operate in a productive manner, while ensuring that workers can work from home where it is reasonable to do so.

We're seeing more and more companies making the decision to stop giving employees the opportunity to work from home, even where it is in their best interests to continue doing so.

That is why we are enshrining the right to work from home in law, because only this Labor Government is on the side of workers.

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (15:31): I have a few words on the Equal Opportunity Amendment (Work from Home) Bill 2026. The bill effectively exists because of Victorian workers: the parent juggling school pick-ups, the person managing a chronic health condition, the worker who loses hours of their life to traffic every single day. I think Ms Purcell touched on it a bit too as someone who lives regionally: the regional job opportunities are a massive benefit. From a local member perspective, on the day that we announced this, on my way to the state conference I stopped at the cafe in Kilmore and gave the owner the news of what was about to be announced. It was a scoop. The owner of the cafe was just thrilled in terms of the ability to ensure that more locals who travel from Kilmore every day would be able to work from home and be patrons at his cafe. He saw it as good for the local community of Kilmore. There are lots of stories like this all around the state, not only of people that will be able to access a job that they otherwise may have faced barriers to get. The consequential benefits are many, including for the cafe owner that I referenced.

For years a lot of the people that have been wanting to work from home only could if it came down to their luck: the goodwill of a manager, the culture of a workplace and whether they felt confident enough to ask. This bill proposes putting a genuine enforceable right in the hands of Victorian workers: a right to request to work from home and a right to have that request properly and reasonably considered. As I have touched on, we know that working from home offers significant benefits for employees, families and the broader economy. It reflects the community's expectations about flexible work and helps create more inclusive and resilient workplaces. It strikes the right balance between allowing businesses to meet their operational needs and ensuring that reasonable work-from-home requests will be protected. We know what working from home means for Victorian families, because there is data that actually supports this. More than a third of Victorian workers now work from home regularly. For professionals the figure is three in five. On average working from home returns \$110 a week to Victorian households; that is more than \$5300 a year. It removes more than 3 hours a week that Victorians would otherwise spend commuting, and workforce participation in this state is now 4.4 per cent higher than it was before the pandemic.

We know working from home has changed so many lives for the better, and while of course not everyone can work from home and not everyone wants to work from home, everyone can still benefit. But without legislation, working from home is only ever a favour granted by an employer. An employer can offer it today and pull it back tomorrow, and workers have no say in that. We know it is happening. We are constantly hearing unions report to government cases of workers who have been denied reasonable requests to work from home. We can see in other jurisdictions where this trend

leads: a push to end work-from-home arrangements altogether and force workers back into the office full time, regardless of their circumstances.

Since we introduced this bill we have listened carefully to feedback from a range of people and as a consequence have made some changes. There have been many conversations with business leaders, and I thank them for their engagement. It was a responsibility that was about to be mine in terms of consultation with the business community, and I had initial conversations with a number of them. I think there have been representations in the chamber today – Australian Industry Group, for example. Tim Piper said to me, ‘We don’t oppose the bill. We just have some significant concerns and would like to see some reasonable amendments.’ That is an indication that I know Tim and many others have been engaged on with government, particularly the Premier’s office, which has resulted in a number of amendments that I seek to table now.

The bill and the proposed amendments, as I have indicated, are about one thing: they are about giving Victorian workers real, reliable control over how and where to do their work best. It has been shaped by the people who will use it, it closes the gaps that would otherwise be used against them and it will make a genuine difference to the daily lives of working Victorians and their families. I acknowledge there are a lot of amendments to work through. The committee stage will be an opportunity to do that. I commend the bill to the house.

Council divided on amendment:

Ayes (18): Melina Bath, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, David Ettershank, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Evan Mulholland, Rachel Payne, Adem Somyurek, Rikkie-Lee Tyrrell, Richard Welch

Noes (17): John Berger, Lizzie Blandthorn, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, Michael Galea, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Tom McIntosh, Aiv Puglielli, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Amendment agreed to.

Business of the house

Joint standing orders

The ACTING PRESIDENT (Michael Galea) (15:45): I have received a message from the Legislative Assembly:

The Legislative Assembly informs the Legislative Council that the Assembly has agreed to the request of the Council to rescind Joint Standing Order 25, effective from 1 December 2026.

Resolutions of continuing effect

The ACTING PRESIDENT (Michael Galea) (15:46): I have received a further message from the Legislative Assembly:

The Legislative Assembly informs the Legislative Council that the Assembly has agreed to the request of the Council to rescind the Resolution of the House made on 1 May 2019 relating to the Parliamentary Integrity Adviser, effective from 1 December 2026.

Bills

Local Government Legislation Amendment (Stronger Communities) Bill 2026

Second reading

Debate resumed on motion of Jaclyn Symes:

That the bill be now read a second time.

Gaelle BROAD (Northern Victoria) (15:46): I am pleased to speak briefly about the Local Government Legislation Amendment (Stronger Communities) Bill 2026. I do want to thank Bev McArthur, who is the Shadow Minister for Local Government, who has done an incredible amount of work liaising and engaging with local governments right across our region, and I know that that is a big, big ask because certainly in Northern Victoria there are 28 local councils that are part of our region and many more across the state. I would ask that the amendments put forward by Mrs McArthur be circulated now, please. I do want to just make it clear that if these amendments are not passed, our side will not be supporting this legislation.

I do want to mention briefly the important role that local councils play. They are an important part of government in our state. I was part of the inquiry into the sustainability of local councils, and we heard from many of them about the challenges they face. When you look at the taxation revenue in this country, about 80 per cent is collected by the federal government, about 17, 18 per cent goes to the states and then less than 3 per cent, I believe, goes to local councils. Yet local councils look after around 80 per cent of the infrastructure in the state. So when we have local pools or where there are community or public facilities, things like sporting ovals, they are often opened by the state government, but it is then up to the local councils to maintain them. I think it is important for us to remember the important part that local councils play in our community.

We particularly see the strength of local councils during disasters. During the floods they stepped up and helped and supported the community so well, and also in the recent bushfires that we had earlier this year local councils did a tremendous job. State government, in a way, is there to lead when it comes to responding to natural disasters, but local councils are often on the ground. I just want to acknowledge the work that was done by a number of the mayors. They are the volunteers on the fire trucks as well as being strong leaders in their communities helping people. The recovery after a disaster is long term. I know CEOs of local councils. There is one in particular I am thinking of, whose family lost their home during the summer bushfires, yet they were there working, supporting the community tirelessly to help that community get back on their feet. I think that is worth acknowledging because local councils often get a lot of flak – sometimes from the community, sometimes from our state.

On the ground I do want to acknowledge those that are there to provide support and also recognise that some of our rural and regional councils cover huge geographic areas. Roads, for example, is one case: there is an extensive amount of roads that they need to maintain, and they do not have the income or the revenue streams that some city councils have. Some city councils can collect parking revenue that certainly you do not get in a rural and regional council, and yet they are responsible for such large areas and lots of community facilities. I think there are certainly challenges ahead when it comes to local councils and for those that step up in public service to contribute their time to support the local community. I do want to thank them. This bill talks about some of the reforms that the government has put forward, and I know Mrs McArthur has also put forward a private members bill which has a number of recommendations that speak to some of the challenges that local councils face. I will leave my comments there. I thank you for the consideration of the amendments put forward by this chamber.

Lee Tarlamis: On a point of order, Acting President, I bring to the attention of the house that it is Mrs McArthur's birthday today.

The ACTING PRESIDENT (Michael Galea): I uphold that point of order. Happy birthday, Bev.

Sarah MANSFIELD (Western Victoria) (15:51): I rise to speak in support of the Local Government Legislation Amendment (Stronger Communities) Bill 2026. When this bill was first tabled in the Assembly, Labor framed it as strengthening integrity in local government, going as far as to say that it acquits the outstanding items in Operation Sandon. One could be forgiven for expecting that this perhaps meant that we would finally see some of the most significant corruption risks and anti-democratic barnacles in local government tackled. Sadly, that is not the case. Instead, what we have is a bill that is a hodgepodge of random bits and pieces, largely focused on councillors running

as candidates in other elections, fixing up some administrative holes and setting up frameworks for which the details will be developed at a later stage. We see this as a huge missed opportunity.

The local government sector in Victoria has been increasingly constrained by this state government over the past decade, with growing regulatory burdens and squeezed funding effectively asking them to do more with less, all while reducing opportunities for genuine local participation and decision-making in an attempt to standardise and control practice. I have said it before, but it is my view that Labor would actually rather have councils be run by state-appointed administrators – run like boards – and cut out the local democracy bit altogether. Yet for all these attempts to assert state control over councils for the last 12 years, they have shown little interest in addressing the areas where some state intervention is actually genuinely needed. The first of these is with respect to corruption risks posed by donations. It should not have taken flagrant corruption – of the literal brown paper bag kind – to expose this risk, but Operation Sandon made this abundantly clear.

Operation Sandon, the longest running IBAC investigation in Victoria's history, found that over a nine-year period two former Casey council mayors as well as major parties and their state and federal election candidates were paid almost \$1.2 million in donations and other payments by property developer John Woodman for their support. Of the many findings from that IBAC investigation, one was that political donations, and particularly uncapped donations and those from high-risk donors like property developers, presented a serious corruption risk in local government given the critical role they play in decisions like planning approvals. Despite caps being in place for state election candidates for years now, there is still no cap on the amount that can be donated to a council candidate in Victoria or the amount that they can spend. There have been numerous calls for this to change, including a motion passed by the City of Melbourne itself to increase transparency around donations and implement recommendation 13 of Operation Sandon regarding donations reform.

We do not need to look at cases of overt corruption like that in Operation Sandon to see why this is a problem. At the last council elections in 2024 in the City of Melbourne, for example, Lord Mayor of Melbourne Nick Reece received nearly a million dollars in donations, and that included tens of thousands of dollars from donors with property interests and those with pending developments. There is absolutely no suggestion that he has done anything wrong by accepting these donations. In fact it is all perfectly lawful. He has actually been an advocate for changing these laws, but it could certainly be argued that it at least creates the perception of a conflict of interest. It is this perception itself that is damaging to democracy.

It is worth noting that New South Wales has donation caps for council candidates. They also ban donations from property developers as well as tobacco, liquor and gambling entities. These bans have withstood a High Court challenge. The High Court agreed that such a ban was constitutional given the significant risks of corruption. Other states are into their next iterations of donations and lobbying laws to protect against corruption, and yet Victoria has not even started.

Premier Carroll has made it clear that integrity is a priority under his Labor government. Now, I appreciate that the change in premiership occurred while this bill was basically in midair after being drafted in the optional integrity era, and I do appreciate the constructive discussions we have had recently with the government about how this bill needs to be strengthened. Unfortunately, we were told that there is not enough time to do donations reform – and just a reminder, it has been three years since the Operation Sandon report was tabled. We moved amendments to do this during the last round of Local Government Act 2020 amendments. I stood here in this place and sent around a whole lot of amendments to implement these reforms in 2024. We had candidates from all political persuasions calling for it during the last local government elections, and in this Parliament, just within the last six months, we have updated our own state donations laws, so I just do not buy that there has not been enough time. In any case, we have actually done the work. There are amendments right here ready to go, so if Labor is now really serious about integrity, at a bare minimum they should support our amendments to introduce donation caps for council candidates that mirror those for state election

candidates, introduce real-time donations disclosures and ban donations from high-risk groups like property developers.

Another area where we were disappointed not to see meaningful reform was on the City of Melbourne Act 2001. Other than a change to the differential ratings provisions, there was no attempt to address longstanding and broadly criticised anachronisms in those voting laws. For the uninitiated, the City of Melbourne is a very unusual jurisdiction globally in terms of its voting provisions and a whole range of other things. Why it needs its own act and is treated differently from every other council I suppose is a question for another day, but it has its very own set of rules, very different to other councils in Victoria and others around the country. In addition to having a directly elected mayor, they are the only remaining jurisdiction now in the whole country to have group voting tickets. In this Parliament, we have just recently been through the process of ridding our state elections of GVTs on the basis that it is fundamentally undemocratic to allow parties, rather than people, to decide how preferences are allocated. While perhaps GVTs have not been as grossly gamed in the City of Melbourne as they have been in this place, the same principles apply. Our view is that GVTs should be canned. We welcome and thank the government for the constructive discussions they have had on this issue, and while I will not speak for them, I think they also fully realise that it is no longer tenable to have GVTs in the City of Melbourne and this is the perfect opportunity to get rid of them. My dear friend and colleague Dr Tim Read, who I really hope is watching, has been a tireless campaigner to get rid of GVTs. He mentioned in his speech on the GVT bill just recently in the Legislative Assembly that getting them out of the City of Melbourne was a project for a future time. Well, that time, I hope, has arrived, and it might be a little bit sooner than he or anyone else expected.

I would argue that now is also the time – we have the opportunity right now – to address some other problems. I think Victorians would be absolutely appalled to learn that while residents in the City of Melbourne are entitled to one vote just like everyone else, businesses get two votes. That is right; a business vote is effectively weighted double that of an ordinary resident. The Greens believe that businesses and nonresident investors should not get any votes, just like they do not at state or federal elections. But surely we could all agree that one category of voter getting double votes is an absolute abomination. Plural voting was a feature apparently of 19th and early 20th century councils in different places, but it was officially abolished in Melbourne in 1969. It was reintroduced in 1993 by Jeff Kennett. Successive Labor governments have allowed this to continue, despite various revisions of the Local Government Act 1989 and the City of Melbourne Act 2001 and despite there being regular protestations from across party lines that this needs to change, this is unacceptable. This occurred as recently as 2024 when Labor, Liberal, Greens and independent candidates called for double business voting to be scrapped. In fact it might be worth noting that Labor at its state conference last year actually moved an urgency motion calling for an overhaul of the City of Melbourne Act to restore democracy and one vote, one value. Labor itself has called for this to happen.

The City of Sydney had the same provisions as the City of Melbourne, but they were removed several years ago after the government there acknowledged, finally, that it is totally undemocratic. The New South Wales local government minister at the time, Ron Hoenig – and I think this is telling – described plural voting and some of the other provisions in the City of Sydney Act 1988 as ‘something of which North Korea would be proud’. It is simple: one resident, one vote, one value. It is how democracy should work.

What compounds this ridiculous system is where businesses and nonresident property investors get automatically enrolled. This does not happen in other Victorian councils, where nonresident property owners must opt in to vote. They also get fined if they do not vote, which means it forces a lot of disengaged landlords and businesses to vote, which can outnumber and therefore reduce the relative say of genuinely engaged local residents. And when you combine this automatic enrolment with plural voting for businesses, it creates an absolutely outrageous, disproportionate corporate bias.

New South Wales, to their credit, a few years ago when they removed plural voting also removed the automatic enrolment of nonresident and business voters in the City of Sydney. The Greens today have

amendments that address all of these issues. They are amendments that we have moved previously, so this is not a new issue; it is something that has been called for time and time again. I honestly cannot conceive of what justification anyone in this place could try to give to justify opposing these now, particularly not any party who genuinely professes to believe in democracy and integrity.

Moving beyond integrity reforms, a further area we felt needed to be addressed in this bill is the broken arbitration system. This chamber not that long ago debated a motion of Mr Limbrick's that I think highlighted many of the problems that have emerged since the Local Government Act was last amended in 2024. On the bill – which, for the record, we actually opposed – at the time we were told that the changes being made to things like the code of conduct and disputes resolution process would reduce the number of frivolous code of conduct cases and create stronger protections for councillors experiencing bullying and discrimination. What the evidence since then shows is that it has actually failed on both counts. Since then we have not only seen inappropriate application of the code of conduct but also a total failure of the code of conduct to protect councillors from discrimination and bullying.

Recent data from the VLGA, the Victorian Local Governance Association, shows that 48 per cent of women councillors have experienced bullying by another councillor, and 22 per cent of men, yet 51 per cent of women councillors say arrangements to deal with inappropriate behaviour from another councillor were either not in place or ineffective. What we have also seen play out is that when complaints have been made about a breach of the code of conduct, in many cases they are going straight to arbitration due to a lack of willingness of one or another party to engage in an internal mediation and conflict resolution process. One of the biggest complaints I have received from councils is about what happens during arbitration, which does seem to be pretty arbitrary. There is inconsistency in arbitration outcomes, which is a problem, because there is a sense that some decisions are unfair or unjustified. I think that was borne out in the debate that we had in here on Mr Limbrick's motion. We believe that the legislation itself has enabled this, as it currently outlines that arbiters are explicitly allowed to make their own judgements in matters. Their decisions lack transparency. There are no guidelines or frameworks to underpin them. And again, on this point, I really appreciated the engagement of the minister's office, and I hope that we can make some practical amendments to this bill that address this so that everyone can have a little bit more confidence in the system that there is some consistency there. We have an amendment here – I understand the government may as well – that basically ensures that there are some guidelines that are standard that arbiters will refer to when they are making decisions in councillor conduct matters.

Further, the way the legislation is currently drafted means the principal councillor conduct registrars can only consider complaints lodged about a specific instance occurring in the past three months, and I think we would all appreciate that behaviours like bullying, for instance, often happen as a part of a persistent pattern over a longer period of time. We believe that the PCCRs should be able to consider the longer term context of a complaint in order to properly judge a complaint and make a fair ruling. This is another issue that we have been pleased to work constructively with the government to address. We have an amendment, but we understand there may be a house amendment that achieves something similar to what we were looking for.

We continue to see it as problematic that there is no reasonable appeals process for councils who disagree with the outcomes of an arbiter. The decisions and penalties can be really significant. They can impact a council's ability to participate and represent their communities, as well as their reputation. The 2024 bill removed the ability of a councillor to take any appeal to VCAT and instead left the only option as the Supreme Court. The intention was to stamp out frivolous claims, but as we have already covered, frivolity has continued. All that has changed is that natural justice is really only available to those with the deepest pockets. A Supreme Court challenge is only an option for the very well resourced. It costs a minimum of \$5000 and can easily head into the tens of thousands. We agree that VCAT probably is not the best place to appeal these decisions, but there should be something else in its place. Whether it is an appeals panel or even a secondary arbiter review, there should be some sort of reasonable avenue for a decision to be challenged that does not clog up VCAT or the courts. We

have had some useful discussions with the government about this, and we will seek some further commitments during the committee stage of this bill about implementing a fairer and more accessible appeals process. A system like this is stronger when people have confidence in it. If we want the community to have confidence in the councillor conduct system, then councillors need to have confidence that they will be treated fairly within it.

Turning to the parts of the bill that deal with councillors who are seeking to run as candidates in state elections, we understand why these changes have been introduced. I think it is reasonable to expect that a councillor will not use the resources of that position, or be seen to be using council resources, to further their candidacy. On the other hand, it is the democratic right of councillors to run as candidates in state or federal elections, just as it is for other citizens. Any rules requiring councillors to stand down need to be consistently applied and reasonable. The bill requires councillors to take leave when they officially become a candidate, which occurs when they lodge their nomination with the Victorian Electoral Commission. We can live with this. I think that is reasonable. It is a fairly short period of time. However, the bill sets a different bar for mayors and deputy mayors, requiring them to stand down when they have declared their intention to run as a candidate. This is a far more variable provision. Given that party preselection timelines and rules are really different, it could lead to some candidates deliberately delaying their formal announcements to avoid having to stand down. And I think what we will see as a result of this is mayors and deputies continuing in their roles, just withholding their official announcements until later. I think this is just going to create other problems that we will no doubt be back here trying to fix up at some point in the future. But we will leave that one for another day.

Regarding some of the other changes this bill makes, we have heard from councils and the local government sector that there has been a real lack of engagement. This includes legislating the adoption of model governance rules that have not yet been written. While we very much support the aims and objectives of the new fair jobs code, I have heard from many councils that they are concerned about what the details of this will look like and are sceptical – and I think rightly so, given the history of engagement with local government in recent years – that they will be properly consulted to ensure that these are workable.

One of the difficulties I think about this issue is that councils are already struggling financially, as Mrs Broad highlighted, especially in rural areas, and this is becoming existential. The success of any fair jobs code is going to depend on councils being funded properly so that they can pay their workers properly. On many occasions I have advocated in this place for an end to the rate-capping system, to end cost shifting – more and more is being put onto local government, and the state government is not paying its fair share – and to increase grants, particularly untied grants. Councils should be trusted partners of the state government. The loopholes they have to go through to access grant funding are often ridiculous and prohibitive, especially for small councils that really do not have the resources to be spending hours and hours and hours of time applying for simple grants to deliver essential infrastructure for their communities.

If there is not an improvement in the funding situation – and it is really urgent – we will not just see the fair jobs code fail to deliver everything that it should; we will actually see councils fail completely. We only have to look at the UK, where they have had a much longer period of time of austerity and rate capping and councils being starved of funds, or even over the border to New South Wales, where you have got councils applying for astronomical rate cap variations – 40, 50 per cent rate cap variations; they are really, really big. This is what happens when councils are chronically underfunded and financially hamstrung. Asset renewal and maintenance stops, so assets start to fail and services get cut. Ultimately it is communities that miss out, so it is in all of our interests that councils are properly funded.

One of the few things we really do support in this bill is the changes to section 229, which close a loophole in the existing act that created a serious threat to local democracy. This was exposed quite dramatically in Hepburn shire recently. In 2024, during the last round of Local Government Act

changes, Labor removed a safeguard around the standing down of councillors. The changes meant that any councillor facing a criminal charge, regardless of whether it was initiated by law enforcement or a private citizen, would be automatically stood down and their allowance suspended. Labor amended the act as well at that time to remove two independent safeguards which would prevent the removal of an elected councillor following a criminal charge. Prior to these changes the chief municipal inspector had to decide if an application to stand down a councillor was justified and VCAT had to consider the circumstances of the charge. Those two things were removed, so the 2024 changes led to automatic standdown for any councillor facing a criminal charge, regardless of who initiated that. A private citizen was able to do that. This was identified actually in the statement of compatibility with the charter of human rights as limiting the presumption of innocence. Labor was warned about this when these changes were made in 2024.

As has now been well publicised, in March this year a private citizen paid a small fee to the Magistrates' Court to lodge a private prosecution against the mayor of Hepburn shire, triggering his automatic standing down under these provisions. While the minister was made aware of this loophole and the need for an urgent fix not only to remedy this situation but to prevent future cases, nothing was done. Nothing was done at the time. Months later four other councillors at Hepburn shire were stood down after private prosecutions were taken out by the same individual against them. This meant five of the seven councillors were no longer able to perform their functions, rendering the council totally incapacitated. They were unable to form quorum or make any decisions, and the CEO resigned in large part due to this saga. I can tell you, having talked to many of the people affected by this, it was a really, really distressing time for everyone involved. Further, during this time the people of Hepburn shire were left without effective democratic representation. I do wonder if this had been going down at a larger inner-city council whether the government would have tolerated it for as long as they did.

Thankfully, the DPP intervened and dismissed the cases. That was something that could have dragged on for months and months and months. Thankfully, it was fairly quick. The councillors have been able to return. It really, though, should never have got to that point. There were so many opportunities for the government to introduce standalone legislation to deal with this problem. We wrote to the minister and the Premier at the time and said we stood ready to pass urgent legislation to deal with it if it was required. We have had so many urgent bills where it was questionable how urgent they really were, but I honestly believe this whole Parliament would have been quite happy to swiftly assist the passage of that. The fact that they did not do anything for so long I think is further proof, if we need any, that local democracy, especially at the local government level, is not something that this government values.

Pleasingly, this bill does finally close that loophole by specifying that only criminal prosecutions initiated by law enforcement agencies and meeting a certain threshold can lead to a councillor being stood down. We understand that there are some house amendments as well that will ensure changes apply retrospectively to address some of the outstanding issues in the Hepburn case and to make sure that there is no window for further cases to be brought. I have heard murmurings that there are other cases potentially underway at other councils across the state, so I think this measure really could not come soon enough.

We have many questions for the minister during the committee stage, so I will take up some of the other concerns we have around the bill during that. We have before us in the second-last week of this Parliament an opportunity to genuinely address integrity issues that deeply impact the strength of democracy in local government. I would urge everyone in this place to work together to address them because in the end it is the people of Victoria who benefit. They get systems of government they can trust, they are better protected from corruption and ultimately they have systems of government that better represent them and serve their needs. I am pretty sure that is something we can all agree is a very good thing. I wish to circulate all of my amendments.

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (16:16): I would like to thank all members for working very constructively with the government on the Local Government Legislation Amendment

(Stronger Communities) Bill 2026. A shout-out to all the former councillors in the chamber. I am not one of you, but I know that you are very passionate about these issues, so we will have a good committee stage, I am sure.

This bill is about stronger integrity, better accountability, improved governance, fairer work in local government and ultimately stronger local communities. Councils shape the everyday lives of Victorians through the services that they deliver. That is why Victorians rightly expect their councils to operate with honesty, transparency and strong governance. This bill delivers practical reforms to support that expectation. The bill responds to recommendations arising from the IBAC Operation Sardon special report; other government initiatives, including the Whittlesea commission of inquiry; and the government's commitment to create a local government fair jobs code and regulator. These are practical reforms aimed at making local government stronger and more accountable. There has been discussion during this debate about the scope and impact of the bill, but these reforms are not abstract; they go directly to the integrity of council decision-making, the quality of council governance, the confidence communities can have in their local representatives and the strength of the workforce delivering essential local services.

On integrity and governance, the bill introduces a new offence to prevent councillors and delegated committee members with a conflict of interest from attempting to influence others outside formal council processes. That is an important reform. Public decisions need to be made fairly and transparently, and conflicts of interest must be treated seriously. The bill also requires council CEOs to notify the chief municipal inspector if they become aware that a councillor has failed to declare a conflict of interest. That creates a clearer pathway for oversight and strengthens accountability. The bill improves transparency in councillor conduct matters by requiring the principal councillor conduct registrar to publish annual data on internal arbitration processes and councillor conduct panels. It also improves the operation of the councillor conduct framework more broadly, supporting better behaviour, more stable governance and stronger public trust.

The bill contains important reforms in relation to CEO governance and employment. It requires councils to establish a CEO employment matters committee to advise on CEO employment and remuneration matters. This provides a more structured and consistent approach to oversight and strengthens governance around one of the most important relationships in local government administration. The bill also enables regulations to prescribe a standard form contract for council CEOs, promoting consistency, transparency and accountability across the sector. In relation to mayoral and councillor status, the bill enables the council to declare vacant the office of the mayor or deputy mayor where that person is elected for a one-year term. This gives councils greater clarity and flexibility in managing leadership positions where confidence has broken down. The bill also clarifies the effect of a councillor being stood down under the act, including clearer rules around how standdowns operate. These are important measures because Victorians expect integrity and proper practice from those who hold public office.

The bill draws a clearer line between civic office and partisan campaigning. It requires a councillor to take candidate leave of absence when contesting a state election and prevents them from performing the role of councillor during that time. It also requires notification to the council CEO where a councillor is selected as a candidate or intends to be a candidate in a state election. These reforms remove ambiguity and reinforce compliance.

On meeting procedures and dispute resolution, the bill requires a council meeting to be chaired by another councillor when the question before the meeting relates to the conduct of the chairperson. That is a straightforward but important reform to support impartiality and credibility in the handling of conduct matters. The bill also enables model governance rules to be issued as mandatory governance rules through regulation, strengthening consistency in meeting procedures across councils. In addition, the bill enables the Minister for Local Government to request that a council first attempt to resolve an internal dispute or issue through the council's internal resolution procedure before ministerial

intervention is considered. Encouraging councils to resolve disputes internally before escalation is a practical and sensible reform.

The bill also delivers on the government's commitment to fairer work in local government through the local government fair jobs code reforms. It enables the local government fair jobs code to be prescribed in regulations and establishes a framework for a fair jobs code regulator. The regulator will have functions and powers to monitor and enforce compliance, investigate and make findings, provide guidance and education, and prepare and publish compliance reports. The bill also requires each council CEO to submit to the regulator a report on compliance with the code. These reforms recognise that workforce security affects service quality, capability and continuity. By creating a framework to minimise insecure work and improve compliance, the bill strengthens local government through more stable employment settings and better support for essential council services.

The bill also amends the City of Melbourne Act 2001 to enable Melbourne City Council to levy differential rates of up to four times the lowest rate, while retaining net annual value at the valuation base. This is intended to encourage vacant and derelict sites to be brought back into use and to support a more productive central city.

The government amendments agreed to in the Assembly further strengthen the bill. Those amendments ensure that councillors who were stood down under the current law do not lose office simply because they missed more than four consecutive council meetings while they were legally stood down. They also provide that councillors are not taken to have been stood down under section 229 where the standdown arose from a private prosecution. These amendments respond to a clear and practical issue. Several councillors at Hepburn Shire Council were recently stood down following private prosecutions brought before these reforms commence, and the amendments provide for retrospective application. Without that change, councillors facing private prosecution before commencement could still be unfairly affected by the current standdown provision. In that respect the government amendments close a loophole and strengthen the operation of the law.

The house amendments being moved in this place support the removal of group voting tickets, strengthening voter choice and making the electoral system more transparent. They require published guidelines for arbitration decisions, helping promote greater consistency, clarity and confidence in councillor conduct processes. They also extend the time for councillors to make an application for an arbitration process. This will ensure that poor conduct by councillors, where they breach the councillor code of conduct, is held to account.

Some points raised in debate should also be addressed. Any suggestion that these reforms are unnecessary or excessive should be rejected. These reforms are directed at known weaknesses in the current framework. They are about cleaner decision-making, clearer accountability, fairer processes and stronger local institutions. Likewise, any argument that these reforms somehow undermine local government misses the point. Stronger governance, clearer conduct rules, better oversight and more secure work do not weaken councils; they support councils to serve their communities more effectively and with greater public confidence. Strong local governments matter because strong communities matter. Victorians deserve councils that are well governed, transparent, accountable and focused on the public interest. This bill supports those objectives. It strengthens the integrity of local government, supports better governance, advances fairer work in the sector and helps ensure local institutions are better equipped to serve the community.

The government has worked across the chamber and will be supporting amendments from the Greens and the opposition. The Greens' amendments to remove automatic enrolment for corporations in the City of Melbourne will be supported as a first step in the work the government is undertaking to refresh the City of Melbourne Act. The government will also support the opposition's amendment to avoid a by-election for the deputy lord mayor role, avoiding a costly election process for Melbourne ratepayers.

I ask that my amendments be now circulated. I have not got much more to say other than to thank members for their contributions to the debate. I commend the bill to the house and look forward to the committee of the whole.

Motion agreed to.

Read second time.

Instruction to committee

The ACTING PRESIDENT (Michael Galea) (16:26): The President has considered the amendments on sheets SMA83C, SMA85C and SMA93C circulated by Dr Mansfield, and in his view they are not within the scope of the bill. Therefore an instruction motion pursuant to standing order 14.11 is required. In addition, the amendments on sheet BM09C circulated on behalf of Mrs McArthur and amendments 1 and 6 on sheet IS44C circulated by Minister Stitt are also not in scope. However, they are sufficiently covered by the wording of Dr Mansfield's instruction motion and can be considered if the motion is agreed to.

Sarah MANSFIELD (Western Victoria) (16:27): I move:

That it be an instruction to the committee that they have the power to consider amendments and new clauses to amend the City of Melbourne Act 2001 in relation to elections.

Motion agreed to.

Committed.

Committee

Clause 1 (16:28)

Bev McARTHUR: Minister, prior to the introduction of this bill what parties were consulted or briefed?

Ingrid STITT: Mrs McArthur, there is a bit of a reshuffle in the middle of the bill making its way to us, but as I am advised, the processes in the Parliament for briefings were in accordance with the normal procedures that we undertake.

Bev McARTHUR: Minister, can you confirm if the department, Minister Hamer, Minister Staikos or their respective offices consulted with the Australian Services Union (ASU) prior to the \$5.4 million being allocated in the state budget?

Ingrid STITT: This was a 2022 election commitment, so there would have been ongoing engagement with the Australian Services Union regarding the development of the bill as it relates to the code. In terms of budget processes you would be familiar with the fact that our budget processes are cabinet in confidence until the Treasurer is on his or her feet delivering the budget speech on budget day.

Bev McARTHUR: It is important to know the involvement of that union. But can you tell us how many meetings have been held with the Australian Services Union regarding the fair jobs code?

Ingrid STITT: I am not in a position to tell you exactly how many meetings have been held with the union in respect to these matters, but I do note that all ministers are required to publish their diary meetings in accordance with the ministerial code of conduct.

Bev McARTHUR: Why was not a single councillor or council peak body, including the Municipal Association of Victoria (MAV), Rural Councils Victoria and Regional Cities Victoria, consulted on the inclusion of that budget commitment?

Ingrid STITT: That is not in scope for the amendments that are before the house today. I can only direct you to the answer I gave in respect to budget matters previously.

Bev McARTHUR: It is very relevant to this bill to know exactly whether the key stakeholders – that is, councillors, peak bodies – were consulted, if at all, prior to the development especially of the regulator part of this bill that came before us in the budget, which was the first time most people knew about it. They are the key stakeholders. It is important to know whether they were consulted. From our information, they were not consulted, so we are asking why they were not consulted. Why were no peak bodies and why were no councils consulted on this fair jobs code bill?

Ingrid STITT: I think it is important to note that the actual code has not been developed yet. It will be prescribed in regulations, and that is the point at which there will be key stakeholders consulted in the development of the code, including councils, the peak body and the Australian Services Union.

Bev McARTHUR: That is the very point that the key stakeholders in this whole game, the local councils, are concerned about – that this legislation could pass without knowledge by anybody of what the details are. Just ensuring that regulations are how they are going to be informed about how this is going to work is not appropriate, and that is why we need to know why you did not consult anybody prior to it.

Ingrid STITT: I am going to correct you in relation to a number of assertions that you have just made there. There has been consultation with the Municipal Association of Victoria on the fair jobs code regulatory framework, and there has also been a pilot done prior to this bill coming to the Parliament. There is an important distinction between consultation on the code being prescribed in legislation and what the code actually looks like.

Bev McARTHUR: Was it the case that that pilot group had to sign confidentiality agreements in relation to the work that was done? I think it was two years ago.

Ingrid STITT: We are just taking that on notice, Mrs McArthur. We will see if we can get you an answer.

Just going back to the \$5.4 million in the state budget, the purpose of that funding is to develop and implement the policy and regulations for the code and establish the new regulatory framework within DGS to monitor and enforce CEO compliance with the code. Subject to the bill passing the Parliament, DGS, the Department of Government Services that is, will be seeking the forward years funding to operate the regulator for 2027–28 and beyond.

Bev McARTHUR: Minister, can you name one council or one peak body that is supportive of the fair jobs code?

Ingrid STITT: As I indicated earlier, there has been consultation with the Municipal Association of Victoria and a pilot. I guess I am not surprised by you asking that question, but I think it is probably important to point out that this is an election commitment that was made to create the fair jobs code and legislate for that, and that is a policy decision that I know not everyone in the chamber will agree with. But given that the government has committed to do it as an election commitment, it probably serves us best to just agree to disagree on the merits of that policy. The government strongly supports the promotion of secure employment in local government. We think that is an important principle to deliver on, and we have been speaking openly to a number of councils about the code being prescribed for a very long time.

Bev McARTHUR: There are 79 councils in Victoria. I cannot find one that supports this fair jobs code. I have consulted with every council, every councillor and every CEO in Victoria. I have not got one endorsement for this. Yes, it is your election promise, but I thought maybe you must have more relevant information than I have got about the level of support for this, but clearly not. It is the case that the first time the sector knew about this coming forward was the \$5.4 million in the budget. Do you accept that that is the case, Minister?

Ingrid STITT: No, I do not accept that.

Bev McARTHUR: Has the government completed a regulatory impact statement (RIS) for these reforms?

Ingrid STITT: There will be a regulation process. The code will be developed and delivered via regulations, and prescribing the code in regulations, as I said earlier, is to ensure that appropriate stakeholder, sector and community consultation can take place. This is, if you like, the trigger for being able to do that. A RIS is not actually a requirement in this circumstance.

Bev McARTHUR: It probably is important, in any case. But what is the evidence base used to assess whether the reforms are targeted, necessary or proportionate?

Ingrid STITT: Which aspects of the bill's reforms are you referring to?

Bev McARTHUR: The jobs code, Minister.

Ingrid STITT: Through the Chair, I thank you for your question, and as I indicated earlier, this is an election commitment. The government has taken a policy decision that requiring secure forms of employment across local government is incredibly important. I would point you to some of the comments I made in my second-reading summing-up contribution, which is really that local services that are delivered by stable, secure employees who are happy to work in local government with high levels of retention because of the secure nature of the employment is a model that we are proud to support.

Bev McARTHUR: Minister, if you cannot provide the assessment as to how the reforms are targeted, necessary or proportionate, we cannot assume they are, can we?

Ingrid STITT: That would ignore the fact that local government workers are subjected to insecure and unstable employment arrangements. We have seen over many years many examples of services being contracted out or employment arrangements being changed. That reduces the security of employment and the direct employment nature of the employment relationship. The vast majority of Australian Services Union members report to their union that they are seeing an increase in insecure forms of employment at their council, particularly over the last five years, so I just do not think that your assertion stacks up.

Bev McARTHUR: It is actually widely thought that the employment in local government is one of the most secure areas of all in many areas. Councils, given their financial constraints, brought about largely by government, require that they find the most efficient way to do work, and especially in small rural municipalities there is no way they can employ on their books every single employee that has to do work for the council. A grader driver, for instance, might only have one month's work in a year. Do you employ them for the entire 12 months? It would be very cost ineffective and a major burden on a council and their ratepayers, don't you agree?

Ingrid STITT: You are giving me a fairly extreme example there, Mrs McArthur, and one that I cannot verify. But what I would say to you is that, as I have said already, it is a policy decision of the government to support this and give an election commitment around it, and it is not inconsistent with our approach in other areas. It sits alongside other government initiatives that promote local secure jobs, including the Local Jobs First initiative, the Victorian government fair jobs code and the community sector fair jobs code, so this is not out of step with the industrial approach that the government has taken across a range of different sectors.

Bev McARTHUR: Can you tell us if the department has regular meetings with the ASU about local government matters?

Ingrid STITT: I will have to check the extent to which the department meets with the union, but I know that the union would be regularly consulted through various government channels, including departments, on the work of the government. Obviously in relation to any meetings with ministers, those are reported through the diary disclosure process, but it is not unusual for a range of unions and

indeed other employer associations as well to meet regularly with government departments on matters relevant to their work. We also have a range of advisory committees across government, made up of both unions and employer reps. It is a bit of a broadly cast question, but nobody has got anything to hide by talking to a range of stakeholders. It is important that we do to develop good policy.

Bev McARTHUR: A former minister of local government, and there have been several, mentioned a draft version of the fair jobs code at the Public Accounts and Estimates Committee (PAEC). What happened to this version of the code?

Ingrid STITT: We are dealing with the legislation and amendments before us today, and we have already indicated the process by which the code will be developed. If you want to pursue questions at PAEC, you will get your turn at that time next year.

Bev McARTHUR: What might happen next year is a most interesting scenario. Is there underemployment within the local government sector?

Ingrid STITT: It is outside the scope of this bill.

Bev McARTHUR: That is a good answer for avoiding the question. You said that the government consulted with the MAV. Did they support the fair jobs code?

Ingrid STITT: They were consulted about the development. This is a bit circular really because the code itself is yet to be developed, and they will be consulted closely when that work commences, so it is a little bit chicken and egg, this conversation that we are having. I will leave my comments there.

Bev McARTHUR: That is another good method of obfuscation.

Ingrid STITT: I am going to take up that interjection. It is your birthday, so we are going to keep this nice. I am advised that the Municipal Association of Victoria have engaged very positively with the government over this work, and that has certainly been my experience of them in various portfolios.

Bev McARTHUR: Among the 54 councils responding to a MAV survey, permanent, ongoing employees represent an average of 75 per cent of the workforce; 92 per cent also reported that their proportion of employees with more than 10 years service exceeded the comparable national benchmark. How is this insecure work?

Ingrid STITT: Mrs McArthur, you are asking me to comment on a survey that I have not seen. Noting that I am not the responsible minister – I am representing the responsible minister – I could talk to you about some of the surveys that the union have conducted about insecure employment as well. But the reality is that we could go all day on things like this. I have been clear that this is a policy decision that the government has taken and an election commitment given that is now being delivered on through this bill.

Bev McARTHUR: It is important to get your interpretation of how this has come about. But the MAV have written to me and spoken to me, and they say they oppose it. Are you sure you are not misrepresenting them?

Ingrid STITT: What I said was that they engaged in a positive way with the government. I did not try to indicate one way or another their position.

Bev McARTHUR: The MAV and the local government sector are ready to work constructively with the Victorian government to support secure work. This is what they said:

We respectfully urge Members of Parliament to omit Part 3 – Fair Jobs Code, comprising clauses 38–44 of the Local Government Legislation Amendment (Stronger Communities) Bill 2026, from the Bill. We also seek that any further Bill to legislate the Fair Jobs Code Regulator is not introduced to Parliament until the proposed Code, evidence base and impact assessment have been released and consulted upon.

Why would you ignore them?

Ingrid STITT: I do not accept that there has been any ignoring of any stakeholder in the development of this bill, and we have already talked a little bit about the way in which the code will be developed. There will be ongoing consultation with stakeholders on that work. I know you have an amendment, which we will be dealing with in due course. The government will not be supporting that amendment.

Bev McARTHUR: It was important to get on the record exactly what the MAV, representing 79 councils in Victoria, think of this proposal. But what additional funding will be provided to councils to implement the new governance, reporting and compliance requirements?

Ingrid STITT: I have certainly gone already to the issues around funding within the Department of Government Services and the regulator. Is that what you are asking me about?

Bev McArthur interjected.

Ingrid STITT: Not the regulator; it is compliance at councils.

We do not believe it will be a significant regulatory burden on any council at all.

Bev McARTHUR: So no extra funding will be provided? I am taking that as a no. But also, would councils receive funding assistance for the independent advice and CEO employment matters committees – clause 28? Will the state subsidise mediation costs mentioned – clause 36? And will implementation support templates or funding be provided for fair jobs code obligations – clause 41?

Ingrid STITT: As I said, we do not believe there will be a significant impact on councils when it comes to their obligations to comply with the code.

Bev McARTHUR: Well, if you have got to comply with a whole lot more regulations and requirements, there will certainly be a cost, and that is part of the cost shifting that has gone on for a long time under your government. Minister, how does the government intend to balance increased regulation with the governance principles in section 9 of the act, including achieving the best outcomes for the municipal community and ensuring the ongoing financial viability of the council?

Ingrid STITT: We certainly do not accept that there is any danger to viability of councils as a result of these reforms. At this stage the code is yet to be developed, and that is an important piece of work to be undertaken. Many councils do have strong workforce policies and procedures, and they have human resource capacity. It is unlikely to result in a significant impact from compliance with the code. The consultation processes with local government will also seek to highlight any impacts on operationalisation of the code with councils, and that is certainly work that will be undertaken during the development of the code.

Bev McARTHUR: I am just going to quote what the Murrindindi shire says:

The Bill proposes a further regulator with powers to investigate, assess, monitor and publicly report on councils and CEOs. No compelling case has been made that existing laws and regulators are inadequate, or that local government requires a separate and additional compliance regime.

For small rural councils such as Murrindindi, this is a real concern, as every new reporting requirement, compliance process, assessment, investigation or governance obligation consumes staff time and ratepayer funds. These resources would otherwise be directed towards roads, bridges, emergency management, community facilities, libraries, maternal and child health services and other frontline services.

Why are you ignoring shires like this, Minister?

Ingrid STITT: I do not accept the proposal that you are putting there, Mrs McArthur, that we are ignoring anybody. I have just outlined a number of times what the process will be to consult with councils in the development of the code. You are being a bit mischievous in suggesting that we are ignoring councils when there is a whole process to be undertaken. I also would point out that it is the regulator who will be required to monitor and assess compliance with the code; report to the minister; ensure reports in relation to compliance with the code are published; provide guidance and education,

importantly, to the CEO and council on any matters relating to the operation of the code; and refer suspected breaches of the act to the chief municipal inspector or council. But as I have said a number of times, there will be further work done with stakeholders to develop the code that will sit in the regulations.

Bev McARTHUR: Minister, on what modelling are you basing your claim that there will be no cost to councils?

Ingrid STITT: I already indicated in my previous answer that the consultation process with local government will also seek to highlight any impacts on issues surrounding operationalisation of the code.

Bev McARTHUR: In this new process that is going to evolve to bring all this to pass, if you find that there are added costs, which I cannot imagine there will not be if you have got more administration work to be done, will the government reimburse councils for this extra cost?

Ingrid STITT: You are asking me for an opinion about work that is yet to be undertaken.

Bev McARTHUR: No, it is not really an opinion; I am just asking for a fact. Who appoints the regulator?

Ingrid STITT: The bill provides that the Secretary of the Department of Government Services will appoint a person employed under the Public Administration Act 2004 to be the fair jobs code regulator.

Bev McARTHUR: Yes, just as I thought, a department employee who would be appointed by the minister –

Ingrid STITT: The secretary of the department.

Bev McARTHUR: well, the secretary is appointed by the minister, I presume – will appoint the regulator, so therefore it is via the government. How can you attest that such a regulator would be independent?

Ingrid STITT: There are a couple of things in response to that, Mrs McArthur. The Premier appoints the heads of departments, so it is incorrect to say that the minister does. Also, are you questioning the impartiality and professionalism of our senior public servants?

Bev McARTHUR: No. What we are trying to ascertain is how independent the regulator will be when they are appointed by the department secretary.

Ingrid STITT: Their functions will be set out in legislation, and consistent with other regulators across government, they will take those functions and responsibilities very seriously.

Bev McARTHUR: Will small rural councils be subject to the same compliance requirements as metropolitan councils, despite significant differences in workforce size and resources?

Ingrid STITT: I would not want to pre-empt the consultation that will be undertaken in the development of the code.

Bev McARTHUR: That will not be comforting to small rural councils. Minister, has the government assessed whether the additional CEO employment requirements will make it more difficult for rural councils to attract and retain CEOs?

Ingrid STITT: I would say that council CEOs are required to manage complex service delivery organisations, Mrs McArthur. Again, I would not want to pass judgement on their capacity to do that based on their size.

Bev McARTHUR: I am aware that it is perhaps difficult for you to comment on what might be the case outside the metropolitan area, but for small rural councils these things are very much an important matter. Minister, can you tell us what the regulator's salary will be?

Ingrid STITT: It will be in accordance with the way in which appointments in the public sector are made. There are different levels within that structure, and there are guidelines that all departments follow as to where positions sit within that structure.

Bev McARTHUR: Regarding the prescribed CEO contract and procedural requirements, clauses 27 and 35, and the fair jobs code, clauses 41 and 44, what is the expected timeline for their finalisation?

Ingrid STITT: Do you mean the development of the code timelines?

Bev McARTHUR: Yes, thank you, Minister.

Ingrid STITT: The local government fair jobs code reforms have a commencement date of 1 July 2027 unless proclaimed earlier, but it is anticipated that the regulations will be made as soon as practicable after these provisions of the bill have commenced, noting that, as I have indicated, there will be important consultation with key stakeholders that will take place to inform the development of those regulations.

Bev McARTHUR: Who will be the key stakeholders that you will be consulting with on that matter that you have just referred to?

Ingrid STITT: I think I have already answered that, Mrs McArthur, in response to a previous question that you asked. Key stakeholders to be consulted in the development of the code would include councils and the Australian Services Union and I am assuming the Municipal Association of Victoria as well. I can confirm that; I am getting nodded at from the box.

Bev McARTHUR: When you say 'councils', will that be all 79 councils in Victoria?

Ingrid STITT: All councils will have the opportunity to participate in that consultation.

Bev McARTHUR: Has the government put out an expression of interest form to recruit for the technical working group developing the CEO contract requirements, and if so, what are the selection criteria?

Ingrid STITT: Not yet. That has not happened.

Bev McARTHUR: I presume it will be after all this passes. Is that what you are suggesting?

Ingrid STITT: Yes.

Bev McARTHUR: So which councils applied to participate in the mandatory governance rules technical working group but were not accepted?

Ingrid STITT: We will have to take that on notice and see if we can get you that information.

Bev McARTHUR: Were members of the former local government fair jobs code advisory committee subject to confidentiality or non-disclosure requirements?

Ingrid STITT: You have already asked me that. I said I would have to take it on notice.

Sarah MANSFIELD: I do have a number of questions. I will ask all of them on clause 1 if that suits. I may have a couple as we move through some of the amendments. I understand in your closing remarks you mentioned that the government is planning to embark on a review of the City of Melbourne Act 2001. They recognise that there is more work that needs to be done. Can you provide some detail of this? Can you commit to undertaking a review? When will this work commence, and will any amendments that may be required as a result of this review be in place prior to the next local government elections?

Ingrid STITT: As you would know, the act is 25 years old. It is in need of review, and we will implement our findings before council elections. We want to be fulsome to ensure that the act works

well and serves the needs of the people of the City of Melbourne, so there will need to be some work done on that.

Sarah MANSFIELD: Along a similar line, I understand the government is not likely to support our amendments regarding donations reform in local government. Will you at least commit to reviewing donations in local government? Similarly, if you are going to do that, when will that work commence, and when will you put in place any changes to those donations reforms?

Ingrid STITT: The advice I have is that we are working towards a review currently.

Sarah MANSFIELD: ‘Working towards a review’ does not fill me with a lot of confidence that there is going to be a review, but we can maybe discuss that more when we get to amendments. I mentioned this in the second-reading debate: currently the only avenue for a councillor to appeal the decision of an arbiter in a code of conduct matter or a decision by the principal councillor conduct registrar is to take it to the Supreme Court. As I mentioned, this is costly and prohibitive, and for many councillors the consequences of the decisions can be really significant. As I flagged, the decisions of arbiters can be inconsistent as well, given the lack of guidelines and the large amount of discretion they are empowered by the legislation to administer in their decisions. We appreciate that VCAT is not the ideal place to challenge a decision – that used to be an option that was available; it was removed in 2024 – but in the absence of any alternative we are concerned that there is not some sort of step in between the arbiter making a decision to, say, suspend a councillor for a significant period of time and taking that to the Supreme Court. There is no way to appeal a decision like that without taking it to the Supreme Court. Will the government commit to developing a fair and accessible appeals pathway for councillors regarding the decisions of an arbiter or the PCCR?

Ingrid STITT: Some of the house amendments go to strengthening the arbitration process, but we would not be closed to consideration of how those reforms are working. If there needed to be further strengthening, we would not be opposed to looking at those matters.

Sarah MANSFIELD: Again, I think not being opposed to something and committing to actually doing something are probably two different things. We would like to see a commitment to developing an appeals pathway. Again, maybe we can ask about that a little bit more as amendments are moved.

Regarding the model governance rules and the requirement for those to be adopted, we certainly understand that the development and standardisation of governance rules across councils was a recommendation of Operation Sandon. But why has the government gone about the process in this way, whereby the adoption of the model governance rules has been mandated before there has been consultation on what is actually going to be in them? Can you explain what the process is going to be to determine the detail of these model governance rules?

Ingrid STITT: Dr Mansfield, as you correctly point out, this is in response to Operation Sandon, where IBAC found that a lack of harmonisation across council meeting procedures in Victoria was leading to poor public understanding of correct decision-making processes and also making it more difficult to identify when a process is not being properly followed or is improper. To address this finding, IBAC recommended that the act be amended to require councils to adopt those model governance rules to operate as minimum standards for council meeting procedures. The bill will enable the making of mandatory model governance rules to establish minimum standards that promote consistency and good governance in relation to the conduct of council meetings and meetings of delegated committees while allowing local variation where appropriate.

Councils will be required to incorporate the prescribed model governance rules into their own locally adopted governance rules. But as I said, councils will retain the discretion to adopt supplementary meeting procedures, provided they are not inconsistent with or do not contradict the model governance rules. This approach will provide councils with the flexibility to tailor aspects of the meeting procedures where permitted to reflect local circumstances, and where appropriate, flexibility will be built into the model governance rules to facilitate this.

Sarah MANSFIELD: Thank you for that explanation. I think some of the key things, though, would be who is going to be consulted on this and what is the timeline for developing them, just in terms of the process of developing these guidelines?

Ingrid STITT: If I am understanding you correctly, councils would not be required to undertake additional community consultation under the act where they are adopting or incorporating a model governance rule as drafted within the discretions contained in the rule. However, where modifications or variations to aspects of the model governance rules are permitted, the regulation will be able to clarify when consultation is required.

Sarah MANSFIELD: My question is actually just about the development of the model governance rules. Over what time period are they going to be created and who is going to be involved in creating them? Who is going to actually have input into the actual model governance rules that everyone will have to adopt? What is that process going to look like?

Ingrid STITT: The technical working group has been developing them with governance officers from councils, and they will be put out for consultation, subject to the passage of the bill.

Sarah MANSFIELD: With respect to clause 2, I just want to clarify on the record that the transitional provision in clause 25 means that new sections 38A, 38B and 38C will not come into effect until 1 January 2027. These are the clauses that relate to councillors who may already be running or intend to run as candidates in the upcoming state election. I am just checking for absolute clarity that those parts of this bill that would require them to otherwise stand down – mayors or deputy mayors – do not come into effect until 1 January 2027, so they should not impact this upcoming election.

Ingrid STITT: Yes, I can confirm that is correct. Any requirements for mayors or deputy mayors to notify the CEO of their intention to run and any councillors who nominate being required to take candidate leave of absence will not apply to the November 2026 state election, only to any future elections held from 1 January 2027. This means that current mayors, deputy mayors and councillors who have already been preselected or who have publicly announced their intention to stand as a candidate for the Victorian election in a few short weeks will not be affected by the new requirements.

Sarah MANSFIELD: With respect to part 2, division 1, clause 8 outlines that an absolute majority of councillors is required to bring on a motion of no confidence in a mayor. Can I confirm that that is a majority of the total number of councillors, not just the number of councillors who happen to turn up on any particular day?

Ingrid STITT: An absolute majority in this context means a number of councillors which is greater than half the total number of councillors elected – that is, more than 50 per cent of the total number of councillors – consistent with the definition of ‘absolute majority’ in section 23(5) of the Local Government Act 2020. For example, if the total number of councillors is 13, then the absolute majority would be seven. If the total number of councillors is nine, an absolute majority would be five.

Sarah MANSFIELD: Just to further clarify, that provision in the bill is just about bringing forth a motion of no confidence. For the motion to pass – the vote on the motion – my understanding is that would require 75 per cent of councillors to pass a motion of no confidence. Can I firstly confirm that that is correct, that it has to be 75 per cent of councillors to pass a motion of no confidence? And again, can I check whether that is 75 per cent of elected councillors as opposed to just 75 per cent of the ones who are in the room at that time?

Ingrid STITT: I can confirm that a no-confidence motion would require at least 75 per cent of all councillors in office – not 75 per cent of councillors at the meeting – to support a motion for it to pass.

Sarah MANSFIELD: With respect to clause 12, it says that there is a penalty under section 37B of the act that states that councillors may not attend council premises while stood down. Can you clarify or confirm that this only applies when a councillor is attending the premises for the purpose of carrying out their duties as a councillor – for example, a councillor using the local council-operated

gyms while they are stood down or going to the library in a personal capacity or even attending a protest out the front of the council building as a private citizen? Would they still be able to do those things, given this new provision that says they cannot attend council premises when stood down?

Ingrid STITT: They can attend for personal purposes but not in their official capacity, and that is consistent with other provisions in the Local Government Act when a councillor is stood down.

Sarah MANSFIELD: In clause 14, new section 39(5A) outlines that during a candidate leave of absence mayors and deputies would not be eligible to receive the additional allowance that they receive for those positions. Has any kind of assessment been done to determine whether certain demographics, for example, might be disproportionately impacted by this change and what impact that might have, depending on how that allowance income affects their personal circumstances?

Ingrid STITT: A councillor allowance is paid as recompense to a councillor for performing their functions and duties as a councillor, obviously. A councillor who has nominated as a candidate for the Victorian Parliament is automatically placed on a candidate leave of absence by operation of the law. There is no requirement for any person or office holder to initiate the standing down or to give the council a notice that they are stood down. During the period in which they are stood down, the councillor is prohibited from performing their duties or exercising the powers of a councillor, and accordingly they are not entitled to the councillor allowance during that period. These arrangements are distinct from other forms of leave that a councillor may take as they provide a mandatory period of leave from office, and once the candidate leave of absence provisions apply, councillors are unable to perform any function or duty as a councillor and accordingly are just not entitled to receive any allowance for that period. In these circumstances, whether the reform may or may not have a disproportionate impact on a particular demographic is not really a relevant consideration under the legislation.

Sarah MANSFIELD: Clause 16 basically states that the chair should not be conducting a meeting if there is 'a question before the meeting' concerning their conduct. Can you explain what 'a question before the meeting' actually means? Does that mean a motion? What is the meaning of that term?

Ingrid STITT: The term 'a question before the meeting' would be a question or matter listed on the agenda for the meeting, or a question asked or proposed during a meeting, that is permitted under the applicable procedural rules for that meeting.

Sarah MANSFIELD: How would that mechanism be triggered? What would trigger that mechanism where the mayor would not be able to chair the meeting?

Ingrid STITT: The chair of the meeting at the time the question is proposed or at the time the agenda item is reached would, if the question entails an allegation of misconduct, serious misconduct, review of a decision of a councillor conduct panel against them or any other conduct by them, be expected to declare a conflict of interest and stand down as chair, with a new temporary chair to be appointed for the purposes of consideration of the relevant question or agenda item.

Sarah MANSFIELD: Does this mean that the mayor cannot chair a meeting if there is potential for a misconduct complaint to be levied?

Ingrid STITT: No. Under the relevant provisions the mayor would only be required to step aside as chair if a relevant question is to be considered by the meeting and only step aside for the purpose of the determination of that question.

Sarah MANSFIELD: Would this change also apply to matters where mayors or deputies are subject to criminal or civil charges?

Ingrid STITT: No, the proposed amendment does not say anything about criminal charges. It is not known what is intended by the reference to civil charges. Sorry, hang on.

Apologies. No.

Sarah MANSFIELD: With respect to clause 24 and the standing down of councillors, can you provide clarification on who is responsible for initiating the process of standing down the councillor and providing formal notification? At the moment, the way it is written, a councillor is stood down, but it does not say who does the actual standing down. The legislation does, but what are the mechanics of that? Who is the actual person who is involved in that process? Is it the CEO, for example? Is it the inspectorate? Who does the standing down?

Ingrid STITT: I have got a bit of advice on this one, Dr Mansfield. Section 229 of the Local Government Act provides for a councillor to be automatically stood down when they are charged with certain serious offences that would result in their disqualification from office if convicted. A councillor who is stood down is prevented from performing their role as a councillor while stood down until there is an outcome in the criminal proceedings. There is no requirement for any person or office holder to initiate the standing down or to give the council notice that they are stood down. The standing down under section 229(1) occurs automatically by operation of the law. Under section 229, a councillor charged with a relevant offence is required to notify the CEO of the charges and is stood down until the criminal matter is resolved.

David ETTERSHANK: The government says that the content of the fair jobs code has not yet been determined, but this bill already establishes a mandatory code and a new regulator. Can the minister explain what substantive policy choices remain genuinely open to consultation, and can consultation result in a recommendation that particular regulatory requirements or functions of the regulator should not proceed?

Ingrid STITT: The bill at proposed section 54B states that the regulations may prescribe a fair jobs code for the purposes of providing a robust framework for secure work practices. That obviously means that the details of the code will be prescribed in regulations. Subject to the bill passing today, the Department of Government Services will engage in robust consultation with the sector to inform what is to be prescribed in the regulations. As per some of my previous answers to other members, the functions of the regulator are set out in the bill.

David ETTERSHANK: Councils are independently elected governments responsible to their own communities for service delivery and expenditure. What evidence has government identified that justifies removing or constraining decisions that are presently lawfully made by councils and their CEOs about how local services are delivered?

Ingrid STITT: The objective of the code is to provide a robust framework for secure employment across all councils and, as I have indicated in the committee stage, this was a 2022 election commitment. The bill provides for exemptions and recognises that in specific circumstances there may be reasonable exemptions to the code. The consultation process with the local government sector will inform any exemptions developed.

David ETTERSHANK: Can the particular failure be identified in the existing industrial relations, procurement and governance framework that requires a new statutory regulator rather than targeted use of existing mechanisms?

Ingrid STITT: I note that the code has not been developed yet, but when it is, it will aim to create secure employment across all councils where appropriate. Really the nub of this is that the mechanism and the statutory regulator model are to address the issues around the use of labour hire and other insecure forms of employment. Through the consultation the department will seek to strengthen the understanding of what is working well and where the gaps are, and this will inform development of the code.

David ETTERSHANK: Minister, can you advise what independently verified sectorwide evidence the government has about the actual prevalence and causes of insecure work across Victoria's 79 councils, perhaps broken down between casual employment, labour hire, specialist contractors and outsourced service delivery?

Ingrid STITT: I think my answer might be a little broader than what you are specifically seeking, but the establishment of the local government fair jobs code, as I have indicated earlier, was a 2022 election commitment, and it is outlined also in the second-reading speech that the bill establishes the framework to deliver the government's commitment to introducing a fair jobs code for local government. It provides for a fair, practical and enforceable code to be prescribed to ensure that the essential public services delivered by local government are underpinned by safe, secure and fair work practices. The code will set a standard for all councils to follow now and into the future, ensuring consistency in practice where appropriate. I have already answered a question in relation to exemptions and how they might be appropriate. The objective of the code is to protect workers rights today, tomorrow and for the longer term, and I think that is important for the viability of the sector into the future. I want to acknowledge that many councils do have excellent secure work practices, and we want to make sure that continues despite the council of the day or the administration or some of the other nuances. But essentially the process that will be followed to develop the code will be an important one because it will engage with all the key stakeholders.

David ETTERSHANK: Recognising that perhaps you are not in a position to answer that question to the degree of detail I was requesting, could I ask whether that evidence and the methodology will be published before the code is finalised so that Parliament and councils can determine whether the regulatory response is proportionate to the problems being identified?

Ingrid STITT: As I have advised the chamber a few times, the robust consultation with the local government sector that will inform the development of the code will be an important process, and public consultation on the draft code is anticipated to take place on the Engage Victoria platform as well as through the normal departmental processes. But it is really about making sure that that work is robust and vigorous.

David ETTERSHANK: I do apologise for any duplication. I guess it is a bit Venn diagrammy in some places. If consultation demonstrates that a proposed element of the code would materially increase costs, reduce service availability or worsen workforce shortages in some communities, what obligation will there be on government to modify or abandon that element of the code?

Ingrid STITT: Again, this is going to be something that is fleshed out during the consultation period. If consultation does elicit information around where proposed elements of the code could materially or adversely impact specific communities, then that will inform the design of the code. It is difficult to crystal ball about what that will look like, but the important thing is the commitment around having that process in the development of the regulations.

David ETTERSHANK: Why is public reporting of CEO noncompliance necessary where the noncompliance may be minor, technical, disputed or attributable to circumstances outside the CEO's practical control?

Ingrid STITT: Certainly the department will focus on education and guidance for CEOs in relation to the code before the code is implemented. Again, the code has not yet been developed. Therefore consultation will strengthen understanding of circumstances that are outside of a CEO's control and will inform the development of the code. The bill does not prescribe penalties for councils or CEOs for noncompliance with the code. Where the regulator identifies noncompliance by a CEO, the bill provides for reporting of findings to the minister and publication of compliance reports. It is a continuous process of improvement model, I guess you would describe it as, to make sure that there is plenty of incentive to comply with the code.

David ETTERSHANK: Who doesn't like a bit of continuous improvement? Could I ask, Minister, given that Parliament is being asked to establish the mandatory framework before seeing the substance of the code, will the government commit to providing Parliament with the proposed final code, the consultation report and its impact analysis before the regulations are actually passed?

Ingrid STITT: The formal public consultation on the code is anticipated to take place on Engage Victoria. During many consultation processes there is a sharing of relevant stakeholder feedback where appropriate, but I think it is important to note that the bill also requires a five-year legislative review of the code.

David ETTERSHANK: I just want to pursue that one a little further. Minister, is that a no to that specific request with regard to the Parliament being advised of the proposed final code prior to it being promulgated?

Ingrid STITT: The Scrutiny of Acts and Regulations Committee (SARC) also reviews all regulations, so there technically is a parliamentary process that is already established. I am not sure if you were in the chamber when I talked earlier about the timelines of developing the regulations and when they will come into effect. I am happy to repeat that if required. The fair jobs code reforms have a commencement date of 1 July next year. It is anticipated that the regulations will be made as soon as practicable after the provisions of the bill have commenced, and there will be a SARC process involved in that review of the regulations.

David ETTERSHANK: I think we must have slightly different timetables that have been provided by the department. Minister, would that mean then – just to check – that the code would actually be subject to a parliamentary disallowance motion if there was a level of dissatisfaction in the chamber?

Ingrid STITT: The advice I have is that the SARC process will determine the regs, but I just want to check with you the question you had about the timelines, because the making of the regulations can commence and the consultation to develop the code that will sit in the regulations can commence after the bill passes. But the act applies from 1 July 2027, so the process of developing the regs could be completed sooner than that.

David ETTERSHANK: The timeline I have been provided by Minister Richardson is –

Ingrid STITT: I am just a mouthpiece for him today.

David ETTERSHANK: You are always much more than that, I am sure, Minister. The advice I have received from Minister Richardson – and we are appreciative of the time he has taken to walk us through this stuff – is that the final draft code is desired to be published in August of 2027. Is that consistent with your understanding?

Ingrid STITT: We will just get some clarification on the advice you had previously been given. I will just take that on notice, and we will come back to you.

David ETTERSHANK: Thank you, Minister. I would appreciate it if you could do that. I suppose this might link to that question as well. The minister has stated that he anticipates releasing the draft code around May of 2027. Minister, I seek an assurance that both the MAV and the ASU will be involved in the preparation of that draft code for distribution.

Ingrid STITT: Yes. The MAV and the union and other council stakeholders will be consulted through the drafting process. And on the way that the code is drafted, the government will consult with key stakeholders, as I have already said a number of times, and they will be involved throughout the process of drafting.

Bev McARTHUR: Rather than go clause by clause, I will ask them now if that is preferable. What happens if the fair jobs code conflicts with a council's existing enterprise agreement obligations?

Ingrid STITT: It is not intended that the code would disturb existing industrial arrangements. These are issues that can be fleshed out in the consultation process in the development of the regs.

Bev McARTHUR: This is of great concern to many in this area, but given new section 54O provides that any other act prevails to the extent of a conflict, what work does the code actually do when it touches matters governed by the Fair Work Act 2009 or the Gender Equality Act 2020?

Ingrid STITT: Those other acts always take precedence.

Bev McARTHUR: I will now go to the fair jobs code regulator. The ASU's media release from 29 May 2026 titled 'Your work pays off' states the following:

The Code means Councils must:

- ensure that any local government sector outsourcing is rare, fair, and doesn't undermine jobs, pay or service quality
- retain in-house service delivery including in-home aged care and early childhood services
- consult with your union regarding any procurement projects ensuring that service delivery is consistent and pay and conditions are maintained, and
- targets outsourcing, labour hire and casualisation.

Ms Watt and Minister Hamer mentioned the ASU in their speeches on this bill, so can you confirm that their media release's claims are correct?

Ingrid STITT: It is not a matter that is relevant to the scope of the bill before us, and I do not think it is reasonable for you to ask me to comment on the media releases of our organisations.

Bev McARTHUR: These are critical issues relating to this bill. What the union has said is happening here and Ms Watt and Minister Hamer have mentioned in their speeches is critical to this bill. So are the unions right in these details that they have provided or not?

Ingrid STITT: I draw your attention to the second-reading speech in respect to the section dealing with delivering a fair jobs code for local government. You would be aware, having been in this place for some time now, of the significance of the second reading.

Bev McARTHUR: Can you please confirm what 'rare outsourcing' might mean? Please explain.

Ingrid STITT: I am not going to get drawn on a back and forth with you about a media release of an organisation. What I will do, though, is again point you to the second-reading speech and the bill before us today, which is about establishing a framework to deliver the government's commitment to introduce a fair jobs code for local government. It provides for a fair, practical and enforceable code to be prescribed to ensure that the essential public services delivered by local government are underpinned by safe, secure and fair work practices.

Bev McARTHUR: To what extent will in-home aged care and early childhood services be brought in-house, and will the state increase funding for these services where relevant?

Ingrid STITT: You are asking me to predict the decisions of councils in relation to the services that they provide, and I am simply not in a position to do that. I am happy to go chapter and verse with you again on what the intent of the fair jobs code is. I know that we will not agree on the policy intent behind it, but the government is in full agreement with developing this code in the manner that I have outlined in the committee stage.

Bev McARTHUR: I fully accept that this is your policy. I am just trying to make sure we can flesh out the detail of it. To what degree will a council be required to consult with the ASU on procurement projects?

Ingrid STITT: Again, that is not a matter that is in the scope of the bill before us. We have agreed to work in consultation with the sector and key stakeholders who work in and around that sector on the development of the code. That is a very different proposition to the one you are outlining. You are giving scenarios based on hypotheticals and expecting me to answer them in the committee stage. They are not matters that are dealt with by this bill.

Bev McARTHUR: Can you confirm if outsourcing, labour hire and casualisation will be addressed in the code?

Ingrid STITT: As I have already indicated, and I again point you to the very instructive sections of the second-reading speech, Mrs McArthur, and the explanatory memorandum that accompany this bill, we absolutely back in our policy decision to develop a practical and enforceable code to be prescribed to ensure that the essential public services delivered by local government are underpinned by safe, secure and fair work practices.

Bev McARTHUR: Minister, I feel we have to get on the record that the second-reading speech of the minister mentions the ASU and Ms Watt acknowledged the ASU's lobbying on this bill in her speech. How can you say their public comments are out of scope?

Ingrid STITT: I am not sure what the point is that you are trying to get at here. We have made an election commitment. We are proud to have made that election commitment, and we are proud to have brought this bill to the Parliament. There will be a range of important stakeholders, including the ASU, that will continue to be consulted about the development of the code.

Bev McARTHUR: You have now confirmed their involvement. Thank you. How much taxpayer money will be spent operating the new regulator annually?

Ingrid STITT: Asked and answered earlier, Mrs McArthur – if you were paying attention. You were the one that asked it.

Bev McARTHUR: That was the total amount for the regulator, right, \$5.4 million?

Ingrid STITT: Yes –

Bev McARTHUR: Is that to establish it? Is that the total amount ongoing? For how long?

Ingrid STITT: Mrs McArthur, it is your birthday – I have just remembered that – so I will go to the question again, even though I have already answered it. What I said was that there is the \$5.4 million that is in the 2026–27 budget. We have already discussed that. But I also said that, subject to Parliament passing the bill, the Department of Government Services will seek funding for forward years to operate the regulator in accordance with the normal budget processes.

Bev McARTHUR: Minister, if the code adds cost, is that expected to be absorbed by councils within the rate cap?

Ingrid STITT: The code will be developed, as I have said many times, in consultation with the local government sector, which will identify any additional costs likely to be borne by councils associated with implementing and complying with the code. In relation to rate capping, council rates are capped, and a council cannot simply pass on the costs to ratepayers associated with the implementation of the code. A council seeking an exemption must apply to the Essential Services Commission under the Fair Go Rates system, and the council must submit its formal application by 31 March and demonstrate how the rate increase is actually necessary.

Bev McARTHUR: Given there is no longer a requirement for the minister to take advice from the Essential Services Commission, does the government have any intention to lift the rate cap above the CPI?

Ingrid STITT: This bill does not deal with rate capping.

Bev McARTHUR: New section 54C(1) requires compliance unless a prescribed exemption applies. What exemptions are contemplated on what criteria, and will small rural councils be eligible?

Ingrid STITT: This has been asked and answered already, Mrs McArthur, and I indicated to you that the types of exemptions that might be necessary will be flushed out during that consultation process and development of the regs.

Bev McARTHUR: New section 54O provides that any other act prevails over divisions 10 and 11 to the extent of a conflict. Which acts is that expected to operate against in practice, and does it leave the code able to impose any obligation not already available under existing industrial law?

Ingrid STITT: I have answered this question, but I am happy to go and get further instructions. But the earlier question you posed and I answered was that the legislation would prevail.

A code cannot override legislation. I did already answer that earlier, Mrs McArthur.

Bev McARTHUR: How will the code support smaller councils to achieve the economies of scale necessary to deliver high-cost services such as kerbside waste collection? If such services were delivered in-house, there would be significant duplication across the sector, and the overall cost would be beyond the means of smaller councils. How will they manage that?

Ingrid STITT: Again, Mrs McArthur, you are asking me to predetermine or prejudge what the consultation process will result in, and I am just not in a position to do that. There is a process that we have gone through a number of times in the committee stage about how these regulations and the code will be developed, and that is work that will happen once the bill passes the Parliament.

Bev McARTHUR: Does the government recognise that minimising insecure work, including outsourcing, labour hire and casualisation, is impossible for small rural council services where the people or specialist skills are unavailable locally? Market testing has shown this to be so. If a council can show that automation, shared services, specialist contracting, outsourcing or a different operating model can provide the same or better service at a lower cost, will the code leave councils and CEOs free to make those changes?

Ingrid STITT: This is just another scenario you are giving me that I have already answered in previous questions. There is a way in which exemptions can be sought, which the bill outlines, but the development of the code and the development of the regulations will answer these questions.

Bev McARTHUR: New section 54L allows the regulator to delay, recall or vary a notice of decision pending a court or tribunal proceeding on the same or a related issue, with no outer time limit. How long can a CEO be left under an unresolved adverse notice, and what constitutes a related issue?

Ingrid STITT: Sorry, can you just give me the clause reference number? This is not in respect of the code – this is the model governance section?

Bev McARTHUR: It is clause 41 and new section 54L.

Ingrid STITT: If there is a matter before the Supreme Court, the regulator's work is on hold.

Bev McARTHUR: Beyond publication of noncompliance under new sections 54M and 54N, what sanctions exist for a CEO found noncompliant?

Ingrid STITT: Not compliant with the code? There are no sanctions contained in this bill; they can report on it, essentially. To support compliance the bill provides the regulator with compliance, monitoring and investigative powers, including the power to investigate complaints about noncompliance received from council staff, individuals and the public, and the bill enables the regulator to undertake own-motion inquiries and investigations triggered by compliance activities and compliance assessments submitted by CEOs.

Bev McARTHUR: So where the regulator makes an adverse finding despite a CEO response, is any independent review or appeal available before a finding about an individual CEO is published?

Ingrid STITT: I will just give you a little bit of detail about the public reporting, and hopefully that will cover your question. The public reporting on outcomes of these compliance activities is proposed to be the primary enforcement mechanism for the code, with compliance reports published on a publicly available website maintained by the Department of Government Services. Annual compliance reports published by the regulator will serve as the public record and provide information

on council compliance year on year with the code. This is expected to promote compliance with the code by creating a reputational risk to CEOs and councils associated with publication of reports of noncompliance.

Bev McARTHUR: In clause 43, regarding confidential information, what safeguards will be put in place to protect sensitive council information unrelated to an actual fair jobs code investigation?

Ingrid STITT: The bill requires any confidential information contained in a report prepared by the regulator to be redacted from the copy published online. This is consistent with the legislative framework relating to the requirements for confidential information.

Bev McARTHUR: In clause 45, under ‘Differential rates’, part 4 commences by proclamation with a default of 1 July 2027. Will the City of Melbourne be able to adopt a four-times ratio in time for the 2027–28 budget, and will part 4 be proclaimed early to allow it?

Ingrid STITT: I will just seek some instruction on that one.

The advice I have is that they will be consulted on the implementation timeframes, but it will be available by 1 July. If they want to use the new differential rates, the City of Melbourne will need to consult the community. But obviously we will consult them on the implementation timelines.

Bev McARTHUR: Division 1 of part 2 commences automatically the day after royal assent. Of the provisions left to proclamation, being division 2 of part 2, part 3 and part 4, which will be proclaimed before the November 2026 election?

Ingrid STITT: The default provisions may apply, but that will depend on the consultation and implementation readiness.

Bev McARTHUR: Going back to clause 12, ‘council premises’ is not defined in this bill or the existing act. Would a stood-down councillor be barred from accessing facilities they are entitled to use as a ratepayer?

Ingrid STITT: Asked by and answered to Dr Mansfield.

Bev McARTHUR: Who will be monitoring compliance with new section 37A?

Ingrid STITT: Because there are minimum standards and there is going to be that built-in flexibility as to how the standards apply, the chief municipal inspector can monitor compliance.

Bev McARTHUR: ‘Standing down of Councillor charged with offence’, clause 24: Don Henderson was stood down in March 2026. The government waited three months to introduce this bill and then another two months to amend section 229. Why did it take some five to six months for you to correct this mess?

Ingrid STITT: I do not agree with the assertion contained in that question, for a start. Every bill that comes before the Parliament goes through a policy development process through proper cabinet oversight.

Bev McARTHUR: Will the government model the prescribed contract on existing CEO contracts in the sector?

Ingrid STITT: Just bear with me. I will get you some proper advice.

That question will form part of the consultation process in the development of the model governance rules.

Bev McARTHUR: Can you explain what might happen to an existing CEO contract that already exceeds five years or does not address a prescribed matter? Is it automatically void, or is there a transition period?

Ingrid STITT: These questions will be ventilated and dealt with through the consultation process, so I do not want to predetermine that.

Bev McARTHUR: You can understand that they need to be put on the record here today, because these are the issues that are most concerning to the sector. Where contracts contravene the regulations due to a technical or drafting error, could they be voided?

Ingrid STITT: The advice that I have is that current contracts are not implicated, because this would apply to contracts prospectively. But again, there will be thorough consultation on how the model governance arrangements are developed.

Bev McARTHUR: What happens then to a council and a CEO if the problem is not identified until well into the contract? Again, new section 331 makes no transitional provision for this clause.

Ingrid STITT: Again, you are giving me scenarios or hypothetical situations. I have already indicated that there is no implication for current contracts. This would only apply prospectively. We have made a commitment around the consultation that will occur in the development of these important strengthening arrangements. Do not forget that these matters have been recommended through various reviews and special reports of IBAC.

Bev McARTHUR: What flexibility will remain for councils to tailor CEO employment arrangements to local labour market conditions?

Ingrid STITT: Again, these are not matters that are able to be answered specifically right now, Mrs McArthur. The bill before the house is about giving effect to recommendations arising from, amongst other things, IBAC's Operation Sandon special report and also government initiatives, including the Whittlesea commission of inquiry. We have talked a lot about the code tonight, but there are other important reforms in the bill which are about fulfilling the government's commitments to accept recommendations from various reports.

Sitting suspended 6:23 pm until 7:32 pm.

The DEPUTY PRESIDENT: Mrs McArthur's amendments 1 and 2 test her amendments 36 to 46.

Bev McARTHUR: I move:

1. Clause 1, page 2, lines 3 to 14, omit all words and expressions on these lines.
2. Clause 1, page 2, line 15, omit "(v)" and insert "(ii)".

Ingrid STITT: Local government matters because service delivery matters, and the government supports the fair jobs code because secure work delivers better local services. Too many local government workers are still in insecure work, and that affects service quality, continuity and capability. Councils and their workforces deliver critical services to Victorians, from waste recovery to family support, planning and local laws. Councils across the state employ more than 57,000 workers to deliver these services, and many of them are in insecure work. We recognise that councils from time to time can engage contractors, labour hire companies and outsourced services for service delivery. That can be appropriate at times for one-off projects or seasonal tasks. These arrangements should be minimised where possible. High levels of insecure employment can lead to inconsistency in maintaining high standards of service delivery. Insecure jobs also lead to more turnover, less skill development and experience and less connection with the local community. The fair jobs code helps councils build a more stable, skilled and connected workforce, which is good for workers and good for communities. The government has committed to delivering the fair jobs code for local government, which is why we do not support Mrs McArthur's amendment, which would effectively remove the local government jobs code from the bill.

Sarah MANSFIELD: The Greens will not be supporting this amendment. While we appreciate that there are some concerns from councils about how this will work and what the detail is, we are satisfied that there will be a consultation process. I think some of the comments I made in the second-reading speech are really probably on the key issues about this working properly. It will really depend

on adequate funding for councils, and that is not something that has been addressed to date. So while we very much support the fair jobs code, in order for it to be successful, there has to be meaningful engagement with councils themselves but also proper funding, because otherwise councils will continue to cut services. There will not be those council jobs, because they just will not be providing the services themselves; they will be relying on the private sector to provide those services. We know that in many centres, especially rural ones, there are no other providers around for some of these services, so having strong frameworks around good council jobs is absolutely critical. But it has to be backed by funding, and that is one of the things we really would like to see, going forward.

Council divided on amendments:

Ayes (14): Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Noes (22): Ryan Batchelor, John Berger, Lizzie Blandthorn, Jeff Bourman, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Amendments negatived.

The DEPUTY PRESIDENT: Minister, I invite you to move amendment 1 on your sheet IS44C, which tests your amendment 6.

Ingrid STITT: I move:

1. Clause 1, page 2, after line 16 insert –
“(aa) to amend the **City of Melbourne Act 2001** to remove group voting tickets from the election of Councillors; and”.

The government’s house amendment will provide for removal of group voting provisions in the City of Melbourne Act. This amendment will enhance democratic outcomes for the voters of the City of Melbourne. Abolishing the group voting system will ensure that voters are represented by councillors who have received the highest primary vote.

Bev McARTHUR: We are supporting this amendment.

Sarah MANSFIELD: The Greens will definitely be supporting this amendment. This is something we actually had an amendment on, and we thank the government for working constructively on this. I think we have been through a debate very recently about why group voting tickets are completely undemocratic, so I think it is quite fitting that we finish the job and get rid of them from all jurisdictions now by removing them from the City of Melbourne as well.

Amendment agreed to.

The DEPUTY PRESIDENT: Mrs McArthur, I invite you to move amendments 1 and 2 on your sheet BM09C, which test all amendments on that sheet.

Bev McARTHUR: I move:

1. Clause 1, page 2, line 21, omit “valuation.” and insert “valuation; and”.
2. Clause 1, page 2, after line 21 insert –
“(c) to amend the **City of Melbourne Act 2001** to enable a vacancy in the office of Deputy Lord Mayor to be filled by appointment.”.

Ingrid STITT: The government will be supporting Mrs McArthur’s amendment.

Sarah MANSFIELD: The Greens will also be supporting this amendment.

Amendments agreed to.

The DEPUTY PRESIDENT: Dr Mansfield, I invite you to move amendment 1 on your sheet SMA93C, which tests all the remaining amendments on that sheet.

Sarah MANSFIELD: I move:

1. Clause 1, page 2, before line 17 insert –

“(ab) to amend the **City of Melbourne Act 2001** to reduce entitlement to be enrolled on the voters’ roll without application; and”.

This amendment is related to the automatic enrolment of owners and occupiers of rateable properties, including corporations, on the electoral roll in the City of Melbourne. As I mentioned in my second-reading contribution, at the moment the City of Melbourne has a very unusual voting system, particularly when it comes to corporations. I have another amendment related to some of the problems, and they are actually quite linked, but we will deal with them separately. At the moment businesses get two votes – their votes count for two. But another feature in the electoral provisions in the City of Melbourne Act is that owner-occupiers who are not residents in the municipal area are automatically added to the electoral roll without even having to apply. That is very different to every other local government area, where owners or occupiers have to apply to be put on the electoral roll for elections. It gets even stranger when it comes to owners and occupiers who happen to be corporations. Where no corporate representatives have been nominated, section 9D of the City of Melbourne Act requires the chief executive officer to trawl through public lists of company directors and secretaries and just appoint two corporate representatives to the electoral roll without their prior consent.

This amendment repeals these oddly unique automatic appointment and enrolment provisions for the City of Melbourne. Under the amendment owners and occupiers, including representatives from corporations, will continue to be able to have themselves put on the electoral roll under the existing provisions in the act. It just will not be automatic or done without their knowledge. This is consistent with the system used for all other local government areas under the Local Government Act and in all other jurisdictions in Australia.

Ingrid STITT: The government will be supporting this amendment. The government is undertaking work to review the entire City of Melbourne Act to ensure that it is fit for purpose. This is certainly one of the issues that would have been subject to that review, and we are happy to accept the Greens’ amendment.

David LIMBRICK: The Libertarian Party will be supporting this amendment. Effectively it is a voluntary voting amendment. We do not support compulsory voting, and I am glad to hear that the Greens are sort of coming around to our point of view on this.

Bev McARTHUR: We will not be supporting the Greens’ amendment.

Council divided on amendment:

Ayes (22): Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Anasina Gray-Barberio, Shaun Leane, David Limbrick, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Noes (14): Melina Bath, Jeff Bourman, Gaele Broad, Georgie Crozier, David Davis, Renee Heath, Ann-Marie Hermans, Wendy Lovell, Trung Luu, Bev McArthur, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Amendment agreed to.

The DEPUTY PRESIDENT: Dr Mansfield, I invite you to move amendments 1 and 2 on your sheet SMA83C, which test all the remaining amendments on that sheet.

Sarah MANSFIELD: I move:

1. Clause 1, page 2, line 21, omit “valuation.” and insert “valuation; and”.
2. Clause 1, page 2, after line 21 insert –

“(c) to amend the **City of Melbourne Act 2001** to reduce the entitlement of a Corporation that is an owner or occupier of rateable property to be enrolled on the voters’ roll to one.”.

These deal with one of the other major issues at the City of Melbourne, where currently business votes are double weighted. Effectively one vote counts as two for businesses. For the life of me I do not understand how anyone could think that this is fair or reasonable in a democracy – that one class of voter’s vote is valued at double the weight of another, of any ordinary resident voting in the same system. This type of voting was previously abolished in Melbourne in 1969. It was reintroduced by Jeff Kennett in 1993, and successive governments have retained it despite multiple reviews of the City of Melbourne Act. The City of Sydney got rid of it three years ago, along with automatic enrolment, and as I said in my second-reading contribution, the local government minister in New South Wales at the time they abolished this described this voting system as something of which North Korea would be proud. It is plain as day that this should go. It is simple: one resident, one vote, one value. It is basic democracy. It is way past time that we got rid of this double voting for any class of voter anywhere, but we have got this problem in the City of Melbourne. We have got an opportunity right before us to get rid of it. We have just dealt with the automatic enrolment. It would make a lot of sense to get rid of this provision as well.

David ETTERS HANK: This is a longstanding outrage. I remember in Melbourne when Kennett brought this back people were just gobsmacked. It has all the hallmarks of Joh Bjelke-Petersen. It is effectively a form of gerrymandering, so we will definitely be supporting this one vote, one value.

Ingrid STITT: The government supports the intention of this amendment to give one vote, one value to the people of the City of Melbourne, but we believe the best vehicle through which to make this change is a comprehensive review of the City of Melbourne Act. Given the act is 25 years old, it is due for a comprehensive refresh. The government is commencing this review as soon as possible this term of government, with work already underway, and should the government be returned after the election, the findings of that review will be legislated prior to the 2028 council elections.

Bev McARTHUR: The coalition will not be supporting this amendment.

Council divided on amendments:

Ayes (10): Jeff Bourman, Katherine Copsey, David Ettershank, Anasina Gray-Barberio, David Limbrick, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell, Rikkie-Lee Tyrrell

Noes (26): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Gaelle Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Trung Luu, Bev McArthur, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt, Richard Welch

Amendments negatived.

Amended clause agreed to.

Clause 2 (19:56)

Bev McARTHUR: I move:

3. Clause 2, line 23, omit “Part and Division 1 of Part 2” and insert “Part, Division 1 of Part 2 and section 45AA”.

Amendment agreed to; amended clause agreed to; clause 3 agreed to.

Clause 4 (19:57)

The DEPUTY PRESIDENT: Dr Mansfield, I invite you to move amendments 1 and 3 on your sheet SMA91C, which test your amendment 15 on the same sheet.

Sarah MANSFIELD: I move:

1. Clause 4, after line 8 insert –
“*gambling industry business entity* has the meaning given by section 305C;”.
3. Clause 4, after line 10 insert –
‘*prohibited donor* has the meaning given by section 305A;
property developer has the meaning given by section 305B;’.

There are a number of amendments linked, as you said, to this one. These amendments essentially properly acquit some of the recommendations from Operation Sandon as well as address an ongoing integrity risk that exists in local government with respect to donations. Again, this Parliament has been through reforms of donations for state election candidates on multiple occasions, but there are very few boundaries on local government candidate donations. What these amendments would do is put a cap on donations, and it just matches the state election candidate cap. We think that is pretty reasonable. Currently it is uncapped, as I spoke about in my second-reading contribution, so very large donations can be made which can create significant real or perceived conflicts of interest and certainly increase the risk of corruption, which was something that Sandon identified.

This also introduces a ban on certain high-risk donors, for example, property developers in particular, as well as gambling industry business entities. These types of donors potentially stand to benefit significantly from decisions made by councils, and donations carry a heightened risk of corruption. This is something that was also identified in Operation Sandon. Bans on these donor classes already exist in New South Wales and Queensland. They have been tested in the High Court, in respect of New South Wales. They were found to be constitutional. Given the very high risk of corruption, particularly in local government, when you think about something like property developers and the frequent planning decisions that are made by councillors and representatives and administrators in local government, having a ban on property developers – I think there is a reason that has been introduced in other jurisdictions.

We also have called for real-time donations disclosures. We think that is very sensible. It exists in other jurisdictions. It allows voters to know who is making donations while the election is still being conducted, which increases transparency and empowers the voters. We think this set of amendments is, again, really overdue. This is something we have moved many times. We are not the only ones that have called for it. We have had an IBAC investigation – the longest running one in the state – that came to similar conclusions. It is well past time we put some boundaries around donations in local government. We think this would be a really good opportunity to do it.

David ETTERSHANK: I would like to endorse Dr Mansfield’s comments. Look, there has been a bit of a pitch here on this bill about implementation of Sandon, and it has pretty much been oversold, I would suggest. We have seen repeatedly – and it has had extensive media coverage – that the City of Melbourne Future Melbourne Committee has lost quorum because there are so many councillors who have taken donations from developers, and that is what we are talking about. This amendment is that controversial. I can only encourage my colleagues here by saying do not worry; you do not have to be brave. This has been tested in the High Court, and it is standard operating procedure in New South Wales and Queensland. And why wouldn’t we demonstrate a little courage and actually walk the walk in terms of transparency and integrity and support this amendment?

Ingrid STITT: The government supports the intention of this amendment but intends to undertake a review to ensure the best version of these reforms can be achieved. Work has already begun within

the Department of Government Services, and the government will have more to say about this review in the coming weeks, with the review commencing in this term of government.

Bev McARTHUR: The opposition will not be supporting the Greens' amendment.

David LIMBRICK: The Libertarians will not be supporting this amendment either. Our reason here is that we think it is actually a dangerous thing to go selecting industries – the Greens often do this – that should not participate in the democratic process. I would say that the one industry that has participated in the democratic process to the point of having their own members of Parliament represent them is the renewables industry, and I note the Greens do not say anything about that. I think this really is just picking and choosing.

A member interjected.

David LIMBRICK: If you do not think that the renewables industry has influence on government, then you are not paying attention, clearly. Also, the cap on donations – I feel that this is arbitrary, and we in principle do not support that. I do, however, support the idea of real-time transparency, but as that is not separated out, I will be opposing this amendment.

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, Gaele Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Nick McGowan, Tom McIntosh, Evan Mulholland, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

Amendments negated.

Clause agreed to; clauses 5 to 11 agreed to.

Clause 12 (20:07)

Bev McARTHUR: I move:

8. Clause 12, page 8, line 4, omit "premises." and insert "premises, other than in a personal or private capacity."

Ingrid STITT: The government will not be supporting this amendment.

Council divided on amendment:

Ayes (14): Melina Bath, Gaele Broad, Georgie Crozier, David Davis, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Noes (22): Ryan Batchelor, John Berger, Lizzie Blandthorn, Jeff Bourman, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Amendment negated.

Clause agreed to; clauses 13 to 18 agreed to.

New clauses 18A and 18B (20:11)

Ingrid STITT: I move:

2. Insert the following New Clauses to follow Clause 18 –

‘18A Internal arbitration process

After section 141(2)(d) of the Principal Act **insert** –

“(da) any requirements of guidelines published under section 149(1)(ca);”.

18B Application for an internal arbitration process

In section 143(3) of the Principal Act, for “3 months” **substitute** “6 months”.’.

Sarah MANSFIELD: I just have a couple of questions about this amendment. This amendment says that the PCCR will publish guidelines essentially if they decide they want to publish them. What will the PCCR’s arbitration guidelines set out to ensure that there is consistency of decision-making in arbitration? One of the key issues is that there is perceived inconsistency with arbitration decisions. We were hoping we would see an amendment that would ensure that there are some sort of published guidelines that show how decisions were made by arbiters and that arbiters can refer to in order to make their decisions and that it is transparent for everyone to see.

Ingrid STITT: The intention of the guidelines is that they will ensure consistency and give arbiters clarity on what they must take into consideration when making a finding of misconduct or directing or suspending a councillor. Without pre-empting the decisions of the PCCR, it is the government’s expectation that all matters that may reasonably lead to a finding of misconduct be included.

Sarah MANSFIELD: Just a further question: in terms of whether someone disputes the finding of an arbiter, at the moment the only pathway is to go to the Supreme Court. You indicated earlier that the government was not opposed to looking at other options, but is there going to be any other dispute resolution pathway developed for councillors who do not agree with an arbiter’s decision?

Ingrid STITT: The government will review what other dispute resolution pathways could be explored in future reforms to support pathways other than appeals to the Supreme Court in cases where arbitration is unsuccessful.

Bev McARTHUR: We are supporting the government’s amendment.

New clauses agreed to; clauses 19 and 20 agreed to.**Clause 21 (20:14)**

Ingrid STITT: I move:

3. Clause 21, after line 3 insert –

‘(a) after paragraph (c) **insert** –

“(ca) publish any guidelines in relation to the interpretation and application of the Model Councillor Code of Conduct for the purposes of internal arbitration process applications that the Principal Councillor Conduct Registrar has determined to be necessary;”.’.

4. Clause 21, line 4, omit “(a)” and insert “(b)”.

5. Clause 21, line 10, omit “(b)” and insert “(c)”.

Bev McARTHUR: We will be supporting the government’s amendments.

Sarah MANSFIELD: In light of the answers to the previous questions, we will be supporting these amendments. We feel that this will help to deal with some of the issues that have happened with inconsistent decisions in arbitration.

David LIMBRICK: The Libertarian Party also will be supporting these. As was outlined by Dr Mansfield, there have been inconsistent decisions, and I think the publication of these guidelines will be helpful in that process.

David Davis: On a point of order, Deputy President, Ms Terpstra has a slinky/yo-yo device. I am not exactly sure what it is, but she has been using it in the chamber. There is a general prohibition on props, but this seems to go a little further than that. Maybe she would like to explain what the device is and what it does.

The DEPUTY PRESIDENT: I just ask Ms Terpstra to stop playing with whatever toy she has in the chamber and to keep it out of sight.

Amendments agreed to; amended clause agreed to; clauses 22 to 26 agreed to.

Clause 27 (20:17)

Bev McARTHUR: I invite members to vote against this clause.

Ingrid STITT: The government will not be supporting this amendment. IBAC, in its Operation Sandon special report – in the bill relating to CEO employment contracts, the government is committed to ensuring that Victorians can have confidence in the integrity of council decision-making, and this is an important reform to do so.

The DEPUTY PRESIDENT: Just before we move on: Ms Terpstra, I did ask you to put that toy away, please. If you can put it out of sight, that would be appreciated.

Sonja Terpstra interjected.

The DEPUTY PRESIDENT: There has been a point of order raised about it, and I have asked you to put it out of sight. I did see you playing with it while the minister was speaking, so could you please put it on the bench. No, not that bench. The seat – the bench seat.

Sonja Terpstra interjected.

The DEPUTY PRESIDENT: Put it out of sight on the velvet seat, please. We will just sit here until Ms Terpstra can put her toy down.

Sonja Terpstra interjected.

The DEPUTY PRESIDENT: I know you are looking at your phone. I have asked you to put the toy that is in your other hand on the seat beside you, please.

Sonja Terpstra interjected.

The DEPUTY PRESIDENT: That is a desk. The red benches are the seats we sit on.

Sonja Terpstra: You can't tell me what to do and what I can hold in my hand. What standing order are you relying on?

The DEPUTY PRESIDENT: Well, it is a prop, and you were playing with it.

Sonja Terpstra: It is not a prop, and you can't tell me what I can hold in my hand.

The DEPUTY PRESIDENT: You were playing with it. We have asked you not to play with it.

Sonja Terpstra: I was not playing with anything, and you were not looking.

The DEPUTY PRESIDENT: I saw it. You stretched it out.

Council divided on clause:

Ayes (22): Ryan Batchelor, John Berger, Lizzie Blandthorn, Jeff Bourman, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Noes (14): Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Clause agreed to.

Clause 28 (20:23)

Bev McARTHUR: I invite members to vote against this clause.

Ingrid STITT: The government will not be supporting this amendment.

Council divided on clause:

Ayes (22): Ryan Batchelor, John Berger, Lizzie Blandthorn, Jeff Bourman, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Noes (14): Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Clause agreed to.

Clauses 29 and 30 agreed to.

Clause 31 (20:27)

Bev McARTHUR: I invite members to vote against this clause.

Ingrid STITT: The government will not be supporting this amendment.

Council divided on clause:

Ayes (22): Ryan Batchelor, John Berger, Lizzie Blandthorn, Jeff Bourman, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Noes (14): Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Clause agreed to.

Clause 32 (20:31)

Bev McARTHUR: I move:

28. Clause 32, after line 2 insert –

‘(a) in paragraph (a), before “disclosure” **insert** “, as soon as practicable after becoming aware of the conflict of interest,”’.

29. Clause 32, line 3, omit “(a)” and insert “(b)”.

30. Clause 32, line 5, omit “(b)” and insert “(c)”.

Ingrid STITT: The government will not be supporting these amendments. They are in respect to disclosure of conflicts of interest and would affect the reforms that the government is seeking to bring, which were recommendations made by IBAC in its Operation Sardon special report. It is interesting that the opposition would be seeking to water down the effect of the government’s commitment to implement the recommendations of an IBAC report.

Amendments negatived; clause agreed to; clause 33 agreed to.

Clause 34 (20:32)

Bev McARTHUR: I invite members to vote against this clause.

Ingrid STITT: The government will not be supporting the omission of this clause.

Clause agreed to; clauses 35 to 44 agreed to.**New clauses 44A to 44D (20:34)**

Ingrid STITT: I move:

6. Insert the following New Clauses before Clause 45 –

‘44A Section 6B repealed

Section 6B of the **City of Melbourne Act 2001** is repealed.

44B New section 7A inserted

After section 7 of the **City of Melbourne Act 2001** insert –

“7A Application of Divisions 6 and 7 of the Local Government Act 2020

- (1) To avoid doubt, Division 6 of Part 8 of the **Local Government Act 2020** applies to the election of a single Councillor.

Note

See also section 18 in relation to the Lord Mayor and the Deputy Lord Mayor.

- (2) To avoid doubt, Division 7 of Part 8 of the **Local Government Act 2020** applies to the election of 2 or more Councillors, including for the purposes of a general election.”.

44C How votes to be counted

Section 18(2) of the **City of Melbourne Act 2001** is repealed.

44D Schedules 1, 2 and 3 repealed

Schedules 1, 2 and 3 to the **City of Melbourne Act 2001** are repealed.’.

These are consequential amendments to reflect the repeal of group voting ticket provisions in the City of Melbourne Act 2001.

New clauses agreed to.**New clause 45AA (20:35)**

Bev McARTHUR: I move:

4. Insert the following New Clause before clause 45 –

‘45AA Filling of vacancies

- (1) In section 24(1) of the **City of Melbourne Act 2001** omit “or Deputy Lord Mayor”.
 (2) After section 24(1) of the **City of Melbourne Act 2001** insert –

“(1A) If the office of Deputy Lord Mayor becomes vacant 6 months or more before a general election is due, the Council must appoint a Councillor to fill the vacancy.

(1B) If the Council appoints a Councillor to fill a vacancy under subsection (1A), an extraordinary vacancy occurs in the office of the Councillor on the date of the appointment and section 259 of the **Local Government Act 2020** does apply.”.’.

Ingrid STITT: This is a consequential one for the City of Melbourne deputy lord mayor, and we will support this amendment.

New clause agreed to; clause 45 agreed to.

New clauses 46AA to 46AJ (20:35)

Sarah MANSFIELD: I move:

2. Insert the following New Part after Part 4 –

‘Part 4A – Further amendment of City of Melbourne Act 2001

46AA Persons entitled to be enrolled without application

Section 9A(3), (4), (5) and (6) of the **City of Melbourne Act 2001** are repealed.

46AB Persons entitled to be enrolled

- (1) In section 9B(2) of the **City of Melbourne Act 2001**, omit “section 9A(3) and”.
- (2) In section 9B(3) of the **City of Melbourne Act 2001**, omit “section 9A(5) and”.

46AC Section 9D repealed

Section 9D of the **City of Melbourne Act 2001** is repealed.

46AD Limitations on right of entitlement

In section 9E(1) of the **City of Melbourne Act 2001**, omit “9A(3), 9A(5),”.

46AE Section 9F repealed

Section 9F of the **City of Melbourne Act 2001** is repealed.

46AF Request that address not be shown

In section 10(1) of the **City of Melbourne Act 2001** omit “9A(3), 9A(5),”.

46AG Chief Executive Officer to prepare voters’ list

In section 11A(2) of the **City of Melbourne Act 2001** omit “9A(3), 9A(5),”.

46AH Public notification

Section 11C(1)(b)(iii) of the **City of Melbourne Act 2001** is repealed.

46AI Preparation of voters’ rolls

In section 11D(4)(b) of the **City of Melbourne Act 2001**, for “9A(3), 9A(5), 9B, 9C or 9D” substitute “9B or 9C”.

46AJ Compulsory voting

Section 19(5) of the **City of Melbourne Act 2001** is repealed.’.

This is consequential to the amendment that passed previously about automatic enrolment.

New clauses agreed to; clause 46 agreed to.

Long title (20:36)

Ingrid STITT: I move:

7. Long title, after “2001” insert “to remove group voting tickets from the election of Councillors,”.

Amendment agreed to.

Bev McARTHUR: I move:

5. Long title, after valuation insert “, to enable a vacancy in the office of Deputy Lord Mayor to be filled by appointment”.

Amendment agreed to.

Sarah MANSFIELD: I move:

3. Long title, before “and for other purposes” insert “, to reduce entitlement to be enrolled on the voters’ roll without application”.

Amendment agreed to; amended long title agreed to.

Reported to house with amendments, including amended long title.

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (20:38): I move:

That the report be now adopted.

Motion agreed to.

Report adopted.

Third reading

Ingrid STITT (Western Metropolitan – Minister for Health, Minister for Mental Health, Minister for Ambulance Services, Special Minister of State) (20:38): I move:

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

Council divided on motion:

Ayes (22): Ryan Batchelor, John Berger, Lizzie Blandthorn, Jeff Bourman, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Anasina Gray-Barberio, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Noes (15): Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Motion agreed to.

Read third time.

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

Independent Broad-based Anti-corruption Commission Amendment Bill 2026

Introduction and first reading

The PRESIDENT (20:44): I have received a message from the Legislative Assembly:

The Legislative Assembly presents for the agreement of the Legislative Council 'A Bill for an Act to amend the **Independent Broad-based Anti-corruption Commission Act 2011** to broaden the concept of corrupt conduct and enhance the IBAC's ability to follow the money, to make consequential amendments to the **Public Interest Disclosures Act 2012** and for other purposes.'

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (20:45): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Lizzie BLANDTHORN: I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of charter compatibility

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (20:45): 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* (Charter), I make this Statement of Compatibility with response to the Independent Broad-based Anti-corruption Commission Amendment Bill 2026 (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 introduces amendments to the *Independent Broad-based Anti-corruption Commission Act 2011* (IBAC Act) to expand IBAC's jurisdiction to examine and investigate corruption.

The purpose of the Bill is to:

- Broaden the definition of 'corrupt conduct' to enable IBAC to investigate conduct that would constitute a 'serious disciplinary matter' or any offence, and
- Expand the definitions of 'public body' and 'public officer' to enable IBAC to investigate suspected corrupt conduct of persons performing public functions on behalf of the State, when the conduct is linked to the expenditure or use of public funds.

Human Rights Issues

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

- Right to freedom of movement (section 12)
- Right to privacy and reputation (section 13)
- Right to freedom of expression (section 15(2))
- Property rights (section 20)
- Right to a fair hearing (section 24(1))
- Right to protection against self-incrimination (section 25(2)(k)).

Currently the IBAC Act empowers IBAC to identify, investigate and expose 'corrupt conduct', but only if the conduct constitutes a 'relevant offence' (being an indictable offence against an Act or certain common law offences such as misconduct in public office and bribery of a public official). Clause 5(2) of the Bill removes the relevant offence requirement and expands IBAC's jurisdiction to include conduct that would constitute a 'serious disciplinary matter' (as defined under clause 4(a)) or 'any offence'. These changes will enable IBAC to investigate a wider range of unethical or integrity-comprising behaviours, common law offences, and summary offences which don't meet the current threshold for a relevant offence.

Clause 6 of the Bill enhances IBAC's capacity to examine corrupt conduct in the exercise or performance of public functions, including where those functions extend to private contractors if there is a connection between the alleged conduct and government funding. Pursuant to the amendments, IBAC will be empowered to investigate corrupt conduct of 'associated entities' as defined in clause 4(a), which will be included under the existing definitions of public body and public officer in section 6(1) of the IBAC Act. This will address corruption risks which are increasingly arising where public functions are delivered, or public funds are administered, beyond traditional government structures. This includes, for example, where there is misuse of public funds or lack of transparency of those funds, by a broader range of persons or entities who now deliver public functions, such as through public/private partnerships, or other complex contracting arrangements.

Clause 8(1) of the Bill provides transitional provisions to account for:

- active investigations underway before the commencement day or where IBAC has made a determination to investigate the complaint but taken no action,
- complaints or notifications already received by IBAC but not yet determined,
- complaints or notifications received after the commencement day and
- own motion investigations after the commencement day.

Investigations that have been finalised will not be subject to the reforms.

Clause 8(2) of the Bill provides a transitional provision to delay compliance with section 57 of the IBAC Act for a period of six months for any associated entity that will now be captured by IBAC's jurisdiction. This

seeks to provide IBAC additional time in which to update its policies and procedures and implement communications regarding the new obligations, so that any associated entities that do not already fall within IBAC's jurisdiction can be made aware of their new obligations.

There is a strong public interest in ensuring that public funds are utilised appropriately and in line with their intended purpose. The reforms promote transparency and seek to build public confidence in both IBAC and the public sector, by allowing Victorians to trust that IBAC is equipped to investigate and expose corruption. As Victoria's premier anti-corruption body, it is integral that IBAC is afforded necessary functions to examine and investigate the conduct of third parties who utilise public funds.

Expanding IBAC's jurisdiction in accordance with the Bill does not, of itself, engage any human rights. However, the expanded jurisdiction will mean that more individuals and a broader range of conduct will be subject to IBAC's scrutiny and investigative powers, consistently with the purposes of the Bill.

In my opinion, IBAC's expanded jurisdiction, as provided in the Bill, does not alter the way in which its existing investigative powers affect human rights protected by the Charter or remove the legitimate objectives of those powers.

I note that the human rights outlined in this statement may already have been affected or limited by the IBAC Act as it exists now. Previous statements of compatibility have concluded even where rights are limited any such limitation are reasonable and demonstrably justified in a free and democratic society in accordance with section 7(2) of the Charter. The Bill does not affect those previous assessments. Moreover, even if it is considered that the Bill does affect or limit a human right, any such limitation would also be reasonable and demonstrably justifiable based on those previous assessments and the existing safeguards and limitations on certain IBAC powers in the IBAC Act. For example, any interference with the right to privacy in section 13 of the Charter arising from IBAC's exercise of its powers will still be lawful and not arbitrary. This is because IBAC would not be properly equipped to perform its statutory functions of identifying, exposing and investigating corrupt conduct without its investigative powers, including the power to hold public examinations.

Further, although the Bill lowers IBAC's investigation threshold, it does not remove any of the safeguards that apply to the exercise of the IBAC's powers. Therefore, for any new persons or bodies that may be subject to IBAC's powers, as a result of the amendments, the existing safeguards afforded to public bodies or public officers as currently defined in the IBAC Act will apply.

Existing safeguards under current sections 60(4) and 60(5) will also apply in relation to the transitional provisions. This will ensure that IBAC does not investigate conduct which occurred prior to commencement if, for example, it considers the conduct is trivial or is not satisfied that it is in the public interest to investigate the conduct.

Conclusion

I am satisfied that the Bill is compatible with the Charter and does not limit any rights in the Charter, for the reasons set out above.

Ingrid Stitt MP

Minister for Health

Minister for Mental Health

Minister for Ambulance Services

Special Minister of State

Statement of treaty compatibility

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability)
(20:45): I lay on the table a statement of compatibility with the Statewide Treaty Act 2025:

1. In accordance with section 66 of the *Statewide Treaty Act 2025* (Vic) (Statewide Treaty Act), I table a statement of Treaty compatibility for the Independent Broad-based Anti-corruption Commission Amendment Bill 2026 (the Bill).
2. In my opinion, the Bill is compatible with the matters set out in section 66(3)(d) of the Statewide Treaty Act. I base my opinion on the reasons outlined in this statement.

Overview of the Bill

3. The Bill introduces amendments to the *Independent Broad-based Anti-corruption Commission Act 2011* (Vic) (IBAC Act) to expand the Independent Broad-based Anti-corruption Commission's (IBAC) jurisdiction to examine and investigate corruption.

4. The purpose of the Bill is to:
 - a. Broaden the definition of ‘corrupt conduct’ to enable IBAC to investigate conduct that would constitute a ‘serious disciplinary matter’ or any criminal offence, and
 - b. Expand the definitions of ‘public body’ and ‘public officer’ to enable IBAC to investigate suspected corrupt conduct of persons performing public functions on behalf of the State, when the conduct is linked to the expenditure or use of public funds.

Consultation with the First Peoples’ Assembly of Gellung Warl

5. The First Peoples’ Assembly of Gellung Warl (Assembly) was provided with information regarding the Bill and an opportunity to advise on the Bill in August 2026. Following receipt of this information, the Assembly provided a response as follows:
 - a. Gellung Warl does not seek formal engagement on the proposed legislation at this time and supports the work of the Independent Broad-based Anti-corruption Commission.

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:
 - a. advancing the inherent rights and self-determination of First Peoples
 - b. addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation, and
 - c. ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples.
7. I note that the conduct of private First Peoples-led business and Aboriginal and/or Torres Strait Islander Community Controlled Organisations (ACCOs) that may contract with government to deliver government services and provide a public function on behalf of the State may already be subject to IBAC’s jurisdiction.
8. However, the amendments in the Bill are not directed at First Peoples, nor is it expected that any aspect of the Bill will, in practice, have a differential impact on First Peoples. The amendments apply uniformly to all bodies and officers within the IBAC’s jurisdiction. There is a strong public interest in ensuring that public funds are utilised appropriately and in line with their intended purpose. As Victoria’s premier anti-corruption body, it is integral that IBAC is afforded the necessary functions and powers to examine and investigate the conduct of third parties who utilise public funds.

Conclusion

9. In my opinion, the Bill does not affect the objects specified in section 66(3)(d)(i) to (iii) of the Statewide Treaty Act and is therefore compatible with each of those objects.

Ingrid Stitt MP
Minister for Health
Minister for Mental Health
Minister for Ambulance Services
Special Minister of State

Second reading

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability)
 (20:45): I move:

That the bill be now read a second time.

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

I am pleased to introduce the Independent Broad-based Anti-corruption Commission Amendment Bill 2026 (Bill). The Bill amends the *Independent Broad-based Anti-corruption Commission Act 2011* (IBAC Act) to implement recommendations of the Integrity and Oversight Committee’s (IOC) report into the adequacy of the legislative framework for IBAC to broaden the definition of corrupt conduct and give IBAC the ability to follow the money.

The government has made clear that integrity is not optional. The Bill makes important and immediate amendments to IBAC’s jurisdiction to respond to strong public interest in ensuring public money is spent appropriately. However, the government acknowledges the amendments in the Bill alone will not address all the barriers identified with IBAC’s legislation and the integrity system more broadly.

Victoria's integrity agencies form part of an interconnected system, and the legislative frameworks that establish their powers, duties and functions interact with one another in various interconnected ways. As such, a change to one agency's powers and jurisdiction is likely to have flow-on impacts across the entire integrity system.

That is why the Expert Reference Group, established by the government in response to the IOC's report, will continue to provide advice on implementing the outstanding recommendations supported by government. The Expert Reference Group will provide this advice to government by May 2027, to inform a second tranche of reforms for introduction in Parliament by the end of 2027.

The government is committed to continuing to work with Victoria's integrity agencies to ensure their legislation enables them to perform their important accountability and oversight functions.

I will now turn to the substance of the Bill.

Broadening the definition of corrupt conduct

The Bill brings forward implementation of the IOC's recommendation to lower the threshold of behaviour that meets the definition of corrupt conduct under the IBAC Act, to address the broader limitations with IBAC's jurisdiction identified by IBAC and the IOC and ensure the Bill gives full effect to the government's commitment to empower IBAC to consider the unlawful and unethical use of public funds on major infrastructure projects.

Currently under the IBAC Act, conduct must constitute a relevant offence before IBAC can commence an investigation. Relevant offence is currently defined in the IBAC Act as:

- an indictable offence against an Act; or
- any of the common law offences of attempting to pervert the course of justice, bribery of a public official, perverting the course of justice, or misconduct in public office.

Both IBAC and the IOC highlighted that this definition limits IBAC from investigating other integrity-compromising behaviours that do not involve a relevant offence – for example, IBAC cannot investigate serious misconduct in isolation, nor can it examine broader governance or systemic failures unless the conduct meets the threshold for a relevant offence.

To address this issue, the Bill makes amendments to lower the threshold of behaviour that can be considered corrupt conduct, to capture a broader range of criminal conduct and other integrity-compromising behaviour.

The Bill provides that the conduct at subsections 4(1)(a)–(e) amounts to corrupt conduct if it would constitute an offence, or a serious disciplinary matter.

To address feedback that the current definition of relevant offence limits IBAC from considering potential criminal conduct if the conduct does not constitute a statutory indictable offence nor one of the specified common law offences, the Bill removes the requirement that the conduct constitute a relevant offence and replaces this with *any criminal offence*. This ensures IBAC can consider a broader range of potential criminal conduct, including conduct by associated entities performing public functions.

The new second limb of the definition, 'serious disciplinary matter', is defined in the Bill as:

- any serious misconduct; or
- any other matter that constitutes or may constitute grounds for –
 - termination of employment, appointment or engagement (whether under contract or otherwise); or
 - a significant employment, appointment or contractual penalty or sanction; or
- a serious contravention of various codes of conduct applying to Members of Parliament (MPs), Ministers, Parliamentary Secretaries and local government councillors.

The inclusion of serious disciplinary matters will broaden IBAC's jurisdiction to cover a wider range of unethical or integrity-compromising behaviours, even where they do not involve suspected criminal conduct. The new limb also includes specific coverage for serious breaches of certain codes of conduct to ensure elected officials who are not subject to a traditional employment, contractual or appointment relationship are held to the same standard as other public officers.

Importantly, while the amendments will result in a considerable expansion of the nature of conduct that IBAC can consider, the conduct will still need to satisfy the other requirements in section 4 to constitute corrupt conduct. Further, the Bill does not otherwise change the legislative requirement for IBAC to prioritise serious or systemic corrupt conduct – rather, it allows IBAC to consider a broader range of circumstances that may give rise to serious and systemic corrupt conduct.

Empowering IBAC to follow the money

The Bill will also clarify and expand IBAC's jurisdiction to enable it to investigate allegations of corrupt conduct linked to the use of public funds and publicly funded projects, regardless of whether the funds are expended through public or private entities, where there is a connection between the alleged conduct and government funding.

Currently, corrupt conduct is defined in the IBAC Act with reference to certain types of conduct engaged in by, or affecting, a 'public officer' or 'public body'. The definitions of public officer and public body already encompass any persons or bodies that are performing a public function on behalf of the State or a public officer or public body, including those under contract. However, there is some legislative complexity regarding what constitutes a public function. While the IBAC Act provides a non-exhaustive list of factors that may be considered when determining what is a public function, the fact that one or more of these factors are present does not necessarily result in a function being a public function.

IBAC and other stakeholders have raised challenges posed by bodies that deliver both public and non-public functions, noting that determining the extent to which it can investigate alleged conduct involving such a body or its officers, particularly where the allegations relate to both its public and non-public functions, can be difficult in practice.

To give effect to the government's commitment to empower IBAC to follow the money, the Bill will amend the definitions of public body and public officer in the IBAC Act to include reference to 'associated entities', drawing on the definitions in the *Audit Act 1994*. This will expand IBAC's jurisdiction to allow IBAC to investigate third party and private contractors where there is a link between the alleged conduct and government funding and give effect to the IOC's recommendation by adapting VAGO's information-gathering powers to support IBAC's investigative role and functions.

Importantly, the amendments in the Bill will not allow IBAC to investigate the mere use of public funds or other substandard, illegal, or unlawful conduct that is unrelated to the performance of public functions.

Consequential minor and technical amendments

The Bill also addresses a secondary issue identified by IBAC in relation to the definition of 'relevant principal officer'. IBAC identified that the IBAC Act contains a gap as not every 'public body' has a corresponding 'relevant principal officer'. To address this issue, the Bill makes consequential amendments to the definition of relevant principal officer to include the head of an organisation that qualifies as a 'public body'.

The Bill also makes consequential amendments to the *Public Interest Disclosure Act 2012* (PID Act) to provide that amendments to include associated entities in the definitions of public officer and public body in the IBAC Act do not apply to the PID Act. This approach is intended to avoid potential flow-on impacts to the PID scheme resulting from the inclusion of associated entity within the definitions of public officer and public body in the IBAC Act (which are adopted in the PID Act), noting the Expert Reference Group will consider broader reform to the PID scheme as part of its report to government.

Transitional provisions

Consistent with the government's commitment, the reforms will allow IBAC to look at certain conduct that occurred prior to the commencement of the Bill, subject to appropriate limitations.

The Bill includes transitional provisions that will allow IBAC to apply the reforms to conduct that:

- is the subject of a complaint or notification that IBAC received but has not determined to dismiss, investigate or refer before to the commencement of the Bill;
- is the subject of a complaint or notification that IBAC had determined to investigate but had not completed investigating before the commencement of the Bill;
- is the subject of an own motion investigation that IBAC had commenced but had not completed before the commencement of the Bill;
- was not the subject of a complaint or notification to the IBAC that the IBAC had dismissed, referred to another person or body or completed investigating before the commencement of the Bill, or was not the subject of an own motion investigation that IBAC had completed before the Bill's commencement.

Importantly, the Bill does not enable IBAC to use the reforms to reopen or redetermine matters that it has already considered. The Bill makes minor amendments to ensure the additional criteria and safeguards for IBAC to be able to conduct investigations in relation to conduct which occurred entirely before the Bill commenced. This approach will ensure IBAC is empowered to use its resources effectively and adheres to the legal principle of finality.

Commencement

To ensure IBAC can utilise these important amendments immediately, the Bill provides for commencement on the day after Royal Assent.

However, as IBAC's jurisdiction will now extend to a wider range of conduct within a broader range of organisations, the Bill delays commencement of mandatory corrupt conduct reporting obligations under section 57 of the IBAC Act for associated entities that come under IBAC's jurisdiction as result of the Bill for a period of six months from the date of commencement of the Bill.

This approach has been requested by IBAC to provide it time to work with impacted agencies to raise awareness of their new obligations, while ensuring the reforms can otherwise commence in a timely manner.

I am proud to deliver these important reforms the operation of IBAC to strengthen the integrity and accountability of our institutions and the proper use of public funds.

I commend the Bill to the house.

Evan MULHOLLAND (Northern Metropolitan) (20:46): I move:

That debate on this bill be adjourned for one week.

Motion agreed to and debate adjourned for one week.

Inquiries Amendment (Special Prosecutor) Bill 2026*Introduction and first reading*

The PRESIDENT (20:46): 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 **Inquiries Act 2014** to establish a Special Prosecutor to assist the Construction Royal Commission, to strengthen a Royal Commission's power to require information and for other purposes.'

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (20:46): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Lizzie BLANDTHORN: I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of charter compatibility

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (20:47): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

Opening paragraphs

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (**Charter**), I make this Statement of Compatibility with respect to the Inquiries Amendment (Special Prosecutor) Bill 2026 (**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 seeks to amend the *Inquiries Act 2014* (**Inquiries Act**) to establish the Office of the Special Prosecutor, led by an appointed Special Prosecutor, to work cooperatively and in conjunction with the Royal Commission into the Integrity of Major Public and Civil Infrastructure Construction Projects in Victoria (**Royal Commission**). The Royal Commission was established by the Letters Patent dated 20 August 2026, as published in the Government Gazette on the same date.

The Victorian Government undertakes major public and civil infrastructure projects on behalf of the Victorian Community. It is essential that such projects are conducted with the highest possible level of integrity and have the trust and confidence of the Victorian public. The Royal Commission was established to identify the nature and extent of corruption, criminal conduct and serious misconduct affecting Victorian government-funded construction projects.

A Royal Commission has no power to prosecute or compile a brief of evidence under the Inquiries Act. This is appropriate given the role of a Royal Commission as an inquisitorial forum, rather than adversarial forum with judicial or prosecutorial powers. However, the Royal Commission has the potential to uncover evidence of criminality and corruption.

The Special Prosecutor is intended to work in parallel to the Royal Commission to provide information to Victoria Police, the Independent Broad-based Anti-Corruption Commission (**IBAC**), regulatory and licensing authorities, or other appropriate Victorian, Interstate, Territory and Commonwealth bodies, and for those entities to consider whether to take relevant actions in accordance with their functions.

The Bill will allow for information to be shared between the Royal Commission and the Special Prosecutor, and between the Special Prosecutor and relevant agencies, for this purpose as well as make other related minor and technical amendments to the Inquiries Act.

Human Rights Issues

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

- right to freedom from forced work (section 11 of the Charter)
- right to privacy and reputation (section 13 of the Charter)
- right to peaceful assembly and freedom of association (section 16 of the Charter)

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

Right to freedom from forced work

Section 11(2) of the Charter provides that a person must not be made to perform forced or compulsory labour.

The Bill will insert a new power for the Royal Commission to compel a person via a written notice to produce information or a statement in writing to the Royal Commission before a specified time and in a specified manner. This may require the creation of a new document outlining the person's knowledge or a document containing answers to specific questions.

As individuals will be compelled to prepare these documents or responses by law, it is conceivable that this new power impinges on the right to not be made to perform forced or compulsory labour.

Compulsion powers strengthen a Royal Commission's ability to be provided with, and consider, the full extent of evidence required to thoroughly investigate the matters it is tasked with under the Letters Patent. Individuals compelled to provide evidence, whether documents already in existence or the creation of new documents, do so in order to ensure that the Royal Commission considers all relevant evidence and information.

It is also arguable that responding to the exercise of a lawful compulsion power under the Bill falls within an exemption provided for by section 11(3)(c) of the Charter which states that forced or compulsory labour does not include work or service that forms part of normal civil obligations. Further, in circumstances where the individual considers that the Royal Commission has arbitrarily issued the notice compelling specified information, thereby impinging on their right to freedom from forced work, section 18 of the Inquiries Act provides an ability for the individual to make a claim to the Royal Commission that they have a reasonable excuse for failing to comply with the notice.

The Bill may engage the right to freedom from forced work; however, in my view any limitation is reasonable and demonstrably justified in accordance with section 7(2) of the Charter.

Right to privacy and reputation

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

The Charter contains internal qualifications on this right, being that interferences with privacy only limit the right if it is unlawful or arbitrary. An interference will generally be lawful where it is precise and appropriately circumscribed and will generally be arbitrary only where it is capricious, unpredictable, unjust, or unreasonable, in the sense of being disproportionate to the legitimate aim being sought.

The Bill establishes the Office of the Special Prosecutor, led by an appointed Special Prosecutor, who will receive information obtained by the Royal Commission under existing provisions in the Inquiries Act. The Bill includes amendments to the Inquiries Act to specify obligations relating to the confidentiality, sharing, and use of information obtained by the Special Prosecutor. The Special Prosecutor will be subject to the existing obligations, restrictions and exemptions that apply to Royal Commissioner officers. This includes subjecting the Special Prosecutor to confidentiality provisions under the Inquiries Act and prohibiting the Special Prosecutor from knowingly disclosing any information acquired during their appointment, except in prescribed circumstances.

The Bill will enable the Royal Commission to disclose to the Office of the Special Prosecutor any acquired information, including information received from regulatory and licensing authorities it considers relevant and appropriate for the performance of the functions of the Special Prosecutor under the Inquiries Act or any other Act.

These amendments will enable regulated flow of information obtained by the Royal Commission to the Special Prosecutor for the purpose of assessing whether it would be appropriate to provide that information to Victoria Police, IBAC, regulatory and licensing authorities, or other appropriate Victorian, Interstate, Territory and Commonwealth bodies, for those entities to consider whether to take relevant actions in accordance with their functions. This is in accordance with the objectives of the Royal Commission as set out in the Letters Patent.

The Bill also includes amendments to the Inquiries Act specifying that any person who receives information from the Special Prosecutor during the Royal Commission's inquiry, must not take advantage of that information.

Once the Office of the Prosecutor ceases to exist, their records will be transferred to the Department of Premier and Cabinet or any other body determined by the Premier, such as the Department of Government Services. The information must be managed in accordance with existing information, privacy or public record laws. This includes the lawful handling, disclosure or transfer of such information, where appropriate, to the Public Records Office of Victoria.

The information held by the Office of the Special Prosecutor is likely to contain personal and identifying information of individuals involved in Victorian government-funded construction projects, including witnesses and other individuals identified by the evidence obtained and disseminated by the Royal Commission. The information could be damaging to an individual's reputation where there are allegations of corruption, crime or serious misconduct.

Further, the Bill inserts a new power for a Royal Commission to compel a person via a written notice to produce information or a statement in writing to the Royal Commission before a specified time and in a specified manner. The requested information may contain personal or sensitive information relating to the affairs of the compelled person, which may also be detrimental to their reputation.

However, to the extent that the Bill may interfere with the privacy of persons to whom the information or documents relate, the interference will not be unlawful or arbitrary. The interference will be prescribed by law and only shared for specific and limited purposes, as set out above. Further, the information sharing arrangements for the Construction Royal Commission are for a limited period and purpose. While the proposed compulsion powers will endure beyond the life of the Construction Royal Commission, they will arm this and future Royal Commission with the ability to obtain thorough and fulsome evidence upon which to conduct its inquiry.

Crucially, the sharing of information is necessary to support the Royal Commission's inquiry and enable the provision of information to relevant bodies for the purpose of identifying the nature and extent of corruption, criminal conduct and serious misconduct in relation to the major construction projects in Victoria. This will help to rebuild trust in the integrity of the major construction sector in Victoria.

The Bill may engage the right to privacy and reputation; however, in my view any limitation is reasonable and demonstrably justified in accordance with section 7(2) of the Charter.

Right to peaceful assembly and freedom of association

Section 16 of the Charter protects the right to gather for a common purpose or to pursue common goals, such as protesting, gathering or meeting, whether in public or in private. This includes forming an industrial or trade union or similar group to protect common interests. The right to peaceful assembly and freedom of association is considered essential for the public expression of a person's views and opinions.

The Royal Commission will investigate allegations of corruption, criminal conduct and serious misconduct that have been alleged to have occurred in major public and civil construction projections. Such allegations include the manipulation and misuse of contracting arrangements and industrial processes to confer benefits

on entities and individuals without legitimate or proper basis, misappropriation and wastage of public funds allocated to the delivery of projects, and the use of violent and intimidatory behaviours.

A wide range of industrial and trade unions have been involved in the development and delivery of Victorian government-funded construction projects. As a part of its inquiry, it is likely that the Royal Commission will investigate the involvement of specific industrial and trade unions. Consequently, information involving relevant industrial and trade unions may be shared with the Special Prosecutor.

It is not intended that the Bill will limit the right of peaceful assembly or freedom of association with particular industrial and trade unions. The Special Prosecutor will have the power to provide information to Victoria Police, IBAC, regulatory and licensing authorities, and other appropriate Victorian, Interstate, Territory and Commonwealth bodies about industrial and trade unions. Any provision of information from the Special Prosecutor, or consequential investigatory, prosecutorial or regulatory action taken, may lead to some individuals being deterred from joining the relevant industrial or trade union. However, such provision of information is necessary to prevent and mitigate the risk of corruption, crime and serious misconduct on major construction projects in the future and in doing so to protect the right to peaceful assembly and freedom of association.

It is for this reason that I consider that the Bill is compatible with the right to peaceful assembly and freedom of association.

Conclusion

Having considered all relevant factors, I am satisfied that the Bill is compatible with the Charter. To the extent that any rights are limited, the limitation is reasonable and able to be justified in a free and democratic society based on human dignity, equality and freedom in accordance with section 7(2) of the Charter.

Ingrid Stitt MP

Minister for Health

Minister for Mental Health

Minister for Ambulance Services

Special Minister of State

Statement of treaty compatibility

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability)
(20:47): I lay on the table a statement of compatibility with the Statewide Treaty Act 2025:

1. In accordance with section 66 of the Statewide Treaty Act 2025, I table a statement of Treaty compatibility for the Inquiries Amendment (Special Prosecutor) Bill 2026 ('the Bill').
2. In my opinion, the Bill is compatible with the matters set out in section 66(3)(d) of the *Statewide Treaty Act 2025* (**Statewide Treaty Act**). I base my opinion on the reasons outlined in this statement.

Overview of the Bill

3. The Bill introduces amendments to the *Inquiries Act 2014* (**Inquiries Act**) to establish the Office of the Special Prosecutor to work cooperatively and in conjunction with the Royal Commission into the Integrity of Major Public and Civil Infrastructure Construction Projects in Victoria (**Construction Royal Commission**).
4. Proposed amendments to the Inquiries Act will:
 - 4.1. Establish the statutory Office of the Special Prosecutor, led by the Special Prosecutor.
 - 4.2. Prescribe provisions relating to confidentiality, sharing, and use of information obtained by the Special Prosecutor to allow information exchange with the Construction Royal Commission. This includes information acquired by the Commission from Victoria Police, the Independent Broad-based Anti-corruption Commission (**IBAC**), and other relevant persons or bodies.
 - 4.3. Enable a Royal Commission to compel the production of written information and statements that are not in existence at the time the notice to produce is issued.
 - 4.4. Make minor and technical amendments to the operation of the Inquiries Act.
5. The Bill will also make necessary consequential amendments to the Inquiries Act, the *Integrity Oversight Victoria Act 2011* and the *Independent Broad-based Anti-corruption Commission Act 2011*.

Consultation with the First Peoples' Assembly of Gellung Warl

6. The First Peoples' Assembly was not given an opportunity to advise on and did not make representations on the Bill, based on my understanding that it is unlikely to have a significant impact on First Peoples or Statewide Treaty.

Compatibility of the Bill with each of the objects in section 66(3)(d) of the *Statewide Treaty Act 2025*

7. I have considered whether the Bill is compatible with the objects set out at section 66(3)(d) of the Statewide Treaty Act:
 - 7.1. advancing the inherent rights and self-determination of First Peoples (section 66(3)(d)(i));
 - 7.2. addressing the unacceptable disadvantage inflicted on First Peoples by the historic wrongs and ongoing injustices of colonisation (section 66(3)(d)(ii)); and
 - 7.3. ensuring the equal enjoyment of human rights and fundamental freedoms by First Peoples (section 66(3)(d)(iii)).
8. The amendments do not on their terms deal with First Peoples, nor is it expected that any aspects of the Bill will, in practice, have a differential impact of First Peoples. As explained in the overview, the amendments to the Inquiries Act seek to establish a new Office of the Special Prosecutor to support the Construction Royal Commission, and make other necessary minor and technical amendments. It therefore does not affect the objects of the Statewide Treaty Act.

Conclusion

9. In my opinion the Bill does not affect the objects specified in section 66(3)(d)(i)–(iii) of the Statewide Treaty Act and is therefore compatible with each of those objects.

Ingrid Stitt MP
Minister for Health
Minister for Mental Health
Minister for Ambulance Services
Special Minister of State

Second reading

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability)
 (20:47): I move:

That the bill be now read a second time.

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

The Bill is an important step towards the Victorian Government's commitment to upholding integrity and uncovering misconduct in Victoria's construction industry.

The Bill seeks to amend the *Inquiries Act 2014* (**Inquiries Act**) to establish the Office of the Special Prosecutor, led by an appointed Special Prosecutor, to work cooperatively and in conjunction with the Royal Commission into the Integrity of Major Public and Civil Infrastructure Construction Projects in Victoria (**Royal Commission**).

The Victorian Government undertakes major public and civil infrastructure projects on behalf of the Victorian Community. It is essential that such projects are conducted with the highest possible level of integrity and have the trust and confidence of the Victorian public. The Royal Commission has been established to identify the nature and extent of corruption, criminal conduct and serious misconduct affecting Victorian government-funded construction projects.

The Royal Commission was established by the Letters Patent dated 20 August 2026, as published in the Government Gazette on the same date. The objectives and Terms of Reference are set out in the Letters Patent.

A Royal Commission has no power to prosecute or compile a brief of evidence under the Inquiries Act. This is appropriate given the role of a Royal Commission as an inquisitorial forum, rather than adversarial forum with judicial or prosecutorial powers. However, the Royal Commission has the potential to uncover evidence of criminality and corruption.

The Special Prosecutor is intended to work in parallel to the Royal Commission to provide information to Victoria Police, the Independent Broad-based Anti-Corruption Commission (**IBAC**), regulatory and licensing authorities or other appropriate Victorian, Interstate, Territory and Commonwealth bodies to consider relevant actions in accordance with their functions.

The Bill will ensure that there is a dedicated, specialist resource working alongside the Royal Commission, so that when wrongdoing is uncovered, it is investigated and prosecutions pursued.

Given the complexities associated with legislating for a fully empowered Office of the Special Prosecutor, necessary reforms will be undertaken in two tranches. This Bill is tranche one of the reforms to establish the

Office of the Special Prosecutor and provides scope for information sharing by and with the Special Prosecutor.

Tranche two of the reforms will be progressed in early 2027 to provide additional powers and functions to the Special Prosecutor, subject to consultation, and may include further information sharing, investigatory, and prosecutorial powers, and to make other consequential amendments as required such as amendments relating to the admissibility of evidence obtained by the Construction Royal Commission in subsequent legal proceedings.

I now turn to the details of the Bill.

Appointment of the Special Prosecutor

The Special Prosecutor will focus on ensuring that appropriate action can be undertaken by relevant law enforcement, integrity and regulatory bodies where evidence passed on from the Royal Commission indicates that further investigation and action could be taken to address instances of criminal or corrupt conduct and serious misconduct. The Special Prosecutor will do this by working in cooperation and collaboration with the Royal Commission to provide relevant information to the appropriate body for them to consider whether to take relevant actions in accordance with their functions.

This Bill provides the legislative vehicle to create the statutory Office of the Special Prosecutor in the Inquiries Act, consisting of one Special Prosecutor appointed by the Governor in Council, on the recommendation of the Premier following consultation with the Construction Royal Commissioner.

The Bill provides that the Special Prosecutor must be an Australian lawyer of at least 8 years' standing and provides for an initial appointment term of up to two years. This appointment may be extended by up to 12 months by the Governor in Council, on the recommendation of the Premier.

In the event that a Crown Prosecutor is appointed as the Special Prosecutor, the Special Prosecutor will have the right to return to their position as Crown Prosecutor for the remainder of their appointment term once they cease their role as the Special Prosecutor. If a Senior Crown Prosecutor is appointed as the Special Prosecutor, the Special Prosecutor will retain their pension entitlements and any other rights or privileges that the person may be entitled to as a Senior Crown Prosecutor.

To ensure independence of the role, the Special Prosecutor will not be subject to the direction or control of the Premier or any other Minister, in respect of the performance of their duties and functions and the exercise of their power.

The performance by the Special Prosecutor of their functions and the exercise of their powers will be carried out fairly and independently. The Special Prosecutor will remain a 'public body' for the purposes of the *Independent Broad-based Anti-corruption Commission Act 2011*, and therefore subject to oversight by IBAC.

The independence from government is central to public confidence in the Special Prosecutor's operations, as it will ensure that the performance of their functions is conducted without government influence.

Powers and functions of the Special Prosecutor

The Bill sets out the powers and functions of the Special Prosecutor in accordance with the Royal Commission's Letters Patent. The Special Prosecutor will have the power to do all things that are necessary or convenient to be done for, or in connection with, or as incidental to, the performance of their duties and functions.

The Bill will enable the Royal Commission to disclose to the Special Prosecutor any acquired information, including information received from regulatory and licensing authorities, it considers relevant and appropriate for the performance of the functions of the Special Prosecutor under the Inquiries Act or any other Act.

Under this Bill, the Special Prosecutor has the function to work cooperatively with the Construction Royal Commission to provide information to Victoria Police, the IBAC, regulatory or licensing authorities and other relevant bodies to consider relevant actions in accordance with their functions. This will streamline appropriate action being taken by relevant bodies where corruption, criminal conduct and serious misconduct is identified and help to rebuild trust in the integrity of the major construction sector in Victoria.

The Bill places important safeguards on the use of the information acquired by the Special Prosecutor. The Special Prosecutor will be subject to the existing obligations, restrictions and exemptions that apply to Royal Commission officers. This includes subjecting the Special Prosecutor to confidentiality provisions under the Inquiries Act and prohibiting the Special Prosecutor from knowingly disclosing any information acquired during their appointment, except in prescribed circumstances.

The Bill also includes amendments to the Inquiries Act specifying that any person who receives information from the Special Prosecutor during the Royal Commission's inquiry, must not take advantage of that information.

In exercising its powers and functions, the Special Prosecutor will be protected from legal liability, similar to immunities currently provided to Royal Commissioners and staff members of Royal Commissions under the Inquiries Act.

Removal of the Special Prosecutor

The Special Prosecutor may resign from the Office by delivering to the Premier a signed letter of resignation. The Bill also provides that the Governor in Council, on the recommendation of the Premier, will have the authority to remove a person appointed as the Special Prosecutor based on stipulated grounds. This includes the ground of misconduct, neglect of duty, inability to perform the duties of the office, or any other ground on which the Special Prosecutor is unfit to hold office.

During any vacancy in the role, the Governor in Council will be able to appoint a person to act in the Office of the Special Prosecutor on the recommendation of the Premier for a period of up to three months.

The Office of the Special Prosecutor will cease to operate six months following the tabling of the Royal Commission's final report. This will allow the Special Prosecutor to continue providing information to relevant bodies following the cessation of the Royal Commission, if required.

Power to compel information

The Bill will introduce new powers under the Inquiries Act for a Royal Commission, including the Construction Royal Commission, to compel the provision of information and/or statement. This will broaden existing powers under the Inquiries Act which only allow a Royal Commission to require the production of a document or things in existence at the time the notice to produce is issued.

The proposed amendments in the Bill will enable the Construction Royal Commission, and future Royal Commissions, to compel a person via written notice to give information or a statement, in writing, to the Royal Commission before a specified time and in a specified manner. This is intended to include information created from a person's knowledge in addition to information held in documents. This reform means that the Royal Commission can gather specific information by requiring a person to respond to questions in writing, to give specific written information and/or give a witness statement relevant to the subject-matter of the inquiry. These processes will ensure that Royal Commissions will be more efficient in gathering evidence. For example, a person can be required to give evidence in writing by responding to specific questions without the need to give oral evidence at a hearing, where the Royal Commission considers this is appropriate. These amendments will endure beyond the life of the Royal Commission and the Office of the Special Prosecutor.

Conclusion

The Bill ensures that the Special Prosecutor is empowered to perform their role and work cooperatively with the Royal Commission. It also provides the Commission with broader powers to acquire information relevant to its inquiry.

The Special Prosecutor will play a key role in increasing confidence in the integrity of the Victorian construction industry, ensuring that relevant information can be provided to appropriate bodies to consider relevant actions in accordance with their functions. The Royal Commission and the Special Prosecutor will represent another important step forward to ensure that the events that led to the Royal Commission can never occur again.

I commend the Bill to the House.

Evan MULHOLLAND (Northern Metropolitan) (20:47): I move:

That debate be adjourned for one week

Motion agreed to and debate adjourned for one week.

Justice Legislation Amendment (Family Violence, Coercive Control, Good Character, Risk Assessment and Other Matters) Bill 2026

Council's amendments

The PRESIDENT (20:47): I have received a message from the Legislative Assembly in respect of the Justice Legislation Amendment (Family Violence, Coercive Control, Good Character, Risk Assessment and Other Matters) Bill 2026:

The Legislative Assembly informs the Legislative Council that, in relation to 'A Bill for an Act to amend the **Crimes Act 1958**, the **Criminal Procedure Act 2009**, the **Equal Opportunity Act 2010**, the **Family Violence Protection Act 2008**, the **Fines Reform Act 2014**, the **Infringements Act 2006**, the **National Domestic Violence Order Scheme Act 2016**, the **Personal Safety Intervention Orders Act 2010**, the

Road Safety Act 1986, the Sentencing Act 1991, the Summary Offences Act 1966 and the Youth Justice Act 2024 and for other purposes' the amendments made by the Council have been agreed to.

Business of the house

Adjournment

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (20:48): I move:

That the Council, at its rising, adjourn until Tuesday 22 September 2026.

Motion agreed to.

Bills

Fair Work (Commonwealth Powers) Amendment Bill 2026

Second reading

Debate resumed on motion of Jaclyn Symes:

That the bill be now read a second time.

Evan MULHOLLAND (Northern Metropolitan) (20:48): I rise to speak on this most exciting piece of legislation. I think it has been eagerly anticipated by this chamber for some time: the Fair Work (Commonwealth Powers) Amendment Bill 2026. First of all, I would like to thank my colleague in the other place, the member for Brighton and Shadow Attorney-General, for the work and briefings he has done on this particular bill. But I would note that the government refused to accommodate a bill briefing in the appropriate time. He did undertake wide consultation across sectors with almost no feedback received other than from the Police Association Victoria, who support the amendments that are in their purview. The opposition, I am pleased to announce to the chamber, does not oppose this bill, principally in recognition of the position of the Police Association Victoria, who support the legislation and are best placed to represent the interests of their members. There is, however, a broader question about the continued transfer of Victorian responsibilities to Commonwealth bodies. It remains to be demonstrated whether the Fair Work Commission has the detailed understanding of Victoria Police, the Victorian public sector and local government workplaces necessary to deal effectively with these matters. Where concerns relate specifically to Victoria Police employees, there is a strong argument that Victorian institutions should retain an important role in investigating and resolving them. We need greater certainty and clarity rather than greater complexity.

The bill creates an interaction between the Victoria Police Act 2013, Commonwealth workplace law, future enterprise instruments, the Fair Work Commission and the Police Registration and Services Board. The practical consequences will need to be closely watched. Decisions involving promotion, transfer, fitness, discipline and termination will require particularly careful documentation, especially where adverse action proceedings turn on the reasons of individual decision-makers.

A significant concern remains the unquantified financial and administrative impact of the legislation. Neither the explanatory memorandum nor the second-reading speech adequately identifies the likely number of additional Fair Work proceedings, legal costs, training requirements and additional demands of the Police Registration and Services Board. I am not overly keen to keep people in committee, so I will just repeat that if the government might make available that our view that neither the explanatory memorandum nor the second-reading speech adequately identifies the likely number of additional Fair Work proceedings, legal costs, training requirements or additional demands on the Police Registration and Services Board, this is something that we would be keen to know. With the election approaching, the opposition is keen to understand what the legislation will actually cost taxpayers or even be given a ballpark. We need to be responsible and disciplined, I think. Often the approach of those opposite has been 'Things cost what they cost.' As the alternative government, we reserve the right to closely monitor its implementation, administrative burden and cost and to respond

to the new framework if it proves inefficient or unnecessarily complicated. Our position is therefore measured. We respect the police association's support and will not oppose the bill, but that should not be mistaken for the absence of legitimate concerns about complexity, effectiveness and cost.

This bill allows me, very briefly, indulgence to speak on broader issues of police and broader issues of crime. Particularly, I wanted to speak about crime in my own electorate in the northern suburbs. It is basically every day we wake up in the northern suburbs to another tragic incident. They are not statistics; they are real people. It is a horrible, horrific stabbing, a shooting or a firebombing. This is the reality of being in and from the northern suburbs.

Recently in Thomastown a 22-year-old was fatally shot in front of his friends. In Epping a man in his 50s was stabbed to death in his own home. In Craigieburn we saw a young teenager dumped out the front of the local community hospital. We also saw Craigieburn Central nearby recently plunged into lockdown after gunshots were fired. At Northland shopping centre we have seen numerous incidents of machete gang brawls and even a car rampage. What response did we see from the government? More statements, more announcements and more promises and not really much action.

These are not isolated incidents. My constituents daily live in fear. They are afraid in their own homes. I say this to every family in the northern suburbs. You deserve so much better. You deserve to feel safe in your own home. You deserve to park your car outside your house without worrying it will not be there the next morning. You deserve not to have to worry about your small business being firebombed, vandalised or broken into. We saw insurance data today that shows that Victoria is the car theft capital of the nation. When we say as the Liberals and Nationals that we want to lower costs for all Victorians, this is the kind of thing that we mean. This is the kind of thing where our policies can make a real impact on lowering costs for Victorians. We have the highest insurance premiums in the country because we have the highest car theft rate in the country. We have the highest crime rates in the country. All Victorians deserve a government that takes their concerns seriously.

It does not have to be this way, and under a Jess Wilson Liberals and Nationals government we will recruit 3000 more police onto our streets so that we can reopen the more than 40 police stations that have had reduced operating hours or been closed completely under this government. It was not just Jacinta Allan that was closing police stations. Ben Carroll might say he wants police stations open, but he has closed Fitzroy, Collingwood and Southbank police stations. That has happened under his watch. He might say that he wants to see police stations open, but he clearly does not. This is why we need a strong response to recruit 3000 new police, as the Liberals and Nationals and as Jess Wilson will do if elected to government. We need a serious plan to reopen those police stations. But also, what police stations are next? We see continuously Craigieburn police station temporarily closed. Is Craigieburn police station next on the chopping block when it comes to Ben Carroll's police station closures? I think that is a legitimate question because it has already had reduced operating hours, and on certain days without warning it is temporarily closed. We need the government to rule out closing Craigieburn police station permanently.

As I said, we will recruit 3000 new police. We will introduce real 'adult crime, adult time' laws, we will introduce a one-strike rule for bail with actual 'break bail, face jail', we will restore real consequences for criminal behaviour and we will put PSOs back at train stations like Roxburgh Park train station and Coolaroo train station. This is a real plan to keep Victorians safe, and it can only happen by voting for the Liberals and Nationals on 28 November. As I said, we do not oppose this bill. I am somewhat a supporter of states' rights, as a federalist. But in this case we are happy to not oppose this bill and see these powers transferred.

Aiv PUGLIELLI (North-Eastern Metropolitan) (20:59): I rise to speak on behalf of my Greens colleagues and myself on this bill. I will be as brief as I can, given the hour. Victorian public sector workers should not miss out on modern fair work protections simply because of the way Victoria referred its industrial relations powers to the Commonwealth years ago. The Fair Work Commission is an independent Commonwealth statutory tribunal, and the Fair Work Act 2009 is Commonwealth

legislation. The bill extends more recent Fair Work protections concerning flexible work, pay secrecy, fixed-term contracts and casual employment to Victorian public sector and local government workers generally. Those are broader public sector reforms that the Greens support, extending ordinary workplace protections to all public service employees, including police employees. Police officers are workers, and they should have fair workplace rights.

But that does not mean we support every part of this bill. The bill goes far beyond giving police fair industrial rights by allowing future enterprise agreements and workplace determinations to replace statutory provisions in other legislation that perform important public integrity and police accountability functions.

The Parliament of Victoria has deliberately put some things into the Victoria Police Act 2013 because they concern more than ordinary employee relations. Police exercise coercive state powers. Provisions about the code of conduct, mandatory suspension responses to substantiated IBAC misconduct and access to evidence from alcohol or drug testing all serve key public integrity and accountability functions as well as an employment function. Police are not an ordinary workforce. Parliament gives police powers that other workers do not have: the power to detain people and search them, enter homes, use force and carry firearms. With those extraordinary powers must come extraordinary accountability. The police code of conduct therefore is more than just another workplace policy. It deals with the standards expected of people who exercise extraordinary powers over the public, including the use of force, honesty and integrity, human rights and the obligation to report unlawful or unethical conduct.

Likewise, when IBAC has investigated a public interest complaint and misconduct has been found to have occurred, the Chief Commissioner of Police currently has statutory obligations to act, including taking reasonable steps to stop that conduct continuing or happening again. Those obligations exist for a reason. We do not think protections of that kind should be capable of being weakened simply because they intersect with employment matters. In referring these matters to the Commonwealth, it also allows future enterprise agreements and workplace determinations to regulate them and, where inconsistent, potentially displace provisions of the Victoria Police Act. That raises a different question where the statutory provisions concerned are not merely employment conditions but key integrity safeguards relating to police discipline, integrity and accountability. Why is it necessary in order to extend Fair Work rights to police officers to make statutory integrity provisions, such as the code of conduct and the chief commissioner's obligations following an IBAC finding, subject to inconsistent enterprise agreement terms?

I want to be clear about what we are saying. We are not claiming that this bill itself rewrites the code of conduct or immediately removes those safeguards. It does not. The concern is that it creates a framework in which a future valid industrial instrument could prevail over inconsistent statutory provisions. The Greens support the expansion of Fair Work rights in this bill, but we do not support using that reform as a vehicle to make statutory police integrity and accountability provisions subordinate to future industrial bargaining. In the committee stage I will be asking why the bill has not ring fenced statutory police integrity and public safety obligations from the bargaining reforms. Workers rights and police public accountability are not competing principles. A good bill should be capable of protecting both. I will leave my comments there.

Ryan BATCHELOR (Southern Metropolitan) (21:03): I am pleased to rise to speak briefly on the Fair Work (Commonwealth Powers) Amendment Bill 2026, which makes changes to the conditions and entitlements of Victorian workers, including those in the Victorian public service and Victoria Police. Mr Mulholland is a keen student of history and, as a federalist, will recall that it was the Kennett government that referred Victoria's industrial relations powers to the Commonwealth in 1996. I would not be able to let the debate go on without at least in some way saying everything he complains about is Jeff Kennett's fault. But in 2009 the Victorian government referred aspects of industrial relations powers of the Commonwealth such that protections of the Fair Work Act 2009 extended to bodies not captured by the Commonwealth powers in industrial relations, particularly those in the public service.

Since that time there have been significant amendments to the Fair Work Act. In particular there were some changes made by the Albanese government to ensure a range of rights were protected, and the provisions of this act will ensure that those rights apply equally to the Victorian public sector workforce as well as the public sector. In particular, in relation to the closing loopholes legislation passed in 2023, we will see these measures now apply to the public service and local government workforces, providing new protections, particularly in relation to secure employment and including the ability to request flexible work arrangements and other matters. The bill also bans pay secrecy so that employers can no longer be contractually restricted from disclosing their pay and remuneration to others and codifies a range of other powers.

In relation to Victoria Police, the bill will expand matters referring to law enforcement employment that can be included in enterprise agreements, subject to bargaining and ultimately government approval, which will put them in the same position as other public sector employees on matters such as probation, promotion, transfer and physical and mental fitness assessments as well as other matters relating to discipline and the termination of employment. At the moment law enforcement officers are unable to seek dispute resolution through the Fair Work Commission in relation to those items and in contrast to other public sector workers, who can seek to have terms of an enterprise agreement enforced by the commission. The amendments in the bill will address both of these issues by allowing law enforcement officers to bargain over matters consistent with the way other public sector employees are able to currently bargain, and where these terms are included in an enterprise agreement or a workplace termination, they can be legally enforced in the Fair Work Commission or through the courts. Under our current industrial relations framework, when it comes to general protections claims under the federal workplace protections on the basis of any adverse action taken by their employer, law enforcement officers are subject to different standards to other public sector employees, and these reforms will mean that law enforcement officers will now have access to these protections under federal legislation in the same manner as other public sector employees.

There have been some concerns raised more broadly about this particular interaction between matters that are agreed to in enterprise bargaining and their relationship to the Victoria Police Act 2013. I think it is a matter which the Parliament will have to keep an eye on, particularly with its police oversight jurisdiction. I think that is a constant issue that the Parliament needs to be looking at as it progresses.

One thing I want to say, in addition to clarifying for Mr Mulholland that this is in fact all Jeff Kennett's fault, is that I was not quite sure in the context of his contribution whether there was a complaint that the opposition were not briefed on this bill. I just want to put on the record here that they were provided a briefing on this bill, and it was acknowledged by the member for Sandringham in the other place on 25 May that the briefing in fact did take place. I just want to make sure that no-one was misled into thinking that no briefing had taken place. The Shadow Minister for Industrial Relations acknowledged in the other place that in fact it had.

With that, it is important to say that these reforms have been advocated for by the Police Association Victoria and by the Community and Public Sector Union. The government fundamentally believes that workers across Victoria deserve to have certainty about the future of their jobs and about rights and protections they are entitled to, and we will stand with workers to ensure that they exist.

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (21:08): Thank you for the speakers' contributions on the Fair Work (Commonwealth Powers) Amendment Bill 2026. Just by way of a summing-up, this is a bill that has been many years in the making. It makes important amendments to ensure that workplace conditions for our law enforcement officers and Victorian public service (VPS) staff align with our broader public sector workforce. It does so by referring the requisite industrial relations powers to the Commonwealth, something that the government has done from time to time. It is appropriate to ensure that our workers can benefit from improved workplace rights introduced by the federal government. For our law enforcement officers

the bill will expand the categories of matters that can be the subject of enterprise bargaining and validity included in enterprise agreements and workplace determinations.

Mr Puglielli, you have flagged that you want to have a bit of a conversation in committee, which is fine, but I just want to put on record that the police code of conduct does not form part of the matters being referred. The framework does allow for future enterprise bargaining agreements to displace provisions of the Victoria Police Act 2013. However, the bill contains consequential amendments that clarify that the intention is supportive of an interpretation of the provisions of the Victoria Police Act to operate concurrently with future enterprise agreements and workplace determinations to the extent possible. We can elaborate a bit further, but I just wanted to make sure I picked up on that code of conduct issue that you raised.

What the amendments will facilitate effectively is that some of the most critical matters relating to these workers' roles are clearer and more enforceable – things like probation provisions; promotion requirements; the ability to transfer a law enforcement officer from place to place or position to position subject to a 14-day tasking exception, which has been in some of the conversations that have been happening with VicPol and the industrial representatives, the Police Association Victoria (TPAV); requirements or assessments of physical or mental fitness; discipline; and termination of employment matters. Currently the referral act does not enable law enforcement officers to validly bargain on or seek dispute resolution from the Fair Work Commission on these matters, unlike other public sector workers who could seek to enforce terms of an enterprise bargaining in the commission. Our changes ensure that the enterprise bargaining regime for law enforcement officers is broadly consistent with the regime applying to all other public sector workers and will enable law enforcement officers and the police association to bargain collectively for an expanded range of terms and conditions of employment. The bill will also ensure that the general protections regime under the Fair Work (Commonwealth Powers) Act 2009 broadly applies to law enforcement officers in the same way as those protections currently apply to other public sector employees, and there are a number of consequential amendments to the Victoria Police Act to reflect those changes.

Just briefly touching on a number of other areas in the public sector and local government employees, the bill will enable a number of recent amendments to the Fair Work act to apply to all public sector workers to the extent they do not already. It is about closing the gaps between specific cohorts of the Victorian public sector and local council to ensure better parity of conditions. The bill will ensure the Commonwealth's recent amendments to flexible work and pay secrecy in the Fair Work act apply to the executive local government and public sector employees where these provisions do not currently apply to those cohorts. The bill will ensure that the provisions dealing with restrictions on fixed-term and casual employment will also apply to non-executive local government and public sector employees – again, where this is not already the case.

Fundamentally, the reforms in this bill are not revolutionary, but they will make an important difference to specific sectors of the workforce – to our police, our PSOs, our local government staff and elements of the VPS. These are workforces that we rely on, whose work we value and who deserve the same rights as their counterparts.

In closing, I want to acknowledge that the reforms stem from, as I said earlier, years of advocacy from the union movement – from TPAV and from the CPSU. They have fought hard to bring these changes on behalf of their members and have worked very collaboratively with the agencies that their employees work with and government more broadly. I want to thank them for their commitment to these changes and their dedication to improving the working and bargaining conditions of their members. I would also like to acknowledge the work of Industrial Relations Victoria in bringing these reforms to life, in particular Daniel Negus, Elise Lima-Bosworth and Jennifer Worthington. I would also like to acknowledge my former adviser for industrial relations Sam Towler. This will be her final bill as an adviser in the government, so I would really like to pay tribute to somebody that has made a big contribution to government, particularly in the area of the Attorney-General and our industrial relations portfolios. With that, I commend the bill to the house.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1 (21:14)

Aiv PUGLIELLI: I will try and be efficient with my questioning tonight. My questions all fixate, as I foreshadowed, on the amendments to the Victoria Police Act 2013. Minister, can you outline: under this bill, why are integrity matters being treated purely as industrial matters?

Jaclyn SYMES: Mr Puglielli, I do not agree that that is what this is doing. It is absolutely not. There are matters in enterprise bargaining agreements that can be considered, but in terms of IBAC and its role in relation to integrity matters, that continues. I do not agree with your statement that that is what the bill is doing in any way.

Aiv PUGLIELLI: Just to follow up: Minister, can you provide a rationale for permitting enterprise bargaining over matters such as police discipline, suspension and compliance with statutory conduct requirements given that these provisions also exist to protect the public and maintain the integrity of Victoria Police, not simply to regulate an employment relationship?

Jaclyn SYMES: What I want to be very clear about is that in relation to employment matters and EBAs – they clarify the rights of workers and their entitlements. This is what this is about. What you are talking about is in relation to IBAC's powers and other ways of – they can work concurrently. It is not displacing IBAC. I think probably by way of demonstration of that: yes, based on the constitution provisions under enterprise agreements under the Fair Work Act 2009 override to the extent that they are inconsistent with existing state legislation such as the Victoria Police Act. It is therefore theoretically possible that the Police Association Victoria (TPAV) and Victoria Police could agree to terms in future enterprise agreements that alter the definition of a breach of discipline, for example in the Victoria Police Act. The definition currently refers to failures to comply with certain IBAC directions, among other matters.

It is considered highly unlikely that this definition will be affected by the reference of discipline. Any change to the definition would need to be proposed by TPAV, agreed to by the Chief Commissioner of Police, approved by government through the standard enterprise agreement approval processes and approved by the Fair Work Commission itself. These standards should ensure that the current definition, as it pertains to IBAC's functions, is maintained. The Independent Broad-based Anti-corruption Commission Act 2011, which governs the independent processes, will remain independent of the EBA bargaining process. We confirmed with IBAC that we would consult with them in relation to any of the future bargaining and any concerns that may arise over the areas that you are starting to delve into. I think it would be important for us to put that on the public record: that this government at this time believes that it would be appropriate to have those conversations with IBAC. I cannot envisage a world where a future government would not have the same view.

Aiv PUGLIELLI: Minister, speaking broadly with respect to this section, is it your view that parliamentary oversight of Victoria Police is being in any way weakened by this bill? If not, why not?

Jaclyn SYMES: I think, just to reiterate, Mr Puglielli, the scope of this bill addresses the industrial components of discipline, not integrity matters.

Aiv PUGLIELLI: A provision of the police act can only be amended through Parliament. An enterprise agreement does not receive parliamentary approval. Can I ask: why is it appropriate for the practical operation of statutory police accountability provisions to be altered through an industrial instrument that the Parliament does not approve?

Jaclyn SYMES: Again, Mr Puglielli, I just point you to the process of enterprise bargaining. It involves TPAV, the industrial representative, negotiating with VicPol. It needs to be agreed to by the chief commissioner, has to be approved by government and then has to be endorsed by Fair Work. So there are a lot of processes before an EBA becomes final.

Aiv PUGLIELLI: Just as a follow-up: does the Minister for Police or Attorney-General have a statutory power to veto an enterprise agreement term on the basis that it undermines police integrity or public safety?

Jaclyn SYMES: As I was explaining, government have to approve enterprise agreements. It is usually a matter for the relevant minister, who would bring it to a cabinet process. I guess in terms of when I am talking about government having to approve EBAs before they go to Fair Work, that involves in itself its own internal government processes. The process that we have currently is the relevant minister would bring an EBA to an arm of our budget committee.

Aiv PUGLIELLI: Are there any non-negotiable integrity safeguards as it pertains to this bill?

The DEPUTY PRESIDENT: Mr Puglielli, can you please repeat that?

Aiv PUGLIELLI: Perhaps flip the words around: are there any integrity safeguards under this bill that are non-negotiable?

Jaclyn SYMES: I am sorry, I am not really clear what your question is asking.

The DEPUTY PRESIDENT: Mr Puglielli, are you happy to expand on that?

Aiv PUGLIELLI: We are coming at the bill from very different angles, so I might just move on to the next question.

Evan Mulholland: Is it AI?

Aiv PUGLIELLI: It is definitely not AI, it is with the assistance of the Police Accountability Project, for the record. Can the minister identify which, if any, provisions of the Victoria Police Act dealing with police integrity and accountability are expressly protected from alteration in their practical operation by an enterprise agreement or workplace determination?

Jaclyn SYMES: Mr Puglielli, it is not the way that the bill is framed. There is not anything that is excluded by virtue of this bill, but the safeguards in effect do that.

Aiv PUGLIELLI: Section 178 requires the chief commissioner to take action where relevant conduct has been found to have occurred following a public interest complaint.

Jaclyn SYMES: Are you referring to the Victoria Police Act or are you referring to the bill? Sorry, just which section are you talking about?

The DEPUTY PRESIDENT: I just remind the two of you that it is not a conversation between you. You need to wait until I give you the call.

Aiv PUGLIELLI: Apologies, Deputy President. This is with respect to the Victoria Police Act. Just to continue, though, that section requires the chief commissioner to take action where relevant conduct has been found to have occurred following a public interest complaint. Why does the bill specifically make section 178 subject to the new part 14B framework?

Jaclyn SYMES: Mr Puglielli, the issue that I have with the line of questioning that you are taking is that you have predetermined a false premise in this bill. I understand that some people have done some work for you in relation to this bill. This is not about undermining the integrity framework that is very important to apply to Victoria Police. This is about employment rights. This is about ensuring that the rights that are afforded to many others in the public sector are also provided to Victoria Police in a more streamlined way. It is quite clunky, the way it operates at the moment, and TPAV can point

to members that have not been able to exercise their rights as arguably they should, which is why we have agreed with that proposition and said that we would fix that through this bill. There is nothing in this bill that is designed to take away from IBAC's role to respond to police integrity issues, police misconduct complaints, police issues that the public have or people that have got complaints with the way that they have interacted with Victoria Police – that remains intact. They can work in parallel. Where there are any concerns that you have raised, there are those safeguards in terms of the processes that you have to approve an EBA. Once they are approved at government and go through to Fair Work, there would be the opportunity for someone to raise an issue – IBAC for instance. There are a lot of opportunities to intervene if somebody thought that some of the concerns that you are raising would be impacted by a provision that was agreed through the industrial relations process.

I think it is just a little difficult to respond to your questions when you are coming at it asking why it is not definitively ruling this out or ruling that out, because that is not the purpose of the bill. I am happy to explore some of those questions that you have, but as I said, they appear to be coming from a fundamental misunderstanding and perhaps a slightly conspiratorial view of this bill. It is just making our interactions a little difficult, because I am going to have to continue to say that the line of questioning is not really in line with the intention of the bill, so it makes it just a little complicated for me. I hope that sets a bit more of a tone.

Aiv PUGLIELLI: I would not characterise it as a misunderstanding per se but perhaps a different understanding with respect to the bill. As I think you have highlighted, the stated intention is employment rights, but other impacts, though, maybe even unintended consequences, would have a flow-on effect to integrity. I think that is the advice that I have received. My speech on the second reading highlighted specifically with respect to police their extraordinary role in that they are exercising coercive state powers, as opposed to other parts of the workforce where that is not the case.

You did touch on the code of conduct in your summing-up. The bill specifically places a note against the police act provisions dealing with the code of conduct and compliance with that code. Minister, can you confirm whether a future enterprise agreement could impose additional procedural requirements or other conditions affecting how the code of conduct is made or enforced?

Jaclyn SYMES: Elements of the code of conduct that contain matters that are referred may be displaced by a future enterprise agreement, but not the code of conduct in its entirety.

Aiv PUGLIELLI: To follow up, could an enterprise agreement validly affect an officer's obligation to comply with standards concerning use of force, human rights or reporting unethical or unlawful conduct? The existing code includes precisely those matters.

Jaclyn SYMES: That is certainly not the intention of the legislation. The hypothetical situation that you are going to have TPAV and VicPol agree that they can diminish the obligation of use of force through an EBA is just not a situation that is enabled by this legislation because of the safeguards that I have gone through. Theoretically, you can move some things around through an EBA, but again, the concerns that you are representing, that all of a sudden it is going to be a free-for-all for Victoria Police because an EBA is going to be agreed that they will be allowed to have less scrutiny on those really important issues, is just not something that this bill is ever intending to facilitate.

Aiv PUGLIELLI: Minister, does the government accept that there is a distinction between giving an officer fair workplace protections during a disciplinary process and allowing the content of the integrity and disciplinary framework itself to become a matter for collective bargaining?

Jaclyn SYMES: Can you ask that again? When you ask your own questions, you make sense. This is not clear.

Aiv PUGLIELLI: Is it a fact that there is a distinction between giving an officer fair workplace protections and allowing the content of the integrity and disciplinary framework itself to become a matter for collective bargaining?

Jaclyn SYMES: Again, the tone of the questions – ‘Is it a fact that this could happen? Is it a fact that this is the intention of it?’ – is just missing the point of this bill. I am sorry, I do not mean to get too frustrated with you, Mr Puglielli, but it does sound like a student has gone and tried to come up with a number of conspiracies that might eventuate through this bill. It is just not the reality of how governments work or, frankly, how politics works. EBAs are for workplace rights. The VicPol act and the IBAC act are separate pieces of legislation.

Aiv PUGLIELLI: This may be my last question. Before introducing these amendments, did the government specifically consult the IBAC, the Police Registration and Services Board (PRSB) or organisations with expertise in police-perpetrated family violence about the proposed interaction between enterprise agreements and police act integrity provisions?

Jaclyn SYMES: I can confirm, because although this is not my bill anymore it was, and it was for a long time, because it has been kicking around for a while in terms of trying to land agreement with everyone. The level of consultation on this bill got to the point where most people were pretty over it, because there has been a lot.

Clause agreed to; clauses 2 to 6 agreed to.

Clauses 7 to 44 (21:32)

Aiv PUGLIELLI: I invite members to vote against clauses 7 to 44. As I foreshadowed, the questioning that I brought in today for the committee stage was with the assistance of the Police Accountability Project, and in their reading of the legislation they raised a number of concerns. It is on that basis that the Greens will be opposing part 3 of the bill. Concerns raised included the bill broadening matters that can be dealt with in a Victoria Police enterprise agreement or workplace determination, which raises concern of Victoria Police effectively, by flow-on effect, writing their own laws. The bill expressly restructures the interaction between the Victoria Police Act and Commonwealth fair work instruments. They are intended to operate concurrently where possible, but the Commonwealth instrument prevails to the extent of inconsistency, raising a concern of the enterprise agreement overriding the Victoria Police Act. Concerns were also raised regarding chief commissioner instructions becoming subject to bargaining and police disciplinary procedures effectively being determined through enterprise bargaining. Also there are concerns regarding the mandatory suspension powers of the Police Registration and Services Board being weakened. Mandatory and discretionary suspension provisions are among those specifically affected by the new framework, raising the question of why statutory integrity safeguards of this kind should be capable of being displaced by an industrial instrument. Further, the bill creates a possibility that a future industrial instrument could displace or modify the statutory obligation, raising concerns that the enterprise agreement could mean police misconduct no longer has to be stopped or prevented. It is a significant transfer of regulatory authority from state to the Commonwealth. To put as a final point, it raises concerns of Victoria’s sovereignty over our police force, and on that basis the Greens will be opposing part 3 of this bill.

The DEPUTY PRESIDENT: There appears to be more to part 3 than just the police act, so can you just confirm which clauses you are wanting to remove?

Aiv PUGLIELLI: I am advised we would be looking at clauses 7 to 44.

The DEPUTY PRESIDENT: They are the clauses that relate to the police act.

Jaclyn SYMES: Mr Puglielli, I think you have gathered from our exchange that I believe that the concerns that you have sponsored are unsubstantiated. I think it is quite concerning that you have placed such regard in one stakeholder’s views when this has been years in the making. Of course we have thought about the issues that this organisation have raised. Of course we are not creating a piece of legislation that enables a free-for-all for police to avoid disciplinary action and avoid integrity measures. This has been something that is supported by the Department of Justice and Community

Safety and Industrial Relations Victoria. Both are departments that I have the utmost respect for. I have been dealing with the department of justice for four years as the Attorney-General. They are the unit that is responsible for police powers and what they can do and interactions with IBAC. These are issues that we take very seriously, and to have allegations from a stakeholder that thinks that we have created a system that will allow those fears to be realised is, frankly, very offensive. As I said, the department of justice, IRV and VicPol have been consulted, including the PRSB. IBAC have been consulted. A number of legal experts have been consulted. I think that trumps the stakeholders that you have decided to back in this situation. So I do not support your proposal to knock out some pretty important pieces of change that are all about the workplace rights and the workplace entitlements of a workforce, such as police and PSOs, who have been asking for the same treatment as many other workers in Victoria. This is just affording them that right. It is not creating a police state, as you are trying to allege.

Jeff BOURMAN: I am more or less going to echo the minister there. I know who has written the questions, Mr Puglielli, and this is not a go at him, but they are written by people that have just spewed a lot of paranoid drivel about what could possibly happen. The police are tightly regulated, as they should be. Enterprise bargaining – they are employees of the state; of course they have got to be able to do all this sort of stuff. But unfortunately, the Police Accountability Project have a long history of this sort of crap. I think it is best we just get through this division and put it in the rear-view mirror.

Evan MULHOLLAND: I want to echo the comments of Minister Symes and Mr Bourman. I think this is quite a disappointing amendment. It can be viewed through a particular activist lens, but it is inconsistent with our view and opinion on the bill itself. So I think the amendment should be opposed, and the Liberals and Nationals will certainly be opposing it.

Clauses 7 to 44 agreed to; clause 45 agreed to.

Reported to house without amendment.

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (21:40): I move:

That the report be now adopted.

Motion agreed to.

Report adopted.

Third reading

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (21:40): I move:

That the bill be now read a third time.

Motion agreed to.

Read third time.

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

Adjournment

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (21:41): I move:

That the house do now adjourn.

Crime

Melina BATH (Eastern Victoria) (21:41): (2799) My adjournment matter this evening is for the Minister for Police, and it relates to car thefts across Victoria. Indeed Victoria, sadly, has become the car theft capital of the nation. New ABS figures confirm that we recorded in Victoria almost twice as many motor car theft victims compared to New South Wales in 2025, and my Eastern Victoria electorate is not immune. The crime statistics reveal theft has increased across every local government area over the past decade. In Bass Coast, in my electorate, it is up 145 per cent. In South Gippsland it is up 290 per cent, in East Gippsland it is up 128 per cent, in Wellington it is up 103 per cent, in Latrobe it is up 62 per cent, in Baw Baw it is up 39 per cent, in Cardinia it is up 32 per cent and in Mornington Peninsula it is up 19 per cent.

For regional Victorians a stolen vehicle is far more than just property crime. It is their mode of transport. It is their mode of getting to and from work, taking children to school and getting to medical appointments. Our logistics and transport are so very important. And not only that, it is the financial impost. Victims face insurance excesses, higher premiums, replacement transport costs and the loss of personal belongings. Tradespeople, farmers and small business owners depend on their utes, vans and trucks every day. A stolen work vehicle is lost income and disrupted operations.

Vehicle theft places additional pressure on Victoria Police – and don't we know it? – at a time when the workforce shortages are impacting frontline policing. We know that there are 1500 vacancies on any given day across this state. Regional communities deserve a government that takes crime seriously and provides police with the resources they need to protect residents and stop motor vehicle theft. Unlike the Labor government, the Nationals and Liberals have a clear plan. We are going to reverse the crime crisis. First of all, we are going to recruit 3000 additional police, reopen stations that were closed and reinstate the hours where stations were reduced – and there were many in my Eastern Victoria electorate. We will also put PSOs back on train stations for that visual and deterrent factor. We will implement 'adult crime, you will face adult time' for motor vehicle theft, arson and attempted carjackings, and we will also introduce 'break bail, face jail' laws, meaning a tough new one-strike rule for bail.

The action I seek is for the minister to first of all apologise to my Eastern Victoria constituents and also explain what actions the government are going to take – and I suggest they take exactly the same actions. Or they can wait for 28 November when we replace them and get this state back on track.

Early childhood education and care

Jacinta ERMACORA (Western Victoria) (21:44): (2800) My adjournment matter is for the Minister for Children Lizzie Blandthorn. The action I seek is an update on how the government's Best Start, Best Life reforms and Building Blocks partnerships are benefiting constituents in Western Victoria.

Donnybrook Road upgrade

Evan MULHOLLAND (Northern Metropolitan) (21:44): (2801) My adjournment this evening is for the Minister for Roads and Road Safety. There have been multiple ministers for roads and road safety; I think there have been about three in four months. So I thought I would acquaint myself and give Minister Hamer a bit of a history lesson about Donnybrook Road in my electorate.

Bev McArthur interjected.

Evan MULHOLLAND: It is pothole-filled, Donnybrook Road, even for Pothole Paul. Residents of Donnybrook, Kalkallo and Mickleham have long suffered from Labor's neglect of the growth areas of Melbourne. Around 35,000 vehicles use Donnybrook Road every day, despite the road only having been designed to carry 20,000.

For this history lesson we have to go back some way. You see, in 2012 the Liberals and Nationals in government signed a developer contribution plan with a developer to duplicate the entirety of Donnybrook Road on the Mickleham side. If you look just to the left of that beautiful road that the Liberals and Nationals duplicated – Donnybrook Road in Mickleham – you can admire the only achievement of the Labor Party in that part of the world, which is the mothballed quarantine facility. You can admire that as you look for Labor’s achievements near Donnybrook Road. You can also look to the bridge over the Hume and the Kalkallo and Donnybrook side of Donnybrook Road, which is an old farm track. Labor for the last 12 years has approved housing estate after housing estate after housing estate and built new home after new home after new home and not actually delivered the infrastructure to keep up with that growth. It is still an old farm track and people still get stuck in traffic every day, but it does not have to be this way.

Jess Wilson, Amanda Dow – our Liberal candidate for Yan Yean – and I have announced that a Liberal and Nationals government will invest \$524 million to duplicate the entire stretch of Donnybrook Road from Epping Road in Woodstock to Dwyer Street in Kalkallo, build a second bridge over the Hume and remove the level crossing at Donnybrook station. It is a commitment that was welcomed by both Hume City Council and Whittlesea City Council but not actually matched by the Labor Party. We saw in leaked reports that the seat of Yan Yean has lost all resources from the Labor Party, so they have clearly given up on it. But the seat of Kalkallo also covers Donnybrook Road, so I seek the action of the minister to consider matching our fantastic announcement.

Don Bosco youth centre

Anasina GRAY-BARBERIO (Northern Metropolitan) (21:47): (2802) My adjournment matter this evening is for the Minister for Youth, and the action I seek is for the minister to convene an urgent meeting with the Salesians of Don Bosco, Merri-bek council, the Minister for Planning and the federal government to reach a solution to save the Don Bosco youth centre and hostel. After almost a century of serving our community, Don Bosco’s future hangs in the balance. Last month I met with Father Peter Hoang to ask the Salesians to extend the EOI for its sale to allow more time to iron out a solution. Father Peter let me know that the Salesians are still open to the government stepping in to save Don Bosco. The EOI may have closed, but the community’s campaign has not. Parents, carers and their children recently came together in force for a picnic and play in their iconic ‘Save Don Bosco’ T-shirts. After the picnic, the community met with Father Orendain, the general councillor for social communication, from the Salesians headquarters in the Vatican, and really appreciated the openness and warmth he extended to them as he heard how much Don Bosco means to the local community. I joined the calls of the community, our Greens Brunswick candidate Adam Pulford and our Greens Pascoe Vale candidate Angelica Panopoulos, calling on the Salesians to reconsider their decision to sell this beloved community asset but asking that if it must be sold that they choose a buyer who will retain the youth centre and hostel.

The member for Pascoe Vale said in Parliament recently that the Merri-bek council must:

... be honest with the community about whether they would acquire or contribute towards the future site acquisition ...

So let us be honest about what is blocking the council from taking a more proactive stance on the future of Don Bosco. It is the Labor councillors on Merri-bek council and state Labor who are yet to put any money on the table for the council to work with. Shamefully at the August council meeting, the Labor councillors all voted against a motion supported by the Save Don Bosco community campaign. Ignoring the voices of over 6000 people who signed the petition to save Don Bosco is short-sighted. While state Labor points the finger at a council blocked by Labor, the community has resorted to appealing directly to the Vatican, presumably because they see a stronger chance of success there than through advocacy aimed at the state or federal Labor governments. Right now there is still a chance for the Labor government to show up for our community and save Don Bosco, but there is no time to waste.

Wonthaggi Hospital

Renee HEATH (Eastern Victoria) (21:50): (2803) Because of the incredible advocacy of Rochelle Halstead, Bass Coast locals have the opportunity to finally have access to world-class health care under a Jess Wilson-led government, because we will complete the Wonthaggi Hospital redevelopment. Leading up to the last election, Labor promised \$290 million to upgrade the Wonthaggi Hospital, but true to form, four years on they have failed to deliver on that promise, and this is despite an incredible need. Statistics show that people living in Bass Coast experience substantially poorer health outcomes and higher rates of chronic disease than those living in metropolitan Melbourne. Almost 40 per cent of Bass Coast residents live with long-term health conditions such as arthritis, cancer and heart disease. This community also sees higher rates of avoidable deaths. In Victoria statistically there are around 111 to 117 GPs per 100,000 people, but in the Bass Coast that number drops to lower than 90. That is a staggering drop, and it is having huge consequences. Victoria has roughly 1352 nurses and midwives per 100,000 people, and in Bass it is only 1105, so it is over 200 less per 100,000 people. That is why our rural health workforce incentive scheme, covering doctors, nurses, dentists, midwives and allied health professionals, is going to make such a huge difference. The statistics in Bass are sobering because they really do reflect the lack of healthcare infrastructure and the result of broken promises by this Labor government. So my question for the Minister for Health and the action that I seek is for her to explain: if they failed to deliver on their promise in Bass Coast, despite this massive need, did the government intend to deliver what they promised at the last election and fail, or was this just a promise used to buy votes?

Youth justice system

Katherine COPSEY (Southern Metropolitan) (21:52): (2804) My adjournment is to the Minister for Health, and I ask her to work with the Department of Justice and Community Safety and the Department of Families, Fairness and Housing (DFFH) to develop, fund and pilot an adapted Pathway to Good Health model for young people in youth detention, with the Department of Health retaining governance and oversight. A new report from the Justice Health Group at the Murdoch Children's Research Institute makes a compelling case for this. Young people in detention carry an extraordinary burden of unmet health needs, including much higher rates of mental illness, neurodevelopmental disability, substance dependence and chronic illness. Many of those needs have gone unidentified for years before a child ever reaches the justice system. There is also an enormous overlap between youth justice and child protection. In Victoria more than two-thirds of young people under youth justice supervision have also had contact with the child protection system. That does not mean that all of them have been in state care, but it does show why government services cannot continue to operate in silos.

Victoria already has a model designed to address these needs. The current Pathway to Good Health program provides coordinated health screening, assessment and referral for children entering statutory care, supported by health navigators who pull together fragmented health histories and help young people access ongoing care. Yet eligibility does not extend to young people who are in detention. The report recommends a four-year, separately funded pilot with dedicated health navigators, information-sharing arrangements and funded outreach post release. That continuity matters when the median stay in youth detention in Victoria is just 21 days. Importantly, this should be a health-led approach. Pathway to Good Health is funded through the Department of Health, and there is a strong case for Health to retain responsibility for an expansion into youth detention, rather than shifting governance to justice.

The World Health Organization has long supported health ministry leadership in custodial health care, alongside a whole-of-government approach to protect clinical independence, continuity of care and equivalent health standards. This approach is also consistent with Victoria's own children, youth and families reforms, which recognise the health, wellbeing and safety of children in, leaving and at risk of entering care as a collective responsibility across government, including Justice. It is also consistent with the government's commitment that every child and young person should have the best possible opportunity for health and wellbeing, regardless of their circumstances. Minister, I ask you to bring

Health, Justice and DFFH together, commit to a health-led pilot and ensure these young people do not fall through the cracks between systems any longer.

Rivergum Residential Treatment Centre

Trung LUU (Western Metropolitan) (21:55): (2805) My matter is for the Minister for Corrections regarding the continued operation of Rivergum Residential Treatment Centre and the serious concerns raised about its effectiveness, costs and outcomes. The action I seek is for the minister to immediately review the facility, release a transparent assessment of its performance and outline why it should continue operating in its current form.

The Rivergum facility was established to house and rehabilitate some of Victoria's most serious post-sentence offenders and now has been exposed as a deeply flawed model. Records show that since its opening in 2018 no more than 20 inmates have ever been housed at the centre, and there are reportedly just two residents currently, despite its costing taxpayers up to \$10 million per year to operate. This is a very expensive exercise – costing taxpayers \$10 million per year to look after two inmates – when the debt of Victorians is \$168 billion and forecast to reach \$200 billion by 2029–30. This raises serious questions about value for money and whether this model is delivering any meaningful outcome for community safety.

More concerning are the revelations of former Post Sentence Authority chair Michele Williams KC, who has stated she raised repeated warnings with the government as early as 2023 that the model was fundamentally flawed. She identified as the core issue the decision to house violent offenders and sex offenders together, a structure that undermines the facility's entire rehabilitation approach. Offenders reportedly refuse to engage with one another, rendering group-based therapy ineffective. Their rehabilitation is not taking place. The entire premise of the facility collapses. There are known, deeply troubling reports that offenders have effectively been ticked off for having completed the rehabilitation program without genuinely engaging in treatment. This calls into question the integrity of the system and whether decisions affecting community safety are being made on unreliable, incomplete information. At the same time inmates have reported conditions of isolation they say undermine the rehab and may expose the state to legal risk.

The facility is designed to improve outcomes but is still failing both offenders and the community. This situation represents a clear failure of oversight and accountability. Warnings were raised. Concerns were ignored. Taxpayers continue to fund a facility that is not achieving any purpose. So I ask the minister: will the government immediately release a full review of the Rivergum centre? And what steps are being taken to ensure that the programs are evidence based and effective and deliver real safety outcomes for Victorians?

Drug harm reduction

Sarah MANSFIELD (Western Victoria) (21:58): (2806) My adjournment matter is for the Minister for Health, and the action I seek is to work with the Royal Australian College of General Practitioners to urgently expand access to medication-assisted treatment for opioid dependence by funding GP prescribing incentives, training and dedicated mentorship programs. It was great to chat with GPs from across Victoria recently at RACGP's GPs at Parliament event. One important issue they raised was access to medication-assisted treatment for opioid dependence, or MATOD.

Let us be clear: opioid dependence is a health issue. People experiencing dependence deserve evidence-based care, not stigma, judgement or criminalisation. Yet the evidence indicates we are failing to deliver this. In 2024 Victoria recorded 8.3 drug-induced deaths per 100,000 people, compared with 5.8 in New South Wales, 7.2 in Queensland and 5.6 in the ACT. Opioids were the leading contributor to drug-induced deaths. This is important, because it means that they were preventable. We have effective treatment. MATOD can help people reduce their dependence on illicit opioids, stabilise their lives and significantly reduce their risk of overdose and death. It also benefits the whole community, preventing hospitalisations and reducing crime, yet access remains deeply

inequitable. On any given day in 2024 almost 15,000 Victorians were receiving MATOD, but this represents only 30 to 48 per cent of the people who would seek and benefit from alcohol and other drug treatment. Some communities, especially in rural and regional Victoria, have no local GP providing MATOD. We know that having to travel long distances or navigate significant hurdles reduces access to care.

The RACGP has a plan that would address these challenges and could be readily implemented if the government had the political will. Victoria has more than 10,000 practising GPs. Supporting even a small proportion of that workforce would provide additional MATOD, and that could significantly improve access. The RACGP's plan is for prescribing incentives, training and ongoing mentorship. Mentoring supports GPs when they encounter complex or challenging cases by providing access to experienced clinicians, training builds knowledge and skills and proper funding ensures that this work can be done, given the time it needs, and is sustainable over the long term. This is exactly the sort of investment we should be making in our health system: evidence-based, community-centred and focused on prevention rather than waiting until people reach crisis point or, worse, letting our response be shaped by stigma and criminalisation. Thanks to the RACGP for their advocacy and for the critical work that they do every day.

The government has an opportunity to meaningfully address real barriers to treatment and save lives, and I urge the minister to listen to GPs and fund prescribing incentives, training and mentorship so that every Victorian who needs MATOD, regardless of income or postcode, can access it.

Renewable energy

Wendy LOVELL (Northern Victoria) (22:01): (2807) My matter is for the Minister for Energy and Resources. The action I seek is for the minister to ensure that proponents of renewable energy projects conform to the community engagement guidelines and that the minister ensure that the proponent of the battery energy storage system in Doreen hold a town hall style public meeting to answer questions where all attendees can hear the answers. I recently attended a community information session for residents concerned about a proposal for a battery energy storage system in Doreen. The proposed site of the battery system is in the green wedge, which is protected land and not an appropriate location for an industrial facility. Understandably, this has alarmed locals, and they gathered at the community forum with many questions on their minds. But they received no answers from the proponents, who refused to deal with any questions from the floor.

VicGrid recently released an updated version of the community engagement and social value guidelines for renewable energy developers. The guidelines state that the minimum expectations for developers engaging with communities include providing timely and transparent information about the project at the earliest opportunity, integrating community feedback and giving ongoing engagement opportunities with communication tailored to reflect local priorities and community needs. The proponents of the Doreen battery facility were clearly not conforming to these guidelines, and the community left the meeting feeling very frustrated about the lack of answers from the proponents and their unwillingness to engage with the community's concerns.

I have also been troubled by the behaviour of the proponent of a wind energy facility that may host 40 to 50 turbines in Nanneella and Koyuga. The project has been in the feasibility study stage for several years, but no permit application has been submitted yet. This long, drawn-out process with no transparent or ongoing communication at all from the proponent to the local community has been severely distressing for neighbouring landowners and residents.

Renewable energy developments have a massive impact on small rural communities, and it is completely unacceptable that developers can leave locals in the dark for years, living with perpetual uncertainty about the future of their homes. The newly released engagement guidelines are a step in the right direction. However, these rules do not come into effect until July 2027, and yet right now communities are already dealing with development proposals that will alter their landscape forever. VicGrid's website says that until the rules are in place the government will ensure developer

engagement is consistent with the guidelines. These guidelines will be nothing more than a dead letter if the government is not willing and able to enforce them.

Beechworth-Wangaratta Road

Rikkie-Lee TYRRELL (Northern Victoria) (22:05): (2808) My adjournment this evening is for the Minister for Roads and Road Safety, and the action I seek is for the minister to ensure that the unacceptable and dangerous state of Beechworth-Wangaratta Road is repaired to a high standard. What would a week be without another dangerous, crumbling, potholed road to highlight in northern Victoria? The Beechworth-Wangaratta Road is a busy tourist thoroughfare, cutting through some of the most beautiful scenery in northern Victoria. It leads thousands of visitors each week to the historic town of Beechworth. Unfortunately visitors are greeted with large, deep potholes, crumbling surfaces and deep rutting. The potholes just west of the Beechworth welcome sign have been reported numerous times by constituents, visitors and the Indigo shire, and they are still not fixed. While I acknowledge the Premier's recent announcement of yet more funding to fix potholes, it is a fact that regional roads are failing. The Victorian-Auditor General's Office report released this week shows that 47.98 per cent of the Hume region's roads are in very poor condition. This is completely unacceptable. Something needs to change. The state cannot just keep throwing hot mix into potholes and calling it a day. The underlying causes of the failing road system need to be thoroughly investigated and fixed to a higher standard. Our regional motorists should not have to accept subpar repairs and a continuously failing road network. Minister, fix the roads and fix them right.

Community sport

Ann-Marie HERMANS (South-Eastern Metropolitan) (22:06): (2809) My adjournment matter is to the Minister for Community Sport. The action I seek is for the minister to clearly outline what this government will do to engage more teenagers in sport, specifically at-risk youth, to help curb escalating crime being committed by young people in this state. Minister, under this Labor government a crime is committed every 50 seconds in Victoria. Armed teenagers, many of them repeat offenders out on bail, are committing the majority of carjackings and home invasions and facing no consequences. Victorians are living in fear, feeling unsafe in their homes. This scourge in our communities could be significantly reduced if more early intervention sports programs were introduced to engage at-risk youth before they offend. In a world-first study, Australia was ranked 140 out of 146 countries for teen physical activity. The study was published in the *Lancet Child & Adolescent Health* and found that only one in 10 adolescents do at least 1 hour of daily physical activity as recommended by the World Health Organization. Physical activity and team sports in particular help prevent adolescents from engaging in antisocial behaviour and substance abuse while improving self-esteem, mental health and confidence and providing a sense of belonging.

Last week I attended the fabulous Melbourne City Football Club Blue Ribbon Cup community versus police program at Narre Warren South P-12 College, and I commend them for their community outreach program and for the school's hospitality. I also recently attended Reclink Australia's footy grand final series at Frankston Football Club with Reclink founder Peter Cullen AM; Tim Costello, former World Vision Australia CEO; AFL footy legend Dermott Brereton; and Professor Ged Williams, chief nursing officer and executive director of nursing at Alfred Health. I was excited to meet the footy players, who were clients from various community service agencies, including young offenders, people in drug and alcohol rehab, cancer survivors and people with disabilities. Reclink is a national not-for-profit that is using sports, recreation and arts programs to help change the lives of people experiencing homelessness, mental illness, disability, economic hardship and social isolation. It runs 75 different types of sports programs and is seeing benefits in mental wellbeing and physical health, with new friendships and community teams being formed. Hospitals like the Alfred are trialling the benefits of team sports and are advocating for GPs to be able to have social prescriptions to refer patients to community groups offering team sports and sport communities for healthier outcomes. Programs like this are transforming lives to provide purpose to so many people.

Jess Wilson's Liberals have a plan, but the Andrews–Allan–Carroll Labor government has no plan to deter teenagers from committing crimes, and Victorians have simply had enough.\

Youth mental health services

Georgie PURCELL (Northern Victoria) (22:09): (2810) My adjournment matter is for the Minister for Mental Health, and the action that I seek is for the minister to commit to delivering 500 supported housing places for young people with mental ill health. Last sitting week I met with two young lived-experience advocates to discuss the Melbourne City Mission's Safe Homes, Strong Futures platform for the upcoming state election. One of their key asks is for the government to finally deliver on one of the recommendations from the Royal Commission into Victoria's Mental Health System to invest in supported housing places for young people experiencing mental ill health and homelessness. This would be an attempt to lessen the revolving door between emergency care and homelessness services. Too many young people have to cycle between homelessness, hospitals and crisis services for years. Two in three young people experiencing homelessness report self-harm or suicidal ideation or attempts, and half present to emergency departments. Stable housing with integrated support would enable recovery and independence, improve access to care and reduce demand on crisis systems. Equity Economics modelling found this intervention alone would generate \$1.1 million in fiscal dividends per person and address potential costs of inaction of \$1.8 million per person. But it is always difficult talking about initiatives like this in an economic or financial sense. Reforms like this should happen because housing places will save lives. As our state grapples with immense cost-of-living challenges and a worsening youth mental health crisis, I urge the minister to prioritise this recommendation.

Health system

David DAVIS (Southern Metropolitan) (22:11): (2811) My matter is for the attention of the Minister for Health. I am deeply concerned about the federal government's decision – Mr Albanese's decision – to impose new charges on senior Victorians and senior Australians more broadly. Those over 65 will pay hundreds of dollars more for their private health insurance because a support rebate that has been there for many years will be removed by the Albanese Labor government. A larger rebate is provided for those over 70, and that will also be removed. This will add hundreds and hundreds of dollars – actually perhaps more than \$800 – to the bills of those over 70, so this is a huge additional cost on families and on older Victorians.

The concern here is twofold. First of all, many will drop their cover or reduce the level of cover, and this will force many older Victorians back into the public system, removing their choices. They will have to go onto the waiting list. There will be additional pressure; I say this as a former health minister. We were very aware of the need for a balanced health system, with a strong private sector but a very, very strong public sector. This will hurt both sectors – the federal government's decision to remove these longstanding supports for private health insurance for older Victorians, those over 65, and remove in total an even greater subsidy from those over 70. What I am seeking is for the Minister for Health in Victoria to intervene and to meet if necessary and engage with her federal colleague to ensure that this is reversed. She could even raise this at a health ministers conference, for example.

This will have a very important and significant impact on the health system in Victoria. We have already got waiting lists that have surged upwards, and we have heard questions by Ms Crozier in this chamber to the Minister for Health about when the waiting list figures will come out. I know when I left office the last waiting list figure in Victoria was just over 38,000. It is more than 69,000 on the last figures released, and I can only imagine that if the minister here is refusing to release the recent figures, they must be much, much worse. But at the least they are nearly twice the size of what they were in 2014, after 12 years of Labor – tens of thousands more Victorians on the waiting list. If these private health insurance supports are kicked away, torn away by the Albanese Labor government, leaving older Victorians high and dry, leaving Victorians without the support they need, this will weaken our

health system further. It will mean older Victorians do not get the choices they need, and they will be –
(*Time expired*)

Bronhill Road playground, Ringwood

Nick McGOWAN (North-Eastern Metropolitan) (22:14): (2812) I seek the intervention of the Minister for Environment. Minister, you may well be aware that there is a beautiful park in my constituency, in Ringwood, called Bronhill Road reserve. Very sadly for my local constituents and my local community, it is proposed for sale. You heard me correctly: the local council are proposing to sell it to a developer. Notwithstanding that many developers have many, perhaps good, reasons – and perhaps they are even not-for-profit – my community have spoken very clearly. It is critical that we retain this public park in public hands. There is no benefit to be brought to the broader community in selling it for a development. It would reduce the park by an order of at least 30 per cent, and that is not to imply that it would remain public and open to the public. It is a negative outcome, to say nothing of the environmental consequences. We are struggling in our community, as you would appreciate already, with a very significantly reduced tree canopy as a result of the North East Link project. Some 5000 mostly native trees have been bulldozed, as many people in Victoria would know, right up and down the Eastern Freeway.

David Davis interjected.

Nick McGOWAN: Clear-felled, that is right – an unbelievable operation, including wetlands, I must add. Our area is already suffering greatly from loss of tree canopy, and that impacts directly our native flora and fauna. The privatisation and the development of this park would exacerbate that further, to say nothing of the recreational pleasure mums, dads and their children and grandparents currently derive from being able to go to that parkland, play with their children, kick the footy, throw a frisbee and, frankly, just sit there.

I had the good fortune of being there only a number of months ago for the first time. It is one of those little pocket parks that perhaps you would not come across normally. I was doorknocking that day. I sat there, and I kid you not, I shot a video saying, ‘What a beautiful little park,’ not knowing that just a few doors later I would be the recipient of the news that the council intended to sell it. It was devastating news for that community at that point that this plan has now progressed to the point of an actual sale. Minister, I would seek your urgent intervention as the Minister for Environment. That is right, Minister, as the Minister for Environment.

Jaclyn Symes interjected.

Nick McGOWAN: You have many powers, Minister. I am very familiar with some of your powers, at least, if not your power of persuasion. Do not underestimate your powers of persuasion. By virtue of the fact that you remain in that position, this says to me that you have powers of persuasion, and you need not choose the Premier to have those powers – those powers remain. I am asking you to use those same good powers for the good, positive impact of my community in Ringwood.

Responses

Jaclyn SYMES (Northern Victoria – Minister for Energy and Resources, Minister for Environment, Minister for Climate Action, Minister for the State Electricity Commission) (22:17): There have been 13 matters raised by members other than Mr McGowan this evening. I commend Mr McGowan for his advocacy and his passion for a piece of land that is obviously important to him and to members of his community. It is a council piece of land. I, actually, as Minister for Environment, have a lot of Department of Energy, Environment and Climate Action of Victoria parcels of land, and if it were a DEECA parcel of land then I might have some powers. I like that you are trying to give me powers to anoint pocket parks around the state. I would encourage you to continue your advocacy with council in perhaps asking them to retain their ownership of it. I think, as Mr Davis has indicated, there may be some other ministers that have powers already that I do not currently have. I am reluctant

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to accept your invitation to intervene in a matter that I have no power to, given there are a lot of other things that I do have responsibility for, but I commend your passion and I wish you well.

The PRESIDENT: The house stands adjourned.

House adjourned 10:18 pm.