Hansard

LEGISLATIVE COUNCIL

60th Parliament

Thursday 19 March 2026

By authority of the Victorian Government Printer

Members of the Legislative Council

60th Parliament

President

Shaun Leane

Deputy President

Wendy Lovell

Leader of the Government in the Legislative Council

Jaclyn Symes

Deputy Leader of the Government in the Legislative Council

Lizzie Blandthorn

Leader of the Opposition in the Legislative Council

Bev McArthur (from 18 November 2025)
David Davis (from 27 December 2024)
Georgie Crozier (to 27 December 2024)

Deputy Leader of the Opposition in the Legislative Council

Evan Mulholland (from 31 August 2023)
Matthew Bach (to 31 August 2023)

Member	Region	Party	Member	Region	Party
Bach, Matthew[1]	North-Eastern Metropolitan	Lib	Luu, Trung	Western Metropolitan	Lib
Batchelor, Ryan	Southern Metropolitan	ALP	Mansfield, Sarah	Western Victoria	Greens
Bath, Melina	Eastern Victoria	Nat	McArthur, Bev	Western Victoria	Lib
Berger, John	Southern Metropolitan	ALP	McCracken, Joe	Western Victoria	Lib
Blandthorn, Lizzie	Western Metropolitan	ALP	McGowan, Nick	North-Eastern Metropolitan	Lib
Bourman, Jeff	Eastern Victoria	SFFP	McIntosh, Tom	Eastern Victoria	ALP
Broad, Gaelle	Northern Victoria	Nat	Mulholland, Evan	Northern Metropolitan	Lib
Copsey, Katherine	Southern Metropolitan	Greens	Payne, Rachel	South-Eastern Metropolitan	LCV
Crozier, Georgie	Southern Metropolitan	Lib	Puglielli, Aiv	North-Eastern Metropolitan	Greens
Davis, David	Southern Metropolitan	Lib	Purcell, Georgie	Northern Victoria	AJP
Deeming, Moira[2]	Western Metropolitan	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 19 March 2026

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

Bills

Independent Broad-based Anti-corruption Commission Amendment (Follow the Money) Bill 2026

Assembly's rejection

The PRESIDENT (09:33): I have received a message from the Legislative Assembly:

> The Legislative Assembly informs the Legislative Council that the Assembly has rejected 'A Bill for an Act to amend the **Independent Broad-based Anti-Corruption Commission Act 2011** to expand the Independent Broad-based Anti-corruption Commission's jurisdiction and provide further for public hearings and for other purposes'.

Evan Mulholland: On a point of order, President, I would just like to note the Council's deep disappointment at the Assembly's rejection of this bill during a crisis of corruption where $15 billion has been rorted – shame.

The PRESIDENT: No, you cannot. You may have had one option to do something, but you did not do it.

David Davis: I move, by leave:

> That the Assembly's decision be debated.

Leave refused.

Papers

Papers

Tabled by Clerk:

> Statutory Rule under the Geothermal Energy Resources Act 2005 – No. 17.
>
> Subordinate Legislation Act 1994 – Documents under section 15 in relation to Statutory Rule No. 13.

Business of the house

Notices

Notices of motion given.

Members statements

Wurdi Baierr Aquatic and Recreation Centre

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (09:45): I was pleased to recently join the mayor of Surf Coast shire Cr Libby Stapleton to inspect progress of the Wurdi Baierr Aquatic and Recreation Centre in Torquay. This fantastic new facility is being delivered thanks to investment from the Allan and Albanese Labor governments and the Surf Coast shire. The Surf Coast community will benefit from access to aquatic fitness and health facilities and services that will be available all year round on completion later this year.

McDonald Reserve pavilion

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (09:45): On another matter, I was also pleased to recently mark the official start of works at the McDonald Reserve pavilion redevelopment in Belmont. This much-loved local ground is finally getting the

modern, inclusive facilities it deserves, something that the Belmont community has long been waiting for. This project was made possible thanks to $2.5 million of investment from the Allan Labor government alongside a significant $250,000 contribution from the South Barwon Football & Netball Club. This investment will deliver inclusive and modern sporting facilities, ensuring Belmont has a sportsground that truly supports everyone in our community, including women and girls, to get in the game.

Western Victoria Region sporting facilities

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (09:46): This government's investments are supporting sporting facilities across the region, including the new hockey pitch at Banyul-Warri Fields in Torquay and the construction of new sporting centres at Waurn Ponds and Armstrong Creek. It is a fantastic win for the dynamic communities of South Barwon and beyond.

Stony Creek Racing Club

Melina BATH (Eastern Victoria) (09:46): I would like to offer my great congratulations to the president John Schuijers, the CEO Jason Benbow and the fabulous committee of the Stony Creek Racing Club. They did a fantastic job the other day for their annual Stony Creek Cup. So much of what they do goes back into the community. They facilitate sporting clubs to raise money, and it is just a fabulous vibe. It was very much a great day out for people to enjoy with their families, and I want to congratulate them for their ongoing work in our community.

Leongatha medical services

Melina BATH (Eastern Victoria) (09:47): I also want very much to pay homage to a wonderful group of medical professionals in Leongatha. Leongatha has had an unprecedented interruption of its GP services, which blindsided community as well as the doctors and administrators. I just want to congratulate Dr Cassie Zhou, who has established a new clinic in record time with the support of Louise Sparkes, the CEO of Leongatha Hospital, and many, many others. It has been a very difficult time for our community, and I want to pay homage to the administrative officers in the background, to the other GPs who have supported Cassie and to the community for hanging in there, as well as the Long Street clinic, Z Medicals and all the other surrounding towns that took up the workload during this difficult time. Thank you very much for your service. We are truly indebted to you, and we look forward to positive health outcomes for our community going forward.

Duck hunting

Aiv PUGLIELLI (North-Eastern Metropolitan) (09:48): In 2025 almost half a million ducks were killed in Victoria during the hunting season, with over 100,000 left wounded. This is wildlife slaughter, and it is approved and supported by our Labor government. A couple of years ago an inquiry of this Parliament recommended that duck hunting be banned in our state, but the Premier and the Labor government chose to ignore this recommendation, so the killing continues. Six out of eight native duck species are in significant long-term decline. Our waterbirds are losing their habitat. They are under pressure from climate change. They are at risk from extreme weather events. The last thing that they need is to have hunters coming into their homes each year to hunt and kill them for fun. The Greens have never supported duck hunting. We will not ignore the precarious state of our native birds. We will not bow to the hunting lobby. We want to see our native ducks and quails protected and allowed to live in their natural habitats, safe from hunters. End duck hunting now. It should not have a place in our state, and it is one of those things that future generations will look back on saying, 'Who on earth allowed this to continue?'

Newroz

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (09:49): Today I rise to recognise and celebrate Newroz, the Kurdish New Year. Across Victoria Kurdish communities are gathering this weekend to mark this important occasion. Newroz is more than a celebration; it is a powerful symbol of freedom, identity and the enduring strength of a people who have faced generations of hardship. But as we celebrate, we also reflect. Many in our community are watching events unfold across the Middle East, with deep concerns across Kurdistan and particularly the city of Erbil. For many of my constituents this is not distant news. It is family. It is loved ones. It is deeply personal.

Last year I had the privilege of visiting Erbil for the landmark Kurdistan National Prayer Breakfast, a trailblazing event hosted by Prime Minister Masrour Barzani. It is a city rich in history and pride and stands as an important centre for coexistence, religious freedom and democratic aspiration in the region. Here in Victoria Kurdish Australians continue to contribute to our state and strengthen our communities while preserving their heritage and connection to culture. That is why events and moments like Newroz matter. They bring people together, they reaffirm identity and they remind us of the universal values we all share – peace, dignity and hope for a better future. To everyone celebrating, Newroz pîroz bê – happy Newroz. May the year ahead bring peace, stability and prosperity for all.

Holi Festival of Colours

Ann-Marie HERMANS (South-Eastern Metropolitan) (09:51): On behalf of all of my community in the south-east and in particular those who are Hindu and have celebrated Holi, happy Holi day and happy Holi festival. It was just a joy to have so many celebrations around the south-east, from Lynbrook to Carrum Downs, and a wonderful thing to have my colleagues Evan Mulholland and Jess Wilson come to the Hindu Society of Victoria Shri Shiva Vishnu Temple in Carrum Downs to celebrate Holi. It was great to have them there. Jess Wilson was a superstar and well received by the community, and I want to thank the president Mrs Usha Rani Gulapalli for her invitation and for the wonderful presentation and celebration that was held.

Lysterfield Lake College

Ann-Marie HERMANS (South-Eastern Metropolitan) (09:51): I was delighted to visit Lysterfield Lake College recently for the official launch of the inaugural politics club, an exciting initiative available to students from years 3 to 9. I want to thank the founding leader, principal Trent Thomas, for the invitation. This was an opportunity for young people to come together to discuss politics at all levels, and I know that they are going to continue on in this politics club and have many great meetings and sessions with many different officials and politicians.

Crime

Ann-Marie HERMANS (South-Eastern Metropolitan) (09:52): I also want to speak about the fact that the crime statistics have come out today, and Casey is up by 10 per cent. This government is failing the people in my community in the south-east, with crime statistics that are absolutely outrageous. They are falling behind, and people are not safe in my region. Under the Liberals and Nationals we will scrap taxes – *(Time expired)*

Casey Multifaith Network

David LIMBRICK (South-Eastern Metropolitan) (09:52): I was honoured to be recently invited to the Casey Multifaith Network Iftar dinner event, hosted at the Hampton Park Uniting Church, also organised by the Ahmadiyya Muslim community. The theme was 'Fasting in my religion', and we heard from religious leaders from the Buddhist, Christian, Muslim and Hindu faiths about the role of fasting in their religion and the common ground between these religious groups. I think it is more important than ever at the moment for religious groups to talk to each other and find common ground,

and I thought that this was an excellent way of doing it out at Hampton Park. I commend the Casey Multifaith Network for their work in this area in establishing peaceful dialogue between religions, and I encourage more leaders to get involved in this sort of thing, because I think if we are talking about social cohesion and stuff a lot in Victoria, this is key to that to prevent misunderstandings and to establish communication and dialogue between religious groups. So I commend them on their work and hope that they continue doing this in the future.

Korumburra skate park

Tom McINTOSH (Eastern Victoria) (09:54): I would like to acknowledge Mr Limbrick's statement. I thoroughly agree.

It was great to celebrate the opening of the Korumburra skate park on Friday, being around town and talking to different community groups during the day, with families talking about how much kids are getting up and using it alongside the new netball courts and netball rooms, the footy club rooms and the lights at the rec reserve with the new synthetic pitch for the cricket club and the soccer club. Korumburra youth have got heaps of local sport activities to get into. Thanks to the shire, deputy mayor Brad Snell and of course Bron Beach, the local Korumburra councillor, and all the council staff put on a great event to celebrate opening the skate park. It of course is part of the railway precinct and all the new parking on that side of town, the new streetscaping that has gone on and the new pathway that goes through to the community hub. The centre of Korumburra is alive. The town has a massive history, but it has got a very bright, even bigger future.

Red Hill Tennis Club

Tom McINTOSH (Eastern Victoria) (09:55): I also had the joy of going down to Red Hill Tennis Club last week. The new lights are in, and the club are really active. I got out there and had a hit on the courts myself. Young Heath blitzed me and aced me at probably about 200 kilometres an hour, I would say it would have been. So congrats to Red Hill.

Dromana Pier

Tom McINTOSH (Eastern Victoria) (09:55): Parks Vic have got the new Dromana Pier going in. That is looking fantastic. For generations it has serviced tourists and locals alike, and that is going to be a wonderful asset for generations to come.

Western Highway

Joe McCRACKEN (Western Victoria) (09:55): Everyone who drives along the Western Highway asks the same question: why does it have to be so bad? And the short answer is it does not. But after years of Labor neglect, this is exactly what we have got: congestion, frustration and a highway that feels more like a major car park than a major piece of infrastructure. Residents from Melbourne through to Caroline Springs are paying the price. If you are travelling outbound between 4 pm and 8 pm, add another hour to your trip, and if you are travelling inbound 7 am to 10 am, add about the same. Frankly, if you are driving on the Western Highway at peak hour, bring your breakfast, bring your dinner, because you will not be eating them at home. The cause is obvious: chronic underinvestment. For years Labor have treated Melbourne's west as somewhere to grow the population but not grow the infrastructure. Families sit in traffic, businesses sit in traffic, tradies sit in traffic. Meanwhile, the government sits on its hands to the point where Western Highway is not even transport infrastructure anymore; it is a monument to Labor's neglect of Melbourne's west and, judging by the traffic, it is a pretty well-patronised one.

International Women's Day

Rachel PAYNE (South-Eastern Metropolitan) (09:56): I want to reflect on International Women's Day, which we celebrated on 8 March. This year's themes were 'Give to gain' and 'Balance the scales'. At first blush this implies financial giving, and this makes sense: women's share of the global income is under 35 per cent. Even in countries like Australia the gender pay gap remains stubborn,

although it is shifting. But I would like to invite the chamber to consider other types of giving, specifically the generosity inherent in collaboration. Generalisations are fraught, but I think it is fair to say that women generally work more collaboratively. Collaboration implies a spirit of abundance and sees power not as something to be lorded over others but to be shared. Power shared is power multiplied. So reflecting on International Women's Day, I would encourage the men in this chamber to deeply reflect on power: are you generous with your power? Politics is rugged and that is okay. But women navigate this robust terrain while also fighting both conscious and unconscious bias, from the Premier to the crossbench MPs. How are you helping to balance the scales? I want the men in this chamber to reflect on how they can make Parliament a more supportive place for all women, to ask themselves, 'What would you give to gain gender equality?' Now, that would be progress.

Head of the Schoolgirls' Regatta

Bev McARTHUR (Western Victoria) (09:58): A great day was had by all at the head of schoolgirls' rowing on the Barwon last weekend. This fabulous all-girls event is the biggest female-only rowing event in the world, team – not just Victoria, not just Australia, but the world. Over 50 public and non-government schools competed and the winners were from small and large schools. It was a great privilege to address the event, where over 2000 girls competed and thousands of spectators lined the riverbank and watched and cheered very enthusiastically. It was an honour to hand out the medals to the winners, along with deputy mayor Cr Eddy Kontelj; Sarah Cook, the CEO of Rowing Australia, who is also a double Olympian; Deb Spring, the president of Rowing Victoria; and Adam Harrison, the CEO of Rowing Victoria. Ali Henricus did an amazing job as president of the schoolgirls' rowing regatta committee, organising this extraordinary event with the 2000 competitors. It was also great to be joined by Alex Boyd, who is the president of Paddle Victoria, and they will be conducting their championships this weekend on the Barwon. I just want to say that Geelong is by far the best city to be hosting these events.

Holi Festival of Colours

Evan MULHOLLAND (Northern Metropolitan) (10:00): It has been great to travel from the northern suburbs to other areas across our state, and particularly lately I have been in the south-east quite a bit. It was great to attend the Holi event put on by the Hindu Society of Victoria temple in Carrum, particularly the chair Usha Gulapalli, with Jess Wilson and Ann-Marie Hermans. I would like to wish all the community a happy Holi. It was great to join my colleague Lee Tarlamis as well.

Astha Nepali Hindu Society of Victoria

Evan MULHOLLAND (Northern Metropolitan) (10:00): It was also really great to attend the fantastic Astha Nepali Hindu Society of Victoria event in Dandenong North for the Shri Shiva Katha festival with the great candidate for Rowville Max Williams. Max and I were welcomed very warmly by at least 500 in the community. Thank you to chairman Raju Adhikari. I am looking forward to returning soon for a series of multifaith round tables.

Ramadan

Evan MULHOLLAND (Northern Metropolitan) (10:01): Of course it has been a busy Ramadan this year. I have had the great pleasure of joining many members of my community at different iftar dinners, from the Union of International Democrats iftar last night, the Muslim Welfare Trust and Hararian Organization's iftar in Somerton, the MÜSİAD Australia iftar, the ABH Recycling iftar, the Jordanian community iftar, and many community members have welcomed me into their home as well.

Northern Metropolitan Region events

Evan MULHOLLAND (Northern Metropolitan) (10:01): It has been a busy time for my parliamentary marquee. I have had the Moonee Valley Festival, the Wallan market and a whole bunch of other community engagements. I really enjoyed the Cyprus Halloumi Festival recently as well, and there are too many more to mention in this speech.

Government performance

Gaelle BROAD (Northern Victoria) (10:01): I just want to say thank you to so many people in the community that have shared feedback. I invited people to have their say, and it was very interesting to receive some of the insights. One of the issues was tax dollars and how they are being used and how people feel the state government is spending them: 'Does it support your family?' Certainly with that one 'Not at all' was the dominant response. As far as issues that are important to people go, certainly cost-of-living pressures and the economy were mentioned as well as hospitals; law and order; roads, quite significantly; and taxes and charges – which I am not surprised about, because we have certainly seen a lot of that under this government. Expenses are hitting people very hard right now, like electricity and gas, groceries, healthcare costs, and insurance was very significant as well. On family budgets, people certainly indicated that they are budgeting very carefully. They are making tough choices each week, and they have had to cut back on family priorities. On how they are feeling supported by the government, 'very poorly' was the dominant response that I received. On areas where people are worried about government spending, they are feeling that not enough is going into essential services like schools, hospitals and police. There are too many highly paid public servants, and too much money is going to the city instead of local areas. Thank you to all those that have contacted me. I will continue to do my best to serve our region.

You Matter

Renee HEATH (Eastern Victoria) (10:03): Today I just want to acknowledge the incredible work of an organisation called You Matter. You Matter supports women and children who have experienced family violence by supplying them with everything they need to build a permanent home that they can be proud of. What they do is they create what are called 'havens of hope' by using different furniture and different aspects that you need to create a new life that these people can be proud of. There are three staff members that are paid, and there are over a hundred volunteers that give of their time purely to do something wonderful for somebody that has been through something terrible in their life. When the woman comes in, the first thing they do is they sit down, they get to know what that person loves, what their dream house would look like, their favourite colours and these sorts of things. Then what happens is all of these different volunteers go to work to create that space for these women. I was able to sit down with about 10 of the people in the organisation to hear some of their stories and what drives them to make them do this. I just want to shout-out to Deborah de Rossi, the CEO; Miriam Bugden, the manager of service operations; Paul Telford, the manager of warehouse operations; Chris Pappas, the coordinator of creative content; Kelsey Smith, coordinator of volunteer engagement – I have got more – Marie Howard, the haven coordinator; Michael Howard, collections crew; and Catherine Scott, warehouse assistant. Thank you so much for what you do.

Business of the house

Notices of motion

Lee TARLAMIS (South-Eastern Metropolitan) (10:05): I move:

> That the consideration of notices of motion, government business, 278 to 1367, be postponed until later this day.

Motion agreed to.

Bills

Entities Legislation Amendment (Consolidation and Other Matters) Bill 2025

Second reading

Debate resumed on motion of Gayle Tierney:

> That the bill be now read a second time.

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (10:05): I just acknowledge the previous speakers from Tuesday and the opportunity to sum up on the Entities Legislation Amendment (Consolidation and Other Matters) Bill 2025. I will canvass a few points that are important to go over regarding the intent behind the bill, the type of which is quite unusual, I suppose. We have the statute law reform bills, which cover a lot of topics, but I recognise this has caused some challenges with the range of areas that it covers. Obviously there has been a lot of interaction with individual shadow ministers and different representatives from the crossbench depending on their areas of interest, and different ministers have been in conversations as a result of the interface with the amendments in particular portfolios. So I do appreciate that there has been some complexity with this legislation. It may have made things a little complicated, but I appreciate the will that people have brought to the spirit of the intent of this legislation. It is relatively uncontentious in terms of its purpose, but it is important and it is a feature of a lot of work that I have been leading for some time.

To ensure that the public sector is appropriately focused on delivering essential services, as Treasurer I commissioned an independent review of the public service, the Silver review. This was to give advice to government to really zero in on any waste and inefficiency and focus on entity consolidation for the benefit of Victorians. The review found that there are some entities and boards whose functions are not or are no longer required or whose functions overlap with the existing work of core departments or have been superseded by others. Consolidating functions into departments does enable clearer lines of accountability and makes government less complex for people to navigate, which I think is really important. The 2025–26 budget included a range of savings and efficiencies consistent with the objectives of the Silver review, some of which were part of her interim report which she provided to the cabinet. This included things such as ceasing or scaling back programs where the original aims have been achieved or where the level of investment is no longer required or indeed justified and programs that no longer represent the best value for money.

I must point out at this point in time it is not necessarily implying that things are not good. If government did everything that was good, you would be diluting all of your resources to things that are good. What you must do is focus on the things that are a priority, the things that make the real difference and the things that have the most impact. Otherwise you are mediocre and you are not providing the best service where it is most needed. This is the theme; this is what has driven some of these difficult decisions. They are not necessarily the most popular decisions for people that might feel that they liked that part of government. But if you look at the bird's-eye view, the overall picture of how governments should service the community, it is really important to prioritise and really get behind and resource those that have the highest impact.

There does seem to have been a little bit of confusion about whether some items in the bill were flagged through the Silver review or not. I do want to make it clear that government do not just rely on an independent review to do their important work. It informed a lot of the work of course, but in deciding to close an entity or delete overlapping department functions, this should be a core responsibility of government that we should do annually at least, or every day in our work. When you identify something that perhaps could be spent in a better way or have a different and more impactful effect on the community, that is what we are here to do.

That is where the bill comes in. It sits squarely within the government's focus on providing high-quality public services in a financially responsible manner. This is what the bill is about. It is not about cutting services, it is not about removing oversight; it is about streamlining government functions and maximising the efficiency of the service to the public. We are making sure we are laser focused on what Victorians want from government – good schools, good health care, good safe communities and real help with the cost of living, without cuts to frontline services. We will never make cuts to the frontline services that families rely on. I know that many MPs would share these views. I know that you are out there speaking to your communities. You know what their priorities are. They are those – schools, health care, safety and cost of living. They are the issues that we are all talking to our

communities about, and they are what this bill is trying to ensure the government are focused on. Families of course, particularly after this week, are watching every dollar they spend. They expect government to do the same.

The bill aims to reduce waste and inefficiency so we can invest in the things that matter. The changes proposed in the bill are sensible and support the government's plan for responsible fiscal management. I acknowledge that there has been feedback from various members in the chamber and from stakeholders regarding some of the proposals in the bill, and I do thank them for that constructive engagement. We have listened to the feedback, and we have done considerable work to allay any of the concerns.

I particularly want to acknowledge and thank Minister Stitt, who has done a mammoth amount of work on the mental health changes in the bill. As a result of this, the government has a number of amendments to move. Once they are printed, I will circulate them during clause 1 in the committee. I would note that I cannot table them right now, but they have been circulated and discussed, so there should not be any members that have not received those. Minister Stitt will join me in committee to be able to answer any questions on mental health.

I have had some conversations, particularly with opposition lead Mr Welch, and we acknowledge that there are a variety of topics in this bill. What we are proposing to do for the benefit of members that wish to engage and participate in the committee stage is that we are going to attempt to bring some order to the questions in terms of starting. Thank you, Minister Stitt, for agreeing to join me at the table, which I will seek leave to do once I am down there. We will start with mental health questions, and then we will move to general questions like we would normally do during clause 1. Then I think the agreement of members would be that any sorts of other questions that are on the bill, we will also acquit during clause 1. Of course we can take it pretty slowly and make sure that we are all clear on where we are up to with what is a diverse bill.

I also do want to acknowledge the work of the clerks and the table office in relation to dealing with numerous amounts of content and amendments and developing up the run sheet, which will help guide some of the amendments in particular. I think I will do everything else at the committee table. Thank you again to those that have contributed to the bill.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1 (10:15)

Jaclyn SYMES: I seek leave for Minister Stitt to accompany me at the table. As discussed, this bill has a variety of topics, but one of the topics is mental health, and the Minister for Mental Health, being in the chamber, would be best equipped to deal with those questions.

Leave granted.

The DEPUTY PRESIDENT: We will commence with questions, and as soon as we have the amendments the Treasurer will circulate them.

Richard WELCH: While we wait for those, shall I proceed with some other general questions? I do not have any specific questions on the mental health aspect.

Jaclyn SYMES: Given my proposal for Minister Stitt to deal with mental health questions, can I see if the crossbench have got any questions in the mental health space? The opposition have indicated they have no questions for mental health, so if you guys would like to do that, then we can excuse her and get back to the remainder of the bill.

Richard WELCH: Ministers, could you advise of the consultation the government had with the Mental Health and Wellbeing Commission and also the Victorian Collaborative Centre for Mental Health and Wellbeing on this bill?

Ingrid STITT: Obviously the changes are as a result of a process that the Treasurer has led and are publicly available, but there has been consultation with, in particular, the lived-experience peak bodies as a result of the bill being tabled in the Assembly last year. There have been ongoing conversations with those peak bodies as the bodies that speak for lived experience in this state.

Richard WELCH: Could you advise of the government's reasons to make the changes to the Mental Health and Wellbeing Commission and also to the Victorian Collaborative Centre for Mental Health and Wellbeing in this bill, given that the Silver review only referenced the commission in passing?

Ingrid STITT: Mr Welch, the amended bill is really about updating the governance structure of the Mental Health and Wellbeing Commission by moving from the four-commissioner model to a commissioner and deputy commissioner model, and it introduces a deputy commissioner to support the commission in performing its functions and requires that at least one of the commissioner or deputy commissioners has lived experience. This is because, since the establishment of the Mental Health and Wellbeing Commission, there have been overlapping roles and an overly complex governance structure, and that has limited accountability and decision-making. These reforms are all about streamlining leadership and governance and making the commission more responsive and effective, and moving to a commissioner and deputy commissioner model strengthens that accountability and reduces that duplication. It is obviously important that the commission maintains its independence but also has the ability to deliver on its core functions.

In relation to the collaborative centre, again, this is about updating the governance of the collaborative centre by reducing the minimum board size from nine to five members, including the chair, and moving from a co-CEO model to a single-CEO model. These changes streamline decision-making and improve efficiency. The amended bill will help the collaborative centre operate more effectively and ensure that lived-experience representation remains a key component of the governance of the collab centre board.

Richard WELCH: Several stakeholders have expressed concern that the bill's changes to the commission's responsibilities and powers will restrict its important industry oversight role. Can you guarantee the commission's ability to obtain data from government entities will be unchanged if this bill passes as is?

Ingrid STITT: These are some of the issues that will be dealt with with the house amendments that I am hoping are now being distributed or nearly in the chamber. The amendment does increase the commission's information collection powers to help them better fulfil their functions and exercise powers under the Mental Health and Wellbeing Act 2022. The house amendment that Minister Symes will bring provides that the Secretary of the Department of Health must provide information requested from the commission to assist in their functions. I want to acknowledge the conversations that have been happening both with the opposition and with the crossbench about reaching an agreed position on the data functions of the commission and the ability for the commission to access data from the department.

Georgie CROZIER: If I can just continue on with that line of questioning – apologies, I was not here at the start, Minister. I just want to get a couple of things, and you may need to take them on notice. According to some stakeholders the deliverables of the Victorian Collaborative Centre for Mental Health and Wellbeing are unclear. They do not know what the VCC is supposed to achieve. A lot of the supervision training is provided by other organisations. It was meant to be a one-stop shop. Can you explain to the committee why that has changed?

Ingrid STITT: Can I just clarify, you were asking in your question about reporting, but you are actually asking about the training function of the collaborative centre? All right. I am sure I am not telling you anything you are not familiar with, Ms Crozier, but I think it is probably worth touching on the role of the collaborative centre in the system. The Victorian Collaborative Centre for Mental Health and Wellbeing was a key recommendation in the interim report of the Royal Commission into Victoria's Mental Health System, and it is the translational research agency which brings together new research and best practice in mental health care. It was established under the act, and the collab centre structure includes lead partnerships with the University of Melbourne and the Royal Melbourne Hospital as well as a larger number of consortium partners across academia and health services delivery to ensure ongoing connections between research and practice in the mental health sector. In terms of the recent changes that were made with bringing the Centre for Mental Health Learning into the work of the collaborative centre, that occurred on 1 July 2025 and fulfils one of the key recommendations of the royal commission – recommendation 58, sub recommendation 4 – to enable the Collaborative Centre for Mental Health and Wellbeing to coordinate learning and professional development activities across the whole mental health and wellbeing workforce. That is an important change, and I do want to reassure the chamber that this is a key focus. I have asked my department to ensure that the collaborative centre is delivering on high-quality workforce training and development programs that meet the needs of our modern mental health workforce. I have asked my department to ensure that this occurs.

Georgie CROZIER: You might need to check on this, but how many people have been trained by the collaborative centre, given that collaboration that you have just spoken of?

Ingrid STITT: That may be one that I will need to take on notice and see if we can get an answer for you to during clause 1.

Georgie CROZIER: Just in relation to that training, how does it compare with the Centre for Mental Health Learning?

Ingrid STITT: There was a process of bringing over the operation into the collaborative centre, and I am advised that the collaborative centre is finalising a three-year strategy of workforce development activities by mid-2026 which will guide development and training functions for the future of the mental health and wellbeing workforce. Again, I have asked my department to ensure that that includes consultation with the relevant unions in relation to that training strategy.

Georgie CROZIER: Another one, just on notice, about data: how many educators have been trained? You said there is a three-year workforce development program. How many educators will be provided in that program?

Ingrid STITT: Are you talking about the workforce of the collaborative centre to deliver on training?

Georgie CROZIER: Yes.

Ingrid STITT: Okay. I think we will have to take that one on notice, Ms Crozier, if you do not mind. I have got details of other global figures, like 43.9 EFT staff – sorry, that is the commission; I withdraw that. Can I just clarify: do you mean the number of staff employed to run training?

Georgie CROZIER: Yes. And how many educators.

Ingrid STITT: Educators within the team?

Georgie CROZIER: Within that program.

Ingrid STITT: Okay. I will take that on notice and see if I can get you that information.

Georgie CROZIER: Thank you very much. I know some of those are data and you will not have that, so I appreciate that. Just on that, I suppose a breakdown of how many are in metropolitan Melbourne and how many are in regional areas, if you would not mind as well.

Ingrid STITT: We can certainly try.

Georgie CROZIER: Just in relation to the total capital expenditure, I understand that the centre is building a rooftop garden. There are questions around why that is needed and what the cost is of the total capital expenditure – the total cost of the build and why there is a need for rooftop garden.

Ingrid STITT: I am not aware of any plans to construct a rooftop garden, but I think it is probably important to give you a clear indication of my expectations of the collaborative centre, and that is that they deliver high-quality workforce training and develop programs that meet the needs of our workforce. As I have indicated, I have asked my department to ensure that that occurs, but I am not aware of any plans to construct a rooftop garden.

Georgie CROZIER: Could you provide the committee with a budget for how much the build will cost?

Ingrid STITT: It is outside the scope of the bill, Ms Crozier. It has not been a build. We will need to take that on notice in terms of the capital expenditure, but it is actually a fit-out; it was not a build of their building. I am happy to take that on notice, but it is not in the scope of the bill before us today.

Georgie CROZIER: I appreciate that response, but I think it is important in light of some of the concerns that have been raised by stakeholders, so if you could, that would be helpful. Is the government walking back any changes it would make to ensure that oversight is stronger? Is that correct or not?

Ingrid STITT: In relation to which entity? I would say neither, but I just want to get some clarity from you, Ms Crozier, about –

Georgie CROZIER: Sorry, the collaborative centre.

Ingrid STITT: No. In relation to the collaborative centre, we are making sensible changes to the board number and the make-up of the board. I would contend that that does not change in any way the remit of the collaborative centre. In answer to a previous question from Mr Welch about the ongoing structure at the collaborative centre, we are moving from a co-CEO model to a single CEO model. I think that is a much more streamlined governance structure for an organisation of the size of the collaborative centre. The board will move to a minimum of five positions, with some house amendments around lived-experience board positions being carved out within that five. If the board increases in size in the future, then so too will the number of lived-experience members of the board. But this is very much about streamlining the governance arrangements of the collaborative centre. I think it is important to note one of the co-CEO positions is currently vacant and has been for some time anyway.

The DEPUTY PRESIDENT: We might just pause there because the amendments have arrived, so we might get the Treasurer to circulate her amendments.

Jaclyn SYMES: I appreciate those that have done the work to get the amendments in a form that I can table. I appreciate people's patience and also their work. I ask that they be circulated.

Georgie CROZIER: Minister, could you clarify for me, please: the mental health family violence coordinator roles were meant to be renegotiated, but there has been no communication around ongoing funding. The Centre for Mental Health Learning were concerned around that aspect. Is that the case?

Ingrid STITT: Ms Crozier, can I just clarify with you: are you talking about actual roles at the collaborative centre?

Georgie CROZIER: Well, could you clarify for me? Are those family violence coordinator roles in the collaborative centre being renegotiated, and is there funding for that?

Ingrid STITT: It is certainly something that is outside the scope of the bill before us today.

Georgie CROZIER: I think it is part of that employment package that we were talking about earlier.

Ingrid STITT: Yes, and there were the learning components that came over on 1 July last year. They are really operational issues at the collaborative centre. There have been some discussions between my office and the Health and Community Services Union about some of the union's concerns around the learning and development elements of the collaborative centre, and I have already given them an undertaking that I will be happy to meet with them and work through those issues.

David LIMBRICK: Before I start my questions – I only have a few questions – I would just like to clarify for myself and for the house what has happened here with the mental health and wellbeing commissioners. The original bill proposed scaling back from four commissioners to one commissioner, and then the house amendment which has just been circulated would change that to a commissioner and a deputy commissioner, if that amendment was to succeed. Can the minister please just confirm if my understanding of that is correct?

Ingrid STITT: One hundred per cent correct, Mr Limbrick.

David LIMBRICK: Thank you, Minister, for clarifying that, just to make sure that we are on the same page. Can I first clarify: what is the current salary of the existing commissioners?

Ingrid STITT: It is an independent statutory authority, so their salaries are in accordance with the arrangements overseen by the remuneration tribunal.

David LIMBRICK: Does the minister have a number on this, approximately?

Ingrid STITT: I am just going to check with the box.

The current commissioners are in the band 2 senior executive service range, which is between $295,000 and $430,000 per annum.

David LIMBRICK: If we said the midpoint of that is around $350,000, then we are looking at about a $1.4 million total cost for the current arrangement. Is that in the ballpark?

Ingrid STITT: I would agree with that assessment, yes.

David LIMBRICK: If the government in the original bill, as unamended, thought it sufficient to go from four commissioners to one commissioner, that would result in savings of approximately $1.1 million or something in that range. Why is the government now proposing a house amendment to bring that up to a commissioner and a deputy commissioner when the government originally thought that a sole commissioner would be sufficient?

Ingrid STITT: The answer to your question is that the decision to bring forward a house amendment to add a deputy commissioner to the structure is not based on a cost consideration; it is based on me listening carefully to the lived experience of peak bodies, who were concerned that if we moved to a single commissioner model the voices and the input from the lived-experience community would be diluted. I have listened carefully to that, and I have agreed that by having a commissioner and a deputy commissioner we can achieve two things: we can achieve a more streamlined governance arrangement, but we can also maintain the voices of lived-experience consumers and carers. The issue there is really one of the key tenets that came out of the royal commission.

David LIMBRICK: Is the minister implying that a commissioner without lived experience is unable to perform their job competently?

Ingrid STITT: No, I am not implying that, but I have listened to some of our key lived-experience peak bodies in the state, and they have made some compelling arguments about why there ought to be a lived-experience component to the leadership structure, so that is why the house amendment is coming forward in the way that it is.

David LIMBRICK: What are the proposed job functions of the commissioner and the proposed deputy commissioner? What will their responsibilities actually be?

Ingrid STITT: The bill does not prescribe distinct internal functions for the commissioner and deputy commissioner, respecting the fact that this is an independent commission and they need to determine their own internal governance arrangements, but the commissioner retains clear statutory accountability, while that flexibility is also preserved to allow the commission to allocate responsibilities in a way that best reflects the skills and expertise of both of the office holders. This approach also does ensure that lived experience can be embedded in the leadership, regardless of which role fulfils that requirement under the act, should the amendments be successful.

David LIMBRICK: Who will appoint the deputy commissioner, and who will the deputy commissioner report to in the new organisational structure?

Ingrid STITT: Once the bill receives royal assent, should it pass the procedures of the Parliament, there will be a recruitment process that will be undertaken. But the deputy commissioner's powers are limited to those delegated by the commissioner. As I indicated earlier, the commission is an independent oversight entity, so it would not be appropriate for the legislation to prescribe what those specific roles and responsibilities ought to be, but both of the appointments have to go through a Governor in Council and cabinet process.

David LIMBRICK: I thank the minister for that answer. Just to clarify the appointment process, are we saying that the commissioner will not be the person appointing the deputy commissioner? Is that correct?

Ingrid STITT: No, they will not be appointing the deputy.

David LIMBRICK: Isn't it unusual to have the deputy leader of an organisation not appointed by the leader of that organisation, like in most organisational structures?

Ingrid STITT: No. Perhaps in the private sector, but not necessarily when it comes to various statutory authorities and entities, and it is very common to have a Governor in Council appointment process.

Rachel PAYNE: Minister, you responded to Mr Welch's question in regard to consultation around the bill, in particular the changes to the mental health proportion of the bill. To go into a bit more detail on that, did this consultation include the leadership teams of any of the impacted organisations, and if so, which ones?

Ingrid STITT: Given the need to progress these reforms in a timely way, broader engagement with the Victorian Collaborative Centre and the Mental Health and Wellbeing Commission will continue to be undertaken through the implementation and transition planning, but consultation was intentionally targeted at key lived-experience peak bodies, specifically VMIAC, Tandem and Self Help Addiction Resource Centre (SHARC), reflecting that they have the mandate as the peak bodies and an established role in the sector as very strong advocates.

Rachel PAYNE: Did the consultation include any people with consumer or carer lived or living experience in the mental health sector?

Ingrid STITT: Consultation included consumers and carers with lived experience of mental illness through engagement with their peak bodies VMIAC, Tandem and SHARC.

Rachel PAYNE: We have throughout this process of engagement with stakeholders heard quite a bit of criticism regarding the consultation process. So I want to broadly put it out there: will the government and you, the minister, commit to ensuring greater transparency and improved consultation with the mental health sector in the future?

Ingrid STITT: The government is always committed to ongoing transparent engagement. As Minister for Mental Health, I do take that seriously, and I hope I am seen by the sector, broadly, as someone who is accessible and understands clearly my responsibilities to engage, not just in a surface way but properly. Both I and my department regularly engage with a diverse group of stakeholders across the sector, including through individual meetings with stakeholders, including unions, forums such as the Mental Health Ministerial Advisory Committee and the Alcohol and Other Drugs Ministerial Advisory Committee, and of course we also really appreciate the fact that we are able to, in relation to specific projects, set up advisory groups of experts from across the sector to advise the government on reforms. As reforms progress, the government will continue to take on feedback and consult with the mental health sector. I think it is really important that that also includes the implementation stage of any reforms.

Rachel PAYNE: Just moving on to the Victorian Collaborative Centre for Mental Health and Wellbeing, will the government support the inclusion of mandated output and expenditure reporting requirements for the collaborative centre to ensure it delivers measurable workforce training outcomes and itemised to-the-dollar reporting on where the mental health and wellbeing levy has been spent?

Ingrid STITT: Section 668 of the Mental Health and Wellbeing Act 2022 requires that as soon as practicable after the end of each financial year the collaborative centre board must submit a report to the minister, and that needs to include a review of its activities during the financial year, a review of its implementation against its strategic plan, a summary of actions it has taken that demonstrate that reasonable efforts have been made to comply with the mental health and wellbeing principles and any other information specified in writing by the minister. The collaborative centre's financial reporting arrangements are currently through the Department of Health's annual report, which includes their budget and their expenditure, so that is already a process that is publicly transparent and in accordance with the Mental Health and Wellbeing Act.

Rachel PAYNE: Minister, thank you for that fulsome response. What was the rationale for the changes in this bill to the mental health sector, and in particular the changes to lived-experience leadership?

Ingrid STITT: I think I went to this in a little bit of detail with Ms Crozier and Mr Welch earlier. Essentially it is because, since the establishment of the commission, there have been overlapping roles and an overly complex governance structure that has really limited accountability and decision-making. These changes are all about designed and streamlined leadership and governance, and I believe strongly that moving to a commissioner and deputy commissioner model does strengthen that accountability and it reduces duplication while still maintaining the commission's independence and core functions. Of course lived experience will continue to be represented in that leadership structure and in the commission's important work. In relation to the changes to the governance arrangements at the collaborative centre, they are really changes to the board, ensuring the size of the board is appropriate for the size of the organisation, and the amended bill will help the collab centre operate more effectively and ensure lived-experience representation remains a key component of the board. I think that these are sensible changes which are about better and stronger leadership of these two entities.

Rachel PAYNE: Minister, you implied this in your response just now, but how do the mental health sector related changes in this bill uphold the royal commission's commitment to lived-experience leadership, rights-based practice and independent oversight?

Ingrid STITT: The commission obviously remains a very important independent statutory authority with broad oversight compliance and complaint-handling powers and responsibilities, including the ability to gather information, initiate own-motion investigations and report directly to the Parliament. The house amendments make targeted changes to strengthen lived-experience leadership, as we have discussed in committee, and they retain the commission's existing oversight powers. The amendments require that at least one mental health and wellbeing commissioner or the new deputy commissioner have lived experience. Of course, as we have been discussing, the amendments also ensure lived-experience representation on the board of the collab centre, requiring at least two of the five board members to have lived experience, increasing to three if the board expands its numbers above the current proposed number. We think that together these changes actually reinforce lived-experience leadership accountability and effective oversight across the mental health system.

Rachel PAYNE: How will the needs and perspectives of carers be systematically embedded in governance for the mental health sector in the context of these proposed changes?

Ingrid STITT: Carers are a central voice in the governance of Victoria's mental health sector, and I, as minister, and my department will continue to work closely with Tandem, the peak body for carers in mental health, to ensure that the sometimes unique perspective of carers continues to be reflected in our reforms and our decision-making. The government amendments, as we have touched on, will provide for lived experience for one of the commissioners and also the make-up of the collaborative centre board. I think that more broadly, outside the scope of the bill before us today, there is also significant investment and work in making sure that carers are supported in the system.

Rachel PAYNE: Is it envisaged that the changes in the bill to restrict the scope of several functions of the commission will reduce the commission's oversight functions, if at all?

Ingrid STITT: There are no changes to the commission's functions. The house amendments that the Treasurer has circulated remove the previously proposed changes which sought to ensure the commission delivered on its core functions of complaint-handling investigations and data reviews. These changes were consequential to the information-sharing changes previously put forward, but they are now no longer required. So the effect of all of that – around, around the mulberry bush – is there is no change to the commission's functions.

Sarah MANSFIELD: Minister, can you explain specifically how reducing the commission to a commissioner and an assistant commissioner is intended to better support consumers and carers and strengthen accountability?

Ingrid STITT: We have touched on this a couple of times, and I reiterate that this is about ensuring that the Mental Health and Wellbeing Commission does not have an overly complex governance structure and that the focus is clearly on accountability and decision-making and ensuring that they fulfil their statutory responsibilities. I am strongly of the view that a more streamlined structure will deliver on that. I also think that it is a lot clearer in terms of the designation of the leadership and governance, making the commissioner more responsive and effective. And of course some of the house amendments deal with the agreement that has been arrived at after careful and close consultation with the peak bodies Tandem, VMIAC and SHARC.

Sarah MANSFIELD: I am just wanting to get some clarity on the role you see the commission playing. I think you said in your contribution that the commission is to hold health services to account, but the act states that the commission's role is to hold the government to account. The royal commission envisaged that it was the government that would be holding health services to account and overseeing service performance. So I am just wanting to get some clarity on the role of the commission in terms of accountability and who they are overseeing and holding to account.

Ingrid STITT: I think I answered a similar question that I received from Ms Payne. There will be no changes as a result of the bill and also the house amendments to the functions of the commission.

They will continue to have an ongoing role in complaints handling and also holding the government to account. I think in answer to a number of questions that I have gone to recently, they also of course have broad powers to initiate their own investigations and report them to the Parliament. Nothing will change in that regard. Does that answer your question?

Sarah MANSFIELD: I think it was just being clear on what the role of the commission is, which is to really apply scrutiny and hold the government to account, and the government's role is to hold the services to account. It is just being clear that that is what the roles of the different entities are.

Ingrid STITT: Yes, the act outlines the Mental Health and Wellbeing Commission's role in holding government to account, and that is not changing. But equally, the department has a role in system oversight and performance. They are two distinct things. I guess the main issue to reiterate with the commission is they are independent. They have all the powers they need to pursue investigations, handle complaints and also hold the government to account when it comes to the performance of the mental health system.

Sarah MANSFIELD: You have indicated, Minister, that the current structure has not enabled the commission to fully deliver on its statutory functions or meet the expectations of the community, which is part of the reason for proposing a revised structure of the commission. Can the minister point to any supports the department has provided to try and resolve any of the challenges that have existed with the commission being able to acquit its functions?

Ingrid STITT: I think at a broad level, Dr Mansfield, there has been significant work happening in my department to support the commission in its work. We are always mindful of that independence, but these reforms are designed to streamline leadership and governance, and that is really what is driving it. That is why I have been very keen to see a much more streamlined governance arrangement. I believe that will make the commission more responsive and effective and also clarify accountabilities and responsibilities. There has been some overlap in roles under the more complex four-commissioner model, so this is really at the heart of why the government is pursuing these changes.

Sarah MANSFIELD: In saying that the commission has not been able to fully deliver on its statutory functions or meet the expectations of the community, can you explain what you meant by that? I appreciate you said there has been some lack of clarity about responsibility with that four-commissioner model, but is there anything else you meant by that statement?

Ingrid STITT: At a broad level I would say that they have enormous responsibility as an independent statutory authority at a time when there is significant reform occurring in the system. At the same time we are seeing significant demand pressures on much of our public mental health system, particularly at the acute end. It is important that the commission is a strong, independent body. Again, I would go to the comments I have already made about my strong view that by streamlining the leadership and governance arrangements at the commission we can get a much sharper focus on their responsibilities as outlined under the act.

Sarah MANSFIELD: We have heard concerns from stakeholders that part of the reason the commission has potentially been unable to meet all of its obligations under the act has been due to resource constraints – for example, longer wait times to manage complaints and other issues with being able to undertake some of the reviews and deeper dives into the system. Is resourcing, in your view, part of the issue in addition to governance? If so, what is the government planning to do in terms of ensuring the commission has the resources it needs to do its job properly?

Ingrid STITT: I do not agree with that assertion. The commission, as at 30 June 2025, has a staff of 43.9 FTE, and we are well aware of the commissioner-governance structure that is being proposed in the house amendments that are going to be dealt with shortly. I do not accept that there is a problem with the level of resources at the Mental Health and Wellbeing Commission. The commission receives an annual budget to support its functions. As I have indicated previously, the bill makes no changes to the commission's functions – they have got an ongoing role and an unchanged role to monitor and

report on the performance, quality and safety of the mental health and wellbeing system – and it also strengthens the commission's information collection powers, which actually should assist them to fulfil their functions and exercise their powers under the act. As I indicated after a previous question, my department meets regularly with the Mental Health and Wellbeing Commission to discuss their work program and to assist with any issues that they may need assistance with or that arise. Again, I do not accept that assertion around their inability to fulfil their functions. We are making no changes to those arrangements, and I believe they have adequate resources to be able to acquit their responsibilities under the act.

Sarah MANSFIELD: Another concern that has been raised by stakeholders is that access to data has been an issue that has limited the ability of the commission to do their work. The commission had publicly indicated they intended to undertake deeper work on the quality and safety of the system, but after a year they still had not been able to progress that because they had not received the data they needed. Will the house amendments that are being moved today go some way to addressing this concern?

Ingrid STITT: I have listened to those concerns, and we have had a number of conversations across the chamber, and I thank all members for working with the government on these issues. It is important to me that the commission has the information collection powers that it needs to be able to fulfil its functions under the act, so the house amendments seek to provide that increased access to information. The amendments also provide that the secretary for health must provide information requested from the commission to assist them in their functions, so there should be no impediment to being able to get the data that they need. Obviously, right across the health system, the personal medical information of individual patients and consumers is very sensitive information. I have got no doubt the commission will be very responsible about that kind of data, and there will be, where necessary, de-identification that would be the subject of those requests to the department.

Sarah MANSFIELD: It is my understanding that this bill repeals section 419A, which outlines the responsibilities of the different commissioners and in particular the chair and their ability to convene meetings, whether or not they have casting votes. They could decide if they wanted to consider an inquiry report publication. With the removal of that section, what will be the roles and powers of the chair and assistant commissioner in the two-commissioner model that the government has put forward?

Ingrid STITT: I have gone to this in a bit of detail in previous questions – I think from Mr Limbrick, actually – but I will go to them again. The bill does not prescribe distinct internal functions for the commissioner and deputy commissioner, and that is all about respecting the fact that the independence of the commission is important and they need to determine their own internal governance arrangements. But with the commissioner and deputy commissioner structure, the commissioner retains clear statutory accountability while flexibility is preserved to allow the commission to allocate responsibilities in a way that best reflects the skills and the experience of both office holders. This approach also ensures lived experience can be embedded in the leadership regardless of which role that fulfils under the act. In terms of the deputy commissioner's powers, those are limited to those delegated by the commissioner. But we do not seek to codify this in the legislation. This is a matter for the independent commission to determine once that recruitment process is complete.

Sarah MANSFIELD: One of the concerns that has been raised with us with a two-commissioner model of chair and deputy is what will happen in the event there is a disagreement about something and how that will be resolved, particularly when you have got one lead role and one deputy role. I understand you are saying that it is for the new commission and commissioners to determine a lot of those sorts of governance processes. Is dispute resolution, or how to work through a disagreement, also going to be left to be determined by the new commission?

Ingrid STITT: In some ways you are describing the problem that I have been wanting to fix, because the current structure does have ambiguity about what would happen in those circumstances. But the amendments create a single commissioner, with clear responsibility for the commission's objectives and functions, supported by a deputy commissioner with delegated powers and functions. This model enables collaboration and shared leadership while preserving clear lines of accountability and decision-making through the commissioner, addressing the governance challenges that have been identified under the current arrangements that are in place.

Sarah MANSFIELD: I know the number of commissioners has been a point of discussion and was a point of discussion as we all worked through this bill. One issue that has continued to come up with the two-commissioner model – and I appreciate that there will be a requirement for lived experience, either direct lived experience or as a carer, within one of the two roles – is that recommendation 44.2 of the royal commission required a consumer and a carer in designated positions. I am just wondering how this new structure addresses that.

Ingrid STITT: The structure, as we have discussed, would be a commissioner and a deputy commissioner. At a minimum at least one of these is either a commissioner or deputy commissioner with lived experience of mental illness or as a carer or supporter. There has been consultation with those key stakeholders, as I have already put on the record today. I have listened really carefully to their views. I respect that they speak for lived-experience communities in the state. That is why we have proposed this particular structure, and obviously for other reasons as well that we have discussed in committee. The amendment does not limit the ability of the commission to consider and respond to the views and experiences of carers or of consumers. That will be an ongoing factor for them to consider in their work, and carers are a central voice in the governance of Victoria's mental health sector. We will continue to work closely with Tandem, and the government's amendments clearly provide for that lived-experience component of the structure. I might add that there is nothing to stop the commissioner and the deputy commissioner both having lived experience of mental health.

Sarah MANSFIELD: I guess it is just that there is a world in which only a carer or lived experience may be represented in those roles, given the current structure, and it has been made really clear through the royal commission and subsequently that both perspectives are really important to have in some of these leadership roles. There is scope for both of those to be reflected, but it is just not a requirement in the current structure.

The government's amendments will bring the current commissioners' terms to an end and allow for some interim appointments for the next six months. What assurances can you give the Parliament that these interim appointment arrangements will not reduce or temper the commission's scrutiny of government?

Ingrid STITT: Dr Mansfield, are you talking about during the transition period before the appointments go through the Governor in Council process? As I have said, I believe that the commission has the resources that they need. They will still have the same powers under the act to hold the government to account; nothing in that part of the act changes. If the Parliament passes the legislation, we will be moving quickly to a recruitment process, but I do accept that there will be a short period of time while there are transitional arrangements in place, and I think they are unavoidable. But I would also reiterate that my expectation is that the department will continue to support the commission in its work, noting of course its independence and not ever wishing to interfere with that independence.

Sarah MANSFIELD: The commission has previously indicated it would release a report on its existing work on the royal commission recommendations. That has not been done to date. Will the incoming interim commission or commissioners, once they are appointed, proceed with releasing that work?

Ingrid STITT: That would be a matter for the independent commission to determine.

Sarah MANSFIELD: I have a number of questions about the statement of expectations, but I think, given the house amendment that removes the statement of expectations, I might leave those. I am not sure if you have had the opportunity to speak to that change in depth yet, so I might allow you to do that.

Ingrid STITT: Thank you, Dr Mansfield. This I guess gives me the opportunity to confirm that I had originally, through the bill, sought an amendment around a statement of expectations. I have heard the feedback loud and clear, and I will be supporting the house amendment that removes that requirement.

Rachel PAYNE: Minister, I just want to circle back around to the house amendment around the information sharing and data with regard to the data disclosure from the department to the commission. Can I just seek some points of clarification, particularly around the limitations? If it must not include information that identifies an individual, is it a risk of identification or identification itself that is being addressed there?

Ingrid STITT: There is a house amendment that deals with these matters that gives clarity around what data can be sought from the Secretary of the Department of Health. In terms of privacy, the Mental Health and Wellbeing Commission must protect the privacy of personal and health information. They are required to comply with the Mental Health and Wellbeing Act when dealing with personal information, including the information-sharing principles in the act – that is not changing. The commission must also comply with other laws, including the Health Records Act 2001, the Privacy and Data Protection Act 2014, the Freedom of Information Act 1982 and the Charter of Human Rights and Responsibilities Act 2006. They must not disclose personal or health information in a way that identifies persons unless by consent and authorisation or requirement to do so by law. The amendment that we are proposing increases the commission's information-collection powers to help them fulfil their functions and exercise powers under the Mental Health and Wellbeing Act. The amendment also provides that the Secretary for the Department of Health must provide information requested from the commission to assist them in their functions. I hope that is a fulsome clarification on those matters.

Bev McARTHUR: Minister, could you advise the level of consultation with local councils in relation to the amendments on the Essential Services Commission?

Jaclyn SYMES: I thank Mrs McArthur for her question in relation to the changes to the Essential Services Commission, particularly as it relates to rate capping. I might take the opportunity to explain what we are attempting to do here. At the moment the Minister for Local Government is responsible for setting the average rate cap and receives advice from both Department of Government Services and the Essential Services Commission when setting the caps. Every year since the introduction of rate capping, the ESC has advised the minister to adjust the rates in accordance with CPI, and to my knowledge there has been no deviation from that in the time that this policy has been in existence. Every year, despite CPI changing dramatically year to year, the ESC has confirmed that the CPI remains the appropriate measure to determine the annual rate cap and that these reports arguably are redundant.

The bill does not remove the ability of a council to request a higher rate cap. We know some have exercised this right, which they must apply directly to the Essential Service Commission for. This is the more important function of the Essential Services Commission and should be their priority, given that the rate-capping policy has been now long established. Currently the ESC is also required to produce an outcomes report every two years on compliance with rate caps, and this was a valuable assurance mechanism immediately following the introduction of rate capping, but is less so today given the passage of time since rate capping was introduced. The bill does not preclude the ESC from preparing a report on compliance with rate caps at any time; it just removes the requirement to complete an extended report every two years, which is no longer needed due to the length of time this policy has been introduced.

Mrs McArthur, when it comes to consultation with local councils, I think you would appreciate that the Minister for Local Government is regularly in contact with local councils, as are, I believe, most members of Parliament. I know, particularly in my role as Minister for Regional Development but also just as a local member, there are many conversations about the rate-capping system – how it works, how it is implemented, its interaction with the ESC. In answer to your question, the consultation with local government is, frankly, always ongoing when it comes to the operation of the rate-capping policy.

Bev McARTHUR: Well, as the Shadow Minister for Local Government, I have found that the councils have complained furiously that they were not consulted about these changes. So I asked specifically what consultation occurred with councils – maybe you would like to take it on notice – because that is not the information I have, that they were consulted.

Jaclyn SYMES: As you would appreciate, in terms of the exact conversations and consultations that have occurred with the Minister for Local Government, I am not well placed to give you a blow-by-blow account of that, but what I would reiterate is that the rate-capping policy receives constant feedback from councils about its operation, whether it is related to the role of the ESC or whether it is related to the cap itself. These are conversations that I have been having for many, many years, and if I am having them, I can assure you that the Minister for Local Government is. But the fact of the matter is that this amendment does not actually impact councils directly, because it is just removing a process that is considered now redundant. It does not actually change the experience of local councils at all.

Bev McARTHUR: The local government sector were very concerned that they were not consulted about this bill, effectively, and these changes. Can you enlighten us as to what consultation took place with the organisational bodies in relation specifically to this change?

Jaclyn SYMES: Again, Mrs McArthur, the Minister for Local Government meets regularly with the local government sector, including local councils individually and their collective representatives, whether it is the regional councils group, the rural councils group or indeed the Municipal Association. This is part of his day-to-day business, and these conversations occur. Again, there is no change to the function for councils. There is no change to the decision-making by the minister. They are just administrative changes to streamline regulation. The minister will make their determination, supported by the advice of their department.

Bev McARTHUR: Minister, how can you guarantee that a minister will not be subject to lobbying to increase council rates on people, especially during a cost-of-living crisis, now that the rate cap is set differently?

Jaclyn SYMES: What I am saying is that the setting of the rate cap is not substantially altered by this process. That is why I took the opportunity to explain why we are making this amendment. The ESC administratively have confirmed CPI each and every year. We actually want them focused on when councils come to them to examine their books and put forward their cases of whether they would like to be excluded from the cap or not. You say, 'How can you guarantee that the minister won't be lobbied to not apply the rate cap?' There is no change in that; that already happens now. This is not going to encourage or discourage those types of lobbying activities.

Bev McARTHUR: Given that the role of the Essential Services Commission is to apply independent economic rigour to the questions before it, isn't it more likely that the commission will one day recommend a rate cap below the level of inflation?

Jaclyn SYMES: That is not the advice that we have. We think it is much more appropriate, again in the theme of this bill, to focus their resources where they are going to have the most impact. Removing the administrative burden of confirming CPI each and every year – we would prefer to remove that distraction, not duplicate that sort of paperwork, and enable them to actually work with those councils that want to have a different process in relation to the appropriateness of the rate settings for their individual councils.

Bev McARTHUR: How can the government be sure that removing the ESC's advisory role in the establishment of local government rate caps will not undermine community confidence in the rate-capping framework?

Jaclyn SYMES: There is still a role for the Essential Services Commission. The minister has always made the determination. The ESC will still retain their responsibility for, as I said, assessing applications for a higher cap amount by individual councils, and they will also monitor and review on compliance, so we do not believe that this significantly alters the experience of local councils. In fact it might produce greater opportunity to have those more detailed conversations where appropriate.

Richard WELCH: If I may, Minister, I will go to a couple of questions on the abolition of the Mine Land Rehabilitation Authority. Can the minister outline what steps will be taken to ensure the substantial body of material produced by the authority remains publicly accessible and available for departmental use after the authority is wound down?

Jaclyn SYMES: There is certainly no intention, in making changes to the organisation to wind it down, that we delete the work that they have done. It has been important work at an important point in time, with the closure of mines. In terms of the platform that that material might be available on –

Richard WELCH: Who takes custody of that data?

Jaclyn SYMES: Yes, it is a good question. I probably should not speculate, but as a former Minister for Resources, I would suggest that the department and other areas of the resources portfolio would have appropriate platforms to be able to house that material. I might seek some confirmation of that so that I can ensure that you are confident. As I said, I am more than happy to have these things publicly available. I think to your question and making sure that it is easily accessible for those that may seek to find it, I can get you some advice on that, but given that the resources department have numerous platforms, I am pretty sure that we can find an appropriate home.

Richard WELCH: I think that is right. I think it is just that it is a matter that that material could easily fall through the cracks in a restructure and then suddenly not be available. In a similar vein, some stakeholders are curious to know, or just want to know if the minister will commit to maintaining the authority website or a form of the website appropriate for the overlap period to ensure continuity of access while material is transferred to whatever new custody or platform it goes to.

Jaclyn SYMES: I will commit to speaking to the Minister for Energy and Resources, and I am sure that her department, the Department of Energy, Environment and Climate Action (DEECA), would be able to give you comfort in relation to that. As I said, we are not trying to erase the existence and the work of the organisation. To your very question about accessibility of the information, Resources Victoria, I am sure, will be able to facilitate that. Without being able to give you a direct answer as to a particular webpage et cetera, I will personally take it on board to speak to the minister to seek assurances that that is happening, because I agree with you that we should make sure that is clear.

Richard WELCH: In the same theme, what processes will the department implement to determine which sensitive archival materials should be retained under restricted access, and under what circumstances would material be considered too sensitive to keep?

Jaclyn SYMES: The way you describe that question, Mr Welch, asking what material is too sensitive to keep – it is not something that is a threshold that is applied. I am not sure if you are implying there is shredding activity or something that you would expect to happen. I think that is pretty unlikely. There are policies and procedures in relation to document storage, and I am sure that DEECA will be compliant with all of their obligations.

Richard WELCH: I do not know. There could be commercially sensitive –

Jaclyn SYMES: You are always a bit suspicious.

Richard WELCH: I just like to have clarity. A final question on this matter from me is: how will the department ensure that open communication practices and engagement standards that were fostered by the authority are going to be sustained in the new structures into the future?

Jaclyn SYMES: It has been some time now, but drawing on my experience as the former minister, having an individual authority that was specialised within the broader umbrella of Resources Victoria was an asset at the time, but it is not as though we had special authority for the other components of Resources Victoria. I have full confidence in Resources Victoria's ability to ensure that they have coverage of any residual matters for that area of the state.

Sarah MANSFIELD: I have a number of questions about the environmental entities. I might start with the Victorian Environmental Assessment Council. The bill abolishes VEAC entirely and has no permanent solution to recreating the council's independence, expertise or functions, which include investigating public land and delivering environmental assessments. How will the commissioner for Environmental Sustainability Victoria (CES) be resourced to replicate VEAC's consultative, independent and science-based advice on the protection and management of public land?

Jaclyn SYMES: I thank both Dr Mansfield for her question and other members of the Greens for their engagement on this bill. In relation to the commissioner for environment being resourced to replicate the VEAC's consultative, independent and science-based advice, historically, the VEAC had a core team that was supplemented with additional resources where needed to undertake the assessments or investigations, so there was already close interaction between these bodies. The CES-led delivery of these functions will adopt a surge model, where government will provide any additional resources required for the CES to undertake the assessment or investigation in addition to the core team.

Sarah MANSFIELD: Will the government create any avenue for the existing VEAC members to continue their work within the CES as a permanent expert use panel?

Jaclyn SYMES: My advice is that the CES will be empowered to appoint expert panels as required to provide any necessary expert advice. Current VEAC members may of course seek, or be sought out, to be involved in any future CES community or expert advisory panels.

Sarah MANSFIELD: Our understanding is that these expert panels are only temporary bodies for ad hoc investigations and that the current reference group really operates as a stakeholder forum. Doesn't this leave Victoria with no permanent, dedicated expert legislated body to take up VEAC's work, which is that work of advising on the protection and ecologically sustainable management of the environment and natural resources on public land?

Jaclyn SYMES: As I indicated, the CES will be empowered to appoint expert panels as required, so they will be quite agile so they can attract and use the expert advice based on what is before them.

Sarah MANSFIELD: Will the government at least bring in VEAC's current council members as a reference group, which, although lacking statutory protections, could at least function as a VEAC body?

Jaclyn SYMES: That may very well be facilitated under the changes, Dr Mansfield, because it is expected that current VEAC members may seek, or indeed, very obviously, be sought after, to be involved in the CES advisory panels, particularly in the expert space but also because of their extensive community involvement.

Sarah MANSFIELD: VEAC's council members are required to have several specific areas of expertise – for example, environmental protection and conservation, natural resource management, economics and business management et cetera. If the government are going to let that sort of expertise go to waste, are you eventually going to have to outsource those roles to replace that expertise?

Jaclyn SYMES: I do not think that expertise is confined just to the current VEAC members, although I do respect the position that you have put in regard to their extensive expertise and knowledge, which is exactly why the new system and changes will facilitate their abilities and indeed encourage their continued involvement as required.

Sarah MANSFIELD: How much money is it going to cost the government to undertake this change process?

Jaclyn SYMES: I do not have a figure for you on that, Dr Mansfield. As you can appreciate, the intention of this bill is not just driven by financial outcomes. It is driven by a reform piece where we want to make sure that government are focused and their resources are all prioritised to avoid duplication and particularly to make it easier for the public to interact with government. There are a range of recommendations in the Silver review that in fact have no direct financial benefit, but they mean that people trying to seek advice or to navigate the system have less doors to knock on, and therefore the administrative savings for both the community and, frankly, for government produce productivity savings in themselves that you cannot necessarily always put a dollar figure on. In relation to the transition to new systems, the net outcome can be influenced by whether there are existing vacancies that you are not filling or, in the event you cannot find a suitable alternative position for someone, whether there are redundancy payments that are triggered. There is a process involved in that, which does indeed make it very difficult to put nominal figures on some of these changes. The total savings have been indicated based on the best modelling that is available.

Sarah MANSFIELD: Can the government provide any guarantees that the new CES process for environmental assessments will be politically independent?

Jaclyn SYMES: Dr Mansfield, the commissioner is fully independent.

Sarah MANSFIELD: The government backtracked on the terms of reference established for the Great Outdoors Taskforce to investigate new national parks. Has the CES also been told not to investigate any new national parks as it takes on VEAC's remit?

Jaclyn SYMES: There is no such instruction, and that is outside the bill. The work of the new body is a matter for the minister. This bill is about the structure of the organisation.

Sarah MANSFIELD: The bill removes a mandatory duty for departments to act in accordance with the government-accepted recommendations by VEAC. What is the government's plan for those recommended protections it has previously agreed to but not yet implemented?

Jaclyn SYMES: The entities bill does not remove the requirement for ministers, departments and public authorities to act in accordance with government-accepted recommendations. The entities bill, clause 55, inserts new part 6 into the Commissioner for Environmental Sustainability Act 2003, which includes a wide range of savings and transitional provisions. These include new section 25 on investigations and new section 28 on assessments and advice. Those transitional provisions refer back to new sections 19N on investigations and section 19Y on assessments and advice. The entities bill clause 53 replicates the provisions of the current Victorian Environmental Assessment Council Act 2001 to require ministers, departments and public authorities to implement approved recommendations. In the CES act it also relates to requirements to implement. So there is a lot of replication and a lot of picking up and dropping in.

Sarah MANSFIELD: In 2020 the Victorian government agreed to VEAC's recommendation to investigate the Strzelecki Ranges and Gippsland Plains bioregions for protection. When and how will the government conduct that investigation?

Jaclyn SYMES: Similarly to the previous conversation we were having, there are terms of reference to be developed with scope in relation to types of investigations, but I can confirm there is an existing government commitment to undertaking an investigation of the Strzelecki Ranges and Gippsland Plains bioregions prior to 2028.

Sarah MANSFIELD: Does the government intend to honour the services agreement regarding the broadacre management of protected areas under the National Parks Act 1975, specifically the seven marine national parks and sanctuaries and the Great Otway National Park?

Jaclyn SYMES: My advice is that the service agreement is in place until June 2026 and it will be honoured by the Great Ocean Road Coast and Parks Authority (GORCAPA) and Parks Victoria.

Sarah MANSFIELD: I have some questions about the Victorian Marine and Coastal Council. This bill obviously also abolishes the independent Victorian Marine and Coastal Council. How does the commissioner for environmental sustainability and the department plan to implement the next marine and coastal strategy, due in 2027?

Jaclyn SYMES: The Minister for Environment obviously is responsible for the development and delivery of this strategy. DEECA will lead the development and consultation of the next strategy and oversee its implementation across government. There is no change to the public commitments.

Sarah MANSFIELD: How will these bodies be resourced to undertake that work?

Jaclyn SYMES: These changes do not diminish the government's significant capacity and capability in public land, marine and coastal and biodiversity policy, programs and services within DEECA, as well as maintaining the critical research capabilities of the Arthur Rylah Institute for Environmental Research.

Sarah MANSFIELD: The marine and coastal council undertook significant and quite important work in detecting, studying and delivering expert advice on things like algal blooms. We have seen what has happened in South Australia, and it is creeping over closer to our border. What resources has the government left to do that work?

Jaclyn SYMES: Same answer as my previous one – the government, within DEECA in particular, and some partners such as the Arthur Rylah Institute retain significant capabilities in this regard.

Sarah MANSFIELD: The other important role that the Victorian Marine and Coastal Council undertook was detecting, studying and delivering expert advice on coastal erosion and other long-term impacts of climate change on coasts and marine ecosystems. Again, what resources does the government have left to do that work?

Jaclyn SYMES: Similarly, thank you for raising these important matters. The department retains significant resources and, like you, prioritises the issues that you have mentioned.

Sarah MANSFIELD: I have some questions additional to Mr Welch's on the Mine Land Rehabilitation Authority. How will DEECA be resourced to replicate the following functions after the closure of the MLRA's office in Morwell: their actual functions and technical expertise, their stakeholder relationships and their local connections and consultative forums?

Jaclyn SYMES: DEECA already undertake substantial mine rehabilitation coordination and regulatory work. Even when we created the Mine Land Rehabilitation Authority, I would not say that they were completely removed from DEECA. As I said, like when I was the minister, you have got your agencies, but you work very, very closely and support one another, so it is not as though there is no knowledge already existing in this space. Under the bill, the technical expertise will be retained within the department. Positions that continue to be required under the Mineral Resources (Sustainable Development) Act 1990 will be transferred from the MLRA to Resources Victoria. This includes a total of four of the MLRA positions that currently have and will continue to have responsibility for the maintenance of the register of declared mines and engagement and education about the rehabilitation of Latrobe Valley coalmines and the *Latrobe Valley Regional Rehabilitation Strategy*. Maintenance of a presence in the Morwell office and Latrobe Valley will continue. There are already a lot of people with these types of skills in that area, as you would appreciate. Community and stakeholder engagement will continue. The bill makes community education and engagement an explicit function

of DEECA, recognising its importance to the Latrobe Valley. Local connections and consultation activity will be maintained through a coordinated cross-government approach led by Resources Victoria. But I can assure you, also in my role as Minister for Regional Development, there is collaboration from the whole of government in relation to this space, particularly in that region.

Sarah MANSFIELD: Just further to that, how is the closure of the MLRA likely to impact the *Latrobe Valley Regional Rehabilitation Strategy* and the long-term environmental outlook of the Latrobe Valley brown coalmines?

Jaclyn SYMES: As you would appreciate, this matter was in the sight of the Silver review, and since that time the government considered advice from within DEECA and Resources Victoria on the impacts of incorporating the MLRA's remit into Resources Victoria. Delivery of the *Latrobe Valley Regional Rehabilitation Strategy* and the statutory rehabilitation obligations of brown coalmine licences remain unchanged. The government remains committed to the *Latrobe Valley Regional Rehabilitation Strategy*. Critical functions such as rehabilitation planning, coordination, registration of rehabilitated land after licence surrender and post-closure management and monitoring will continue within DEECA. Since the Hazelwood mine fire inquiry, the government has strengthened rehabilitation arrangements through updated strategy settings, rehabilitation, bond reviews, risk management reforms and ongoing engagement. The reforms of course build on that work and support long-term environmental outcomes for the Latrobe Valley.

Sarah MANSFIELD: On to Recycling Victoria, how will the EPA be resourced to replicate Recycling Victoria's core purpose, which is overseeing the waste, recycling and resource recovery sector and the development of a circular economy?

Jaclyn SYMES: Recycling Victoria's existing functions, responsibilities and duties will transfer to the EPA, along with existing Recycling Victoria staff. This includes funding for Recycling Victoria as per the forward estimates, and this will ensure that the EPA is appropriately resourced – to the nub of your question – to continue to deliver Recycling Victoria's current functions and enable proper waste management and recycling oversight. It will also provide opportunities to reduce duplication, which has become evident, and improve efficiency in the delivery of those important functions.

Sarah MANSFIELD: With respect to Parks Victoria staff being transferred to the Great Ocean Road Coast and Parks Authority, or GORCAPA, in the second-reading speech for the entities amendment bill the minister refers to 22 positions being transferred over. In 2018 the then Minister for Environment Lily D'Ambrosio told stakeholders that the creation of GORCAPA:

> … will not alter the underlying management tenure and conservation objectives of any national parks … for which the … authority assumes responsibility. The new authority will work closely with Parks Victoria who retain responsibility for broad-acre parks management and who will provide parks management services to the new authority for its field operations to ensure environmental conservation objectives are met.

Given that earlier assurance, is there a service agreement between GORCAPA and Parks Victoria for Parks Victoria to maintain broadacre parks management, as promised as part of the *Great Ocean Road Action Plan*?

Jaclyn SYMES: The bill, as you said, establishes a mechanism to transfer staff from Parks Victoria to GORCAPA to enable the authority to meet its statutory obligations and commence direct land management by 1 July 2026 by enabling Parks Victoria to transfer staff that currently undertake this function to improve or maintain continuity. The reform will ensure no loss of knowledge and capability from the transfer of the on-the-ground management. This reform obviously aligns with the bill's objective to align governance structures with service delivery by ensuring the Great Ocean Road Coast and Parks Authority has appropriate resourcing to perform its functions. In terms of the specific numbers of transfer, I have got 22 to be transferred from Parks Victoria to GORCAPA which, as I said, will provide that continuity. I am more than happy to reaffirm that number if required. Obviously the minister will have that at hand, but that is the advice that I currently have.

Sarah MANSFIELD: The question also just went to whether there is any service agreement, and the status of that agreement regarding the transfer, so if further information about that could be provided, that would be great. Following Parks Victoria's recent restructure and redundancy programs, which occurred in August to November last year, can the government confirm how many of those positions are still occupied?

Jaclyn SYMES: In relation to a service agreement, there are obviously a lot of commitments and processes to support the transfer. Whether it is described as a service agreement or not I can get advice on. The purpose of a service agreement, I think, is designed to be met. Whether that is the vessel or not I would have to seek advice on. On your direct question following some of the restructuring and changes, I understand that 11 staff as of 11 March are relevant to your question.

Business interrupted pursuant to standing orders.

Questions without notice and ministers statements

Illicit tobacco

Bev McARTHUR (Western Victoria) (12:00): (1277) My question is to the Minister for Casino, Gaming and Liquor Regulation. Minister, I read with great interest – you can imagine how I hang out for your media releases – on Sunday your media release titled 'Butting out illicit tobacco' trumpeting the seizure of $5 million worth of illegal tobacco. By any measure, Minister, that is a drop in the ocean. We have only got 14 tobacco licensing inspectors compared to 78 in New South Wales. How do you expect your tough new laws to be enforced when you will not invest in enforcement personnel?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:01): I thank Mrs McArthur for her question and her interest in our tough new tobacco licensing scheme, the first of its kind in this state's history and backed by a $46 million investment. I want to take this opportunity to thank the Treasurer for her strong support for the licensing scheme. It is an amazing scheme, a scheme that is focused on making sure that people that are selling tobacco must be fit and proper persons, and it has the tough new penalties to match, with up to 15 years imprisonment and fines of up to $1.8 million. And aren't they doing some amazing work? I think $5 million in the first month is a fantastic start for a new organisation. Over 3 million cigarettes taken off our streets – I think that is fantastic for health outcomes and good for community safety.

Of course there is more to do, and that is why on the weekend – Mrs McArthur, you reminded me – we had the amazing announcement of closures of stores that do the wrong thing. We are empowering the regulator and empowering Victoria Police to shut the shops of those doing the wrong thing and also empowering landlords so that when landlords want to remove these criminal elements from their premises, they can do so. So we are empowering landlords, but of course if landlords are doing the wrong thing and are knowingly involved, then they will also face tough new penalties. I think when we talk about inspectors we know that this is a national problem and it needs a national approach. We are doing our bit in Victoria. The amount of inspectors is only one part of the equation, but they are doing amazing work. I take this opportunity to thank our frontline staff.

Bev McARTHUR (Western Victoria) (12:02): Thank you, Minister. Your release further quoted:

> Our inspectors are moving fast to crack down on people doing the wrong thing – anyone caught selling illicit tobacco will face serious consequences.
>
> Only Labor has the new solutions to keep Victorians safe.

If under-resourcing is your new solution, how can you say you believe dismantling the illicit tobacco trade is so urgent? You are not taking it seriously. When are you going to provide more inspectors?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:03): I thank Mrs McArthur for outlining our plan. I think I have been very clear in this place: we are making it harder to sell, harder to profit from

and easier to shut down these illicit operators because we are cracking down. We have got zero tolerance for criminal enterprise, so we are cracking down and this is the next step. As I said, this is a national problem that requires a national approach. In Victoria we are leading the way. We will have the toughest regulator with these new changes in place.

Bev McArthur: New South Wales have got 78 inspectors; you've got 14.

Enver ERDOGAN: Thank you, Mrs McArthur, I will take that interjection. I have been very clear that this is only one part of the equation. There is a lot more happening that I cannot share for operational reasons, but I can say that just in the first month we have gathered a lot of intelligence and you will read a lot more about the crackdown.

Housing

Aiv PUGLIELLI (North-Eastern Metropolitan) (12:04): (1278) My question today is to the Minister for Transport Infrastructure in the other place. In my electorate in the community of Watsonia they have just recently seen plans released for the redevelopment of the Watsonia train station car park, and there is a glaring omission. At a time when we are in a housing crisis, at a time when we need to be building affordable homes for people to live in at every opportunity across our community and when this government is spruiking more homes close to transport, there is not a single home being built in this multilevel development. Instead, it is just for cars – a car parking monstrosity in the middle suburbs and a political choice by this Labor government to ignore the prime chance to build more homes across this wonderful community. Minister, why are you building car parks instead of homes in Watsonia?

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:05): Mr Puglielli, it is a shame that I am not in a position to provide you with a substantive answer to this question, noting that if we were to be announcing housing in and around this area as a dedicated outcome, you would no doubt be on your feet to oppose it before too long. What I will do, however, is refer your question to Minister Williams in the other place for an answer in accordance with the standing orders.

Aiv PUGLIELLI (North-Eastern Metropolitan) (12:06): It is one thing to be accused of opposing homes that do not exist, but that is a new front for this Labor government. Minister, I have heard as a local member in this community resoundingly that people in this area want affordable housing at this site. I understand the local council have expressed to government that they want affordable housing at this site, so it raises a question. The community wants these homes. The council wants these homes. Minister, why don't you?

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:06): Thanks, Mr Puglielli, for the supplementary question in relation to affordability. Noting of course that we are delivering more affordability as it relates to home ownership and to rentals than I think all but one or two major cities around Australia, we will continue to do that despite the protestations and opposition and blocking from the opposition and indeed the Greens. What I will do, tempting as it might be to continue, is refer that matter to Minister Williams in the other place for an answer in accordance with the standing orders.

Ministers statements: Social Services Regulator

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:07): I rise to update the house on enforcement action by the independent Social Services Regulator. As reported today, in December the regulator closed Greenslopes Supported Residential Service. The regulator used the regulations and powers available to it to act. Do we think the regulator should have been able to do more sooner? Yes. That is why last year the government sought to expand the powers of the Social Services Regulator to ensure greater protection for children and adults with disability. We sought to provide the regulator with the powers to prohibit dodgy workers in supported residential

services from ever working with people with disability or children, collect and share intelligence to inform NDIS worker screening checks and establish a dedicated complaints function. These powers would have enabled the regulator to act earlier on concerns in SRSs and other settings where parents, carers or advocates saw something that was not right.

At the time the Leader of the Opposition called this reform 'overdue'. Despite it being overdue, she was rolled by her Shadow Minister for Disability, Ageing, Carers and Volunteers, who seemingly prefers to leave children and people with disability at the mercy of predators. Sadly, the opposition was joined by the Greens and Legalise Cannabis in opposing measures for greater safeguards for Victorians with disability. Bizarrely, those opposite and others like Julie Phillips, the Health and Community Services Union and the Mental Health Legal Centre, who celebrated fewer protections for children and people with disability, now say there needs to be better oversight of the sector. Well, I can say if it were not for the grubby deal between the opposition, the Greens and Legalise Cannabis, that oversight would be in place today. It is the opposition, Greens and Legalise Cannabis that need to look the families of Greenslopes residents in the eye and explain why they care more about protecting dodgy providers than the safety of vulnerable people, of children and of people with disability, because they have shown time and time again that under their priorities children and people with disability are on their own.

Cultural events

Evan MULHOLLAND (Northern Metropolitan) (12:09): (1279) My question is to the Minister for Multicultural Affairs. Last week the government held its Victorian iftar dinner. Only after all invitations were distributed to community members did the government send single invitations to the leaders of the Greens and opposition, with one week's notice, the day after I wrote to the current Premier alleging politicisation of multicultural events. Every Labor government MP with a large Muslim population in their electorate attended with their communities and addressed the iftar, and the current Premier also had a fireside chat segment, while no opposition MP was invited to speak. Sheikh Moustapha Sarakibi, a member of the Board of Imams Victoria, said it would have been good to have greater political diversity at the government-hosted event. Will you follow his call and open up invitations to all members of Parliament with advance notice for future celebrations?

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs, Minister for Prevention of Family Violence) (12:10): I thank Mr Mulholland for asking me a question about one of his shadow portfolio responsibilities. It is good to see he is fronting up. I have said in the house this week already that our government is absolutely proud to stand with our multicultural communities and celebrate not only the amazing contribution they have made to our state's cultural vibrancy but also the significant contribution of every single person who has a story of migration to this state, whether that is in the current generation or previous generations. That is what has built Victoria to be one of the most successful and wonderful multicultural communities anywhere in the world. Our government will never apologise for bringing together communities to celebrate their contribution. We are not about pitting people against each other, dividing Victorians. We are about making sure that our multicultural communities are not subjected to hate speech and are not subjected to behaviours from those opposite and others who seek to pit people against one another.

Evan Mulholland: On a point of order, President, the question went to whether the minister will follow calls to open up invitations for all members of Parliament at these events.

The PRESIDENT: I think the minister was relevant to the question.

Ingrid STITT: I was about to talk about the importance of not pitting people against one another. I know very well from speaking to multicultural communities and their leaders week in and week out that they are hurt not only by the hateful behaviour of some but by the fact that there are others who do not speak up in their defence. It is all very well to go out on the weekend and say one thing at the gurdwara or one thing at the temple and another thing at the mosque and then come in here and say

something completely different. But here is some advice for you: multicultural communities see right through that. And Mr Mulholland –

David Davis: On a point of order, President, question time is an opportunity for ministers to answer questions, not to give advice to people, as the minister has outlined.

Harriet Shing: On the point of order, President, I know that the opposition appears to be hurt by the truth, but the interjections that they are providing are the things which the minister is responding to.

Georgie Crozier: Further to the point of order, President, I am just wondering if the minister is misleading the house, given the member for Albert Park's speech at the parliamentary iftar dinner last week.

The PRESIDENT: That is not a point of order. I think the minister is responding to the question.

Ingrid STITT: I have gone to these issues before this week, but I think that those opposite should take the advice of those in our community who are calling for an end to division and an end to hate. It is not up to the government to fix your broken relationship with the Muslim community, Mr Mulholland. It is not up to us to fix your broken relationship with the Muslim community.

Evan MULHOLLAND (Northern Metropolitan) (12:14): Minister, the government held a Shrove Tuesday reception to observe and celebrate Victoria's Christian communities in 2025, which cost taxpayers $11,400 and was funded by the Department of Premier and Cabinet, where no non-government representatives were invited. Twenty-two Labor MPs were invited that had significant Christian populations in their electorate. Given every other taxpayer-funded event, like Diwali, iftar and Lunar New Year, has turned into a yearly taxpayer-funded event and given it is now Lent, why didn't the government celebrate Christian communities this year?

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs, Minister for Prevention of Family Violence) (12:15): Here we are again with the wannabe minister, the opposition spokesperson for multicultural affairs, taking every opportunity to try and pick favourites in the community and pit people against each other. It is petty, petty, divisive politics from those opposite. I will tell you what, I will repeat what I said on Tuesday when I got a similar question from Mr Mulholland, who feels very left out of a whole lot of stuff. But anyway, these events are planned in accordance with longstanding practices that have been occurring for decades under consecutive governments.

Evan Mulholland: On a point of order, President, I have given the minister plenty of goes. Why didn't the government celebrate Christian communities this year? It is a simple question.

The PRESIDENT: The minister was rejecting the premise of your question from the start, I believe.

Ingrid STITT: I want to make it really, really clear: our government celebrates all the diverse communities in Victoria. We are a state and a government that support people's right to practise their culture and to celebrate their culture and their faith no matter what their background.

Kangaroo control

Georgie PURCELL (Northern Victoria) (12:16): (1280) My question is for the minister representing the Minister for Environment. Last week in Newbury, near Trentham, residents watched on in horror as a beloved local mob of kangaroos were gunned down, strung up on hooks and driven through town on a bloody ute. These native animals were slaughtered in the middle of the town, right near homes and adjoining the local pony club. This act was believed to have been done by a commercial shooter. However, there is no way to truly know because it is not a requirement to notify neighbours or nearby residents before a shoot occurs. When regional Victorians are concerned at the sound of gunshots or suspect illegal shooting activity, they are informed to call the Game Management Authority hotline. The slight problem with this is that the compliance hotline only operates during

business hours on weekdays. Given kangaroo shooting occurs at night-time, is the government deliberately making it impossible for Victorians to report cruelty to wildlife?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:17): I thank Ms Purcell for her ongoing advocacy. This matter will be referred to the Minister for Environment, but also I would encourage constituents to contact police in cases such as the one that has been outlined.

Georgie PURCELL (Northern Victoria) (12:18): Thank you, Minister. It is a wonderful segue to my supplementary. In the past when I have inquired about the Game Management Authority's inability to monitor night-time kangaroo shooting compliance with a business-hours-only hotline, the advice I have been given is that regional residents should in fact, as the minister said, call the police if they have safety concerns or believe shooting may be illegally undertaken. I hear constantly from constituents and other regional Victorians that when they do this the police have no understanding of the rules, regulations or permit systems that distinguish between whether kangaroo shooting is legal or illegal. Again they are referred back to the Game Management Authority hotline, which they cannot call until 9 am, and by then all evidence of the slaughter and the perpetrators have moved on. Are Victoria Police officers given any training to monitor wildlife shooting activity when government services are only running during business hours, and if not, then why not?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:19): I thank Ms Purcell for her supplementary. That will be referred to the Minister for Environment.

Ministers statements: bushfire recovery

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:19): I rise to update the house on the support the Allan Labor government has delivered to businesses impacted by the January 2026 Victorian bushfires. My thoughts are with the communities, workers and small business owners who have been hit hard by these devastating fires. Many local businesses lost stock, trade and visitors during what should have been one of the busiest times of the year. That is why we moved quickly to waive this year's liquor licence renewal fees for businesses in bushfire-affected areas, with refunds provided to those who had already paid. Additional waivers have also been provided to businesses outside the immediate bushfire-affected areas who lost stock when the Harcourt Co-operative Cool Stores facility was destroyed by fire.

Pubs, wineries, distilleries, cafes and bottle shops are a vital part of regional life. They support local jobs, attract visitors to towns and are often the beating heart of these communities. At a time when small businesses are already dealing with rising costs, this support helps to take the pressure off their books. Many of the communities affected are in the Western Victoria Region, and I want to acknowledge the advocacy of my colleagues Minister Tierney and Ms Ermacora for local businesses during this difficult time. I also want to express my sympathy to the many communities in the electorate who have been impacted by these fires. This relief is part of broader support that the Allan Labor government has rolled out to help communities recover from the January bushfires. We will continue standing for regional communities and backing local businesses that support jobs, tourism and the life of our towns across our great state.

Homes Victoria

David DAVIS (Southern Metropolitan) (12:20): (1281) My question is to Minister Shing as minister for housing. Will the minister confirm that the Homes Victoria advisory board last met on 22 May 2025 and that therefore Homes Victoria, under her watch, has been operating without a board for almost 10 months?

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:21): Thank you very much,

Mr Davis. At the outset I want to thank you for your sudden interest in housing here in Victoria. What you seem to be more interested in is blocking and opposing – it has been 12 seconds, Mr Davis.

David Davis: On a point of order, President, it is a time to answer questions in question time, not to attack the opposition. My question was very specific about the Homes Victoria advisory board. It was not a general or broad question; it was a very specific question about a board that the minister is responsible for. She cannot go on a broad ramble.

The PRESIDENT: She had only been talking for, I think it was, less than 16 seconds and –

David Davis: Yes, but she was off onto a new tangent.

The PRESIDENT: She might have been giving some context to start with before she answered the question.

Harriet SHING: So what I would like you to do, Mr Davis, is to –

David Davis: On a point of order, President, in question time questions are put by other members of the chamber and ministers answer questions. They do not give advice or say what they would like us to do. It is a simple thing, a simple question. May 2025, 10 months, no advisory board – that is all the question was about. It is not about the minister giving advice.

The PRESIDENT: If the point of order was that the contribution should be directed through the Chair, I uphold that. But I was a little bit relaxed about it because I believe the minister was trying to assist you in your question and therefore personalise it to that degree.

Harriet SHING: We did miss you yesterday, Mr Davis, but it is good to see that the quality has at least remained consistent. One of the things that we have seen is that in delivering more housing across the state and in operating a program of ambitious delivery we have between 16,000 and 17,000 new social housing homes being delivered, and this is being done not only at a local level but also in partnership with the Albanese government. This includes the Housing Australia Future Fund –

David Davis: On a point of order, President, this is a very narrow, specific question about the advisory board, which last met on 25 May. I have asked the minister to confirm that and to explain why it has not been meeting for 10 months.

The PRESIDENT: I am sure the chamber understands the question. Once again, the minister has still got 2 minutes to address the question. If she does not, then there are provisions in the standing orders around written responses. If you do not believe the judgement I make around that is correct, there is a provision to ask me to review it and get back to the chamber. You are not going to stand up every 3 seconds and do a point of order; we are not playing that game. The minister has got 2 minutes. Let us see how she goes.

Harriet SHING: Mr Davis, relevance relates to the question as you asked it, the preamble as you put it and the subject matter of the portfolio that I hold. What we are doing is delivering, as I said, between 16,000 and 17,000 new social housing homes. Under the last coalition government –

David Davis: On a point of order, President, it has got nothing to do with the previous coalition government. It is not a time to attack the opposition. This is a very specific question about a board the minister is responsible for that has not met for 10 months. I am asking her about that board, nothing else.

The PRESIDENT: Mr Davis, maybe we have varying levels of patience. The minister still has a minute and a half under the standing orders to address your question.

Harriet SHING: Mr Davis, you may not have created any new homes when you were in government –

David Davis: On a point of order, President, it is not up to the minister to attack the opposition. She just needs to answer the question, the very simple question, about a board that she is responsible for – that is all it is.

The PRESIDENT: You do not need to repeat the question.

Harriet SHING: Not only are we delivering between 16,000 and 17,000 new homes, we are also creating jobs, Mr Davis. One of the things that you would have noticed had you been in the market for a new job is that there is a recruitment process that has been underway for the Homes Victoria advisory board, and that was in fact on the Homes Victoria website.

David Davis interjected.

Harriet SHING: I am going to pick you up on that interjection. You see that process of recruitment. You see that that has been a process that we are undertaking. We are continuing with delivering homes. We are continuing with the process of due diligence as it relates to recruitment. Mr Davis, I am not sure whether you put your hand up, but in the meantime, what we are continuing to do –

David Davis: On a point of order, President, it was a very specific question about the date of the last meeting of the advisory board and the fact that it is now 10 months later. My question to the minister is very specific. It is not a broad question. She just needs to answer it and be relevant to the question.

The PRESIDENT: My opinion is she was actually relevant to the question just then, before you called your last point of order, about the machinations of this particular board.

Harriet SHING: The clue is in the title, Mr Davis: it is an advisory board. But what I do, consistently, is listen to residents to get their advice and to get their lived experience. Mr Davis, I am not sure whether you have got seek.com on your phone, but it has certainly been advertised there. There is certainly a recruitment process underway, Mr Davis, and I look forward to continuing the work to deliver housing that you continue to oppose and to block.

David DAVIS (Southern Metropolitan) (12:28): We almost got an answer there about the last date the board met. But let me advise the minister that in section 11A of the Housing Act, for which she is responsible, you are required to have a board with a minimum of five members and a maximum of 11. Minister, for 10 months you have acted in breach of the act by effectively, having a board with no members, running Homes Victoria by yourself. That is correct, isn't it?

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:29): Thanks, Mr Davis. The act itself is pretty clear: it vests authority in the minister and the portfolio holder, which I am privileged to be, and it enables the Homes Victoria advisory board, the CEO of Homes Victoria and other parts of the housing system to provide advice, recommendations and information and to operationalise the policy priorities of government in delivering housing for the purposes set out and established in that act. Standing here and playing quid pro quo and quoting sections of the Housing Act with me I would caution may be potentially an exercise that may end in misfortune for you, given the work that we are doing, including with an advisory board, including with the recruitment process. We are doing that work carefully and appropriately. Mr Davis, the same could not ever have been said for you.

David Davis: I move that the minister's failure to appoint an advisory board for 10 months be taken into account on the next day of meeting.

The PRESIDENT: Maybe you can try something different. I am not putting that question. Have a go at one that I might be able to put.

David DAVIS (Southern Metropolitan) (12:30): I move:

> That the minister's answer be taken into account on the next day of meeting.

Motion agreed to.

Liquor regulation

David LIMBRICK (South-Eastern Metropolitan) (12:30): (1282) My question is for the Minister for Casino, Gaming and Liquor Regulation. We all know the devastating consequences of the federal government's tobacco excise tax and what it has done, with an explosion of organised crime, arson, murder and everything else in this state. I know the minister is very well aware of that. One thing that has not been reported as much is that there is also another major excise tax which is causing trouble, which is the alcohol excise tax. I have had unconfirmed reports from many independent sources to my office that in fact counterfeit and smuggled alcohol is starting to happen within organised crime circles. Could the minister outline what is being done to prevent another organised crime explosion in this new market in Victoria?

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:31): I thank Mr Limbrick for his question and his interest in this emerging challenge, and I do accept that it is an emerging challenge. It is a challenge that I know the industry have been raising with the Commonwealth, appreciating that the regulation, the excise and the customs control – those powers lie with the Commonwealth, so I think the question is probably better addressed to the Commonwealth government. At the same time I will acknowledge that the Commonwealth do see some challenges here to a certain extent. For many people, liquor is an important recreational pleasure that they enjoy from time to time. That is why I welcomed the Albanese government's freeze on the excise for beer – so well done to Prime Minister Albanese for that freeze. But of course we do note there are emerging challenges. A lot of them lie within the Commonwealth's responsibility. I will continue to advocate that we look at the structures there and advocate to make sure that these illegal products are taken off our streets. In terms of what we control, we control some of the packaging and the advertising around this space, and we have already taken significant steps. But I will continue to advocate to ensure that the measures, and especially the excise, as well as some of the other settings at the Commonwealth level are fairly reflected in terms of what consumers can afford, to be frank, and also what can be enjoyed responsibly.

David LIMBRICK (South-Eastern Metropolitan) (12:33): I thank the minister for his answer. My supplementary question is: would the minister commit to getting a briefing from the relevant authorities, whether they be local or federal, and reporting back to the house on the status of this market in Victoria? It seems to be not very well known – just the extent of this and what the challenges are in this emerging problem, as the minister put it.

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (12:33): I can confirm that I have been briefed by some of the industry stakeholders that already have that research. I am happy to forward it on to Mr Limbrick, because I was actually provided a briefing with more detail on this emerging issue from industry recently in one of my recent meetings. I am happy to forward that on to you, Mr Limbrick.

Ministers statements: Suburban Rail Loop

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:33): Last week I saw the remarkable progress at the future SRL East Burwood station, which will provide Deakin University with a train station for the very first time. I joined the members for Glen Waverley, Box Hill and Ashwood and of course Ms Terpstra to announce the eight tunnel-boring machines, which will be named after innovative, influential and inspirational women. These tunnel-boring machines' names were chosen by local primary students because it is these students who will be among the first to use the Suburban Rail Loop East stations to get to school, to TAFE, to university or to work when this game-changing project takes passengers in 2035.

Labor is not wasting a day. Major construction steams ahead and over 3000 workers are onsite building this project, because we are committed to fighting for the future of Victorians. That is exactly why Labor has only ever had one position when it comes to the Suburban Rail Loop – that we are

building it. It is a project which Infrastructure Australia has confirmed is a national priority once again and is investment ready. The experts understand Melbourne is growing and needs more public transport and more homes in the right places, and that is what the Suburban Rail Loop is delivering. It is our commitment to young Victorians, like those who voted for the tunnel-boring machine names, that under an Allan Labor government we will not just grow but grow well. Future generations will have even better transport connections, spending less time getting to work and the doctor and more time doing the things that they love.

Come November, Victorians have a choice – a choice between those who turn their backs on Victorian families, block housing and block the delivery of infrastructure. Those opposite have only ever wanted to scrap the project, sink the tunnel-boring machines and sack thousands of workers. When those opposite say they will pause and review, what they are really saying is that they will slash 70,000 homes, sack 3000 workers and again leave those tunnel-boring machines to sink into the ground. Under a Liberal government – $11.1 billion in cuts – there are no solutions because Victorians will be on their own.

Housing

David DAVIS (Southern Metropolitan) (12:36): (1283) My question is to the minister who formerly held the portfolio of Minister for Commonwealth Games Legacy but in her current capacity as the minister for housing. In July 2023 when your government killed the Victorian Commonwealth Games it promised there would be at least 1300 new homes constructed across regional Victoria and it touted the promises for 2026. Yet, Minister, by 30 June last year only $91.5 million had been spent on homes construction, with $420 million slated to be spent by 30 June this year. I therefore ask, Minister: isn't it a fact that the 1300 new homes, as well as further upgrades, will not be delivered in full by the end of 2026?

Evan Mulholland interjected.

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:37): You know what, Mr Mulholland, I am going to take up that interjection, because it is a great question. It is a great question because it gives me an opportunity to talk you through the work that we have been undertaking ever since the $2 billion regional package was announced. That $2 billion regional package was about delivering benefit to rural and regional communities right across the state to make sure that we could not only upgrade sporting infrastructure, not only provide key worker accommodation and not only provide opportunities for towns and for regional centres to thrive but also deliver at least 1300 additional social housing homes and hundreds of additional upgrades. Now, Mr Davis, let me take you back in time, because –

Renee Heath: On a point of order, President, question time is not a time to patronise the opposition. I ask you, on relevance, to bring her back to the question.

The PRESIDENT: I was struggling to hear the minister because there was a lot of yelling. I am happy to give her the benefit of the doubt because I could not hear anything because of the yelling.

Harriet SHING: Mr Davis, when the housing for athletes villages was foreshadowed – and Ms Bath actually picked this up in a number of questions that she asked at the time about the fittings and fixtures for these homes, talking about kitchens and garages – it was temporary accommodation. It was accommodation for a 12-day period – namely for the duration of the games. What we delivered as part of the regional package was a commitment for at least 1300 homes. They are fully appointed and fitted-out homes which will meet the needs of people on the Victorian housing register to be able to call long-term housing. 630 homes are currently underway or complete through the Regional Housing Fund. That sits as a $1 billion commitment to be delivered on, alongside the Big Housing Build, which is $1.25 billion for rural and regional Victoria. Mr Davis, that is of an order of magnitude

far outstripping anything that you ever, ever committed to as part of social housing. What we are delivering is –

Renee Heath: On a point of order, President, question time is not an opportunity to attack the opposition. Isn't it a fact that 1300 new homes, as well as further upgrades, will not be delivered in full?

The PRESIDENT: You do not need to repeat the question in the point of order. I uphold the point of order in terms of question time not being a time to attack the opposition. As well as that, interjections are unruly. Maybe the chamber can take a deep breath.

Harriet SHING: Over 4900 homes are currently complete or underway through our programs across rural and regional Victoria. That includes the homes that we have committed to building as part of the Regional Housing Fund, and that includes further work that we are getting underway to deliver social housing homes, for example, in Colac – homes that you are objecting to on the basis that they are too close to a cemetery, Mr Davis. You are blocking and opposing the delivery of social housing homes in rural and regional communities because you say that they should not be too close to a cemetery.

David DAVIS (Southern Metropolitan) (12:41): As the minister has outlined, the housing commitment made by the state government committed to fully funding regional housing, but it appears only 10 per cent of the fund has so far been spent, most of it actually on upgrading existing stock. I therefore ask: how much of the regional fund has so far been spent and how many new homes, rather than replacements, have been built to date?

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (12:42): Let me be really clear, Mr Davis: the commitment is for at least 1300 new homes across rural and regional Victoria and hundreds of additional upgrades. To date, 630 homes are underway or complete through the Regional Housing Fund. Every day we complete eight new social housing homes across the state. You would not know that, because you cut funding to delivering social housing and went backwards by 250 homes every year.

Nick McGowan: On a point of order, President, it is not often that I will complain about behaviour, because mine is not always exemplary. However, I do believe I heard a member opposite tell me to shut up. I would suggest that is not parliamentary. I do not do it myself, and I certainly would not expect it, but I would expect that to be withdrawn by the member who said that.

The PRESIDENT: Does the member want to withdraw it? I do not know who it was.

Tom McIntosh: On the point of order, President, I may have indicated that Mr McGowan was making too much noise. I stand by the noise comment, but if my comments were offensive, I withdraw them.

David Davis: On a point of order, President, the minister was straying into an attack on the opposition. She knows she is not to do that, and she needs to come back and just simply answer how many new homes have been completed to date, which she seems resistant to do.

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

Harriet SHING: I have answered the question, Mr Davis. It is just unfortunate that you do not like it, because you have never liked delivering social housing across the state. What I will say in relation to upgrades is that they provide habitable –

David Davis: On a point of order, President, the minister knows she is not to attack the opposition, and she does seem to struggle with that. I have not been troublesome with this question; I have been very direct. It is a very precise question: how many new homes to date?

Jaclyn Symes: She has already answered it.

David Davis: No, she has not, actually. She keeps saying 'and underway'.

The PRESIDENT: I believe the minister has been relevant to the question. I uphold the part of the point of order about not attacking opposition.

Harriet SHING: We provide eight new homes every single day around the state for Victorians who are on the social housing register to call their own. There are thousands of upgrades across the state, including hundreds across rural and regional Victoria – homes which you did not want to upgrade or repair after floods and emergencies, as your former minister was on the record as saying.

The PRESIDENT: I think the minister has finished her answer.

David Davis: On a point of order, President, she is flouting your ruling. It is an attack on the opposition. It is clear what is going on. She needs to stop it and just simply answer the question of how many to date.

The PRESIDENT: I think the minister has finished her answer. I appreciate, Mr Davis, your point of order about the minister flouting my direction, but I have got to say I feel like I am getting flouted in every direction, so maybe everyone could stop the flouting.

Firewood collection

Rikkie-Lee TYRRELL (Northern Victoria) (12:45): (1284) My question today is for the Minister for Environment. Another firewood season has begun, and yet again several local government areas in my region of Northern Victoria have been left off the map. It is like we have been forgotten yet again. This time of year is the perfect time for people to be out collecting wood to heat their homes in the upcoming winter months. With the ever-rising cost of living, some residents in these areas rely solely on solid fuel to heat their homes. Minister, why have these local council areas been left off the firewood collection map?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:46): I thank Ms Tyrrell for her question and her advocacy on behalf of her constituents. This matter will be referred to the Minister for Environment for a response.

Rikkie-Lee TYRRELL (Northern Victoria) (12:46): I thank the minister for passing that on. Firewood is a daily necessity for elderly and disabled people and families in the Northern Victoria Region. The recent bushfires have already shown the damage and public safety risks that can result from locking up public forests. Will the minister ensure that designated firewood collection points are located in all local government areas in regional Victoria?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:46): I thank Ms Tyrrell for her supplementary. Like her substantive question, it will be referred to the Minister for Environment.

Ministers statements: water policy

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Water) (12:47): I rise to acknowledge another 12 months of achievements by our catchment management authorities for communities and the environment. Healthy waterways are key to a thriving society, and our nation-leading CMAs are embodied in their local regions, protecting our catchments and waterways. This vital work is outlined through the recently published CMA *Actions and Achievements Report*. Our CMAs are supporting farmers through innovative irrigation and pest removal, reducing the impact of flood and erosion on communities, improving waterway recreation and improving biodiversity to keep our communities healthy.

In the past year it has been particularly challenging for our regions with drought and bushfire recovery. Our CMAs have been supporting regional communities on the ground, restoring, enhancing and building resilience. This is backed by $6 million in bushfire recovery funding for waterway

remediation and fencing repairs. From 2024 to 2025 our CMAs have also delivered more than 789,000 hectares of pest animal control and more than 194,000 hectares of weed control, improved more than 4040 hectares of agricultural land, been joined by over 53,000 community members at CMA events and supported almost 80 threatened animal and plant species, including platypus and native fish. Our CMAs are delivering over $3.5 million in Landcare grants that will enhance and protect our state's great outdoors. Partnerships and community collaboration are at the heart of this work, working alongside Landcare community volunteers and traditional owners to get the job done. Well done to our CMAs on another year of big achievements for regional Victoria.

Written responses

The PRESIDENT (12:49): Minister Shing will follow up on Mr Puglielli's questions for the Minister for Transport Infrastructure. Minister Tierney will follow up for Ms Purcell and Ms Tyrrell, who have got questions for the Minister for Environment, in line with the standing orders.

David Davis: On a point of order, President, with my supplementary on the last question asking how many new homes have been completed to date, the minister continued to answer 'underway or complete', never answering 'complete'.

The PRESIDENT: I am happy to review it. I will get back to you by the end of the day.

David Davis: I have got one more point on it. The minister also said that eight homes were being completed every day across the state. I make that 2920 per year. Is that what the minister is actually saying?

The PRESIDENT: I think that is a separate point of order. If you want to accuse the minister or anyone of misleading the house, that is a substantive motion.

Constituency questions

Eastern Victoria Region

Tom McINTOSH (Eastern Victoria) (12:51): (2247) My question is for the Minister for Energy and Resources in the other place. Minister, how is the Victorian government progressing on meeting its renewable energy targets? Many of my constituents in Eastern Victoria express concern over the use of nuclear power in the state, raising questions on its practicality due to its cost and time to build. We know that the Liberals have no plan on energy. They are holding on to their dream of nuclear, even while England's first nuclear energy plant in 30 years is five years over time and blowing out a budget, running at a cost of about $100 billion. If the Liberals had their way, they would have a similar plan that would see the bill go to taxpayers. Forty per cent of home owners in this state have solar panels on their roofs. They know it makes sense; they know it is a cheap way to make electricity. When will the Liberals end their ideological hatred of low-cost new-technology energy generation?

Northern Victoria Region

Wendy LOVELL (Northern Victoria) (12:52): (2248) My question is for the Minister for Emergency Services. Will the minister commit funding for a new fire station for the Charlton CFA brigade in the 2026–27 state budget? Charlton CFA recently celebrated their fire station turning 95 years old. Yes, that is right: the station or building they operate out of is 95 years old. The milestone was also a painful reminder that they are still waiting for a new fit-for-purpose fire station. In 2021 the brigade was fortunate enough to receive a new tanker, but it is too big to fit in the old station and has to be housed almost 500 metres away. This impacts turnout times, when seconds matter. Four years ago land was purchased for a new purpose-built station, but since then nothing has been done to move the station project forward. Buloke Shire Council has written to the minister to stress the need for a new station that can house the tanker and provide amenities for a growing volunteer group that includes women. I urge the Allan Labor government to urgently invest in a new fire station for the Charlton CFA.

Western Victoria Region

Sarah MANSFIELD (Western Victoria) (12:53): (2249) My question is for the Minister for Energy and Resources. Constituents have again raised concerns about Victory Minerals Ballarat Gold Mine after repeated infringement notices being issued from Resources Victoria for environmental and safety breaches. Violations include the tailings dam discharge into the Yarrowee River, which I have previously raised, failing to report a mine fire within reasonable timeframes and unauthorised vegetation removal. A February 2026 inspection revealed unauthorised work within an existing pit impacting rehabilitation plans which are crucial for the environmental preservation of the area. Minister, the pattern of noncompliance is now well established, and the time for infringement notices has passed. Can you guarantee to constituents in Ballarat that these repeated breaches will result in a loss of operating authority for Victory Minerals?

North-Eastern Metropolitan Region

Richard WELCH (North-Eastern Metropolitan) (12:54): (2250) My constituency question is for the Minister for Environment. Residents in Banyule and surrounding communities have raised serious concerns about the environmental impacts associated with the construction of the North East Link Program. These concerns were heightened following an incident last year where chemicals from construction entered the Banyule Creek, turning the water bright blue and prompting an investigation by the EPA. In response to ongoing concerns about air and water quality, Banyule City Council has formally written to the EPA requesting expanded environmental monitoring in the area, including additional air-testing sites. The residents want reassurance that any environmental impacts from the project will be properly monitored and transparently reported. My question to the minister is: will the government support Banyule council's request for expanded environmental monitoring and report to local communities during the construction of North East Link?

Southern Metropolitan Region

Ryan BATCHELOR (Southern Metropolitan) (12:55): (2251) My question today is to the Minister for Education. How is the Allan Labor government upgrading Gardenvale Primary School? Labor is delivering on our commitment to upgrading Gardenvale Primary School, an exciting new development for the parents and the kids at the school. New images have been released about what the new two-storey teaching building will look like, featuring a new library, new classrooms and a new administration area, including a lift to enable accessibility for everyone. Other existing classrooms at the school are also being refurbished. The new rendered images reveal modern design and new open learning spaces. Gardenvale Primary School is a fantastic local school and one that is soon to get even better. With upgrades happening at Gardenvale, Hampton and Caulfield South, the Allan Labor government is investing in our kids. Victoria is the Education State.

Western Victoria Region

Joe McCRACKEN (Western Victoria) (12:56): (2252) My constituency question is to the Minister for Roads and Road Safety, and it concerns the not-happening duplication of the Western Highway between Buangor and Ararat. This is not something that has just fallen off the back of a truck as a new idea; it has been around for 13 years. For 13 years it has not been delivered. It is actually quite concerning because this particular stretch of road is notorious for fatalities. It is such a concern that even the Labor member for Ripon has raised it but of course cannot deliver, because country roads are not a priority for the Labor government. My question to the minister is: when will you give the community an answer to when this will actually come to fruition? We are sick and tired of waiting for a road that has not been built and has been promised for so long.

Northern Victoria Region

Georgie PURCELL (Northern Victoria) (12:57): (2253) My constituency question is for the Minister for Health. More than 100 doctors at Albury Wodonga Health recently passed a vote of no confidence in the hospital's executive leadership. I have spoken in this place before about the

unacceptable situation surrounding staff wellbeing here. This recent vote came after the hospital's head of emergency Dr David Clancy was suspended and escorted from the precinct in front of his colleagues. Dr Clancy is an executive member of Border Medical Association, a non-political advocacy group that has spoken out against the $558 million Albury hospital redevelopment. Reporting this month suggested Dr Clancy was suspended from his position in relation to a Safer Care Victoria review into the culture at Albury Wodonga Health, but that report is not finished and the outcome will not be public. Residents in border communities deserve better than this ongoing chaos. What action is the minister taking to urgently fix this unacceptable situation at Albury Wodonga Health?

South-Eastern Metropolitan Region

Ann-Marie HERMANS (South-Eastern Metropolitan) (12:58): (2254) My question is to the Minister for Police. On behalf of my community, I ask: why have you failed to tackle rising crime in many parts of my region? My constituents want to know what you are going to do to tackle it. The Crime Statistics Agency released its latest data showing that total criminal incidents are up in the state, and in my local government area, the City of Casey, crime is up by 13 per cent compared to the same period a year ago. In Greater Dandenong these incidents have increased by over 6 per cent, and in Cardinia they are up by over 4 per cent. Locals can see the impact of crime in their streets, in their shopping centres and even in their homes. This is no way for them to live. They are constantly talking about and sharing their stories of crime, but as long as this government is in place Victorians will remain unsafe and unguarded. It is time for a Wilson-led government that will put community safety first.

Northern Victoria Region

Rikkie-Lee TYRRELL (Northern Victoria) (12:59): (2255) My constituency question today is for the minister for transport, and my constituents ask: what is the hold-up at Safe Transport Victoria in approving aquatic licences for waterski racing pointscore events at Lake Charm? The waterski racing community is a bright, vibrant part of Victoria's water sports sector. Each race consists of, on average, 300 competitors, support crew and spectators. This brings around $600 per person for accommodation, fuel and food to the towns surrounding the lakes. The hundreds of thousands of dollars these events bring to these generally smaller communities helps keep them thriving. Ski Racing Victoria has been working with the Gannawarra shire to bring this event back into the community. It has been two years since the last ski race was held. For the last two years Ski Racing Victoria has been working hard to make sure all events are up to standard and compliant with the ever-changing rules and regulations. They are just waiting for the last hurdle to be cleared so they can get back to the sport that they love.

Western Victoria Region

Bev McARTHUR (Western Victoria) (13:00): (2256) My question is to the Minister for Education. Minister, I have been contacted by a Surf Coast family whose son Pantxo, an Olympic snowboarding hopeful ranked among the world's best junior athletes, has been refused entry into year 12 at Surf Coast Secondary College due to attendance requirements. The family state that they were advised by school staff that with supporting documentation from Snow Australia special consideration would allow him to train and compete overseas while completing his studies. Pantxo met his academic requirements and passed his subjects yet was later told he could not progress due to absences, with the school acknowledging key advice was not confirmed in writing. Given that 70 per cent of Australia's Winter Olympians are privately educated due to greater flexibility, what steps is the minister taking to ensure government schools provide the necessary special consideration and written clarity to support high-achieving athletes like Pantxo?

South-Eastern Metropolitan Region

Rachel PAYNE (South-Eastern Metropolitan) (13:01): (2257) My constituency question is for the Minister for Local Government. Over the past five years Cardinia shire has seen a 53 per cent increase in people sleeping rough, with more than 3800 households experiencing housing stress. To support

my constituents, social and affordable housing in Cardinia must be raised from 0.9 per cent to 7 per cent. High windfall gains tax rates disincentivise councils from rezoning land to meet housing needs. Cardinia council have reported that they are already racing to keep up with the maintenance costs of community facilities and amenities. After rezoning and tax expenses, council funds are simply inadequate to develop and maintain the required affordable housing in the community. So my constituency question is: will the minister advocate for windfall gains tax exemptions for Cardinia and Knox councils for the purpose of social and affordable housing development?

Northern Metropolitan Region

Evan MULHOLLAND (Northern Metropolitan) (13:02): (2258) My constituency question is to the Minister for Emergency Services, and it concerns the Beveridge fire brigade. Will the minister commit to providing the Beveridge fire brigade with the facilities, trucks and resources they desperately need? Minister, Beveridge is expanding at a rapid pace. The population has more than quadrupled in a decade, with more to come. The brigade has only one 24-year-old single-cab fire truck, yet it still manages to respond to nearly 500 calls every year and provide support to other brigades over a number of other districts. The brigade inform me that their location at the urban fringe means they respond to just about every type of hazard, bringing with it new challenges. They are also having issues with volunteer retention, putting further strain on a proud and hardworking brigade. To quote them directly:

> A single appliance bay, a single truck, and a volunteer cohort that is already stretched close to capacity is not an emergency services footprint that reflects the reality of what this suburb is becoming.

North-Eastern Metropolitan Region

Aiv PUGLIELLI (North-Eastern Metropolitan) (13:04): (2259) My constituency question today is to the Minister for Public and Active Transport. People recently in Ivanhoe have noticed a new pole at Ivanhoe train station rising out of the ground which looks like the beginning of something bigger. It is located on the platform just beside where the old rickety wooden overpass bridge crosses the platforms and the tracks. Minister, what is this pole for? Should the community get their hopes up that this is the beginning of an upgrade for Ivanhoe station that will finally see accessibility improved with a connection between the platforms, which the community and the Greens have long campaigned for? What is this pole?

Eastern Victoria Region

Melina BATH (Eastern Victoria) (13:04): (2260) My question is to the Minister for Housing and Building. Social and affordable housing in Latrobe Valley is in desperate need, and four years ago, on 12 April 2022, the then housing minister said, 'This will include a legacy of affordable housing for the Latrobe Valley.' Well, this week we had the housing minister on Tuesday 17 March on the ABC saying construction on 72 homes at English Street, Morwell, will begin next month. The first question is: will the minister actually guarantee that that will occur? And of those 72 homes, apparently only 10 per cent are going to be social and affordable housing. Can the minister guarantee that these homes will actually begin in April 2026, four years after the announcement?

Northern Victoria Region

Gaelle BROAD (Northern Victoria) (13:05): (2261) My question is to the Minister for Mental Health as the minister responsible for drug prevention, harm reduction and treatment, regarding the prevalence of drugs in northern Victoria. This week I spoke with a grandmother in a small regional town in my electorate. Police attended her home because of threats of violence from her own grandson under the influence of drugs. I also spoke with a family from Bendigo who lost their 19-year-old grandson after he was killed by a driver who was high on drugs. I recall speaking with a mum whose son started using marijuana at 29, and by 36 he was in a psychiatric centre for the fourth time. No doubt we have all seen people walking the streets, whether it be in regional towns or in Melbourne, who are clearly affected by drugs. In small regional towns mental health services do not exist, and

Bendigo providers tell me there are not enough beds or support services to meet demand. I am concerned the government is sending the wrong message by establishing an injecting centre next to a school, legalising pill testing at concerts and through a service called Never Use Alone. Given the prevalence of drugs is contributing to rising crime, road trauma and family violence and increasing pressure on hospitals and ambulance services, what action is the government taking to reverse this trend and reduce drug harm, especially in regional communities, where support services are few and far between?

Sitting suspended 1:07 pm until 2:11 pm.

Bills

Entities Legislation Amendment (Consolidation and Other Matters) Bill 2025

Committee

Resumed.

Clause 1 further considered (14:11)

Sarah MANSFIELD: Just picking up where I left off, I was asking the Treasurer questions about Parks Victoria and the Great Ocean Road Coast and Parks Authority, GORCAPA. Given the significant recent loss of staff from Parks Victoria work centres along the Great Ocean Road and the fact that remaining staff have not yet been transferred to GORCAPA, who is currently managing the relevant terrestrial national parks – that is the Great Otway National Park, the relevant marine national parks and the iconic Great Ocean Walk in that area – GORCAPA or Parks Victoria?

Jaclyn SYMES: Dr Mansfield, Parks Victoria continues to support GORCAPA's management of this national park land by providing direct on-ground field management and remains the contact for permits and licences until direct on-the-ground field management transfers to GORCAPA by 1 July 2026. As you have asked this question, a commitment to keep you updated on that progress is something that I can pass on through to the minister's office.

Sarah MANSFIELD: What is the current scope of protected areas under the National Parks Act 1975 to be managed by GORCAPA, given originally it was only designed to cover anything south of the Great Ocean Road but now includes high visitation areas like Erskine Falls?

Jaclyn SYMES: Thank you for your question, Dr Mansfield. I have got a list here, as this question was anticipated, which is useful to be able to read out to you. The Great Ocean Road Coast and Parks Authority is the responsible land manager of the national park land within the Great Ocean Road Coast and Parks. Specifically, this includes Port Campbell National Park, Bay of Islands Coastal Park, the marine parks, Eagle Rock Marine Sanctuary, Point Addis Marine National Park, 12 Apostles Marine National Park, Marengo Reefs Marine Sanctuary, Merri Marine Sanctuary, Point Danger Marine Sanctuary, the Arches Marine Sanctuary, parts of the Great Otway National Park, and there are various dates of when they transferred over 2024–25.

Sarah MANSFIELD: Is it the government's intention also to raise a fee at this location, and if so, when will the scope of the areas to be managed be confirmed?

Jaclyn SYMES: That is not the information that I have, Dr Mansfield. It would also be outside this scope, so that line of question would be best directed to the relevant minister.

Sarah MANSFIELD: This bill is a consequence of the Silver review and it comes as the government also plans to abolish Sustainability Victoria by the end of June 2026. Where is the government up to in terms of abolishing Sustainability Victoria?

Jaclyn SYMES: Again, this question is outside the scope of this bill. However, I am happy to provide the information that the government has committed to winding up the operations of Sustainability Victoria by 30 June 2026.

Sarah MANSFIELD: I have a number of questions about Sustainability Victoria, but I suspect they are all going to fall outside the scope of this bill, so we might take that up.

Jaclyn SYMES: Without cutting off the rest of the member's line of questioning, she has flagged, probably, my response to her attempts at a line of questioning on Sustainability Victoria. I am more than happy to receive those questions at a relevant time, and it is not through this bill. I will let the minister's office know that Dr Mansfield would like some more information on Sustainability Victoria, and perhaps they could do that through another mechanism, as opposed to seeking to do this outside the scope of the bill at hand.

Sarah MANSFIELD: Just one final question on the Essential Services Commission and its role in rate capping: I know Mrs McArthur asked a number of questions about this, but really my question focuses on the importance of having an independent assessment of that cap. How can councils and the community have confidence in the rate-capping process when it is not informed by independent advice?

Jaclyn SYMES: As you heard in the exchange between me and Mrs McArthur, what the bill is seeking to do is streamline and ensure that there are no significant changes to the rate-capping processes. In fact, as has been indicated since the policy implementation, the Essential Services Commission has provided advice to the minister to confirm CPI. It is not deviated in any way, shape or form. That is not to say that advice from a range of sources cannot be fed into the minister on rate-capping settings as he travels around the state, talks to local governments, stakeholder groups, other MPs and the like. I would say that there is ample opportunity for his decision to be informed by experts and interested parties.

Melina BATH: I have a few questions on GORCAPA, and I believe that they are different to the ones that we have just been listening to and prior to lunch. The Parks and Public Land Legislation Amendment (Central West and Other Matters) Bill 2025, which went through last year, expands GORCAPA's obligations, requiring a strategic framework and planning, annual and five-year reporting and the development of land management strategies. The Entities Legislation Amendment (Consolidation and Other Matters) Bill 2025 only transfers 23 staff from Parks Victoria over to GORCAPA. Has the government done any analysis to ensure that this additional workload can be covered by those 23 staff, or has there been any other investigation and analysis of the workload required to perform these tasks?

Jaclyn SYMES: Basically, your question was the subject of an exchange between me and Dr Mansfield prior to the lunchbreak. We are transferring staff. Workload will be the same. The reform will ensure no loss of knowledge and capability from the transfer of on-the-ground management.

Melina BATH: But in the parks bill that we passed last year, there was an enlarged requirement in terms of reporting and planning. In short, the government is transferring those 23 staff from Parks, irrespective of the expanded obligation of GORCAPA, ultimately, because that was in the parks bill.

Jaclyn SYMES: The bill is facilitating the literal transfer of the same people to do the work.

Melina BATH: GORCAPA will inherit management responsibilities for some of Victoria's highest risk assets, and you have mentioned some of those parks before – clifftop outlooks, coastal trails, visitor nodes. What evidence can the minister provide that GORCAPA's service delivery model offers the equivalent or superior asset risk management compared to Parks Victoria? There are significant risks and high-risk assets. How do you know that GORCAPA will be able to perform those functions at an equivalent or superior rate?

Jaclyn SYMES: Not to go around in circles, but it is literally the same people that are being transferred. These are people with significant knowledge and capability in dealing with these assets. Currently Parks Victoria manage all the national park land and some of the Crown reserves that will be transferred to the Great Ocean Road Coast and Parks Authority's control and management. With

the literal transferring of these staff from Parks Victoria, it goes without saying that working under the banner of GORCAPA will ensure that the capability continues.

Melina BATH: What training and professional development will be required to integrate these 23 former parks officers into GORCAPA so that they actually can perform their functions properly, and how long will that take?

Jaclyn SYMES: I would direct you to the minister for further information in relation to the implementation of this. But again, many of these roles are the same or similar role and the same person in the same location. For further information on the ongoing training of those individuals, I would direct you to the minister.

Melina BATH: Given that Parks Victoria has an established role in terms of fire preparedness and fuel load reduction and emergency closures, what operational frameworks and protocols will GORCAPA now use to maintain these services? And has GORCAPA been accredited to meet these responsibilities?

Jaclyn SYMES: Again, Ms Bath, this is ensuring a smooth transition with the transfer from Parks Victoria to GORCAPA. There are obviously a lot of things to consider, and I know that a number of the issues that you have raised would be front of mind in ensuring the smooth transition. But the specifics of your question – timing and the exact policies and things – are certainly a matter for the minister. This bill is a framework to facilitate the amalgamation effectively.

Melina BATH: Will the government release an audited list of the assets and conditions being handed to GORCAPA, including any maintenance backlog inherited from Parks Victoria? These backlogs certainly have an impact on staff availability or operational measures, so what measures can the government make to ensure that this backlog does not overwhelm GORCAPA's workforce and budget?

Jaclyn SYMES: Ms Bath, the questions you are asking are broader issues in relation to the transition to GORCAPA which would be best addressed by the minister. But again, a lot of the people that we are talking about are the same people that have the same interests and the same passion for the protection and maintenance of those areas. I am sure the minister would be delighted to share with you the important work of GORCAPA and can probably get you a separate briefing in relation to all of the activities and their future plans for one of the most beautiful parts of the state.

Melina BATH: I will take you up on that offer; thank you very much. If our offices can arrange that, that would be great.

Jaclyn SYMES: You should reach out to them.

Melina BATH: I will reach out to the minister, in fact this afternoon. But in terms of the entities bill, it promises a transfer without disadvantage to those 23 staff. Can the minister confirm that wage levels, allowances, overtime rules and penalty rates for the transferred workforce will match their existing Parks Victoria entitlements?

Jaclyn SYMES: That is ordinarily exactly what 'no worse off' means.

Melina BATH: So you can confirm that those will be at the same level – that is what you are confirming?

Jaclyn SYMES: Consistent with machinery-of-government arrangements across the state, any of the entity transitions with the commitment to ensuring that staff are no worse off mean that they are transferred to, particularly in this instance, very similar roles with the same conditions.

Melina BATH: Minister, this is in relation to the Mine Land Rehabilitation Authority in the Latrobe Valley and its formation and then closure. There is some certain important and useful IP, we will say, some data research –

Jaclyn SYMES: He has already asked that.

Melina BATH: He has asked those? That is all right. Thank you very much; that is fine.

Jaclyn SYMES: Mr Welch, sorry, I cut your colleague off because she had gone down the same path as you in terms of –

Richard WELCH: Yes, we have covered that.

Rachel PAYNE: I have only got two questions, but they are quite detailed, so if the Treasurer can indulge me, that would be amazing. This bill abolishes several advisory bodies, including the Victorian Environmental Assessment Council (VEAC) and the Victorian Marine and Coastal Council. Regardless of these changes, the need for advice on these kinds of environmental issues will no doubt persist. What is the projected increase, or is there a projected increase, in consultancy costs resulting from these changes?

Jaclyn SYMES: That is certainly something that is taken into account. The spirit of the Silver review was about efficiencies across government, and many of the recommendations were about identifying duplication, but also a lot of her report went to the cost of consultants and the like. In the spirit of what government is trying to achieve, informed by the Silver review, we want to maintain and capitalise on government's expertise to minimise contracting out, consultancies and the like. There is always going to be a place for some of this where appropriate, but we are very much of the view that particularly when you take on an exercise of consolidation, it is actually great for the staff that are there because you are ensuring that they are valued, that they are satisfied, that they are busy and that their work is important and really a priority of government. That will produce outcomes, hopefully, where you have less contracting out. As in a conversation earlier with Dr Mansfield, though, in the space of VEAC's expertise, we will want to draw on people from across the sector, people that have been involved in VEAC in the past, and there will be opportunities for that to occur.

Rachel PAYNE: That makes sense; thank you. This bill abolishes Recycling Victoria and confers its responsibilities, functions and duties on the Environment Protection Authority. In doing so it extends the frequency of several reporting and review requirements. These changes include extending the requirement for a responsible entity to prepare and submit a responsible entity risk, consequence and contingency plan from annually to every three years. In simple terms, this means responsible entities like large thermal waste-to-energy services will no longer have to report as regularly on risks of serious failure to the provision of their services and the actions they are taking to minimise or prevent such risks. Just a few questions on that: how will the extensions to these review and reporting requirements avoid actively undermining environmental oversight?

Jaclyn SYMES: At the outset, Recycling Victoria's functions, their people and their assets will transfer to the EPA, creating a single, stronger and clearer regulator. We, informed by advice, believe that this is going to be the best way to oversee the activities and indeed improve some of the measures that you have identified, such as ensuring responsibility for standards, compliance and circular economy programs. This is about doing better.

Rachel PAYNE: I think this has been raised a few times throughout this questioning: the target of diverting 80 per cent of waste away from landfill by 2030. Is there any concern that through having a reporting mechanism that is every three years rather than annually there would be further reductions in Victoria's ability to meet that target?

Jaclyn SYMES: Integrating Recycling Victoria into EPA will have benefits such as clarifying roles, reducing fragmentation and strengthening end-to-end regulation of waste and resources recovery. It aligns with the government's *Economic Growth Statement*, including our commitment to reducing the numbers of regulators and making it easier to do business in Victoria whilst maintaining strong environmental protections. It is not a retreat from our waste or circular economy ambitions. Our commitment to diverting waste from landfill, improving recycling, building a circular economy and

protecting the environment remains firm. What we want to do is bring together program levers, standards and enforcement in a single well-resourced regulator, capitalising on the strengths of what we have in one place, which we think, as I said, will bring about better outcomes, better oversight and the ability to make sure that the reporting is robust.

Richard WELCH: This will move into a different area, the Victorian Public Sector Commission advisory board. I have just a couple of questions on that. The question is: how many members does the Public Sector Commission Advisory Board have now?

Jaclyn SYMES: There are currently no members.

Richard WELCH: Thank you, Minister, for that clarification. How long has it had no members?

Jaclyn SYMES: As soon as I know, you will know. I have just asked.

Richard WELCH: It sort of makes this question a little bit more difficult, given there is no-one to do it. But in theory the public sector advisory board has the potential to play an important role in setting the tone of the public service, particularly when there has been considerable comment from various bodies – Victorian Auditor-General's Office (VAGO), the Ombudsman and others – about the politicisation of the public service. Why abolish it when there is a role and there is a need of that nature?

Jaclyn SYMES: The Victorian Public Sector Commission Advisory Board was established in the past with advice in relation to the preparation of the Victorian Public Sector Commission's annual and strategic plans and strategic advice in relation to matters relevant to the objectives. Abolishing it will improve the efficiency of the commission by enhancing their flexibility to seek advice in relation to the development of the annual and strategic plans and their objectives through other sources on an as-needed basis, without convening a meeting of a legislative board that may not have the members that are particularly suitable for the various types of topics that they could have. And just a correction in relation to the number of members: there are technically none, but the secretary of DPC is formally a member.

Richard WELCH: Technically one?

Jaclyn SYMES: Technically one, just to be clear. My advice is – no, I am still not sure on exactly the timing, but I think maybe June last year.

Richard WELCH: I will now move to clauses 93 to 95, which is the abolition of the Victorian Government Purchasing Board. Minister, can you explain how the Victorian Government Purchasing Board has been lacking in its current duties such that it now needs to be abolished? Sorry if I rushed you there.

Jaclyn SYMES: Mr Welch, procurement for goods and services in Victoria, as you may appreciate, is a core function of government. There are well-established policies, systems and processes to ensure that the procurement of goods and services continues to be conducted effectively, efficiently and fairly, with robust controls and strong procurement governance. Compliance with the goods and services procurement policy framework will continue to be monitored through well-established governance and oversight mechanisms, including the Financial Management Act's standing directions annual attestation process; internal audit functions; requirements for departments and agencies to report activities in their own annual reports; and requirements to comply with the guiding principles for procurement, fairness, transparency, accountability and value for money. The ongoing benefit of retaining the board is limited, with many of its statutory functions now duplicated in established frameworks and practices within departments. Retaining it continues the additional administrative and reporting burdens for departments and agencies, which it is the intention of this bill to alleviate. The role of the board in compliance oversight is a legacy requirement from when it was established in 1995. Through a series of reforms, the government has expanded the framework and embedded its requirements in existing measures, as I have outlined.

So this is by far a redundant body that is probably a very good example of what this bill is seeking to achieve – that is, to not waste resources of government in unnecessary, duplicative administrative burden. I was anticipating applause from Mr Limbrick because we should do more of this, and this is one of the best examples of why.

Richard WELCH: Did the board have or does it have any role or governance oversight of procurement on Big Build sites?

Jaclyn SYMES: No.

Richard WELCH: I have got a couple of concluding questions now on the bill as a whole. Can you confirm this bill implements only seven recommendations from the Silver review and why so few?

Jaclyn SYMES: Just give me two second, Mr Welch. I have a series of papers in front of me, and I know where we are about to go and I want to just get prepared. In relation to the bill and its interaction with the Silver review, which I covered in my summing-up, there are a number of recommendations from the Silver review that were provided – a lot of them in her interim report that was provided to cabinet – but also there are amendments in this bill that are not just about Silver, because Silver's work informed government decisions but it was work that government departments were already asked to undertake as well. So in that instance the aspects of the bill that relate to the recommendations include the abolition of the head of Recycling Victoria and conferring those functions on the EPA. Interim recommendations of the Silver review included the abolition of the marine and coastal council, abolition of the Mine Land Rehabilitation Authority, abolition of the Victorian Public Sector Commission Advisory Board, abolition of the Victorian Government Purchasing Board, abolition of the Road Safety Camera Commissioner office and reducing Victoria's Mental Health and Wellbeing Commission roles. Included not directly as a Silver review recommendation but obviously in line with the spirit of where I have been bringing the chamber to today was the abolition of VEAC and streamlining the regulation of essential services.

Richard WELCH: Can you confirm the bill will deliver gross savings of only $35.782 million over four years and that it will cost $5.404 million over four years to implement?

Jaclyn SYMES: I was just double-checking. I have got a table here in my notes, which I understand was provided to the opposition in the opposition briefings, which goes through the entities, the estimated savings and the net results. The gross savings from the bill are as you indicated, and the implementation costs for a range of matters have also been disclosed to the opposition. These are resulting in net savings of $30 million over four years and $9 million ongoing. Can I just check that you have got this broken down? I have got the table, and I am happy to make sure that you have it as well.

Richard WELCH: I would be happy if we have the table. I am sure if it has been provided already, then –

Jaclyn SYMES: Yes, and apologies to Hansard, it is difficult to talk about a table. But Mr Welch's line of questioning is consistent with the information and the table that we have provided to the opposition.

Richard WELCH: This may be in the table as well, but in case it is not, I am noting that full-time employment in the public sector at June 2024 was 314,877 people. Can you confirm the total estimated full-time employee impact of this bill is 38.9 people?

Jaclyn SYMES: There are a number of staff changes across the different entities, Mr Welch. I can go through each agency, but they are consistent with the numbers that you have.

Richard WELCH: In aggregate?

Jaclyn SYMES: In aggregate, yes.

The DEPUTY PRESIDENT: Mr Welch, I invite you to move your amendment 1, which tests your amendments 7 to 10.

Richard WELCH: I move:

1. Clause 1, page 3, lines 5 to 12, omit all words and expressions on these lines.

The intent of this amendment is to retain the current role of the Victorian Government Purchasing Board. The opposition is concerned that the reduction in procurement oversight proposed by this bill may expose the government and taxpayer to greater risks, including fraud, corruption and cybersecurity risks, let alone wasteful spending.

Jaclyn SYMES: In relation to the removing of the purchasing board, I thought I was quite convincing in my response before on why there is merit in this. The ongoing benefit of retaining the purchasing board is limited, with many of its statutory functions duplicated in established frameworks and practices within departments. Retaining the board continues the additional administrative and reporting burdens for departments and agencies, which it is the intention of this bill to alleviate. It is disappointing that the Liberals do not see the benefit in this amendment. It is pretty straightforward and will produce more streamlined governance in this particular area of government.

David LIMBRICK: The Libertarian Party will not be supporting this amendment either. We agree with the government that their original intention will actually make things more streamlined and do not support keeping it as it is.

Amendment negatived.

The DEPUTY PRESIDENT: Treasurer, I invite you to move your amendments 1 and 2 on your sheet 76C, which test your amendments 5 to 9, 13 to 16, 18 to 37 and 42 to 44.

Jaclyn SYMES: I move:

1. Clause 1, page 3, lines 23 to 28, omit all words and expressions on these lines and insert –

   "(ii) to provide for the appointment of a Deputy Mental Health and Wellbeing Commissioner; and".

2. Clause 1, page 3, line 29, omit "(iv)" and insert "(iii)".

These amendments are all in connection to the mental health portfolio. Again, I thank the minister for being in here to address the concerns and questions from non-government members. The amendments are all about strengthening lived experience, leadership in the commission and clarified data sharing obligations and to make it easier for the commission to access the information it needs. I do not think I need to go into any greater detail about the amendments, given the exchange earlier on clause 1, unless anybody has any specific further questions that I would attempt to address.

Amendments agreed to.

The DEPUTY PRESIDENT: We will move now to Mr Welch. Could you move your amendment 5 on your sheet 19C, which tests your amendments 49 to 52 and 62.

Richard WELCH: I move:

5. Clause 1, page 4, lines 1 to 5, omit all words and expressions on these lines.

The intent of this amendment is to retain the current role of the Essential Services Commission in relation to local government rate caps. Given its role as a specialist independent regulator, there is merit in requiring the minister to seek ESC advice before deciding if council rates should be increased. Even if the ESC has advised in the past that rate rises should be in line with CPI, that does not mean it will be the same in the future. It may be the case that specific circumstances will arise where the ESC may recommend an increase below CPI. Given council rates are a contentious issue, there is a case for the ESC's independent role to be retained.

Jaclyn SYMES: The government will not be supporting Mr Welch's amendment. At the outset he described his view that the minister should be able to seek advice from the Essential Services Commission. There is actually nothing to preclude that from continuing because of these amendments. This amendment is really about removing a mandatory requirement that the ESC provide information. That does not mean that there cannot be an exchange. The ESC have confirmed that CPI has been and remains the appropriate measure to determine the annual rate cap and that requiring them to produce annual advice to effectively just say that is now redundant. We think that removing that impediment will better enable the ESC to focus on work such as considering the higher rate cap proposals from councils.

David LIMBRICK: The Libertarian Party will also be opposing this amendment. I concur with the government on this. I think the functions that are being removed are unnecessary and can be handled by the ESC and the minister.

Sarah MANSFIELD: The Greens will be supporting this amendment. We believe that there should be independent oversight and advice provided when it comes to rate capping. We are concerned about the risks that may arise, given the sensitivity of the issue of rate capping, if it is the minister that has control.

Council divided on amendment:

Ayes (17): Melina Bath, Gaelle Broad, Katherine Copsey, Georgie Crozier, David Davis, Moira Deeming, Anasina Gray-Barberio, Ann-Marie Hermans, Wendy Lovell, Trung Luu, Sarah Mansfield, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Aiv Puglielli, Richard Welch

Noes (20): Ryan Batchelor, John Berger, Lizzie Blandthorn, Jeff Bourman, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Shaun Leane, David Limbrick, Tom McIntosh, Rachel Payne, Georgie Purcell, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt

Amendment negatived.

The DEPUTY PRESIDENT: Mr Welch, I invite you to move your amendment 6 on your sheet 19C, which tests your amendments 53 to 60 and 64.

Richard WELCH: I move:

6. Clause 1, page 4, lines 6 to 11, omit all words and expressions on these lines.

The intent of this set of amendments is to retain the current role of the Essential Services Commission in relation to commercial passenger vehicle maximum fares and non-cash payment surcharges. Given its role as a specialist independent regulator, there is merit in retaining the role of the ESC in setting the commercial passenger vehicle charges. Certain regulators, like the ACCC, are required to provide their approval before certain mergers or acquisitions can proceed to ensure competition in the market is not damaged. It is not beyond the realm of possibility that vested interests may lobby the relevant minister to allow an increase greater than CPI because of purported cost pressures.

Jaclyn SYMES: The government's proposal is for less regulation, Mr Welch, of taxi fares by removing the mandated reviews conducted by the ESC, which have resulted in significantly increased taxi costs for Victorians, especially vulnerable cohorts who are most likely to use a taxi. For that reason we will not be supporting your amendment.

Aiv PUGLIELLI: Further to the comments made by the Treasurer, while I think at the level of intent my colleagues and I do have some support for what the Liberals have brought with respect to this amendment, from conversations with government and looking over historical precedent with respect to this issue in practice from a consumer focus, what is proposed by the government we are confident will deliver a cheaper outcome for consumers. Therefore we are not supporting the Liberals amendment today.

David LIMBRICK: The Libertarian Party will not be supporting this amendment. I see this as a minor deregulation measure, and I am a bit confused as to why the Liberal Party is proposing it, frankly.

Amendment negatived; amended clause agreed to; clauses 2 to 49 agreed to.

New clause 49A (15:05)

Sarah MANSFIELD: I move:

1. Insert the following New Clause after clause 49 –

'**49A Powers of the Commissioner**

After section 9(2) of the **Commissioner for Environmental Sustainability Act 2003 insert** –

"(3) A Reference Group established under subsection (2)(b) must include an Expert Land Use Panel for the specific purpose of providing advice to the Commissioner relating to the protection and ecologically sustainable management of the environment and natural resources of public land.

(4) The Expert Land Use Panel described in subsection (3) must consist of 5 members who collectively have experience, skills and knowledge in the following areas –

(a) environment protection and conservation;

(b) natural resource management;

(c) tourism and recreation;

(d) economics and business management;

(e) rural and regional affairs;

(f) issues relating to indigenous peoples;

(g) local government;

(h) social and community affairs;

(i) community consultation and participation.".'.

This is an amendment to do with VEAC and the abolition of VEAC proposed under this bill. We are proposing through this amendment that an expert land use panel is established. The commissioner's office simply does not have the expertise of VEAC's members but is somehow meant to absorb their purpose to advise on the sustainable management of the environment and natural resources of public land. To resolve what we think would otherwise be a costly and wasteful process of replicating that expertise in-house, we have been advised by a range of stakeholders that the government should at least maintain VEAC's current council members as an advisory body within the CES. There are lots of different ways to do that, but we have proposed a simple power for the commission to create an additional in-house expert land use panel. This body would be modelled on the VEAC's pre-existing purpose and membership requirements, first established by the VEAC act. The expert land use panel would provide advice to the commissioner relating to the protection and ecologically sustainable management of the environment and natural resources of public land. This would be an addition to the CES's existing but much broader reference group, which does important work but serves a completely different function as a stakeholder forum like the Central Victorian Biolinks Alliance, Vic Catchments, the Victorian Farmers Federation et cetera. Instead the expert land use panel would replicate VEAC's specific requirement for five members who collectively have experience, skills and knowledge in a range of areas.

We note that the bill currently empowers the commissioner to create expert panels. However, those panels are limited and ad hoc, while an expert land use panel would fulfil Victoria's need for a permanent ongoing body to advise on long-term ecological issues on public land. This would actually be a cost-saving measure. Labor would have to multiply the council's tiny per diem many, many times over if they plan to outsource this work. Stakeholders have told us that without a process based on

systematic review, best science and public credibility, the legacy and future of Victoria's entire protected area system will be at risk.

VEAC was designed to be an impartial, expert body that got the best possible science, engaged in multiple rounds of consultations with all relevant stakeholders and delivered public, transparent draft and final reports. We only need to have a look at those reports and hear those final recommendations. That is all the government would have to do. VEAC's impartiality, expertise and transparency meant it was trusted by Victorians, and it meant the majority of those recommendations have been accepted by Labor and coalition governments. We think that having an apolitical process in accordance with the views expressed by all stakeholders means that bodies like VEAC and their reports have real credibility. VEAC calls were seen as umpire's calls, because the body had really earned that credibility. If we look at what happened with the Great Outdoors Taskforce, it had fixed terms of reference, modified sometimes after the fact, and that really, I think, undermined its role as an independent expert body. So we think what we have put forward here is a sensible amendment. It would be cost saving but also retain that valuable expertise and credibility that VEAC has been able to provide.

Melina BATH: The Liberals and Nationals will not be supporting this amendment. The commissioner for environmental sustainability is a very important authority, and it does not currently have an advisory panel. It does some very important work on assessment of forests, monitoring of forest data and also reporting on forest – we will say – health or decline or trends. The commissioner is independent and has the opportunity to second and communicate with and consult a variety of intelligences – scientists and the like. There is no limitation on that, and I fear that this would certainly compromise that. Indeed, we saw another panel called an advisory panel. It was an advisory panel for the Leadbeater's possum scenario, and what ended up happening is it served nobody, and I mean that in the most real sense. It had such breadth. There were people on one side which were very – what we will call – wilderness in my sense. Then there were the foresters. Then there was a mix in between, and it stagnated and just coagulated any sort of grand movement or plan and did not achieve what it set out to achieve. I do not believe that this Parliament, if government is choosing to shut down VEAC, needs to reintroduce another quasi-VEAC. I believe that the commissioner for environmental sustainability has enough in that act, and there are literally hundreds and hundreds of staff in the department. They also have the ability to access information. Consultation and seeking information are very important, but we do not need another stifling and coagulating entity that we saw very well modelled in a Leadbeater's possum-style advisory panel.

Jeff BOURMAN: The Shooters, Fishers and Farmers Party will not be supporting this. I was listening to Dr Mansfield, and I am sure from her perspective what she said is true, but for the rest of us VEAC was perceived as a rubber stamp for creating new national parks. Whilst I am not for raping and pillaging the environment, we have got enough national parks. We need to keep our state forests well managed but, as Ms Bath said, we do not need another quasi-VEAC. VEAC should have been gone ages ago. If there is a body, it should encompass all users, not just go in as a rubber stamp for one side – either side. But VEAC was never that.

David LIMBRICK: The Libertarian Party will also be opposing this amendment. I concur with others that are happy to see VEAC go. I see this as sort of the ghost of VEAC, and I do not want this either.

Jaclyn SYMES: I will probably play a bit more of a straight bat on this one. Basically, it is just not necessary, so we will not be supporting the amendment. The commissioner for environmental sustainability already has the power to establish a reference group, an expert advisory group, as required. The expertise can be drawn upon to meet the needs of a specific issue that needs to be considered at any time appropriate.

Council divided on new clause:

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

Noes (30): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Michael Galea, Ann-Marie Hermans, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

New clause negatived.

Clauses 50 to 100 agreed to.

Clause 101 (15:20)

Jaclyn SYMES: I move:

3. Clause 101, lines 15 and 16, omit all words and expressions on these lines and insert –

'(2) For section 647(6) of the **Mental Health and Wellbeing Act 2022 substitute** –

"(6) In making a recommendation to the Governor in Council, the Minister must ensure that –

(a) at least one member of the Board is a person who identifies as experiencing, or having experienced, mental illness or psychological distress; and

(b) at least one member of the Board, other than the member referred to in paragraph (a), is a person who identifies as –

(i) experiencing, or having experienced, mental illness or psychological distress; or

(ii) caring for or supporting, or having cared for or supported, a person experiencing mental illness or psychological distress; and

(c) if the Board is to consist of 7 or more members, at least one member of the Board, other than the members referred to in paragraphs (a) and (b), is a person who identifies as –

(i) experiencing, or having experienced, mental illness or psychological distress; or

(ii) caring for or supporting, or having cared for or supported, a person experiencing mental illness or psychological distress.".

(3) Section 647(7) and (8) of the **Mental Health and Wellbeing Act 2022** are **repealed**.'.

It is my intention to just give a bit of a description about each of the amendments as we are moving through, because I acknowledge that it is a little complex and I want to make sure people know what they are addressing with each of my amendments in particular. This amendment is about substituting section 647 of the act to provide that the minister must ensure, in making a recommendation to the Governor in Council for the appointment of a member of the board of the Victorian Collaborative Centre for Mental Health and Wellbeing, that at least one board member be a member who identifies as having lived experience, at least one other board member be a person who identifies as having lived experience of either mental illness or caring and if the board consists of seven or more members, a further board member be a person who identifies as having lived experience. These changes streamline decision-making and ensure that lived experience continues to be a central component of the board. Recognising the size of the board may change in the future, the amendment includes an additional safeguard to maintain lived experience. This is the amendment about board composition.

David LIMBRICK: I thank the minister for briefly outlining each of the amendments. The Libertarian Party will be opposing this amendment. I think that it is totally inappropriate to use one's medical history as justification for whether or not you qualify for a board, and I actually think that the

best person for the job should be the person that gets the job, rather than taking into account one's medical history.

Sarah MANSFIELD: The Greens will be supporting this amendment, and I thank the government for their engagement on this issue. We have a very similar amendment that we put forward. We believe that, as was identified in the royal commission into mental health, lived experience and the experiences of carers for those with lived experience must be much better reflected throughout our mental health system, including in leadership roles in entities such as the collaborative centre. We were concerned when those legislative requirements around lived experience or someone who is a carer for someone with lived experience were removed from these changes that are being made to the collaborative centre, so we welcome the reinstatement of some legislative requirement around that sort of representation.

Richard WELCH: The Liberals and Nationals will be supporting this amendment. Likewise, we thank the government for constructive engagement on this. We had significant reach-out from stakeholders who were concerned about the loss of lived experience in the program. We think we have come to a reasonable compromise, with the least worst, possibly best, outcome at the end of it.

Amendment agreed to; amended clause agreed to; clause 102 agreed to.

Clause 103 (15:25)

Jaclyn SYMES: I move:

4. Clause 103, lines 26 to 28, omit all words and expressions on these lines and insert –

    '"(4) The quorum for a meeting of the Centre Board is a majority of the members of the Board for the time being and –

    (a) if the Board consists of 6 members or fewer, must include at least one member who identifies as –

    (i) experiencing, or having experienced, mental illness or psychological distress; or

    (ii) caring for or supporting, or having cared for or supported, a person experiencing mental illness or psychological distress; or

    (b) if the Board consists of 7 or more members, must include at least 2 members who identify as –

    (i) experiencing, or having experienced, mental illness or psychological distress; or

    (ii) caring for or supporting, or having cared for or supported, a person experiencing mental illness or psychological distress.".'.

This is similar to the previous amendment and is in connection to the board composition and lived experience.

David LIMBRICK: The Libertarian Party will also be opposing this for similar reasons to the last amendment that we opposed.

Sarah MANSFIELD: The Greens will be supporting this amendment for the reasons that we supported the previous amendment. While we are concerned with many of the changes that are taking place in this bill, we welcome the constructive way that the government has engaged with and listened to some of that stakeholder feedback that I think many of us had about this bill and included this lived-experience requirement in the commission.

Richard WELCH: I have nothing further to add. As per the previous amendment, the Liberals and Nationals will be supporting this amendment.

Amendment agreed to; amended clause agreed to; clauses 104 to 113 agreed to.

Clause 114 (15:27)

Jaclyn SYMES: I move:

5. Clause 114, lines 30 and 31, omit all words and expressions on these lines and insert –

"'***Deputy Mental Health and Wellbeing Commissioner*** means the Deputy Mental Health and Wellbeing Commissioner appointed under section 420(1A);".'.

6. Clause 114, page 103, lines 5 to 8, omit all words and expressions on these lines and insert –

'(3) In section 3(1) of the **Mental Health and Wellbeing Act 2022**, in the definition of ***Mental Health and Wellbeing Commissioner*** –

(a) for "a Mental" **substitute** "the Mental";

(b) for "section 420" **substitute** "section 420(1)".'.

These amendments have been tested, but for clarity, this is the mechanism to insert a definition of 'deputy commissioner', provide for the appointment of a deputy mental health and wellbeing commissioner, bringing the total number of commissioners to two, and omit the proposed definition of 'statement of expectations'.

David LIMBRICK: The Libertarian Party will also be opposing these amendments. We liked the government's original bill with one commissioner. Increasing it to two is a bit of a disappointment to me, so I will be opposing this.

Sarah MANSFIELD: The Greens will be supporting these amendments. After a lot of discussion with stakeholders, we understand that while there are still views that more commissioners would have been ideal, many agreed that two is a much better arrangement than the one that was being proposed originally in this bill. We believe that the workload of the commission, given its remit, requires robust oversight, and at least two commissioners are required to undertake that work.

Amendments agreed to; amended clause agreed to; clause 115 agreed to.

Clause 116 (15:28)

The DEPUTY PRESIDENT: Treasurer, your amendment is to omit this clause.

Jaclyn SYMES: These changes are consequential to the information-sharing changes previously put forward and therefore are no longer required. Therefore we are seeking to omit them through this amendment.

The DEPUTY PRESIDENT: If you are supporting the Treasurer, you vote no to the clause.

Clause negatived.

Clause 117 (15:29)

Jaclyn SYMES: This amendment updates the act to reflect the commissioner and deputy commissioner model. I move:

8. Clause 117, lines 2 and 3, omit all words and expressions on these lines and insert –

'For section 417(a) of the **Mental Health and Wellbeing Act 2022 substitute** –

"(a) the Deputy Mental Health and Wellbeing Commissioner;".'.

Amendment agreed to; amended clause agreed to.

Clause 118 (15:30)

Jaclyn SYMES: This amendment provides that the chief executive officer of the commission must not be the deputy commissioner. I move:

9. Clause 118, lines 6 to 8, omit all words and expressions on these lines and insert –

'In section 419(4) of the **Mental Health and Wellbeing Act 2022** –

(a) for "a Mental" **substitute** "the Mental";

(b) after "Commissioner" **insert** "or Deputy Mental Health and Wellbeing Commissioner".'.

Amendment agreed to; amended clause agreed to.

Clause 119 (15:31)

Jaclyn SYMES: These amendments retain section 419B of the act to provide that the commission may regulate its own procedure. I move:

10. Clause 119, line 9, omit "**Sections 419A and 419B**" and insert "**Section 419A**".
11. Clause 119, line 10, omit "Sections 419A and 419B" and insert "Section 419A".
12. Clause 119, line 11, omit "are" and insert "is".

Amendments agreed to; amended clause agreed to.

Clause 120 (15:31)

Jaclyn SYMES: Again, this is another tested amendment, but for the avoidance of doubt this is an amendment that amends the act to provide that an act or a decision of the commission is not invalid only because of the defect or irregularity in or in connection with the appointment of a deputy commissioner. I move:

13. Clause 120, lines 15 to 17, omit all words and expressions on these lines and insert –

'(2) In section 419C(b) of the **Mental Health and Wellbeing Act 2022** –

(a) for "a Mental" **substitute** "the Mental";

(b) after "Commissioner" **insert** "or Deputy Mental Health and Wellbeing Commissioner".'.

Amendment agreed to; amended clause agreed to.

Clause 121 (15:32)

Jaclyn SYMES: This is a consequential amendment to include a reference to the deputy commissioner. I move:

14. Clause 121, line 21, after "**Commissioner**" insert "**and Deputy Mental Health and Wellbeing Commissioner**".

Amendment agreed to; amended clause agreed to.

Clause 122 (15:33)

Jaclyn SYMES: These amendments are just updating the act to reflect the commissioner and deputy commissioner model, their appointment and requirements of the roles. I move:

15. Clause 122, line 25, after "**Commissioner**" insert "**and Deputy Mental Health and Wellbeing Commissioner**".
16. Clause 122, lines 28 to 31, omit all words and expressions on these lines and insert –

'"(1) On the recommendation of the Minister, the Governor in Council, by instrument, may appoint a person to be the Mental Health and Wellbeing Commissioner.

(1A) On the recommendation of the Minister, the Governor in Council, by instrument, may appoint a person to be the Deputy Mental Health and Wellbeing Commissioner.".'.

17. Clause 122, page 105, lines 1 to 11, omit all words and expressions on these lines and insert –

'(3) For section 420(2) of the **Mental Health and Wellbeing Act 2022 substitute** –

"(2) In making a recommendation to the Governor in Council under subsection (1) or (1A), the Minister must ensure that either the Mental Health and Wellbeing Commissioner or Deputy Mental Health and Wellbeing Commissioner is –

(a) a person who identifies as experiencing, or having experienced, mental illness or psychological distress; or

(b) a person who identifies as caring for or supporting, or having cared for or supported, a person experiencing mental illness or psychological distress.".

(4) In section 420(3) of the **Mental Health and Wellbeing Act 2022** –

(a) after "Council" **insert** "under subsection (1) or (1A)";

(b) for "Commissioners" **substitute** "Commissioner and Deputy Mental Health and Wellbeing Commissioner".

(5) For section 420(4) of the **Mental Health and Wellbeing Act 2022 substitute** –

"(4) To avoid doubt –

(a) the appointment of a person referred to in subsection (2)(a) or (b) as the Mental Health and Wellbeing Commissioner does not prevent another person referred to in subsection (2)(a) or (b) from being appointed as the Deputy Mental Health and Wellbeing Commissioner; and

(b) the appointment of a person referred to in subsection (2)(a) or (b) as the Deputy Mental Health and Wellbeing Commissioner does not prevent another person referred to in subsection (2)(a) or (b) from being appointed as the Mental Health and Wellbeing Commissioner.".'.

Amendments agreed to; amended clause agreed to.

Clause 123 (15:34)

Jaclyn SYMES: These have been tested. This is about clarifying that both the commissioner and deputy commissioner are covered by the Public Administration Act 2004, providing consistent accountability of people obligations and governance under the new leadership model. I move:

18. Clause 123, after line 15 insert –

'(1A) After section 421(1) of the **Mental Health and Wellbeing Act 2022 insert** –

"(1A) The Deputy Mental Health and Wellbeing Commissioner –

(a) is to be appointed for the period, not exceeding 5 years, specified in the instrument of appointment; and

(b) is eligible for reappointment; and

(c) holds office on any other terms and conditions, including remuneration and any travelling or other allowances, that are determined by the Governor in Council.".'.

19. Clause 123, lines 16 to 19, omit all words and expressions on these lines and insert –

'(2) For section 421(2) of the **Mental Health and Wellbeing Act substitute** –

"(2) The **Public Administration Act 2004** (other than Part 3 of that Act) applies –

(a) to the Mental Health and Wellbeing Commissioner in respect of the office of Commissioner; and

(b) to the Deputy Mental Health and Wellbeing Commissioner in respect of the office of Deputy Commissioner.".'.

Amendments agreed to; amended clause agreed to.

Clause 124 (15:34)

Jaclyn SYMES: I move:

20. Clause 124, lines 21 to 23, omit all words and expressions on these lines and insert –

'In section 422 of the **Mental Health and Wellbeing Act 2022** –

(a) for "A Mental Health and Wellbeing Commissioner" **substitute** "The Mental Health and Wellbeing Commissioner or Deputy Mental Health and Wellbeing Commissioner";

(b) after "the Commissioner" **insert** "or Deputy Commissioner (as the case requires)".'.

This is about providing for the circumstances in which a deputy commissioner ceases to hold office.

Amendment agreed to; amended clause agreed to.

Clause 125 (15:35)

Jaclyn SYMES: I move:

21. Clause 125, lines 25 to 27, omit all words and expressions on these lines and insert –

'(1) In section 423(1) of the **Mental Health and Wellbeing Act 2022** –

(a) for "a Mental" **substitute** "the Mental";

(b) after "Commissioner" **insert** "or Deputy Mental Health and Wellbeing Commissioner".

(1A) In section 423(2) of the **Mental Health and Wellbeing Act 2022** –

(a) for "a Mental Health and Wellbeing Commissioner" **substitute** "the Mental Health and Wellbeing Commissioner or Deputy Mental Health and Wellbeing Commissioner";

(b) for "the Mental Health and Wellbeing Commissioner" (where first occurring) **substitute** "the Commissioner or Deputy Commissioner (as the case requires)";

(c) in paragraph (e), for "the Mental Health and Wellbeing Commissioner" **substitute** "the Commissioner or Deputy Commissioner".'.

22. Clause 125, line 32, after "Commissioner" insert "or Deputy Mental Health and Wellbeing Commissioner".

23. Clause 125, page 106, lines 1 and 2, omit all words and expressions on these lines and insert –

'(b) for "the Chair's removal" (where first occurring) **substitute** "that removal";

(c) for "the Chair's removal from office" **substitute** "that removal".'.

Again, this is about updating the act to reflect the commissioner and deputy commissioner model in relation to when the roles can be removed from office.

Amendments agreed to; amended clause agreed to.

Clause 126 (15:35)

Jaclyn SYMES: I move:

24. Clause 126, after line 15 insert –

'(1A) After section 424(1) of the **Mental Health and Wellbeing Act 2022 insert** –

"(1A) The Governor in Council may appoint a person to act in the office of the Deputy Mental Health and Wellbeing Commissioner –

(a) during a vacancy in that office; or

(b) during any period when the Deputy Mental Health and Wellbeing Commissioner –

(i) is absent; or

(ii) for any other reason is unable to perform the duties of the office of Deputy Commissioner.".'.

25. Clause 126, lines 16 to 18, omit all words and expressions on these lines and insert –

'(2) In section 424(2) of the **Mental Health and Wellbeing Act 2022** –

(a) for "a Mental" (where first occurring) **substitute** "the Mental";

(b) for "the office of a Mental Health and Wellbeing Commissioner" (where secondly occurring) **substitute** "that office".

(3) After section 424(2) of the **Mental Health and Wellbeing Act 2022 insert** –

"(2A) The Minister may appoint a person to act in the office of the Deputy Mental Health and Wellbeing Commissioner for a period of not more than 6 months during a vacancy in that office.".

(4) In section 424(3) and (5) of the **Mental Health and Wellbeing Act 2022**, after "subsection (1)" **insert** "or (1A)".

(5) In section 424(4) and (6) of the **Mental Health and Wellbeing Act 2022**, after "subsection (2)" **insert** "or (2A)".'.

Again, this is about providing for acting appointments.

Amendments agreed to; amended clause agreed to.

Clause 127 (15:36)

Jaclyn SYMES: I move:

26. Clause 127, lines 20 to 25, omit all words and expressions on these lines and insert –

'(1) In section 425(1) of the **Mental Health and Wellbeing Act 2022**, for "A Mental Health and Wellbeing Commissioner, including an acting Mental Health and Wellbeing Commissioner," **substitute** "A person specified in subsection (3)".

(2) In section 425(2) of the **Mental Health and Wellbeing Act 2022**, for "a Mental Health and Wellbeing Commissioner, including an acting Mental Health and Wellbeing Commissioner," **substitute** "a person specified in subsection (3)".

(3) After section 425(2) of the **Mental Health and Wellbeing Act 2022 insert** –

"(3) For the purposes of subsections (1) and (2), the following persons are specified –

(a) the Mental Health and Wellbeing Commissioner, including an acting Mental Health and Wellbeing Commissioner;

(b) the Deputy Mental Health and Wellbeing Commissioner, including an acting Deputy Mental Health and Wellbeing Commissioner.".'.

This is in relation to section 425 and inserts new subsections to provide that the deputy commissioner is protected from liability in the same circumstances as the commissioner, with any such liability instead attaching to the state.

Amendment agreed to; amended clause agreed to.

Clause 128 (15:37)

Jaclyn SYMES: I move:

27. Clause 128, page 107, lines 1 to 8, omit all words and expressions on these lines and insert –

'(2) In section 426(1) of the **Mental Health and Wellbeing Act 2022**, for "Commissioners are collectively" **substitute** "Commissioner is".'.

Like other amendments, this is just updating the act to reflect the model so that the commissioner is responsible for setting the strategic direction of the commission for the purposes of the act.

Amendment agreed to; amended clause agreed to.

Clause 129 (15:37)

The DEPUTY PRESIDENT: Treasurer, your amendment 28 is to omit this clause.

Jaclyn SYMES: This amendment omits reference to a statement of expectations, which will be removed under government amendment 29, which is the next one.

The DEPUTY PRESIDENT: If you are supporting the Treasurer, you need to vote no to this clause.

Clause negatived.

Clause 130 (15:38)

The DEPUTY PRESIDENT: Treasurer, your amendment 29 is again to omit this clause.

Jaclyn SYMES: This is an omitting amendment. The government, through the Minister for Mental Health, have been working closely with the opposition and the Greens in particular to understand the concerns they have raised in relation to the statement of expectations. We are comfortable that the exchange of letters between the minister and the commissioner at the establishment of the commission will continue to guide the work of the commission into the future. Thank you also to the crossbench for their engagement and for all working to find a suitable solution.

Clause negatived.

Clause 131 (15:39)

The DEPUTY PRESIDENT: Treasurer, your amendment 30 is again to omit this clause.

Jaclyn SYMES: This is consequential to the previous two, I understand, and the statement of expectations.

Clause negatived.

Clause 132 (15:39)

Jaclyn SYMES: I move:

31. Clause 132, lines 14 to 16, omit all words and expressions on these lines and insert –

    'For section 500(2) of the **Mental Health and Wellbeing Act 2022 substitute** –

    "(2) The following persons may administer an oath or affirmation to a person for the purposes of subsection (1) –

    (a) the Mental Health and Wellbeing Commissioner;

    (b) the Deputy Mental Health and Wellbeing Commissioner;

    (c) a member of the staff of the Commission who is authorised to do so.".'.

This is again reflecting the new model and will empower a deputy commissioner to administer an oath or affirmation to a person required to appear before the commission under an investigation notice and basically supports the deputy commissioner to undertake their role.

Amendment agreed to; amended clause agreed to.

Clause 133 (15:40)

Jaclyn SYMES: I move:

32. Clause 133, lines 19 and 20, omit 'for "**a Mental**" **substitute** "**Mental**".' and insert 'after "**Commissioner**" **insert** ", **Deputy Commissioner**".'.

33. Clause 133, lines 21 to 23, omit all words and expressions on these lines and insert –

    '(2) In section 508 of the **Mental Health and Wellbeing Act 2022** –

    (a) for "was" **substitute** "has been";

    (b) after "Commissioner" **insert** ", a Deputy Mental Health and Wellbeing Commissioner".'.

These amendments provide that the deputy commissioner is not compellable to give evidence in a court in relation to an investigation by the commission, and in line with previous provisions, they align obligations between the two roles.

Amendments agreed to; amended clause agreed to.

Clause 134 (15:41)

Jaclyn SYMES: I move:

34. Clause 134, lines 26 to 28, omit all words and expressions on these lines and insert –

'(1) In section 517(2) of the **Mental Health and Wellbeing Act 2022** –

(a) for "a Mental" **substitute** "the Mental";

(b) after "Commissioner," **insert** "the Deputy Mental Health and Wellbeing Commissioner,".

(2) In section 517(3) of the **Mental Health and Wellbeing Act 2022** –

(a) for "a Mental Health and Wellbeing Commissioner," **substitute** "the Mental Health and Wellbeing Commissioner, the Deputy Mental Health and Wellbeing Commissioner,";

(b) for "the person employed or the person engaged (as the case may be)" **substitute** "Deputy Commissioner or person".

(3) In section 517(4) of the **Mental Health and Wellbeing Act 2022** –

(a) for "a Mental Health and Wellbeing Commissioner," **substitute** "the Mental Health and Wellbeing Commissioner, the Deputy Mental Health and Wellbeing Commissioner,";

(b) after "the Commissioner" **insert** ", Deputy Commissioner".'.

This is providing for the new model and ensuring that the deputy commissioner may disclose information obtained in the course of an investigation or complaint data reviewed by the commission in line with provisions made for the commissioner to align the obligation between the two roles.

Amendment agreed to; amended clause agreed to.

Clause 135 (15:42)

Jaclyn SYMES: I move:

35. Clause 135, lines 31 to 33, omit all words and expressions on these lines and insert –

'(1) In section 518(1) of the **Mental Health and Wellbeing Act 2022** –

(a) for "A Mental" **substitute** "The Mental";

(b) after "Commissioner," **insert** "the Deputy Mental Health and Wellbeing Commissioner,".'.

36. Clause 135, page 111, lines 1 to 4, omit all words and expressions on these lines and insert –

'(2) In section 518(2) of the **Mental Health and Wellbeing Act 2022** –

(a) for "a Commissioner," **substitute** "the Mental Health and Wellbeing Commissioner, the Deputy Mental Health and Wellbeing Commissioner,";

(b) in paragraphs (a) and (g), after "Commissioner" **insert** ", Deputy Commissioner".'.

Again, these are in relation to the disclosure of information from the commission.

Amendments agreed to; amended clause agreed to.

Clause 136 (15:42)

Jaclyn SYMES: I move:

37. Clause 136, lines 6 to 12, omit all words and expressions on these lines and insert –

'(1) In section 519(1) of the **Mental Health and Wellbeing Act 2022** –

(a) for "A Mental" **substitute** "The Mental";

(b) after "Commissioner," **insert** "the Deputy Mental Health and Wellbeing Commissioner,".

(2) In section 519(2) of the **Mental Health and Wellbeing Act 2022**, for "a Commissioner," **substitute** "the Mental Health and Wellbeing Commissioner, the Deputy Mental Health and Wellbeing Commissioner,".

(3) In section 519(3) of the **Mental Health and Wellbeing Act 2022**, for "a Commissioner" **substitute** "the Mental Health and Wellbeing Commissioner or Deputy Mental Health and Wellbeing Commissioner".

(4) In section 519(4) of the **Mental Health and Wellbeing Act 2022** –

(a) for "a Commissioner," **substitute** "the Mental Health and Wellbeing Commissioner, the Deputy Mental Health and Wellbeing Commissioner,";

(b) after "the Commissioner" **insert** ", Deputy Commissioner".'.

Amendment 37 is similarly about the disclosure of information.

Amendment agreed to; amended clause agreed to.

New clause 136A (15:43)

Jaclyn SYMES: I move:

38. Insert the following New Clause before clause 137 –

'**136A New section 524A inserted**

After section 524 of the **Mental Health and Wellbeing Act 2022 insert** –

"**524A Requirement to disclose certain information to the Mental Health and Wellbeing Commission**

(1) The Mental Health and Wellbeing Commission, by written notice, may request from the Health Secretary information that is relevant to the performance of the Commission's functions or the exercise of the Commission's powers.

(2) On receiving a request under subsection (1), the Health Secretary must give to the Commission the information specified in the request that the Health Secretary holds.

(3) Information that is disclosed under subsection (2) must not include information that identifies an individual.".'.

This is effectively about data access. It strengthens information-sharing provisions for the Mental Health and Wellbeing Act, following concerns raised by stakeholders and members of this place about the unintended impact that original drafting in the bill may have on the commission's broader functions. The amendment provides that the Secretary of the Department of Health must provide information requested from the commission to assist them in their functions, reflecting the fact that the government is committed to supporting the commission to effectively perform its legislative monitoring and reporting functions. Again, I thank members of the crossbench and opposition for their constructive dialogue over these changes.

Sarah MANSFIELD: The Greens will be supporting this amendment, and we thank the government for their engagement on this. There have been significant concerns that predated some of the changes proposed in this about the ability of the commission to access data to undertake their legislative functions. We will be supporting this amendment. We do have an amendment that tries to address this issue a little further down which, depending on whether this one passes, we will be withdrawing, depending on what happens with this. We thank the government for their engagement on this, because this was a real concern for us.

New clause agreed to.

Clause 137 (15:45)

The DEPUTY PRESIDENT: Treasurer, your amendment 39 is to omit this clause.

Jaclyn SYMES: This is an amendment to omit the clause. It is consequential to the amendment that we just passed in relation to enhancing the commission's information-gathering powers, and as such this clause is no longer required.

Clause negatived.

Clause 138 (15:46)

Sarah MANSFIELD: I just want to indicate that we will be withdrawing our amendment.

The DEPUTY PRESIDENT: Treasurer, your amendment 40 is to omit this clause.

Jaclyn SYMES: Again, consequential to amendment 38 in relation to information-gathering powers, we will be seeking to omit this clause.

Clause negatived.

Clause 139 (15:47)

The DEPUTY PRESIDENT: Treasurer, your amendment 41 is again to omit the clause.

Jaclyn SYMES: Again, consequential to amendment 38, we will be omitting this clause.

Clause negatived.

Clause 140 agreed to.

Clause 141 (15:47)

Jaclyn SYMES: I move:

42. Clause 141, page 114, line 11, omit "section 420 as amended" and insert "section 420(1) as substituted".
43. Clause 141, page 114, line 14, omit '**2025**.".' and insert "**2025**.".
44. Clause 141, page 114, after line 14 insert –

'**793 Appointment of interim Deputy Mental Health and Wellbeing Commissioner**

(1) Despite anything to the contrary in this Act, the Minister, by instrument, may appoint a person to be the Deputy Mental Health and Wellbeing Commissioner for a period beginning on or after the commencement of Division 2 of Part 8 of the **Entities Legislation Amendment (Consolidation and Other Matters) Act 2025** and ending on a day that is no later than 6 months after the commencement of that Division.

(2) Despite anything to the contrary in the instrument of appointment, a person appointed under subsection (1) goes out of office on an appointment of a person under section 420(1A) as substituted by Division 2 of Part 8 of the **Entities Legislation Amendment (Consolidation and Other Matters) Act 2025**.".'.

These have been tested, but for full clarification this is about ensuring the minister can appoint an interim deputy commissioner for a period of up to six months from the commencement of the bill. It will allow for merit-based recruitment and appointment of the ongoing deputy commissioner through a competitive and transparent recruitment process.

Amendments agreed to; amended clause agreed to; clauses 142 to 162 agreed to; schedule 1 agreed to.

Reported to house with amendments.

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (15:49): I move:

That the report be now adopted.

Motion agreed to.

Report adopted.

Third reading

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (15:49): I move:

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

I would really like to acknowledge the efforts of everyone in the chamber. This was an unusual bill in a sense. It was complex. I think we worked together to make that smooth, but we would not have been able to do that without the support of the table here, particularly Viv. The running sheet was very smooth and made it all very accessible, so I appreciate your efforts as always. Thank you.

Council divided on motion:

Ayes (30): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

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

Motion agreed to.

Read third time.

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

Business of the house

Orders of the day

Lee TARLAMIS (South-Eastern Metropolitan) (15:57): I move:

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

Motion agreed to.

Bills

Justice Legislation Further Amendment (Miscellaneous) Bill 2025

Second reading

Debate resumed on motion of Lizzie Blandthorn:

That the bill be now read a second time.

Georgie PURCELL (Northern Victoria) (15:57): I rise to speak on the Justice Legislation Further Amendment (Miscellaneous) Bill 2025. This bill contains a really important change, and it is something that I have been advocating for for a really long time. Many in this place might be shocked to know just how weak our bestiality laws are when it comes to the sexual abuse of animals. As we have seen in the past, our laws have actually worked against the victims to instead protect the depraved sickos that seek pleasure from sexually abusing animals. That changes now with this bill. This is to ensure that every animal in Victoria can be safe, because for too long they have not been, like Olivia the pig, who I have spoken about in this chamber before. In February 2024 hidden cameras at Midland Bacon piggery in northern Victoria caught a worker committing a horrific sexual act against a pig who was confined in a farrowing cage. Currently in Victoria the definition of 'bestiality' is shockingly weak, and it does not capture all forms of sexual abuse against animals. Olivia's case was the case that highlighted exactly why we need urgent reform, because this man clearly committed multiple forms

of sexual abuse in the vision. However, without going into all of the details, only his final act of penetration was considered illegal under our existing laws.

Under this bill the offence of 'bestiality' will be expanded. While it is currently only a crime to penetrate an animal, these expanded laws will make it illegal to sexually touch an animal to ensure all forms of sexual violence are captured. It is an uncomfortable conversation, but it is a necessary and long overdue change. On multiple occasions I have asked the government to update these laws to be consistent with other states, and this change will align Victoria with the way in which bestiality is defined in Tasmania, South Australia, New South Wales and the ACT. I want to thank the former Attorney-General Jaclyn Symes and the current Attorney-General Sonya Kilkenny for working with me to make this hugely important change over a number of years.

This was one of the most horrific acts of cruelty that I have personally ever come across. We know that there are people not only committing these sexual acts on animals but also watching vile content of it. An open-source investigation in 2020 found over 3000 videos available for sale to people in Australia. These included videos of crushing and killing kittens, puppies, dogs, baby chicks, snakes, rabbits, pigs, mice, ducklings, fish and insects. This type of content is known as 'animal crush' or 'animal snuff' videos, which are deemed to be extreme so-called porn and fetish videos, but they are nothing more than sick, depraved visions of animal abuse. It typically involves a woman, often wearing high heels, crushing an animal to its death. Up until now there has been no specific offence in Victoria that makes it illegal to possess or distribute bestiality or animal crush footage and images, and this bill also makes accessing this kind of sick content a crime.

I want to give you one example of why this change is so important. One of the worst bestiality offenders in the country, Adam Britton from the Northern Territory, was slapped with a 10-year-and-five-month jail sentence after he pleaded guilty to 60 charges of bestiality, animal cruelty and possessing child abuse material in August 2024. But authorities were unable to charge or convict him for the creation and sharing of bestiality materials due to the lack of such laws in the Northern Territory. It is really, really important to also note how these laws can often intersect with our child protection laws, because we know that people who abuse animals often abuse children too, and they often start there. So these laws being expanded also have the potential to capture paedophiles. There is one case of that right here in Victoria. We saw the horrifying case of childcare worker Joshua Brown, who has been charged with a raft of offences. But something that many people missed in this story is that he has also been charged with 12 counts of bestiality. While I am pleased to have these changes here, in order to truly combat bestiality, we do need nationally consistent laws, because we know that in its current form abusers are free to travel across borders and continue their crimes. I do want to credit the government for working with me on this, and I hope this change can now lead to advocacy on their part in pushing for federal reforms as well.

As this is a miscellaneous justice bill, it makes many different changes to many different pieces of justice legislation, and there are a few other areas in particular I would like to note. The bill also makes changes to the Coroners Act 2008 to enable streamlined investigation finalisation procedures. It does this by clarifying the pathway for an investigation to be either discontinued or later reopened. These changes implement recommendations 1 and 5 of the Coroners Act statutory review, and I urge the government to improve resourcing of the Coroners Court to advance the speed of coronial inquests, which currently have frankly utterly disgraceful delays. Too many families are being forced to wait for far too long to gain a sense of justice, peace and understanding of their loved one's death.

I would also like to briefly touch on the amendment moved by Mr Limbrick relating to registered sex offenders working within the sex industry. I understand the reasoning behind this amendment, and all people working in or engaging with the sex industry deserve to do so safely. I want to make clear that although I do agree with the intention of the amendment, I am worried about the effects of rushing a change of this significance. I am also concerned, as stakeholders have raised, that introducing industry-specific employment prohibitions and giving more opportunities for police intervention in an industry that has only just been decriminalised and has historically been overpoliced may have unintended

consequences. However, the statutory review of the decriminalisation framework is approaching, and I encourage the government to consider all steps to improve the safety of sex workers and their clients in this process.

To summarise, I am really pleased to finally see the passage of these long-overdue changes, particularly the ones in relation to bestiality and crush reform. This is something that, as I said, is so incredibly vital not just to protect animals in vulnerable positions across a range of households and industries but, more broadly, to protect people too. We know that if we can act early on animal abuse, particularly sexual abuse towards animals, we can be preventing other crimes and stopping escalation. These laws are a long time coming, and while we can never change the horrific abuse that animals such as Olivia endured, today we can ensure that there is justice for any other animals that are subjected to this cruelty in the future. I commend this bill to the house.

John BERGER (Southern Metropolitan) (16:05): I rise today to speak on the Justice Legislation Further Amendment (Miscellaneous) Bill 2025. This bill takes a wide range of existing pieces of legislation and amends, modifies and modernises them to better reflect the needs of the Victorian community. The unifying theme of the amendments to these various bills is supporting the courts and justice systems to operate smoothly and efficiently. The pieces of legislation which this bill's proposed changes will affect are the Open Courts Act 2013, which has been affected by the changes which will allow the lower courts and the Victorian Civil and Administrative Tribunal to revoke legacy suppression orders; the Coroners Act 2008, which has been changed to create new investigation finalisation pathways for certain natural causes of death; the Births, Deaths and Marriages Registration Act 1996, which has been changed to allow for more doctors to register deaths; the Infringements Act 2006 and the Fines Reform Act 2014, which are being changed to strengthen and modernise fines enforcement; the Guardianship and Administration Act 2019, which will change to provide greater clarity about the delegation powers of the Public Advocate; the Crimes Act 1958, which will be amended to expand the definition of 'bestiality' and to outlaw the production, distribution, possession and accessing of sexualised and sadistic animal cruelty material and also in order to change the consent framework relating to the Director of Public Prosecutions and serious vilification offences; the Road Safety Act 1986, which will be amended in order to better facilitate smoother and more efficient administrative processes; and the County Court Act 1958 and the Sentencing Act 1991.

In order to give a sense of the breadth of what the bill manages to cover, I am going to briefly outline each of the provisions relating to the many different pieces of the legislation which we are seeking to amend. First of all, this bill seeks to implement recommendation 131 from the Victorian Law Reform Commission's *Contempt of Court* report 2020 by allowing the lower courts of the Victorian Civil and Administrative Tribunal to revoke legacy suppression orders or alter them as the case may require. We are preventing outdated orders from remaining in place beyond when they are reasonably necessary. Many legacy suppression orders do not have an end date or were made according to the provisions of the courts act, which has since been repealed.

Suppression orders can be important to protect the integrity of a trial in particularly sensitive cases. Sometimes it is necessary for details to be kept from publication for various reasons – for example, if the publication and public disclosure of the details of a case might prejudice the administration of justice, might have security implications or might jeopardise the safety of someone who is involved in the case. These are all very good reasons to keep people from discussing or publishing the details of these cases in the broader public. But equally, there are situations where, years later, it may become appropriate for these issues to be discussed publicly – for example, if a victim of a crime which occurred years ago is hoping to share their experiences and tell their story. Sometimes sharing these stories is important in helping people to cope with the trauma which they have faced and helping them to overcome the challenges and adversity which has come their way. In particular this bill intends to support the victim-survivors of sexual and family violence in this way. Where outdated legal orders are preventing them from doing that in situations where there is no compelling reason why the details of the case should continue to be suppressed, this bill will help people to have those orders removed.

This is important in upholding the principle of open justice and is an important part of ensuring that the public can have faith and confidence in the court system. In situations where details of a case need to be suppressed during the trial itself, it is still important that later down the track, scrutiny and accountability within the court system can be maintained. This matters because victims of crime need to be able to know that the court system will protect them. Additionally members of the public need to be able to know that if they were ever accused of a crime, they would receive a trial which is fair. That is a basic civil liberty which is fundamental to the rule of law as we know it in Victoria. With that, I commend the bill to the house.

Rachel PAYNE (South-Eastern Metropolitan) (16:09): I rise to speak on the Justice Legislation Further Amendment (Miscellaneous) Bill 2025 on behalf of Legalise Cannabis Victoria. Like any omnibus bill, this bill makes many changes of various sizes in a wide range of areas across our justice system. To say that this bill has been a journey is probably a bit of an understatement. What was once your standard omnibus bill then included amendments to what happens with the Director of Public Prosecutions as well as IBAC amendments, and it seems that those will now no longer be part of this bill. So what I will do in my contribution today is just focus on the parts of the bill that I know will be established and substantiated today.

I will begin by discussing what passed in the lower house. This amendment provides that the consent of the Director of Public Prosecutions is not required for police to commence a prosecution for certain criminal vilification offences, unless the accused is under 18. This will apply retrospectively from September last year. However, we know that this part of the bill is now redundant. In the face of delays of the passage of this bill, the government successfully passed the Crimes Amendment Bill 2026 last sitting week in a rush to make these changes. As I said in my contribution on the crimes bill, I was proud to be part of the changes to the anti-vilification laws passed by this Parliament. We supported the Greens amendment for prosecutorial consent because it provided real and necessary checks and balances on these new powers, making sure that they were not misused by police to, among other things, crack down on peaceful protesters. The change as it is before us today, and as it was already passed in the Crimes Amendment Bill, is and was unjustified. It lacks evidence and is clear political posturing.

Before turning to the substance of the bill, I would also like to acknowledge the amendments moved by Mr Limbrick to introduce a prohibition on people charged with sexual offences working in the sex industry. This actually took me back a little bit to my former role as the general manager of Eros Association, where I did a lot of work around sex work law reform. While I do appreciate that these amendments may be well intentioned, stakeholders were not consulted on this prior to circulation. It is so important that sex workers and those that represent sex workers speak to their own experiences, particularly when it comes to regulations and laws that impact the work that they do. Those that I have spoken to are concerned about the implications of such an amendment and how it would treat sex work differently to other adult personal services. The decriminalisation of sex work was shaped by the understanding that sex work is work. This understanding, alongside the aim of reducing stigma and harm, would also be undermined by subjecting the industry to separate criminalisation. We would like to see this issue considered as part of the broader review of the decriminalisation of sex work, and we will be asking questions during the committee stage to seek assurance that this review will commence as soon as possible.

Turning now to the substance of the bill, it was great to see that this bill will extend the operation of the County Court Drug and Alcohol Treatment Court, which would otherwise cease operating within the next month. These kinds of courts have been proven to be effective in supporting offenders to address the causes of addiction, reduce recidivism and reduce harm. As someone who recently had the experience of finding out that I was the subject of a fine that had been lost in translation – can you believe, a fine from 2011 that I did not know about – it was also great to see that the changes in this bill to improve the fines system in Victoria are going to have a positive impact in that respect. In particular I was pleased to see the removal of the requirement for traffic or toll fine recipients to meet

certain evidential requirements when applying for an extension of time to deal with the fine on the grounds that they were unaware that it had even been issued, much like me in my circumstance. Anyone can miss a fine for a number of reasons. Those without a fixed address, dealing with mental health issues or with English as a second language are often at greater risk and are unaware that their fine may have been served. While our fines system could very much still be improved, this change is a positive step in the right direction. A simple fix would be just that when you go to register your licence, it pops up that you may have fines. That would be easy.

Before concluding, I would also like to commend the changes in this bill to expand the existing bestiality offence and introduce indictable offences that prohibit producing, distributing, possessing and accessing bestiality or animal crush material for a sexual or sadistic purpose. Again, reflecting on my time at Eros Association, this has been a long time coming. It is something that I myself have advocated for reform on, both federally and at a state-based level, and I am so proud of the work. I would like to acknowledge the tireless work of my colleague Georgie Purcell in securing these changes. It is shameful that these laws did not exist already, but this wrong will now be fixed thanks to Georgie's advocacy.

While this bill has been hotly contested, we expected these contested elements would not be dealt with today for various reasons, so what is left for us to consider are a series of improvements across the justice system. Accordingly, we can support this bill.

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (16:16): The legislation before us, the Justice Legislation Further Amendment (Miscellaneous) Bill 2025, is an important bill that makes many necessary reforms carefully, precisely and in response to independent advice. This bill strengthens the effective operation of our courts, supports vulnerable Victorians and removes inefficiencies that have been holding the system back. I do thank the chamber for their patience. I understand that many were anticipating debate a lot earlier in this place in relation to this bill, but we have had the opportunity to conclude the debate, and obviously we will have a committee stage to go. But I think it is important that it is before the chamber and to have everyone in the chamber's support for the broad reforms, as they are about efficiencies and improvements to the system.

Before I continue I would like to also state for the record that I have a house amendment to remove part 8A from the Justice Legislation Further Amendment (Miscellaneous) Bill, because these reforms have already passed and commenced. The part 8A provisions were in the Crimes Amendment Act 2026, which passed on 5 March and commenced on 12 March 2026. The provisions relate to the way that serious vilification offences are prosecuted, and I ask that my amendments be circulated now.

As I was saying, this is about improvements to the system, about efficiency and about removing matters that hold the system back. It implements recommendation 133 of the Victorian Law Reform Commission's 2020 *Contempt of Court* report by allowing lower courts and VCAT to review legacy suppression orders made before the Open Courts Act 2013. That means victim-survivors of sexual and family violence will no longer be forced into costly Supreme Court processes to vary or revoke indefinite orders. It improves access to justice and reduces strain on our courts. It reforms the Coroners Act 2008 to streamline investigation, finalisation and reopening processes, giving families closure sooner and acquitting recommendations from the Coronial Council of Victoria and the 2024 statutory review. It clarifies doctors' obligations under the Births, Deaths and Marriages Registration Act 1996, enabling notification of a probable cause of death. This will reduce unnecessary referrals to the Coroners Court while preserving the integrity of death certification. It strengthens fines enforcement by correcting anomalies, modernising electronic services and improving procedural clarity across the Infringements Act 2006, the Fines Reform Act 2014 and related legislation. It clarifies delegation powers and acting arrangements under the Guardianship and Administration Act 2019, ensuring the public advocate can act swiftly for vulnerable people; expands the existing bestiality offence in the Crimes Act 1958 to prohibit sexual touching between a human and an animal; and introduces

indictable offences targeting the production, distribution and possession of and access to bestiality and animal abuse material.

These reforms include clear exceptions for legitimate professional, journalistic and artistic conduct and attract penalties consistent with equivalent offences. The bill also ensures that the County Court Drug and Alcohol Treatment Court can continue operating beyond April 2026. This bill will preserve a therapeutic pathway that promotes rehabilitation and reduces offending. Amendments to the Road Safety Act 1986 allow the Magistrates' Court to manage administrative functions more efficiently for expanded digital processes. This bill acquits recommendations from multiple independent reviews. It improves access to justice. It supports families in grief. It strengthens protections for animals. It protects vulnerable people and ensures those who spread hate face justice properly, which already passed in March. These are practical reforms, grounded in evidence and community need.

Before I conclude I do want to address some of the amendments that Mr Limbrick has circulated, and I think it is appropriate, as some of the other contributors have discussed –

A member interjected.

Enver ERDOGAN: Well, I just want to state the government's position that we will not be supporting Mr Limbrick's amendment. I do want to thank Mr Limbrick for his really positive engagement. I understand he engaged with the government, with the Attorney-General's office, in good faith, so we are not opposing this amendment on any sort of ideological basis; we just acknowledge that there is a genuine need to consider how to balance the rights of individuals to engage in legitimate forms of work with the need to protect people who are accessing these services. I know as the Minister for Corrections I always talk in this chamber about how employment is an important protective factor, so therefore prohibiting a registrable offender from engaging in lawful employment is potentially going to have adverse community safety outcomes, which we do not want. So the government's position on Mr Limbrick's amendment is that in its current form we cannot support it, and we feel the substance of the issues raised by Mr Limbrick is better considered as part of a planned statutory review of the Sex Work Decriminalisation Act 2022.

I note Ms Payne also reflected on this issue and asked about a timeframe, but I can confirm – it might assist and maybe save some time during the committee stage – that the government is happy to commence that review by the end of the year, which is the earliest statutory timeframe. I think that is something that I can state on record: by the end of this year we will begin that review into the Sex Work Decriminalisation Act 2022. That answers your question as well, Ms Payne, and clarifies the government position for Mr Limbrick. In light of all that, I commend the bill to the house, and I look forward to the committee stage.

Motion agreed to.

Read second time.

Instruction to committee

The ACTING PRESIDENT (Jacinta Ermacora) (16:21): I have considered the amendments on sheets SMA60C, SMA61C and SMA63C circulated by Dr Mansfield, and in my view they are not within the scope of the bill and would require passage of an instruction motion pursuant to standing order 14.11 to be considered. Dr Mansfield has advised that she is not proceeding with her instruction motion. Therefore the amendments on sheets SMA60C, SMA61C and SMA63C will not be considered in the committee of the whole.

I have considered the amendments on sheet DL73C circulated by Mr Limbrick, and in my view they are not within the scope of the bill. Therefore an instruction motion pursuant to standing order 14.11 is required. I remind the house that an instruction to a committee is a procedural motion.

David LIMBRICK (South-Eastern Metropolitan) (16:22): I move:

> That it be an instruction to the committee that they have the power to consider amendments and a new clause to amend the Sex Offenders Registration Act 2004 to prohibit registrable offenders working in commercial sexual services or sexually explicit entertainment employment.

Motion agreed to.

Committed.

Committee

Clause 1 (16:25)

Katherine COPSEY: Minister, I have some queries about the operation of the elements of the bill that interact with fines and would just like to seek some clarification on the government's intent to assist stakeholders who may have some confusion about the intended operation of these. With regard to the online platform as a mechanism to communicate to fines recipients, does Fines Victoria currently send the majority of its correspondence to fine recipients by post? Noting that express consent is required to send correspondence via email under the Fines Reform Act 2014 and that Fines Victoria does not ask fine recipients for consent, this can raise problematic issues for people, for example, experiencing housing instability.

Enver ERDOGAN: From the outset I say yes, most fines-related correspondence is sent by post – I can confirm that – and that is in accordance with the requirements of the legislation. On the second point you raised, about service by electronic means being more convenient for people, I think it is more convenient for many young people as well. We get a lot of students, workers and people that are in more dire situations, as you explained, such as homelessness and other tragedy. The bill seeks to support electronic service of fines documents, as we agree that for many people electronic service is more convenient than post. The amendments in this bill strengthen existing provisions that allow electronic service, such as by email or SMS, for fines-related notices, in particular where the recipient is 16 years or above, has consented to receiving notice electronically and has provided the address used for electronic service. So, yes, this bill seeks to achieve that purpose and goes a long way to doing that.

Katherine COPSEY: In terms of changing to electronic options, direct email is more accessible than an online portal for most people, so stakeholders have raised concerns as to why the government is not keeping pace with other industries in proactively seeking to send correspondence to fines recipients by email. What is the cost spent by Fines Victoria in sending correspondence out by post, and how much could be avoided if consent for email correspondence was sought and received?

Enver ERDOGAN: I appreciate your detailed interest in the cost of postage. We know that it has become quite expensive to send mail by Australia Post, especially registered post, so I do appreciate that. I do not have at hand the detailed cost that the department spends in relation to postage in particular. As you know, it would go through the broader budget. It sounds like a really good Public Accounts and Estimates Committee question, to be frank.

In relation to the use of electronic service, I totally agree we should be adopting that. I think many times you see across government services that digitalisation can take a bit longer than what is happening out in the community, and I think this is an example. That is why this bill goes a long way to strengthening provisions that allow electronic service. I do love the comparison you are making between portals and just direct email in terms of convenience for consumers or the public or however you want to frame it, because that is a question that was on my mind, and it comes across with a lot of government services. From what I understand and as I have been advised, the amendments enable an online portal to be used by enforcement agencies and other fines system stakeholders that are not themselves the recipient of an infringement or court fine. Therefore it is envisaged that it is not just for the individual, but potentially if someone is represented by a solicitor, then, for example, the solicitor

could access the online portal, and when they are representing them, it would just be an easy transfer of documents and information between the parties. I think that is what is envisaged here by Fines Victoria, and that is why the use of the portal is an important component. But I do also agree with your point that there should be a greater use of email – it is quicker, efficient and less costly to the public.

Katherine COPSEY: Minister, if you could just confirm: my understanding from discussions around this bill is that the amendments do not enable the portal to be used to provide information to serve notices on or communicate directly with fine recipients. Is that accurate?

Enver ERDOGAN: I will need to clarify that, Ms Copsey.

Ms Copsey, you are correct.

Katherine COPSEY: Minister, the explanatory memorandum suggests that an enforcement warrant could be applied for prior to a notice of final demand (NFD) even being served in relation to a particular fine. Stakeholders have asked my office to seek clarification: what is the government's intention here? Is this amendment intended to enable an enforcement warrant to be applied against a fine defaulter who is subject to an enforcement warrant on one or more fines to escalate any other fines to enforcement warrant stage and therefore to expose that person to sanctions and other enforcement activities sooner, with their time to exercise their options to expiate their fines then being reduced? Is that what the government is seeking to do?

Enver ERDOGAN: Before getting to the detail of the question, Ms Copsey, because it is an important issue, I just want to frame it here that a lot of these reforms are not about removing people's rights, so to speak, but they are about making it easier for the person to deal with all their unpaid late fines and warrants at the one time. For a lot of people, we know there is a lot of delay involved in court systems – 28 days for this issue, 21 days additionally – and it creates an increasing kind of burden on recipients. So the broad frame in which we have made some of the reforms in this bill is about making it easier for the person to deal with their unpaid late fines and indebtedness at the one time. That is the overarching goal. This amendment is intended to allow the director to progress enforcement when people have multiple unpaid fines that are already at the warrant stage and at the notice of final demand stage. These people have a number of fines that they have not dealt with on time. Specifically, it deals with cases where somebody already has at least one enforcement warrant and an additional notice at the final demand stage has been issued but not yet expired. There is no intention to remove the requirement for service of a notice of final demand. Rather, it will be clarified that noncompliance with the notice of final demand, once it is served, will not be a prerequisite to progressing the fines to warrant stage. So it makes it easier to progress them all at the one time and hopefully have them dealt with at the one time, as we know that is a common issue in the justice system.

Katherine COPSEY: There have also been some concerns raised by stakeholders seeking to understand deemed service in relation to nominated addresses. Stakeholders have raised concerns that the proposed amendments to section 181 would mean that service is deemed to occur when Fines Victoria posts material to an address that the fine recipient nominated in the last 12 months, even if the person no longer lives there or there are circumstances where the person never received the correspondence because of, for example, homelessness or crisis accommodation and the timeframe in which they were inhabiting was limited or they were leaving an address through family violence. In these situations, though the person never physically received the correspondence, they would be unable to apply under the person unaware provisions to recover the options that they have lost due to having no way of receiving the correspondence. Has the government considered the impact of these amendments on vulnerable Victorians in these circumstances? What is the intent here, and how can we prevent negative impacts from the deemed service provisions?

Enver ERDOGAN: I think the government's intention is to ensure that the same existing provisions and protections that exist apply in these circumstances where someone provides their own address, because currently there are provisions where we can rely on VicRoads, and we would say that this change

should result in more notices being sent to the correct address. Sometimes the address that someone provides is more correct than the VicRoads address. But of course, in the circumstances you have provided where in the last 12 months someone may have changed address, which is quite common, we do not want them to be disadvantaged. There are existing protections where a notice is taken to have been served even if returned undelivered. It will remain open to the fine recipient to apply for review or an extension of time on the grounds that they were unaware of the fine. Those are the existing protections. They will still apply even if they provide their own address. But we believe that sometimes relying on their own address should mean that more notices are being sent to the correct address.

Katherine COPSEY: The proposed amendment to section 106 speeds up an already quite short process, which could have significant impacts on some fine recipients, especially those who are experiencing barriers to engaging with the fine system due to circumstances like family violence, homelessness, mental health challenges or disability. What is the rationale of the government? Are you seeking to shorten the timeframe for enforcement activity? Can you provide some clarification about the intent there?

Enver ERDOGAN: It is important to state that this amendment only applies to people who have multiple unpaid fines that are already at the warrant and NFD stage. These people have a number of fines that they have not been able to deal with on time. Specifically, it deals with cases where somebody already has at least one enforcement warrant and additional NFDs that have not expired yet. The intent is that the amendment will remove the legislative ambiguity and allow for timely and fair enforcement for the person's total indebtedness. That makes it easier for the person to deal with all their unpaid late fines and warrants at the one time with the help of the sheriff. I have got an example here: if a person has five warrants and two further fines at NFD, it makes no sense for the sheriff to deal with the five warrants today and then have to go back in two weeks time once the NFDs have progressed to warrant. This allows the sheriff to assist the debtor with the totality of the debt and will mean people are able to leave with, so to speak, a clean slate after engaging with the sheriff – again, dealing with issues at the one time. I think it is a good reform for the public and good for the justice system – it just makes it more efficient. If the amendment was removed, doubt on whether the sheriff could help the person with their total indebtedness would remain, so we will just remove that ambiguity to resolve these issues in one go. That is the example.

Katherine COPSEY: Minister, stakeholders have also raised with my office concern – I understand the intent that you have just spoken to – that this will mean the government will need to engage in more enforcement activities sooner, including through the sheriff. I think you have just touched on this, but do you expect that this will result in increased costs or resourcing requirements for the sheriff? What do you expect the practical impact will be?

Enver ERDOGAN: My understanding of the provision is that it will be applied selectively, and it is not anticipated there would be a significant impact on the cost of the sheriff's enforcement activity, because it is only for people with those multiple unpaid fines. Therefore we are not expecting a big impact on the costs for the sheriff's office to enforce this.

Katherine COPSEY: Now I just have a few questions in relation to the open courts provisions of the bill. Minister, why does the bill not have a requirement that media must demonstrate public interest necessity before involving a victim-survivor in suppression order matters?

Enver ERDOGAN: Media organisations are generally more likely to appear as a contradictor on an application for a suppression order being made. Similarly, they also play an important role in making applications for review of existing suppression orders that may no longer be required or appropriate. We would say, moreover, this change is about consistency across the system. New section 37, which has the provisions regarding who can make an application, is modelled on section 15(1A) of the Open Courts Act 2013. It is about bringing consistency. Regarding your specific question about the demonstration of public interest, I think news media organisations play a key role in reporting on matters that are important to the public, and it could be against the principle of open

justice and disclosure of information to legislate a requirement that they demonstrate public necessity. We think that might be a too high threshold in the circumstances, and there is the consideration of the risk of harm to those who may be notified of the application. We think in this situation, and for the openness and transparency of the justice system, it is a needed change.

Katherine COPSEY: The concern here is that victim-survivors may be drawn into adversarial processes that they have not initiated. Parties that can apply under new section 37 include media, attorneys-general and any other parties or persons with a sufficient interest. What safeguards has the government considered, which you can point to, so that victim-survivors are not drawn into an adversarial process that they did not initiate under this?

Enver ERDOGAN: I think your concern is one that I also share. It is very clear in these reforms that there is no requirement that the victim-survivors engage with the application to review a pre-existing suppression order. The provision in the bill merely gives them the opportunity to appear and be heard in applications that may affect them. I do understand that it is quite retraumatising for many victims to appear before these kinds of hearings or any hearing in relation to past offences, and therefore it is not a requirement that they engage. They are provided the option, because many victims do want to have a say in relation to matters, especially after a period of time has passed. It is about providing that option, and these amendments enabling the lower courts and VCAT to review pre-existing suppression orders are modelled on section 15 of the Open Courts Act. So again, it is trying to bring consistency across different pieces of legislation that deal with these matters.

Katherine COPSEY: Given that there is potential for victim-survivors to be drawn back into matters that have caused them trauma in the past, why did the government choose not to include elements that require trauma-informed processes, independent support or legal assistance and consideration of safety measures, for example, like the ability to have remote participation in a hearing or other mechanisms to ensure privacy and protections for victim-survivors?

Enver ERDOGAN: The amendments enabling the lower courts and VCAT to review pre-existing suppression orders are modelled on section 15 of the Open Courts Act, which already provides a mechanism to review suppression orders made under that act. The court or tribunal may, at its discretion, allow victim-survivors and other parties to participate in a review hearing remotely. I think there is that discretion for the courts or a tribunal that does exist. We do not believe that we need it to have a separate clause but instead to bring it into a consistent model where that court has that discretion. We know that in Victoria there are existing support services for victim-survivors and victims of crime, including the Victims of Crime Helpline, the victims and witness assistance service and the victims of crime commissioner. Legal support may also be available from Victoria Legal Aid, the Women's Legal Service Victoria and many other community legal centres. There are existing supports, but it is up to the court or tribunal to decide if someone wishes to participate or attend a review hearing remotely, so they have got discretion.

Katherine COPSEY: Is there going to be increased funding and resourcing to the community legal sector or any of the entities that you have just named to ensure that advice and support for victim-survivors is available in order to understand the consequences of consenting to revocation of an order?

Enver ERDOGAN: I think these amendments are modelled off the existing suppression order review provisions in section 15 of the Open Courts Act 2013. These provisions do not appear to be used frequently, so we are not expecting, again, a significant increase in demand for services. But there are existing supports, such as the Victims of Crime Helpline and victims and witness assistance service. Our view is that these provisions are not necessarily being used all that frequently, and therefore we are not expecting a drastic change in demand for them.

The DEPUTY PRESIDENT: If there are no further questions on clause 1, Minister, I invite you to move your amendment 1, which tests all your remaining amendments.

Enver ERDOGAN: I move:

1. Clause 1, page 2, lines 32 to 34 and page 3, lines 1 to 8, omit all words and expressions on these lines.

Amendment agreed to.

David LIMBRICK: I move:

1. Clause 1, page 3, after line 12 insert –

"(ga) to amend the **Sex Offenders Registration Act 2004** to prohibit registrable offenders working in commercial sexual services or sexually explicit entertainment employment; and".

This amendment was actually brought to me by Matthew Roberts, who is here at the moment. He is a policy expert in this area and also happens to be a sex worker himself. It has come to our attention that when sex work was decriminalised in Victoria there was what I would consider to be a loophole in the laws in that there is no prohibition whatsoever on registered sex offenders working in that industry. I have worked in the finance sector, and if you have committed financial crimes, you are not allowed to work in the finance sector. I think if you are a registered sex offender – and when we are talking about registered sex offenders, we are talking about serial rapists and paedophiles, like quite serious offences – I think it is appropriate that they are also prohibited from working in the sex work industry.

Contrary to comments made by Ms Payne earlier, Matthew has actually consulted widely. He has consulted with various units of Victoria Police, including SOCIT, the sexual offences and child abuse investigation team. He has consulted with brothel owners; female and male sex workers, both gay and straight; clients of sex workers, both male and female; the head of Project Respect; RhED, resourcing health and education – I am not sure what the D is for; and various mental health workers. Suffice to say that we could not find anyone outside of this Parliament that thinks that keeping these registered sex offenders working in the industry is a good idea.

I acknowledge the consultation with the government, but we have not been able to come to an agreement. I note that sex work decriminalisation is due for review soon, and I accept that the government is going to have a lot of things in the review. This may be one of them, and maybe there are other things. But I think where my view differs is I see this as urgent. This is not a theoretical concern, this is a real concern. We have registered sex offenders working in the industry right now. There is at least one documented that has been reported on in the media. Considering that there are upwards of 14,000 registered sex offenders in Victoria, it would be reasonable to assume that there are many more. I think that this is an urgent issue that needs to be taken care of immediately or as soon as possible. I am disappointed that we could not come to some way of doing this sooner with the government, but nevertheless I am convinced that this is important and we need to move forward with it. Therefore I have move my amendment.

Enver ERDOGAN: I want to just reiterate that the government will not be supporting this amendment for the reasons I outlined in my summation to the bill. But what I will do is again thank Mr Limbrick. It is clear he is very passionate, and he has engaged with the government in good faith. On this issue today, on balance, the government does not agree with this amendment.

Evan MULHOLLAND: The Liberals and Nationals will be supporting Mr Limbrick's amendment and are quite perplexed as to why other members in the chamber would not be supporting this amendment and have not really explained why that might be the case. But I thank Mr Limbrick for bringing this amendment to the chamber. I know he has done extensive consultation on this particular amendment, and it makes a lot of sense. I thank him for bringing it to the chamber, and the Liberals and Nationals will be supporting it.

Katherine COPSEY: The Greens will not be supporting this amendment today for similar reasons to those outlined briefly by my colleagues Ms Payne and Ms Purcell recently. We thank Mr Limbrick for bringing this matter to the attention of the chamber and thank the government for the pathway that they have indicated is open to consideration of these issues. The limited engagement that we have had

indicates that there is a diversity of views amongst the sex work community on this issue. Therefore I think the path that the government has outlined around consideration of this as part of the broader statutory review into decriminalisation is a good one to ventilate the issue further. I welcome the confirmation by the minister today that that statutory review will be proceeding in a timely fashion to continue the important work of decriminalisation of sex work in Victoria.

Council divided on amendment:

Ayes (16): Melina Bath, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

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

Amendment negatived.

Amended clause agreed to; clauses 2 to 76 agreed to.

Clause 76A and part heading preceding clause 76A (16:58)

The DEPUTY PRESIDENT: The minister's amendments 2 and 3, which have already been tested, propose to omit a part heading and a clause.

Clause and part heading negatived.

Clause 76B (16:58)

The DEPUTY PRESIDENT: The minister's amendment 4 proposes to omit the clause.

Clause negatived.

Clause 77 agreed to.

Reported to house with amendments.

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (17:00): I move:

> That the report be now adopted.

Motion agreed to.

Report adopted.

Third reading

Enver ERDOGAN (Northern Metropolitan – Minister for Casino, Gaming and Liquor Regulation, Minister for Corrections, Minister for Youth Justice) (17:00): 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 have agreed to the bill with amendments.

Electoral Amendment Bill 2025

Second reading

Debate resumed on motion of Gayle Tierney:

That the bill be now read a second time.

Evan MULHOLLAND (Northern Metropolitan) (17:01): I rise to speak on the very, very exciting, at this time of day, Electoral Amendment Bill 2025. There is no more interesting topic in this place than electoral reform, so I am very pleased to be here leading the debate on behalf of the Liberals and Nationals on this bill. This bill has its origin in two matters. First, a number of candidates at the last state election took issue with Victoria's donation laws and the system introduced by the former Premier to reform donations. Their view was that the system was unfair and therefore those provisions should be challenged as unconstitutional in the High Court. As the matter is currently before the High Court, the question remains unresolved as to whether the nominated entity provisions in particular are unconstitutional. For context, when that case arose, the government considered it necessary to prepare a bill that in part addressed those concerns raised by those candidates about nominated entity provisions to the act. As a result they did develop a bill that some might describe as a set of quite significant amendments to present to the applicants in the High Court matter as a means of addressing their concerns and potentially bringing that application to an end.

After that section of the bill was drafted in that form, the Liberals and Nationals were consulted on it. I note that in relation to donation laws and the electoral system more broadly, Victoria deserves a system that is robust, fair and transparent, and the best way to achieve that is cooperation through all members of both chambers of Parliament. I note the Liberals and Nationals have said for some time they are willing to work with the government on electoral matters, because we believe we have ideas, insights and contributions that can assist with the development of legislation in this area, and that goes to the principles that I mentioned: strengthening integrity, ensuring robustness and supporting a democratic system that operates transparently.

When you are drafting a bill and presenting it to the opposition and even members of your own caucus have issues with that electoral bill, maybe it ought to be massaged a bit further before bringing it to the chamber. And those members of the Labor caucus were quite right in having issue with a lot of things that were originally in that electoral bill. Could you imagine the minister going around deciding where booths are? I say to the government – and it was probably suggested to the government in Labor caucus – imagine a Liberal minister deciding where your pre-poll booths and your booths are in Labor seats. That is the exact same theory that we met with as well. But these are the kinds of things that were in the original draft of the bill, which were I think quite shocking to both members of the Labor caucus and members of the opposition as well.

Following the drafting of the bill, the government did engage with the Liberals and the Nationals. At the time the bill was drafted we raised a significant number of concerns about the nominated entity provisions and made clear that we had a wide range of issues with those sections. However, setting that aside, we do not believe those changes address the central question raised by the former candidates in their High Court applications. The coalition did not believe that the matter would be resolved at that time or that changes would satisfy their concerns, which has proven to be the case. I therefore note that the government has now moved to remove the nominated entity provisions in anticipation of the High Court outcome, which is understandable.

That provides some background as to how we arrived at the amendments, and the government has now moved in relation to that. What the government was attempting to do was play the wildest game of chicken we have ever seen. They wanted to present what they had introduced into the house, but not debated, as an argument in the High Court so that the High Court could consider that they were doing something on this, without having the support of the Parliament. High Court judges are not stupid. They know that things need to go through both a lower house and an upper house to get support,

and they do know that the government does not have a majority in this chamber, the Legislative Council. For the boffins in the Premier's private office to even suggest that in a High Court argument, or to even put a thought out there that they could do this, is one of the wildest things I have seen in politics around electoral law.

The second part of the bill is largely operational, relating to how the electoral commissioner carries out their duties, including regarding issues they have raised and requests they have made regarding their functions. Not all of those requests are without controversy. Not every change in this part of the bill originates from the electoral commissioner, although most do. There were two further amendments in the house beyond those dealing with nominated entities, based on discussions with the shadow minister and the government, and the shadow minister expressed concerns on behalf of the opposition. In simple terms, the provision would have formalised a process whereby the Victorian Electoral Commission could request staff and the public service could provide them. I am not making the claim that the public service is politicised, but that was a finding that was made by the Ombudsman. The Ombudsman has reported that the public service is politicised; that is a finding that the Ombudsman has made. It would be reasonable to suggest that any arrangement allowing political operatives to be placed within the election process raises concern, particularly where there is no clear oversight or transparency.

What is more concerning is that during briefings on this bill we were advised that this occurred at the 2022 election, before this power was even proposed in legislation. The government at the time deployed public servants into the electoral commission for electoral duties. There was no public awareness of this. There was no transparency provided in any meaningful way, and I believe Victorians should expect to know about this. When people attend a polling booth, they expect to see staff from the Victorian Electoral Commission (VEC). They do not expect to see public servants from unrelated departments brought in for that purpose. When we raised concerns about including this power in the bill – and I know that amendments have been made to remove it – the department explained that the reason for the 2022 arrangement was that the commission could not recruit enough staff. On hearing that, one might assume this was a last-minute issue shortly before the election, but this was actually not the case. The department advised the shadow minister, the member for Brighton, that the process to second staff began nearly a year before the election. It was formally approved by the Victorian Secretaries' Board in February that year, meaning the groundwork would have been undertaken in late 2021. That would have involved preparing submissions and briefing the secretaries well in advance. These processes do not occur overnight, so approximately a year before the election, an approval process was initiated and then endorsed early in the election year to move public servants into election roles for the 2022 election. That is a significant revelation, and I thank the government for considering our concerns and for removing this power from the bill. It was the correct decision. They listened to the Liberals and Nationals' concerns, and I acknowledge that.

While it was clearly the right course of action, as we saw previously, this has occurred without legislative authority. It has happened before any such power existed in law. Therefore even though the provision has been moved from the bill, there is nothing to prevent a similar arrangement occurring at the next election. It is important that questions continue to be asked about whether public servants are being deployed into election roles in what should be a commission that is beyond question. By raising this matter and providing context, I hope we can ensure these arrangements do not occur again. I do not know whether the request in 2022 came from the commission or whether it was initiated by the government. It may have been that the commission indicated it could not secure enough staff and that the government offered a solution – we do not know. What I do hope is that for the next election there is full clarity. Victorians would be concerned by this; whether the government considers it acceptable is beyond the point. The public expectation is clear. Even the executive appears to recognise this, as the provision has been removed from the bill. We must ensure that the electoral commission is unquestionably impartial, and I hope that by raising this issue both the media and the public will continue to scrutinise to make sure it does not happen again. It was not appropriate, and while I thank the government for removing the provision, we must remain vigilant to ensure that it is not repeated.

The other matter I will note that is closely related is the proposal that would have allowed the minister to determine the locations of polling booths. This was removed due to concerns raised by the Liberals and Nationals. Under the original bill, in this case, a Labor minister with political affiliations would have had the authority to decide where booths were located. When we saw the proposal, we made our position very clear: it was not acceptable. The government removed it, as they should have, because decisions about polling locations must remain independent of political influence. I understand the Labor caucus also had very, very similar concerns to what we had as well, so I am glad that provision was removed from the bill. I have spent quite a while on the Electoral Matters Committee, and this is not something that was ever, I think, even discussed there. It is important, particularly in this form of work, to consider 'Would I want a Labor minister having this power?' or, if you are on the other side, 'Would I want a Liberal minister having this power?' These things are much better left to an independent and well-respected body like the VEC.

Having removed those amendments, the Liberals and Nationals will not oppose this bill. That being said, we do have a few amendments, and I ask for those to be circulated. I just want to run through those amendments and what they do, and I particularly want to speak about my amendments that have been discussed with the government. One in particular is about the need for the VEC to undertake full preference counts in different seats and two-candidate preferred counts. It is not good enough when the VEC gets the person in second wrong but it is clear that the first has won, and they just give up and put it all away and that is the end of the matter. It is important to have a full count. There were 25 seats, I believe, that were not counted in a full preference distribution and a two-candidate preferred count. I know both Liberal colleagues and Labor colleagues were very keen to see this change, and I thank the government for the way they have collaborated on this issue and particularly for the helpful suggestion that the election manager will comply with that direction within three months after receiving it, so if the VEC are deciding a tight election race, they do not have to rush to do two-candidate preferred counts on seats that are quite obviously decided; they can pour resources into those close-run seats. I presume, and I know, seats like Yan Yean and Greenvale will be top of mind for close seats – maybe not so close now; who knows.

Members interjecting.

Evan MULHOLLAND: I presume the member for Brighton will be back with quite a handsome majority. I am not sure if you have been to those rallies.

Members interjecting.

Evan MULHOLLAND: Well, I hope you heard the message. The other amendment I particularly want to speak to is on the delegation powers. It is important to understand that we seek amendment to the way those powers work, because they are very broad delegation powers. With the Electoral Commissioner having the job of managing elections and setting aside that we have had six by-elections in this presumably four-year term and we have one election every four years, it is not unreasonable to expect the Electoral Commissioner would have the role of managing elections. It is only reasonable for the Electoral Commissioner to make the final call when it comes to significant vote counts and significant determinations. Our concern is that the Electoral Commissioner should make the final calls, and what this bill would effectively allow is the capacity for the commissioner to delegate some of those powers. That is my second amendment.

The other amendment in particular is an amendment to the government wanting to get rid of the printer authorisation details on election material. We think that is an important transparency measure, and we will be moving an amendment to keep that measure as well. Those will be the amendments that I will be moving. Currently, election material must include both the authorisation of the candidate and the details of the printer. This provides two points of contact. Historically, the safeguard was introduced to ensure that if a candidate could not be located or had provided false details, the printer could be identified as a secondary source. This has been particularly important where material is inappropriate

or offensive. Removing the requirement weakens that safeguard, and we have concerns about that change.

There is a further amendment which it is disappointing to have to propose, as I said. For several Legislative Assembly seats, there was no full preference count. As I have discussed, it should be a basic expectation conducted for every seat. As I have outlined, this bill has had a complex development. To the government's credit, we have reached a point where the Liberals and Nationals will not oppose it, as the most concerning elements of the bill have been removed.

One thing I am disappointed about that is not in this bill and we still have not heard anything about is the removal of group voting tickets. I am very keen to hear from the government about when that might be coming. We know the government was very interested in this at the end of last year when polling was a little bit different. Now they seem to have ghosted on the issue of group voting tickets. The government likes to talk about preferences and preference deals quite a bit. I am of the view that individuals decide their own preferences, which is true. Individual Victorians are smart enough to decide their own preferences, but currently Labor are leaving us with a system where the parties can decide where the preferences go. I believe all Victorians should decide where their own preferences go, so it is really up to the government to explain what the hold-up is on this reform. I was on the inquiry the government commissioned into group voting tickets, and I was pleased to support that particular Electoral Matters Committee report. We did our own addendum to that report from the Liberals and Nationals. We think it is an important reform.

For too long our electoral system and therefore the representatives we get in this chamber have not been aligned with the wishes of the Victorian people, and that is a deep problem for our democracy. I hope sincerely that the next electoral bill that we are dealing with will deal with group voting tickets. They are a disgrace. They are subversive to our democratic system of government. They result in outcomes that the Victorian people did not wish for. We have seen that on both sides of the political equation where people think they are voting for a 'sack Dan Andrews' party and ended up electing an Animal Justice Party. We have seen that on both sides of the political equation as well, where people game the system and group together to pip out someone that should have been obviously democratically elected but was not due to backroom deal making.

Again, the government likes to openly talk about preference deals. The only people that set their preferences should be the Victorian people, but we have enabled a system and keep delaying reform on a system that allows backroom shady players, some of which are paid by the taxpayer in commission for the deals that they do. I think that is a system that we ought to get rid of. I hope the next electoral amendment bill deals with that. I look forward to contributions and being here for that day, because if the government continues to delay it and heads to another election without progress on this, then once again Victorians votes at the ballot box will not be reflected truly in this chamber of the Victorian Parliament. I will leave my contribution there.

Tom McINTOSH (Eastern Victoria) (17:24): I am delighted to stand and support the Electoral Amendment Bill 2025. Our democracy, as I have spoken about a number of times in this place, is something we should all cherish. The way it operates and the way elections are conducted is something that should be and is incredibly important to all of us, but also to all Victorians. The bill will ensure that key parts of the Electoral Act 2002 are fit for purpose given the scale and complexity of modern state elections. The bill also clarifies requirements for the conduct of state elections to ensure they can continue to be delivered in an efficient, transparent and organised manner. The bill is informed by various reports on Victoria's electoral system and processes released since the last significant reform of the act took place in 2018. These include reports by the Victorian Electoral Commission, the Electoral Review Expert Panel and the Parliament's Electoral Matters Committee. The bill will achieve this through amendments across the Electoral Act, including inserting detailed requirements for supplementary elections and re-elections, simplifying and modernising authorisation requirements for electoral materials, tightening restrictions on the party names and logos that can be registered, providing more flexible powers for the commission to respond to emergencies affecting elections,

updating legislative timings and requirements for electoral processes and other minor and technical amendments to improve the overall operation of the Electoral Act.

There have been a few amendments to the bill since it was introduced to the house. I will not go through all of those, but I will note that it is important that amendments enable the commencement of the bill to be on a day or days to be proclaimed. This will allow the Nepean district by-election processes to proceed on the current requirements of the Electoral Act 2002, removing any ambiguity just to enable the by-election to occur, since the Deputy Leader of the Liberals resigned his position as deputy leader but then also resigned his position from the Parliament. It is good that Nepean have the opportunity to go to the polls after the former member for Nepean decided that the Liberal Party was not a place he any longer wanted to work. I will leave my contribution there.

Sarah MANSFIELD (Western Victoria) (17:27): I rise to speak to this bill, and at the outset I just want to endorse the words of Mr Mulholland regarding group voting tickets. I will not go on about that any more, but I think on that issue we are very much aligned. I also just want to speak mainly to the amendments we have proposed to this bill. Our amendments ban political donations from corrupt actors and industries that are harmful to our communities and our environment. The Electoral Amendment Bill 2025 falls short, we believe, of the meaningful reform Victoria urgently needs. Rather than addressing the structural flaws that entrench the major parties' unfair advantage, it cherrypicks convenient recommendations while leaving the core problems plaguing our electoral system untouched.

A prior incarnation of this bill sought to sugar-coat the unfairness inherent to nominated entity slush funds so beloved by Labor and Liberals alike, but the simple truth is that to make our electoral system fairer, nominated entities must go. There is simply no redeeming them. These mechanisms allow major parties to circumvent donations caps and preserve the unfair influence that old money brings. Most Victorians would be aghast if they were aware of their existence. The Electoral Review Expert Panel said clearly, they should be abolished. If the High Court does not act, this Parliament must. When accumulated wealth determines electoral outcomes, democracy suffers. Independent and community-backed candidates can have strong policies and genuine grassroots support and still be drowned out by big money. That is not a fair contest. What we actually need is campaign expenditure caps, not just donation caps. Spending is easier to track and far more effective at levelling the playing field. New South Wales, Queensland and the ACT already have them. Victoria should too. We also need limits on candidates self-funding their own campaigns, particularly as well-resourced far-right candidates increasingly seek to buy their way into Parliament.

If the Big Build scandal has taught us anything, it is the corrosive power of big money on the fabric of our democracy. Today the Greens seek to introduce amendments to this bill to cut off the poisonous influence of money on our politics. Handling stolen goods is a crime. Handling dirty donations from people involved in corruption should be too. The Greens are clear: corrupt donations have no place in our democracy. The megadollars of the construction, fossil fuel and gambling industries – industries that for far too long have bought influence in the corridors of power – must be banned from our politics, full stop. No exceptions, no loopholes. Yet both the Allan Labor government and the Liberals have refused to support our amendments. Both have chosen big donor money – dirty money – over democratic integrity. The Liberals talk a big game on the $15 billion of Big Build corruption, but they are happy to keep on pocketing the donations of the property and construction industries. Victorians are not fooled; they can see exactly what is happening: two major parties, different attack lines, same donors, same inaction on donation laws in the face of Victoria's biggest ever corruption scandal. The Greens will keep fighting to ban dirty donations and corrupt donations. The question is: when will Labor and the Liberals stop taking them?

I kindly ask that our amendments are circulated. Our first amendment would make it a criminal offence to solicit, receive or spend a donation from any person that has been found to have engaged in corrupt conduct by IBAC or a royal commission or subject to an adverse finding by IBAC. The principle is simple: if you are corrupt, you have no business funding Victorian political parties. Our amendment

would also give the state the power to confiscate those tainted donations. Similar laws already exist in New South Wales, and Victoria should be no different. I note this amendment would become more powerful to crack down on donations from corrupt actors if IBAC were given follow-the-dollar powers and the expanded jurisdiction that it so desperately needs to get to the bottom of the Big Build corruption scandal. We had legislation in this Parliament to do this yesterday, and we saw what the government thought of that: they voted it down. We, the Greens, still have a bill before the Parliament; we believe that the Parliament should get behind this and that everyone needs to come to the integrity party. For those concerned that an adverse finding by IBAC is too low a bar to be banned as a political donor for 10 years, it is helpful to remember that IBAC's legislated function is to investigate and expose corrupt conduct with a focus on serious or systemic corrupt conduct and that any adverse findings IBAC reaches must be necessarily within the envelope of that legislated function.

Our second amendment would ban political donations from the fossil fuel and gambling industries, property developers, the construction industry, big banks and real estate agents. These industries have bought their way into the corridors of power, and everyday Victorians pay the price through an increasingly cooked climate and a government that has tarnished its integrity amidst Victoria's biggest ever corruption scandal. The principle of 'one vote, one value' means that every citizen's vote should carry equal weight in determining political outcomes. This central demand of the suffragette movement grew from votes for women into something bigger: the demand for equal representation and an end to a system where wealthy property owners got multiple votes and people who did not own property did not. The problem with dirty corporate donations in our political system is that they undermine everything that the one vote, one value campaign achieved. Dirty donations amplify the political influence of big corporates and billionaires far beyond that of the ordinary voter. This creates a political system where big money shouts louder than the smaller voices of the ordinary voters who elect us. Gina Rinehart should not have more sway in our Parliament than Gino from Jan Juc, but under the current system her money means she does. When corporations and billionaires like Gina make donations, they expect a return on their investment; big donors use their money to purchase political outcomes. The Big Build corruption scandal is a case in point. The numbers speak for themselves. Between 1999 and 2019 the property and construction industry donated over $15 million to the federal Liberal Party and more than $6.5 million to the ALP. In Victoria alone developers and the building industry donated about $2.7 million to the Victorian Liberals and $2.2 million to the Victorian Labor Party over the same period. Last decade the resources and energy sector disclosed over $136 million in political donations nationally. Labor has taken developer money with one hand and handed out billions in public funds to corrupt private actors with the other while refusing to give our anti-corruption watchdog the powers it needs to investigate. When voters see politicians answering to corporate donors instead of communities, they lose faith in government. A recent Australian Election Study report found that the vast majority of One Nation voters do not trust government, and 74 per cent believe that politicians just look after themselves. There are no doubt many reasons for the rise of One Nation, but if the major parties have any hope of winning back these voters, they need to take real steps to restore trust in our political system, including ending the nefarious influence of dirty donations on our democracy.

The gambling industry is a blight on our society, and their donations should have no place in how decisions are made in our government. Last financial year Victorians lost over $7.3 billion to gambling, with a record $3.145 billion lost on poker machines in hotels and clubs. Gambling devastates so many lives and families in Victoria, yet the major parties continue to pocket the gambling industry's dirty donations. Despite donations caps, last year the two major parties continued to pocket tens of thousands of dollars from the likes of Sportsbet; the duplicitously named Responsible Wagering Australia, the peak body representing the online betting industry; the Australian Hotels Association; and numerous individual hotels with pokies. Let me be clear: the gambling industry has used these donations to buy influence and access to our government. Ahead of the 2022 state election both major parties in Victoria provided letters of comfort to the pubs and clubs lobby, assuring them that gaming machine revenue would not be significantly impacted by future policies despite the

crackdown on Crown Casino. In 2024 the Allan Labor government cut the Victorian Responsible Gambling Foundation, which had provided crucial support to people preyed on by the pokies industry, such as the gambler's help program. In 2025 alone the Minister for Casino, Gaming and Liquor Regulation disclosed meetings with the gambling industry and lobbyists on 16 different occasions. And how often did he meet with civil society gambling reform groups? Once. These 16 meetings included a meeting with Crown Melbourne chairman and former Labor Victorian Minister for Racing Martin Pakula. You cannot make this stuff up. This is the political influence that the gambling industry's dirty donations buys, and the Allan Labor government has a gambling addiction fuelled by its regular payouts.

Australia's big banks post record profits through a cost-of-living crisis while their political donations keep on flowing. Last financial year the Commonwealth Bank's cash profit rose to a record $10.25 billion. Much of these unprecedented profits come from putting the squeeze on families already struggling to make ends meet. If either major party opposes these amendments, they are making their position clear: they would rather keep drawing from the ATM of societal and environmental harm, vice and corruption that has plagued Victorian politics for far too long. Victorians deserve elected representatives who answer to them, not to developers, not to coal and gas companies, not to the gambling industry and not to corrupt players. I commend our amendments to the house and look forward to further discussion on these during the committee stage of the bill.

Ryan BATCHELOR (Southern Metropolitan) (17:38): A brief contribution from me tonight, I think. The Electoral Amendment Bill 2025 does give us the opportunity to commend the exceptional work that our Victorian Electoral Commission does in the conduct of elections for the state Parliament on a four-yearly cycle. The efficacy of our electoral process relies on the Victorian Electoral Commission and their hardworking staff to deliver us democracy in Victoria. I think we are exceptionally fortunate that we have an institution like the VEC, who are able to deliver us democracy that we can rely on and deliver us democratic results here in Victoria. Regardless of who wins or loses any particular contest, I think our state and our democracy are well served by an institution like the VEC. So I wanted to just make those remarks briefly, because I do think it is an exceptionally important part of why we have a functioning democracy.

I think we also need to be aware that there are forces in other parts of the world but also increasingly here in Australia who seek to undermine the legitimacy of our electoral process, who seek to undermine the legitimacy of the independent institutions that run our electoral processes and therefore to undermine our democracy itself. The undermining of trust in democracy begins with people questioning the legitimacy of actions that occur at ballot boxes. Sadly, we are seeing it increasingly in the United States, where they have different systems, they have different rules and they do not have institutions like our electoral commissions to run their elections. They come from a different tradition. But what we see in their politics is a continual questioning of those electoral outcomes. To question the legitimacy of electoral outcomes is to question the legitimacy of democracy, and when that happens everyone loses.

We all, as politicians, have a responsibility to keep faith in our democratic institutions and to keep faith in our electoral institutions, and that is what I want my contribution today to underline: how important the electoral commission is, how important its independence is and how important our conduct as politicians in supporting those institutions, supporting the electoral system, supporting the electoral commission and supporting democracy is for this state, regardless of who wins or loses.

David LIMBRICK (South-Eastern Metropolitan) (17:41): I also would like to say a few brief words on the Electoral Amendment Bill 2025. This bill makes some helpful changes to the Electoral Act 2002. I will not go through all of the changes, but some of them are helpful changes. Anyone that has been involved with the administration of a party will know that it is a very difficult thing. Some of the things that the bill talks about are the registration of party names, trying to prevent deceptive names and names that are similar to other parties, and also limitations on the word limit and limitations on the logo that can be used on the ballot paper. There are also some technical changes around clarifying

for people that are homeless that they are able to vote and able to participate in democracy. I think that that is a good clarification. There are other things around disclosure notices for the party's registered officer; things to clarify the change of roll date, the close of rolls, and when that will happen; information about nominations; and minor changes to group voting tickets and about the withdrawal of candidates.

Helpfully, election material changes – they no longer require the name of the place of business that printed the materials. I personally think that is a good change. I think it was a bit silly having the place of business. To my mind, having the authorisation is helpful, because if you have electoral material, you want to know who is behind it, and if you know who is behind it, then I think it has served its purpose. I do not really think it serves much purpose to show where it was printed, so I think that that is a helpful change. I know that for many parties, especially minor parties, that is a difficult thing to manage. I would have liked to see some changes around clarifying social media electoral materials, because that is still a bit confusing for political parties. Again, to my mind, if something is posted on a candidate's page, it is pretty clear that it came from them, and therefore I do not know why you would necessarily need a disclosure or authorisation if it is for a candidate that is obviously from a party. Nevertheless there are some helpful changes here. I note that there are some amendments, which we will get to.

One of the more controversial things, which has actually been removed through amendments in this bill, is around the nominated entities. I actually agree with Dr Mansfield that the nominated entity system is a disgrace. It is basically allowing the major parties to have an unfair advantage forever because they had these investment vehicles set up prior to these electoral reforms. It is nearly impossible for any new party to actually set something similar up, and it is disappointing that that was not changed, but it is what it is. Nevertheless, the changes that are left in the bill are sensible for the most part. Some of them are just minor and technical. Most of them are very helpful, though, and the Libertarian Party will not be opposing this bill.

Jacinta ERMACORA (Western Victoria) incorporated the following:

I am pleased to make a contribution on the Electoral Legislation Amendment Bill 2024.

As a member of the Electoral Matters Committee, I am proud to contribute to upholding the integrity of our electoral processes.

This Bill supports the integrity of our elections.

It will ensure that key parts of the Electoral Act are fit-for-purpose given the scale and complexity of modern state elections.

I will focus my comments on some aspects of the Bill that are particularly important to the healthy functioning of our democracy.

The electoral landscape has changed.

According to the VEC's website, the number of candidates increased from 887 in 2018, when the Act was last amended, to 1194 at the last election.

Not only does the VEC needs enough time to prepare the election materials for all these additional candidates, they also need some flexibility in order to be able to deal with any issues with registration applications.

I've seen firsthand the amount of work that the VEC do to prepare for and run our elections.

It's a monumental task to keep the machinery of our democracy working whilst maintaining the independence and impartiality of the Commission's work.

I'd like to take this opportunity to thank the staff at the VEC for the amazing work they do to support our democracy.

Currently the VEC has just two days (over a weekend) in which to design, print and distribute all materials needed for the commencement of early voting.

That's clearly not reasonable.

As a result, we are making the following changes.

- Applications to register a political party will need to be received 180 days before election day, instead of 120 days
- The electoral roll will close on the date of the writ, rather than seven days after.
- Final nominations to become a candidate must be received within six days after the issue of the writ, instead of ten days after expiration of the Assembly
- Both RPP-endorsed and independent candidates will have the same deadline, of noon on the final nomination day.

The VEC supports these proposed changes, saying in its response to the Committee's report that:

"These changes will alleviate significant pressure points in the election timeline that currently pose a risk to the successful delivery of elections and jeopardise the safety and wellbeing of our staff."

The Bill also makes changes that reflect the increased number of postal voters. The election statistics guru, Antony Green, reported statistics he received from the VEC that 13.3% of votes were postal votes in 2022, compared to 9.8% in the 2018 election.

These increased numbers make it even more imperative that postal voters are able to be fully informed prior to casting their votes.

The current provisions in the Act are not clear and there is a real risk that voters will not receive the information about candidates prior to voting.

This Bill will make it clear that the VEC can send declaration and ballot packs to all postal voters, whether in single elections or general elections, as soon as practicable. They don't have to wait until early and mobile voting commences.

It also makes it clear that the VEC can provide information about single-election postal voters to parties and candidates as soon as their application to vote by post has been accepted.

The VEC will also be required to provide a complete list of general postal voters to registered political parties and independent candidates upon request, as soon as practicable after the later of the close of the roll or a candidate's nomination.

These changes make it possible for candidates to provide those voters with information that will help inform their vote.

This Bill also makes changes to early voting days

Having early voting centres open for the current period of around 12 days is a big drain on the VEC's resources.

They not only have to staff those centres, but they have to ensure they are safe and secure.

This, unfortunately, is an increasingly important issue. The Electoral Matters Committee report on the 2022 election found:

> "… interacting with campaigners at voting centres is negatively impacting on voters. Stakeholders described campaigner behaviour towards voters variously as annoying, pressuring, stalking, hassling, harassing, confronting, distressing, disrespectful and abusive."

The current almost two weeks long early voting period creates increased demand on VEC resources, particularly in relation to security, making it more difficult for the VEC to ensure that all voting centres provide a safe and secure environment for members of the public.

This Bill will shorten the early voting period to ten days.

Early voting is clearly important. Victorians lead busy lives that are no longer so clearly defined by the nine to five weekday. Elections also need to reflect our changing lifestyles including increased workforce flexibility.

Almost half of Victorian voters cast their ballots early in 2022.

But the majority of those votes were cast in the second half of the early voting period.

Shortening the early voting period will balance the need to provide plenty of opportunity for early voting with the resource demand on the VEC, candidates and campaigners.

The provisions relating to silent electors are among the most important in this Bill.

Silent electors are people whose own personal safety, or that of their family, would be placed at risk if their address appeared on the electoral roll.

Many, many of these people are women who have escaped abusive relationships and don't want their ex-partner to know where they live.

Currently, the VEC ensures that the addresses of silent electors are not entered on electoral rolls.

But there is no requirement or permission for the VEC to retrospectively remove such information from existing electoral rolls or other documents.

This Bill will require the VEC to remove the address of a silent electors from existing electoral rolls and other documents produced before the person became a silent elector, where it is within the VEC's power and reasonably practical for it to do so.

For our democracy to function, voters must also be able to make genuinely informed choices.

The integrity of our electoral processes depends on it.

When voters cannot clearly distinguish one party from another, the link between voter intention and electoral outcome is weakened.

This Bill strengthens that link.

It does so by extending the existing prohibition on registering a name for a political party that is too similar to an existing party.

That prohibition will now also cover acronyms and abbreviations.

It also prohibits the registration of names or logos that include words suggesting that the candidate holds a parliamentary office – such as 'MP', 'MLA' and 'MLC'.

However, we recognise that certain words are in common usage and should not be kept for the exclusive use of existing parties. So, for example, the word 'democratic', collective nouns for people, and certain geographical terms cannot be prohibited even if they are already in use.

Another area that has the potential to misinform voters is when a candidate is dis-endorsed.

The Bill provides a process for parties to disendorse candidates. Currently parties must rely on the candidate to withdraw their nomination.

The VEC will also be required to ensure that ballot papers are updated to reflect changes to groupings of candidates in case of the withdrawal of the nomination.

This is another measure that supports the integrity of the ballot. It ensures that what voters see on election day accurately reflects the current state of candidacies.

The Bill will also provide more flexible powers for the VEC to respond to emergency situations affecting voting.

Where voting is adjourned at one voting centre, it will be able to move to another voting centre where it is not possible, safe or practical for an election to be held at a the original centre

A declaration of a national or state-wide emergency will not be required.

Supplementary elections and re-elections

This Bill clarifies some important issues in relation to supplementary elections and re-elections.

If circumstances which causes an election to fail only affect a particular region or district, the election will only fail for that area – not elsewhere.

The Bill also sets out the requirements for the issue and form of the writ for a supplementary election, and for updating the electoral roll ahead of the supplementary election.

- However, the Bill still contains four other reforms to address operational issues with Victoria's political finance scheme, including to:

Enable the VEC to recover overpayments or required repayments of funding made to former registered political parties and former independent elected members.

At the moment, obligations to repay only apply to currently registered political parties and current independent elected members.

This means the VEC has no means to enforce these outstanding obligations once a political party is de-registered or an independent elected member leaves the Parliament.

It is also difficult for the VEC to recover any amounts of policy development funding which may be owed by a registered political party once the party has been de-registered.

This Bill will also:

- Require RPPs to disclose relevant expenditure and repay any excess funding before deregistering

- Require former independents to disclose expenditure and repay excess funding within 30 days of ceasing to be an elected member.

Offences and penalties for non-compliance with existing disclosure obligations will be extended to these new obligations.

The current Act also contains a loophole in that the VEC cannot exclude expenditure on GST from claimable expenditure, even if the entity is eligible to receive a tax credit for the same GST expenditure.

This means that some RPPs can be reimbursed twice for the same expenditure, once by the VEC and once by the Australian Taxation Office.

The Bill will close this loophole.

Another modernising step in the Bill is in relation to authorisation of electoral materials.

The predominance of digital communications means that the requirement to display details of printers and publishers is no longer critical. The Bill removes that requirement.

The Bill also clarifies what electoral material must be authorised. These include paid advertisements, printed materials, and any material produced by or on behalf of entities which receive political donations or political funding under the Act.

President, this Bill means that Victoria's electoral legislation better reflects the scale and complexity of modern state elections.

It ensures our processes are efficient, transparent and organised.

And critically, it strengthens the integrity of our electoral system.

I commend the Bill to the House.

John BERGER (Southern Metropolitan) incorporated the following:

President, I rise to make a contribution on the Electoral Amendment Bill 2025, and in doing so I would like to thank Minister Thomas in the other place, who put forward this bill which reforms one of the cornerstone pieces of legislation in this state.

The Electoral Act of 2002 is a core piece of legislation which underpins our democracy in Victoria.

Passed by the then Bracks Labor Government, the 2002 act instituted the Victorian Electoral Commission.

This independent body has, ever since, overseen our election processes in this state, and ensured that our democratic system remains fair, equal, and transparent for all.

I want to briefly outline this piece of legislation as it is the foundational element on which this electoral amendment bill rests.

Most regulatory provisions that we have in place to ensure the smooth, transparent, and fair execution of our democratic obligations, can be found in our electoral acts.

They define the role and scope of the VEC, and are regularly reviewed to ensure they are fit for purpose.

This is extremely important in a fast moving age, where the world is changing quickly, and the Electoral Act has often been amended to suit these changing times.

One significant transformation is, of course, the rapid digitisation of our economy, with the internet being more accessible than ever and social media a part of many aspects of our lives.

These changes pose both great challenges and opportunities for all democratic nations.

Thankfully, the tireless work of this Parliament and our Federal Government has ensured that adequate guardrails are in place for us to reap the benefits of these changes, while protecting against negative effects.

In that same spirit, this Bill makes amendments to the Electoral Act, in order to implement the recommendations of various reports that have been released on Victoria since the last significant reform of the Act in 2018.

These reports include:

- The EMC, or the Electoral Matters Committee of Parliament's report on its Inquiry into the conduct of the 2022 Victorian State election.
- And the Victorian Electoral Commission's Report to Parliament on the 2022 Victorian State election, as well as their report on the 2023 Narracan District supplementary election.
- It also looks at the Electoral Review Expert Panel's main report.

These reports present a vital opportunity for this Parliament to modernise and update our electoral act to be fit for purpose for modern day state elections.

President, one of the first key reforms in this bill is the changes to political finance.

Under the current iteration of the Electoral Act, the VEC is not able to recover overpayments of administrative expenditure funding from a former registered political party after that party has been deregistered, or by a former independent Member of Parliament after they have left Parliament.

This issue is also applicable in the recovery of excess payments of public funding and policy development funding that may have been given to registered political parties, under similar circumstances where they may have been deregistered.

If a political party is currently registered, and then proceeds to deregister itself before its obligation to repay any excess funds, or before the VEC acts to seek repayments through the court system, then under the current system the VEC has no means of enforcing these debts.

Common sense will tell you that's not right.

And that's something this bill aims to rectify through these reforms.

Under this bill, when deregistering a party, there are now additional steps to do so.

Now, parties will have to disclose all relevant information for the calculation of administrative expenditure funding, public funding, and policy development funding entitlements.

They will then have to repay any overpayments back to the VEC before deregistration takes effect.

In the case of independent members of Parliament, they will be required to submit an annual return in relation to administrative expenditure funding.

That will be due within thirty days of ceasing to be a member with a similar requirement as for deregistering parties to repay any overpayments.

As with all regulatory frameworks, we need to ensure that there are compliance measures to make sure they are followed and respected.

This bill will extend the current offences and penalties for non-compliance with obligations under the electoral act for deregistration, extending them to this whole process.

President, the bill also will exclude GST from claimable expenditure for which funding may be claimed under the Act.

Currently, the VEC is prevented from excluding GST from expenditure that electoral participants may claim under the Electoral Act.

By the VEC's determination in the report, the requirement to calculate claimable expenditure that is inclusive of GST, ends up costing an additional $60,000 per State election.

This is clearly an issue, and to set things right, this bill will amend the definitions of what is considered 'electoral expenditure' and 'political expenditure' in the Electoral Act.

This will specifically exclude expenditure for which an entity is entitled to any credit, rebate, refund, reimbursement or other kind of reduction in tax liability under any law.

This will have the effect of preventing expenditure on GST when claims are lodged for funding.

There are also provisions in this legislation to clarify that nothing in the amended Electoral Act is intended to make the internal documents or disputes of political parties justiciable.

Unlike corporations or other similar legal entities, political parties are voluntary associations.

The creation of a political party, their composition, and their membership, are not intended to create legal relations between people.

For that reason, this clarity is important in establishing current and future amendments and, as a result, future precedents.

This is to prevent the unintended consequence of disturbing the well-established precedent that an unincorporated political party's internal conduct does not give rise to any cause of action in an Australian court, on the principles of it being a voluntary association as I just mentioned.

The clarity inserted by this bill makes clear that there is nothing in this amendment nor the principal act that has the effect of making the constitution, rules, resolutions or other documents of a registered political party enforceable in an Australian court.

This is not anything unprecedented in Australia, but a common sense measure to provide clarity which exists on the Commonwealth level since the 1918 Commonwealth Electoral Act.

President, the bill contains amendments to the nominated entities provisions in the principal act, seeking to address any risk that those provisions may produce unfairness in the electoral system, by way of inadvertently creating a disparity in electoral participants' ability to fund political communication.

Under these amendments, the bill will allow all registered political parties, independent candidates and independent members alike to appoint a nominated entity, on the same eligibility criteria as each other.

The amendment will prohibit funds received from nominated entities from being placed in a State campaign account, as to prevent those funds from being used for political expenditure.

And it will introduce caps on transfers, in order to set a limit for how much funding a nominated entity can transfer to a registered political party or independent, equaling the playing field.

These changes will allow for a state where independents will be eligible to appoint a nominated entity on the same basis as a registered political party, with no favour, benefit, or advantage given to parties as opposed to an independent.

It also means that no entity can be the nominated entity for more than one registered political party or independent.

It also cannot be the nominated entity for both a registered political party and an independent at the same time.

This is being accomplished by making it so that so registered parties and independents cannot appoint a nominated entity if it already appears on the Register of Nominated Entities.

And as I stated before, the funds from these entities cannot be used in political expenditure or transferred into a registered political party's state accounts.

President, this is a common sense measure to reduce the advantage of electoral participants with nominated entities in funding political communication, by prohibiting the use of these funds in political expenditure from state accounts.

It is quite clearly articulated in these amendments that the funds are intended to be used for administrative and operational expenses incurred by a registered party or independent, not political communication.

The transfer caps I've mentioned are another means by which we can minimise or eliminate any advantages over parties or independents without a nominated entity.

This cap will be set at an initial $500,000 for political parties registered with the VEC, and $50,000 for independents, all aggregated over an election period.

This cap is expected to be a fraction of the actual administrative and operational costs incurred by major registered parties in Victoria.

This is to work towards the principle of the independence of political parties to decide how to finance their operations with their access to other sources to fund administrative expenditure.

A good example would be the use of membership fees and levies instead.

Independent members of parliament have lower adminstrative costs and expenses than that of a fully fledged and registered political party, which is reflected in why the caps for independents are lower.

It would be odd, and I think unreasonable, if an independent were to claim that their administrative costs incurred rival that of a major political party in Victoria.

Nonetheless, the Governor in Council, on the Minister's recommendation, may prescribe a different cap in regulations in the future.

That flexibility and revision can allow for adjustments to ensure the caps are proportionate in reference to actual administrative costs in the future, whether they be lower or higher.

As for instances where this cap is exceeded, any transfers that are above the cap must be repaid to the nominated entity within 30 days.

Otherwise, that sum is forfeited and recoverable as a debt to the Government from the registered political party.

There are some further caveats to this cap, notably that it will not apply to transfers made for Commonwealth purposes, nor would it cap transfers made by the registered political parties and independents towards those nominated entities.

The caps are on transfers back to the parties and independents, not the other way around.

Loans are also exempt from these entities to parties and independents on a commercial basis, and are required to be paid back within six months after an election.

The key elements of this amendment bill will apply retrospectively to the date of the second reading, so that no nominated entity that may have transferred to a state campaign account for use in political expenditure.

President, this bill will require that registered political parties remove funds from their State campaign account paid by a nominated entity that were either paid in after 1 September 2023, or remain in the state account at the time of the second reading, or otherwise exceed the cap in place.

And to otherwise ensure that the funds in place are being used to accommodate administrative work, the Bill will amend the definition of political expenditure to expressly exclude office administration or staff.

President, there are some more changes which may be of interest not just to political parties and registered independents, but to the voting public as well.

At the moment, early voting is effectively a two week period prior election day where people may cast their votes early, should they be busy or away on election day.

However, this two week period is an enormous strain on resources.

A lengthier early voting period brings with it more security arrangements for early voting centres, more staff needed to man these booths, and so forth.

This has only gotten more necessary with the sheer number of people choosing to vote early than on the day.

In 2018, 33.6 percent of voters had cast an early vote at the end of that early voting period, and in 2022 that had risen to 43.6 percent, which is nearly half of the voting public deciding to go to an early voting booth.

The importance of delivering a quality, transparent, and most importantly, a secure election, is paramount.

A longer election period for voting may give some more flexibility on when they can vote, but it strains the system.

As such, this Bill proposes trimming down the early voting period to ten days, as to begin on Wednesday the week before election day.

In 2022, by this point only 6.1% of voters had cast a vote, who will now simply do so on another day.

This ensures minimal disruption to early voting processes and activities, while ensuring that the VEC is not put under too much administrative pressure and can safely, securely, and transparently continue to operate.

Furthermore, this Bill will increase protections for personal information of silent electors, that being individuals whose address is absent from the electoral roll if the person considers their primary address' inclusion on the roll may risk themselves or their family's safety.

However, this is only applicable from the moment it is granted, and does not hide that address from prior records.

With this amendment, the VEC may protect the person's address retrospectively on previously published documents or electoral rolls, so that the protections of a silent elector cannot be circumvented by simply accessing an old copy of VEC material somehow.

And finally President, this Bill will ensure that voters are best informed when casting their vote.

An informed democracy is a strong one, and a fair election means that a competitive one on the principles of voters knowingly voting for the party they desire.

As such, the Bill will strengthen restrictions on the political party names and logos that can be registered with the VEC.

In the EMC Report, it was found that it was likely that during the last state election, some votes were not directed as voters' intended, because they were confused by the way parties' names appeared on the ballot paper.

This can be caused by strange naming conventions, party names and logos that were too similar to other major party's for some voters to distinguish, for with names and logos which suggested affiliations that did not exist.

By restricting new names and logos too similar to existing parties and prohibiting names and logos that mislead voters by falsely suggesting association with another established party, we are ensuring voters are not being misled, and vote as they intend to, and aren't being misdirected by malicious actors.

President, this is a chance for this Parliament to continue to modernise our electoral laws, bringing them up to scratch for today's era, and ensuring that our elections remain not just transparent, but fair, secure, and competitive, between not just parties, but with independents as well.

I commend the bill to the chamber.

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (17:44): A quick summing-up: thank you for the contributions to date. The bill will ensure that key parts of the Electoral Act 2002 are fit for purpose given the scale and complexity of modern state elections. The bill also clarifies requirements for the conduct of state elections to ensure that they can continue to be delivered in an efficient, transparent and organised manner. The bill will achieve this through a range of amendments – including inserting detailed requirements of supplementary elections and re-elections, simplifying and modernising authorisation requirements for electoral materials, tightening restrictions on party names and logos that can be registered, providing more flexible powers for the Victorian Electoral Commission (VEC) to respond to emergencies affecting elections and updating legislated timing and requirements for electoral processes – and other minor technical amendments to improve the overall operation of the Electoral Act 2002.

The government has carefully considered the amendments circulated by the opposition and the Greens. Save for one of the opposition's amendments concerning the requirement of a two-candidate preferred count to be done in every seat, we do not support the other amendments to the bill. We think that the bill contains sensible measures to ensure our elections run more smoothly, many of which have been requested by the VEC and informed by consultation. We look forward to the committee stage of the bill, which I believe is predominantly to deal with the amendments.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1 (17:47)

Jaclyn SYMES: Apologies, I failed to table my amendments in my summing-up, so I would like to do that now.

Evan MULHOLLAND: I do not have too many questions, but I might, to make it easier, ask everything during clause 1. This question in particular is on the delegation powers, Minister, if that is helpful. The Electoral Commissioner and the Deputy Electoral Commissioner are appointed by the Governor in Council and under the act are required to not be members of a registered political party or to have been so at any time during a period of five years immediately preceding the date of the proposed appointment. This requirement does not apply to other staff at the Victorian Electoral Commission. Does the new delegation power risk undermining the apolitical nature of the VEC?

Jaclyn SYMES: There are integrity requirements to be met for these appointments.

Evan MULHOLLAND: Just for clarity, are you able to share or enlighten the chamber on the integrity requirements?

Jaclyn SYMES: I will see if I can get some more detail from the box.

Mr Mulholland, section 17 of the Electoral Act 2002 will take you through specifically the matters that you have raised in relation to the consideration of appointments. The amendment bill does not make any changes to that, but just for full clarification, you cannot be a member of political parties.

Evan MULHOLLAND: But presumably the five-year clause I do not believe applies. The minister's second-reading speech in the Assembly described the removal of the printer details from authorisation requirements as a modernising measure. Can you elaborate further on why this was necessary?

Jaclyn SYMES: In modern days a lot of things are sent electronically and are no longer printed, so therefore it is not required to tell people where they have been printed, because they have not been.

Evan MULHOLLAND: As the shadow minister, the member for Brighton, rightly pointed out, the printer requirement effectively acts as a fail-safe so that if the name and the address of the authorising person are false and incomplete the printer details are an additional point of contact for the author of the document. Often we see a lot of misinformation come up at election time, as we have seen in multiple different elections, where the only sort of guarantee of contact is actually the printer where it was printed from. Would you agree with that assessment? In light of this, why is the government removing an additional transparency measure?

Jaclyn SYMES: In omitting this clause we are providing that certain electoral material does not require the name and address of the authoriser and printer of the material to retain the current requirements of the Electoral Act. It is my information that besides Victoria, New South Wales and the Northern Territory are the only other Australian jurisdictions that currently require the name and address of printers to be disclosed on electoral material. South Australia removed the requirement, effective January this year.

Evan MULHOLLAND: Has the government received any briefing or done any risk assessment on how the removal of printer details may impact the enforcement of electoral offences, particularly in relation to misleading and anonymous campaign material?

Jaclyn SYMES: Mr Mulholland, many considerations were considered through the policy development stage, and as we have indicated, this is similar to some other jurisdictions, most recently South Australia. These are matters that are obviously considered, but in terms of formal modelling, which I think you asked for, no.

Evan MULHOLLAND: That is the last of my questions to the government. I had a couple of questions on the Greens amendment, which I will come back to later.

The DEPUTY PRESIDENT: Mr Mulholland, I invite you to move your amendment 1, which tests amendment 3.

Evan MULHOLLAND: I move:

1. Clause 1, lines 9 to 11, omit all words and expressions on these lines.

Jaclyn SYMES: This is basically similar to the conversation that Mr Limbrick and I were having earlier. So your clause 47 is a test. This is the same conversation we were having in relation to advertisements and electoral materials. The reasons that I outlined in Mr Mulholland's questioning of me I would put back as a response for not supporting his amendment.

David LIMBRICK: As I outlined in the second-reading debate, I actually support the changes that are being made in this bill. I do share concerns about misinformation and materials, but I think that if the authoriser on the materials is fraudulent, then the printer is probably – it is either fraudulent or it is not, so I do not really see that having the printer actually provides a fail-safe. Therefore I will not be supporting this amendment.

Sarah MANSFIELD: The Greens will not be supporting this amendment of the Liberals. We, like Mr Limbrick, support the bill's proposed removal of the requirement to include a print house name on political advertising materials. Under the current arrangements, there is actually nothing to stop a candidate that wishes to avoid identification giving a false address and printing details, and the current requirement actually just imposes an unnecessary administrative burden on candidates. It is not a strong safeguard against candidates trying to avoid identification.

Amendment negatived; clause agreed to; clauses 2 to 9 agreed to.

Clause 10 (17:58)

The DEPUTY PRESIDENT: Mr Mulholland, I invite you to move your amendment 2, which omits this clause.

Evan MULHOLLAND: This is on the delegation power. As I mentioned in my contribution in the chamber, we think that it is fair for the Electoral Commissioner to have the final say over very important decisions, sometimes very heavily contested positions, and I do not think the particular safeguards that are there are there for the Electoral Commissioner and Deputy Electoral Commissioner, so we think this amendment is quite important.

Jaclyn SYMES: The government does not support omitting this clause, because this clause allows the Electoral Commissioner to delegate to the Deputy Electoral Commissioner in a number of circumstances. For example, the clause would permit the commissioner to delegate the power to the deputy commissioner to allow or disallow a ballot paper on a recount if a number of ballot papers reserved under the relevant section of the act for the decision of the commission may determine whether a particular candidate is declared elected. It also allows the Electoral Commissioner to delegate to a member of staff or election official manager, except in relation to a recount decision. We consider that allowing the commissioner to delegate is reasonable and not uncommon for statutory office holders. Therefore the government is not in a position to accept even the premise of the amendment. The delegation may be important if the commissioner faces illness or a sudden absence or if there are multiple close counts in the state which require the commissioner to determine whether ballots should be allowed or disallowed. In a practical sense, if there are issues in one part of the state versus another, it would take some time for the commissioner to travel between issues.

Sarah MANSFIELD: We will not be supporting this amendment. We support the bill's proposal to vest the VEC commissioner with the power to delegate their powers by instrument to the Deputy Electoral Commissioner or a VEC staff member, as is appropriate. Delegation arrangements are common across the Victorian public service, and given the commissioner's overarching responsibilities under the act, we do not anticipate the commissioner would delegate their powers in a manner that undermines their overarching duties and responsibilities under the act.

The DEPUTY PRESIDENT: The question is the clause stand part of the bill. If people support Mr Mulholland's proposal to omit it, they should vote no.

Clause agreed to; clauses 11 to 61 agreed to.

New clause 61A (18:01)

Evan MULHOLLAND: I move:

4. Insert the following New Clause to follow clause 61 –

'**61A Indicative two candidate preferred distribution of preferences**

(1) In section 116 of the Principal Act, for "If the" **substitute** "Subject to subsection (2), if the".

(2) At the end of section 116 of the Principal Act **insert** –

"(2) In the case of an Assembly election –

(a) the Commission must direct the election manager to proceed with the scrutiny referred to in subsection (1) for each district; and

(b) the election manager must comply with that direction within 3 months after receiving it.".'.

I do want to thank the government for the collaborative way they have engaged on this issue. Particularly for the psephologists out there, this is a long-fought issue. I know people like Antony Green and Kevin Bonham will be cheering from behind their computers at this particular amendment. But I know many colleagues on both sides that I have spoken to have been particularly animated by this particular issue, because if you are a member in your electorate, you want to understand entirely how people have voted in your electorate and how preferences have been distributed in your electorate. So this is a good outcome for all members of Parliament but for all election watchers as well. I do not think it is good enough for the electoral commission to get the second candidate wrong and then just pick the winner and be done with it and put all the ballot papers away. I do think we saw it a little bit

in the federal election, but there are going to be some very complicated outcomes, and you only have to look at what was the safest Labor seat in the state at the federal election, the seat of Calwell, turning into the seat that was counted last in the state. I think we are going to have about 10 Calwells at this state election, so it is really important to know who is finishing second, who is finishing first and what the full distribution of preferences is to really understand the result and the implications of the result as well. The VEC have an important role to play in that.

David LIMBRICK: The Libertarian Party will be supporting this amendment. I agree with Mr Mulholland; I think that this is a good change. The full disclosure of the data and preferences – I think the psephologists will be very happy with that. But yes, I agree, I think this is a good change and should happen.

Sarah MANSFIELD: The Greens will also be supporting this amendment. We believe this is a good amendment. It will ensure that the VEC always completes a full two-candidate preferred distribution of preferences for lower house candidates and prevent them from stopping the count once first preferences establish a winner with 50 per cent plus one of the vote. It means the public and candidates alike get to know not only who won on first preferences but how all the preferences were distributed across the field. We actually really welcome this change.

Jaclyn SYMES: We are happy with this change. It is reasonable for a two-candidate preferred count to be done in every seat. However, we have given feedback through conversations about what this should look like, that the two-candidate preferred distribution of preferences should be able to occur after the 21 days in which the writs must be returned. This is to avoid holding up an election outcome for other seats. We are very pleased that there have been constructive conversations particularly between the opposition and the government, but as we have heard, other parties are supporting these changes so the distribution can be done within three months.

New clause agreed to; clauses 62 to 91 agreed to.

Clause 92 (18:06)

Jaclyn SYMES: I move:

1. Clause 92, page 53, lines 1 to 12, omit all words and expressions on these lines and insert –

'(d) for the definition of ***political expenditure*** **substitute** –

"***political expenditure*** –

(a) means any expenditure for the dominant purpose of directing how a person should vote at an election, by promoting or opposing –

(i) the election of any candidate at the election; or

(ii) a registered political party; or

(iii) an elected member; but

(b) does not include –

(i) expenditure incurred by an associated entity or third party campaigner or any material that is published, aired or otherwise disseminated outside of the election campaigning period, unless the material refers to –

(A) a candidate or a registered political party; and

(B) how a person should vote at an election; or

(ii) expenditure for which a registered political party, elected member, group or candidate is entitled to any credit, rebate, refund, reimbursement or other kind of reduction in tax liability under any law;".'.

The government has an amendment to clause 92(1)(d) of the bill, which was circulated at the start of the committee stage. It is an amendment that relates to the definition of 'political expenditure'. It is a technical amendment only and is necessary because of house amendments that were made to the bill when it passed the Assembly on 5 March. The definition was intended to operate in conjunction with

a clause which has been removed from the bill following those house amendments, which means that the definition in the bill currently is unworkable and a new definition is necessary. This was only picked up after the bill passed the Assembly, so I appreciate the opportunity to rectify that in the Council. It is a technical amendment that will therefore return the definition of 'political expenditure' as it is in the Electoral Act now plus add that 'political expenditure' does not include any rebate, refund, reimbursement or any other kind of reduction in tax liability under any law, such as GST. This has always been part of the bill to avoid parties double claiming GST credits.

Evan MULHOLLAND: We will be opposing this amendment.

Amendment agreed to; amended clause agreed to; clauses 93 to 103 agreed to.

New clause 103A (18:08)

Sarah MANSFIELD: I move:

1. Insert the following New Clause to follow clause 103 –

'**103A New section 217BA inserted**

After section 217B of the Principal Act **insert** –

"**217BA Political donations from property developers, building and construction industry entities, fossil fuel entities and others banned**

(1) It is unlawful for a prohibited donor to make a political donation or for a registered political party, a candidate at an election, a group, an elected member, a nominated entity, an associated entity or a third party campaigner to accept a political donation from a prohibited donor.

(2) For the purposes of this section, a ***prohibited donor*** is –

(a) a property developer; or

(b) a building and construction industry entity; or

(c) a fossil fuel industry entity; or

(d) a tobacco industry entity; or

(e) a gambling industry entity; or

(f) a supermarket entity; or

(g) an estate agent; or

(h) a banking industry entity.

(3) Each of the following is a ***property developer*** for the purposes of this section –

(a) an individual or a corporation if –

(i) the individual or corporation carries on a business mainly concerned with the residential or commercial development of land, with the ultimate purpose of the sale or lease of the land for profit; and

(ii) in the course of that business –

(A) 1 planning application has been made by or on behalf of the individual or corporation and is pending; or

(B) 3 or more planning applications made by or on behalf of the individual or corporation have been determined within the preceding 7 years;

(b) a person who is a close associate of an individual or a corporation referred to in paragraph (a).

(4) Any activity engaged in by an individual or a corporation for the dominant purpose of providing commercial premises at which the individual or corporation, or a related body corporate of the corporation, will carry on business is to be disregarded for the purpose of determining whether the individual or corporation is a property developer unless that business involves the sale or leasing of a substantial part of the premises.

(5) In this section –

approved venue has the meaning given by section 1.3(1) of the **Gambling Regulation Act 2003**;

fossil fuel entity means –

(a) an individual or a corporation that carries on a business mainly concerned with the mining, extraction or sale of a fossil fuel; or

(b) a person who is a close associate of an individual or a corporation referred to in paragraph (a);

banking industry entity means –

(a) a corporation that carries on a business as an ADI; or

(b) a person who is a close associate of a corporation referred to in paragraph (a);

building and construction industry entity means –

(a) an individual or a corporation that carries on a business in the building and construction industry (other than as a property developer); or

(b) a person who is a close associate of an individual or a corporation referred to in paragraph (a);

close associate –

(a) of a corporation means each of the following –

(i) a director or officer of the corporation or the spouse or domestic partner of such a director or officer;

(ii) a related body corporate of the corporation;

(iii) a person whose voting power in the corporation or a related body corporate of the corporation is greater than 20% or the spouse or domestic partner of such a person;

(iv) if the corporation or a related body corporate of the corporation is a stapled entity in relation to a stapled security – the other stapled entity in relation to that stapled security;

(v) if the corporation is a trustee, manager or responsible entity in relation to a trust – a person who holds more than 20% of the units in the trust (in the case of a unit trust) or is a beneficiary of the trust (in the case of a discretionary trust);

(vi) in relation to a corporation that is a property developer referred to in subsection (3)(a) – a person in a joint venture or partnership with the property developer in connection with a planning application made by or on behalf of the property developer who is likely to obtain a financial gain if development that would be or is authorised by the application is authorised or carried out;

(b) of an individual means each of the following –

(i) the spouse or domestic partner of the individual;

(ii) in relation to an individual who is a property developer referred to in subsection (3)(a) – a person in a joint venture or partnership with the property developer in connection with a planning application made by or on behalf of the property developer who is likely to obtain a financial gain if development that would be or is authorised by the application is authorised or carried out;

club has the meaning given by section 1.3(1) of the **Gambling Regulation Act 2003**;

club gaming machine entitlement has the meaning given by section 1.3(1) of the **Gambling Regulation Act 2003**;

club licence has the meaning given by section 1.3(1) of the **Gambling Regulation Act 2003**;

director has the meaning given by section 9 of the Corporations Act;

domestic partner of a person means –

(a) a person who is in a registered relationship with a person; or

Note

A ***registered relationship*** is defined in subsection (6).

(b) a person to whom the person is not married but with whom the person is living as a couple on a genuine domestic basis (irrespective of gender);

estate agent means –

(a) a licensed estate agent or an agent's representative as defined by section 4(1) of the **Estate Agents Act 1980**; or

(b) a person who holds a licence in another State or a Territory that is equivalent to an estate agent's licence under the **Estate Agents Act 1980**; or

(c) a person who is a close associate of a person referred to in paragraph (a) or (b);

fossil fuel means any of the following substances –

(a) coal;

(b) petroleum;

(c) methane gas;

(d) any other hydrocarbon-based fuel derived from material formed in the geological past from the remains of living organisms;

fossil fuel industry entity means –

(a) an individual or a corporation that carries on a business mainly concerned with the mining, extraction or sale of a fossil fuel; or

(b) a person who is a close associate of an individual or a corporation referred to in paragraph (a);

gambling industry entity means –

(a) a corporation engaged in a business undertaking that is mainly concerned with wagering, betting or other gambling (including the manufacture of gaming machines or other machines used primarily for that purpose); or

(b) a person who is a close associate of a corporation referred to in paragraph (a); or

(c) a club that holds, or on whose behalf another person holds, a club venue operator's licence or racing club licence club in respect of an approved venue to which a club gaming machine entitlement applies; or

(d) a person who, for a club referred to in paragraph (c), is –

(i) the secretary of the club; or

(ii) a member of the governing body of the club; or

(iii) the spouse or domestic partner of the secretary or member of the governing body; or

(iv) a close associate of the club; or

(e) an individual or a corporation that holds a hotel venue operator's licence; or

(f) an individual or a corporation that represents or promotes the interests of a person or persons referred to in paragraph (e), whether or not the individual or corporation also represents or promotes the interests of any other persons; or

(f) a person who is a close associate of an individual or a corporation referred to in paragraph (e) or (f);

hotel venue operator's licence means a hotel venue operator's licence issued under Division 2 of Part 4 of Chapter 3 of the **Gambling Regulation Act 2003**;

officer has the meaning given by section 9 of the Corporations Act;

planning application means an application for a planning permit or a request for the amendment of a planning scheme under the **Planning and Environment Act 1987**;

racing club licence has the meaning given by section 1.3(1) of the **Gambling Regulation Act 2003**;

related body corporate has the meaning given by section 9 of the Corporations Act;

spouse of a person means a person to whom the person is married;

stapled entity means an entity the interests in which are traded along with the interests in another entity as stapled securities and (in the case of a stapled entity that is a trust) includes any trustee, manager or responsible entity in relation to the trust;

supermarket entity means –

(a) an individual or a corporation that carries on a business under which a person sells to consumers bread, breakfast cereal, butter, eggs, flour, fresh fruit and vegetables, fresh milk, meat, rice, sugar and other packaged food or most of those groceries; or

(b) a person who is a close associate of an individual or a corporation referred to in paragraph (a);

tobacco industry entity means –

(a) a corporation engaged in a business undertaking that is mainly concerned with the manufacture or sale of tobacco products; or

(b) a person who is a close associate of a corporation referred to in paragraph (a);

voting power has the meaning given by section 610 of the Corporations Act.

(6) For the purposes of the definition of ***domestic partner*** in subsection (5) –

(a) ***registered relationship*** has the same meaning as it has in the **Relationships Act 2008**; and

(b) in determining whether persons who are not in a registered relationship are domestic partners of each other, all of the circumstances of their relationship are to be taken into account, including any one or more of the matters referred to in section 35(2) of the **Relationships Act 2008** as may be relevant in a particular case.”.’.

Our first amendment here would make it a criminal offence to solicit, receive or spend a donation from any person that has been found to have engaged in corrupt conduct by IBAC or a royal commission or subject to an adverse finding by IBAC.

Jaclyn SYMES: The government will not be supporting the Greens amendment. We consider it unnecessary because of the changes that we made in 2018. At that time we introduced the toughest political donation laws in Australia to ensure Victorians know who makes political donations and when. The Electoral Review Expert Panel reviewed Victoria’s donation laws and, to quote its report tabled in Parliament from November 2023:

> … considered that Victoria’s disclosure requirements and low general cap on political donations make it unnecessary to introduce bans on donations from particular industries.

Thus the low general cap is a crucial factor which makes the Greens amendment unnecessary, and as I said, the government will not be supporting it.

Evan MULHOLLAND: I just had a couple of questions on the amendment, if that is all right. Just on the prohibited donors, you listed gambling, the property industry et cetera – could be supermarkets. Would this capture people that may invest in gambling or property through a personal trust?

Sarah MANSFIELD: This is for industry donations – so for corporate donations, is my understanding – not for individual people. It is for corporate donations.

Evan MULHOLLAND: Would this amendment prevent Woolworths from donating to a political party or perhaps buying a ticket to a dinner to send representatives, given their interests in pokies – from making that contribution to a political party?

Sarah MANSFIELD: In section 5 you will find a list of the definitions of the different entities that we are proposing to ban from making donations. It includes approved venues, which is what would capture the gambling industry donations – clubs, club gaming machine entitlements, club licences and directors, so any entity that is also a gambling industry entity. It provides a definition of that, and in particular if you look at paragraph (a) under the definition of 'gambling industry entity', it says:

> a corporation engaged in a business undertaking that is mainly concerned with wagering, betting or other gambling …

Evan MULHOLLAND: I will give you an example for this one. I note clause (2)(g) of the amendment refers to an estate agent. I know many people have done this on both sides of politics, so I will give you an example. There was a great real estate agent up in Craigieburn who last year at my gala dinner – I had about 420 people there – not only bought a ticket to my gala dinner but also delivered the auction, which meant great excitement for everyone there. Would that estate agent be prevented from buying a ticket to a fundraiser for a political party?

Sarah MANSFIELD: Again I will point you to the definitions that are provided. An estate agent means a licensed estate agent or agents representative as defined in the Estate Agents Act, and there is a series of other definitions that apply to that. That person under our proposals would be banned from making political donations in any form.

David LIMBRICK: I have got a question as well for Dr Mansfield. Why was this particular subset of industries selected? Why not other industries as well?

Sarah MANSFIELD: We believe that these industries have undue influence over political decision-making, and many of them are associated with a lot of adverse outcomes for the community and our environment.

David LIMBRICK: I fail to see how supermarkets are the bad guys, but if we are to look at political influence by industries on the Victorian Parliament, surely the largest industry that has influence over our Parliament and our politics would be the renewables industry. Why weren't they included?

Sarah MANSFIELD: As I have outlined, we believe that these industries have undue influence over political decisions. I am not aware of what contribution the renewables industry makes, but I would also argue that, from our perspective, we are very supportive of the work that the renewables industry does. That said, this is about corporate donations having an undue influence over the decisions that are made. We have identified industries we believe are having that effect. No-one else has put forward any other industries they want to add to the list. This is the list of industries we believe are having undue influence through donations.

Evan MULHOLLAND: I am just wondering, similar to Mr Limbrick's question on other industries, about online booking agencies or travel businesses – like Wotif, for example. I think you could say that it kind of fits nicely within a whole bunch of industries there, given it donated $1 million to the Greens. Why weren't those booking agencies included as well?

Sarah MANSFIELD: I feel like I have answered the question about why we have chosen these industries. I do not feel like there is anything additional to be added to about that. We have provided definitions of each of these industries and explained why we believe these industries should be included in this list. As I said, no-one else has offered other industries they believe should be added to a list. We have also, I think, in my second-reading contribution, outlined that we believe there should be spending caps as well on elections to really level the playing field. That would probably get around some of these issues around corporate donations. But we stand by the list that we have put here.

Council divided on new clause:

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

Noes (30): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Tom McIntosh, Evan Mulholland, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

New clause negatived.

New clause 103B (18:23)

Sarah MANSFIELD: I move:

1. Insert the following New Clause before clause 104 –

'**103B New section 217BB inserted**

Before section 217C of the Principal Act **insert** –

"**217BB Political donations from persons subject to adverse findings banned for 10 years**

(1) At any time during the relevant period, it is unlawful for a person who is subject to an adverse finding to make a political donation or for a registered political party, a candidate at an election, a group, an elected member, a nominated entity, an associated entity or a third party campaigner to accept a political donation from a person who is subject to an adverse finding.

(2) Subsection (1) does not apply if the adverse finding has been overturned by a court.

(3) In this section –

adverse finding, in relation to a person, means –

(a) a finding by the IBAC or a Royal Commission that the person has committed or engaged in corrupt conduct; or

(b) any other adverse finding about the person, or comment or opinion which is adverse to the person, in an annual report or special report;

annual report means an annual report of the IBAC under Part 7 of the **Financial Management Act 1994**;

corrupt conduct has the meaning given by section 4 of the **Independent Broad-based Anti-corruption Commission Act 2011**;

relevant period, in relation to a person who is subject to an adverse finding, means the period of 10 years beginning on the day on which the finding is first made public;

Royal Commission has the meaning given by section 3 of the **Inquiries Act 2014**;

special report means a report of the IBAC under section 162 of the **Independent Broad-based Anti-corruption Commission Act 2011**.".'.

This is the amendment that would make it a criminal offence to solicit, receive or spend a donation from any person that has been found to have engaged in corrupt conduct by IBAC or a royal commission or subject to an adverse finding by IBAC.

David LIMBRICK: My question is for Dr Mansfield. How would a political party know if there was a finding against someone? If a political party has a website or something and they accept donations, most of the ones I have seen have a tick box that says 'Please ensure that you are eligible' or something and 'Please ensure that you are not a foreigner.' With this amendment it appears to me that if a person happened to have had an adverse finding against them and the political party received one, the political party would be in big trouble, even though they had no idea and could not have found out easily, I would think.

Sarah MANSFIELD: I understand that this will potentially increase the administrative burden on candidates and parties to do some due diligence on donors. There is basic information that needs to be provided by donors. There already are provisions within the act regarding unlawful donations that can be made, so this will be exactly the same sort of regimen that applies to those unlawful donations under division 3A or 3B. It is the same as people exceeding the donations cap and other things, so you just have to apply a similar process extended to this. In terms of being able to find out this information, this is about published findings against adverse findings or findings of corrupt conduct, so that is information that should be in the public domain. I would imagine if there was ever any uncertainty about a candidate's or political party's ability to have reasonably known that at the time of the donation, that is something that a court would be able to determine.

Jeff BOURMAN: For Dr Mansfield: you say people have to do their due diligence on what would be in the public domain. At what level are you expecting people to dig? Are you expecting someone to go to the point of going through Magistrates' Court lists? Are they under investigation? At what point is it enough by the expectations of the amendment you are doing – or not enough?

Sarah MANSFIELD: I think the requirement is that you undertake reasonable steps to try and uncover whether there has been anyone who has had any of these findings made against them make a donation. As I said, there are already rules around donations that exist, and this would be an extension of those rules.

Evan MULHOLLAND: The Liberals and Nationals will not be supporting this amendment.

Jaclyn SYMES: The government is not supportive of these amendments, because we consider them unnecessary due to the significant changes made in 2018.

Council divided on new clause:

Ayes (4): Katherine Copsey, Anasina Gray-Barberio, Sarah Mansfield, Aiv Puglielli

Noes (33): Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Tom McIntosh, Evan Mulholland, Rachel Payne, Georgie Purcell, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt, Richard Welch

New clause negatived.

Clauses 104 to 108 agreed to.

Reported to house with amendments.

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (18:31):

> That the report be now adopted.

Motion agreed to.

Report adopted.

Third reading

Jaclyn SYMES (Northern Victoria – Treasurer, Minister for Industrial Relations, Minister for Regional Development) (18:32):

> That the bill be now read a third time.

Motion agreed to.

Read third time.

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

Business interrupted pursuant to standing orders.

Harriet SHING: I move:

That the meal break scheduled for today, pursuant to standing order 4.01(3), be suspended.

Motion agreed to.

Regulatory Legislation Amendment (Reform) Bill 2026

Introduction and first reading

The PRESIDENT (18:33): 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 **Circular Economy (Waste Reduction and Recycling) Act 2021**, the **Competition Policy Reform (Victoria) Act 1995**, the **Conservation, Forests and Lands Act 1987**, the **Environment Protection Act 2017**, the **Gas Industry Act 2001**, the **Grain Handling and Storage Act 1995**, the **Local Government Act 2020**, the **Spent Convictions Act 2021**, the **Victorian Conservation Trust Act 1972**, the **Workplace Injury Rehabilitation and Compensation Act 2013** and the **Accident Compensation Act 1985** in relation to minor, technical and operational matters, to make statute law revision amendments to the **Labour Hire Legislation Amendment (Licensing) Act 2025** and minor amendments to the **Restricting Non-disclosure Agreements (Sexual Harassment at Work) Act 2025** and for other purposes.'

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (18:34): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Harriet SHING: I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of compatibility

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (18:35): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

Opening paragraphs

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the Regulatory Legislation Amendment (Reform) Bill 2026.

In my opinion, the Regulatory Legislation Amendment (Reform) Bill 2026, 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 proposals contained in the Bill which interact with the Charter are summarised below.

The Bill amends –

1. the *Local Government Act 2020* to:
   a. reintroduce the two-year restriction against former councillors becoming council Chief Executive Officer (CEO) after leaving office, and

b. expand the sanctions that Councillor Conduct Panels can apply upon a finding of misconduct against a councillor so that they align with the sanctions that can be imposed by an arbiter for a finding of misconduct, and

c. align the ground of serious misconduct relating to the disclosure of confidential information with the offence provision in the Act

2. the *Circular Economy (Waste Reduction and Recycling) Act 2021* to:

a. enable the Environment Protection Authority to 'stop the clock' when it is not reasonably practicable to determine an exemption application from any provision of regulations or a service standard within a 28 day period (e.g. due to the need to request further information) rather than being required to restart the process or make a decision without adequate information

3. the *Environment Protection Act 2017* to:

a. ensure the registered owner can nominate another person for littering from a vehicle, so the registered owner of a vehicle is not unduly held accountable for an offence which they did not commit, and

b. provide for more specific requirements for a written statement, when nominating another person responsible for a littering offence, instead of demonstrating 'reasonable belief', and

c. enable the Environment Protection Authority, a litter authority or a litter enforcement officer to vary or revoke a notice to remove or dispose of waste that was issued to the occupier in circumstances when the depositor could not be located as new information regarding the littering or illegal dumping of waste becomes apparent

4. the *Spent Convictions Act 2021* to:

a. clarify that the conviction period (noting the proposed amendment above to replace this term with waiting period) will recommence only where a subsequent conviction occurs within the conviction period for the original conviction, and

b. improve consistency in the treatment of convictions by enabling convictions with a 'convicted and discharged' outcome in the Children's Court to be spent immediately, and

c. simplify the process for applying for a spent conviction order by removing the requirement for personal service on the Attorney-General and Chief Commissioner of Police

5. the *Conservation, Forests and Lands Act 1987* to remove the requirements for:

a. landholders to display a prominent, on-location physical notice of a land management co-operative agreement, and

b. the Secretary to keep hardcopies of an agreement available and replace with requirement to publish digital copies of the agreement and provide hardcopies upon request.

6. the *Victorian Conservation Trust Act 1972* to replace the terms 'Chairman' and 'Deputy Chairman' with modern terms, and gendered pronouns with updated, precise language where the Office of the Chief Parliamentary Counsel considers appropriate.

Human Rights Issues

Human rights protected by the Charter that are relevant to the Bill

These proposed amendments will engage one or more of the following human rights under the Charter:

- right to recognition and equality before the law (section 8);
- right to freedom from forced work (section 11);
- right to privacy and reputation (section 13);
- right to freedom of expression (section 15);
- right to take part in public life (section 18);
- property rights (section 20);
- rights of children in the criminal process (section 23);
- right to a fair hearing (section 24); and
- right not to be tried or punished more than once (section 26).

For the following reasons, I am satisfied that the Bill is compatible with the Charter and, to the extent that any rights are limited, those limitations are reasonable and demonstrably justified in a free and democratic society having regard to the factors in section 7(2) of the Charter.

Right to recognition and equality before the law

Section 8 of the Charter provides that every person has the right to recognition as a person before the law, to enjoy their human rights without discrimination and that every person is equal before the law.

The proposed amendment in Part 8 would align the sanctions which may be imposed upon a finding of misconduct by a councillor under both the internal arbitration process, overseen by an arbiter, and a Councillor Conduct Panel (CCP) hearing, provided for under the *Local Government Act 2020*. This will ensure that persons subject to a misconduct hearing receive equal treatment and consistency in the sanctions which may be applied. At present, it is possible for two councillors who are both found to have committed misconduct under the same circumstances and facts to receive different, and potentially differently severe, sanctions based on the different types of sanctions made available by the Act to either an arbiter or a CCP. This scenario is counter to the right to equal treatment before the law, and there is no procedural justification for this to be the case. The proposed amendment, by making available sanctions consistent, would promote the right to equality before the law.

Part 10 of the Bill proposes to replace the terms 'Chairman' and 'Deputy Chairman' in the Victorian Conservation Trust Act 1972 with updated language to reflect current language practices. The right to recognition and equality before the law prohibits discrimination on the basis of the attributes set out in section 6 of the Equal Opportunity Act 2010, which include gender identity and sex. The proposed amendment would promote these rights by replacing the current terms with gender neutral language to signify these appointments to the Trust, giving recognition to different gender identities and sex, rather than the implied presumption that only one gender will occupy this role.

Accordingly, this Bill is consistent with the right to recognition and equality before the law.

Right to freedom from forced work

Section 11 provides that a person must not be made to perform forced or compulsory labour.

The proposed amendment under Part 8 to align the available sanctions under the *Local Government Act 2020* which may be imposed upon a finding of misconduct made by either an arbiter or a Councillor Conduct Panel (CCP) will result in certain additional sanctions being available through the CCP process.

These sanctions include directing the Councillor to attend a specified training or counselling, which may be construed as limiting a person's right to freedom from forced or compulsory labour, although these are quite distinct from the nature of forced labour which this right is principally directed at. As provided under subsection 11(3)(a) and (c) of the Charter, this right does not apply to work or service that is part of normal civil obligations and does not include work or service normally required of a person who, under a lawful court order, has been ordered to perform work in the community. As councillors are members of local government, they are subject to civil obligations in this role, and sanctioned attendance in training or counselling falls within those obligations, or to address the failure to meet those civil obligations. Applying these sanctions upon a finding of misconduct is also analogous to court orders requiring a convicted individual to perform community service work. A CCP is already empowered under subsection 167(6) to direct a Councillor to attend training or counselling if they find that remedial action is required.

The proposed amendment does not interfere with this right as it concerns attendance of training or counselling as part of a councillor's civil obligations, to which this right does not apply and as such, is compatible with the right to freedom from forced work.

Accordingly, the Bill is consistent with the right to freedom from forced work.

Right to privacy and reputation

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

Part 9 of the Bill includes a proposed amendment to the *Spent Convictions Act 2021* to clarify that a relevant subsequent conviction must occur within the conviction period for the original conviction in order to trigger a recommencement of the conviction period. A conviction period determines how long a person needs to wait and remain crime-free (with the exception of some minor offences) before a conviction is eligible to be spent. In that time, a conviction remains disclosable on a person's police check; the person is required to disclose their conviction in certain circumstances, and agencies, such as employers, can request information about the conviction. The proposed amendment ensures that a person's conviction can be spent at the conclusion of the prescribed conviction period, rather than be restarted by a subsequent conviction that occurs outside of the conviction period. This supports a person's right to privacy and reputation, as enabling a conviction to be

spent ensures that a convicted person's privacy and reputation is not unfairly affected by a historical conviction beyond the intended length of the conviction period.

Part 9 also includes a proposed amendment to the *Spent Convictions Act 2021* to clarify that convictions recorded as 'convicted and discharged' in the Children's Court are eligible to be spent immediately. A 'convicted and discharged' sentence is low on the sentencing hierarchy, below a fine, and arises when the court chooses to record a conviction but not impose any other penalty.

The proposed amendment ensures that a young person who receives a convicted and discharged sentence is not subject to a conviction period. This supports the right to privacy and reputation, as it ensures that a person's privacy and reputation is not unfairly affected by their conviction, considering proportional treatment relative to the sentencing hierarchy.

Accordingly, the Bill is consistent with the right to privacy and reputation.

Right to freedom of expression

Section 15 of the Charter provides that persons have a right to freedom of expression, which includes the freedom to seek, receive and impart information.

Part 4 of the Bill proposes an amendment to the *Conservation, Forests and Lands Act 1987* which will remove the requirement upon the Secretary to display a public notice of the making of a land management co-operative agreement on the land to which the agreement applies. This may be construed as limiting public access to information with regard to the making of these agreements on land within a person's community. However, notice and information on the content of the agreement remain available on the Government Gazette, the Victorian Public Notices Website, and through the Register of Titles. The requirement to place a physical notice on the land subject to an agreement has also been a source of stress, safety and wellbeing issues for landowners of the land in question in instances where there is opposition in the community to using the land for conservation, preservation and other related purposes. These agreements also have minimal, if any, detrimental effects on adjoining parcels of land.

Part 4 of the Bill also includes a proposed amendment to the *Conservation, Forests and Lands Act 1987* to replace requirement on Secretary to keep hardcopies of land management co-operative agreements with a requirement to give access through digital copies of the agreement on the Department website and provide hardcopies if requested by a member of the public. This will improve the accessibility of the agreement, as a person would previously have to go to one of the specified offices to retrieve a hardcopy, and this amendment therefore reduces the burden to attain the information. As such, this supports the right to freedom to seek and receive information.

The proposed amendment to the *Local Government Act 2020* under Part 8 of the Bill will align the definition of serious misconduct with the equivalent offence provision for disclosing confidential information. This does concern the restriction of a person's freedom of expression, however this does not substantively increase or decrease the strictness of the pre-existing prohibition on disclosing confidential information.

The right to freedom of expression, under subsection 15(3) of the Charter, may be subject to lawful restrictions reasonably necessary to respect the rights and reputation of others or for the protection of public order, health or morality, as well as the lawful limitations in accordance with section 7(2) of the Charter. Restricting the disclosure of information which is legitimately characterised as confidential is a reasonable limitation to impose on the right to freedom of expression.

As such, the potential limitations to the right to freedom of expression are reasonable, justified and proportionate given the circumstances.

Accordingly, the Bill is consistent with the right to freedom of expression.

Right to take part in public life

Section 18 of the Charter provides that every person has the right and is to have the opportunity to participate, without discrimination, in the conduct of public affairs, either directly or through freely chosen representatives. Every eligible person has the right and is to have the opportunity to participate, without discrimination, to vote and be elected in State and municipal elections and have access to the Victorian public service and public office.

A number of proposed amendments to the *Local Government Act 2020* under Part 8 of the Bill engage the right to take part in public life.

One proposed amendment will expand the types of sanctions a Councillor Conduct Panel (CCP) may impose upon a finding of misconduct to align with the sanctions available to an arbiter to impose for misconduct. The sanctions in question include:

- suspension of the Councillor for up to 3 months

- directing Councillor to not attend or participate in specified council meeting
- direction that the Councillor is ineligible to hold the office of Mayor or Deputy Mayor for a period up to 12 months.

These sanctions constrain a Councillor from certain instances of participation in public affairs and denies them the opportunity to be elected in municipal elections for a time. However, I consider these limitations to be reasonably justified, with respect to section 7(2) of the Charter, as the purpose of these limitations is to ensure Councillors act lawfully and the sanctions are targeted and not excessive, being subject to relatively short time limits in line with the weight of a finding of misconduct. The CCP is also already equipped for hearings of greater significance than an arbiter, being empowered to make determinations on alleged serious misconduct, which attracts more severe sanctions.

Another proposed amendment will reintroduce the two-year restriction against former councillors being appointed as CEO of a council after leaving office. This does limit a person's opportunity to participate directly in the conduct of public affairs and access the Victorian public service and public office. However, this is a necessary and reasonable limitation to ensure that the separation of functions between the council and administration is maintained, to ensure integrity and good governance in councils. In addition, former councillors were previously prevented from being appointed under section 102 of the *Local Government Act 1989*, but this provision was not carried over to the current act due to an oversight. For the same reasons of integrity and separation, the current Local Government Act already contains provisions barring a CEO from appointing a former councillor as a member of council staff within two years of the person ceasing to hold office and a holding that a person is not eligible to be a councillor if they are a member of council staff.

Amendments which improve the accessibility of government services enhance a person's right to access public services. The proposed amendment to the Conservation, Forests and Lands Act 1987 in Part 4 of the Bill to require the Secretary to provide digital copies of land management cooperative agreements upon request instead of making hardcopy versions available in the prescribed locations will make this service more accessible to the public.

The proposed amendment to the Circular Economy (Waste Reduction and Recycling) Act 2021 in Part 2 of the Bill will enable the Environment Protection Authority to 'stop the clock' when it is not reasonably practicable to determine an exemption application within the 28-day period. For example, this will enable to Environment Protection Authority to pause consideration of an application in order to request more information from the applicant. This will ensure a more efficient process for applicants with reduced delays and costs, as at present an incomplete application must be rejected and the process restarted each instance that more information is required. Process improvements will make exemptions more accessible to applicants.

Under Part 9 of the Bill, the proposed amendment to the *Spent Convictions Act 2021* will remove the requirement for personal service of spent convictions applications and instead enable court registries to provide filed applications to the Attorney-General and Chief Commissioner of Police. Numerous applications to date have been improperly served due to the complexity of the current multi-step application process. This amendment will simplify the process and thereby improve the accessibility of the spent convictions scheme.

Other proposed amendments to the *Spent Convictions Act 2021* will support the right to participate in state and local politics and public administration and generally take part in public life. The proposal to ensure that a 'convicted and discharged' outcome in the Children's Court is eligible to be spent immediately means that a young person will not have this type of conviction displayed on their police check, unless an exemption applies. The proposal to clarify that the conviction period will not restart unless the subsequent conviction occurs within the original conviction period ensures that a person does not unfairly retain a historical conviction on their record. Criminal convictions are frequently a barrier to accessing various aspects of public life, such as housing, employment and training opportunities, not only on the basis of official eligibility requirements but also due to unfair discrimination. As such these proposed amendments can improve a person's ability or opportunity to take part in public life.

Accordingly, the Bill is consistent with the right to take part in public life.

Property rights

Section 20 of the Charter provides that a person cannot be deprived of their property. This applies both with respect to ownership and usage.

In Part 4 of the Bill, one proposed amendment to the Conservation, Forests and Lands Act 1987 will remove requirement on the Secretary of DEECA to display a notice of a land co-operative agreement on the land which is subject to the agreement. Consequential to this, a provision empowering the Secretary, with any assistance required, to enter the land to which the agreement applies for the purpose of arranging display of a notice will also be revoked. This promotes property rights of Victorians by removing an instance where the government is empowered to access private property where it is no longer necessary.

Accordingly, the Bill is consistent with property rights.

Rights of children in the criminal process

Section 23 of the Charter provides that a child who has been convicted of an offence must be treated in a way that is appropriate for that child's age.

The proposed amendment to the Spent Convictions Act 2021, in Part 9 of the Bill, will ensure that a 'convicted and discharged' outcome in the Children's Court will be eligible to be spent immediately rather than being disclosed as part of a person's criminal history. This will support the rights of children by removing barriers to accessing employment, training and housing opportunities.

Accordingly, the Bill is consistent with the rights of children in the criminal process.

Right to a fair hearing

Section 24 of the Charter provides that a person has the right, whether in criminal or civil matters, to a fair and public hearing decided by a competent, independent and impartial court or tribunal.

Certain proposed amendments in the Bill, while not applying directly to the hearings in a court or tribunal, do support fairness of civil penalties and fairness of outcomes in an alternative dispute resolution setting.

The proposed amendment to the *Local Government Act 2020* in Part 8 of the Bill will align the sanctions available to a Councillor Conduct Panel (CCP) with the sanction available to arbiters upon a finding of misconduct. Currently, a person may be subject to different sanctions, and possibly different severity, for a finding of misconduct under the same circumstances. By ensuring the consistency of the sanctions which a person may be subject to, this amendment strengthens the fairness of the hearings.

Proposed amendments to the *Environment Protection Act 2017* under Part 5 of the Bill regarding littering offences will provide further provisions ensuring penalties are directed at the person who actually committed an offence. One amendment will ensure that an owner of a vehicle will not unduly be held accountable for the unlawful deposit of waste including when the responsible person can be nominated and held liable. Another amendment will expand and clarify the prescribed requirements for a written statement which identifies another person as responsible for a vehicle littering offence, where the person providing the statement, for instance the owner or driver of the vehicle, would otherwise be held responsible. This will ensure that requirements of a written statement are better aligned with what the person has knowledge of, to provide a stronger basis for the nomination of the person responsible. A third amendment will provide for the variation or revocation of a waste abatement notice requiring the occupier of the property to remove or dispose of waste. This means that if new information becomes available, for instance the identity of the person who deposited the waste, the regulatory obligations can be removed or reassigned to the responsible person, and the occupier is not unfairly burdened. These proposed amendments support the fairness of the process of assigning regulatory penalties and obligations.

Accordingly, the Bill is consistent with the right to a fair hearing.

Right not to be tried or punished more than once

Section 26 of the Charter provides that a person must not be tried or punished more than once for the same offence for which they have already been convicted or acquitted.

The proposed amendment to the *Spent Convictions Act 2021* under Part 9 of the Bill clarifies that a conviction period will recommence only where a subsequent conviction occurs before the conviction period for the original conviction concludes. This proposed amendment will ensure that a convicted person is not inappropriately subjected to an extended conviction period for an offence. This is in keeping with the right not to be punished more than once.

Accordingly, the Bill is consistent with the right to a fair hearing.

JACLYN SYMES MP
Treasurer
Minister for Industrial Relations
Minister for Regional Development

Second reading

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (18:35): I move:

That the bill be now read a second time.

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

The Regulatory Legislation Amendment (Reform) Bill 2026 (the Bill) before the House today demonstrates the Victorian Government's commitment to improving the lives of Victorians by undertaking the vital work of ongoing regulatory reform. Regulatory reform contributes to increased economic productivity, makes it easier to do business in Victoria, and protects consumers, community health and safety, and the environment.

Reform bills such as this one ensure that Victoria has a modern, adaptive and fit-for-purpose regulatory system. It contains over 40 proposals across 13 different Acts and seven ministerial portfolios that will benefit Victorians in the following ways.

First, the Bill will support effective and efficient regulation.

In 2023, the Commonwealth government announced that payment infrastructure will be modernised through the phaseout of cheques by the end of 2028. The proposed amendment to Victoria's *Workplace Injury Rehabilitation and Compensation Act 2013* and the *Accident Compensation Act 1985* will be the first change to legislation to bring Victoria into line with the Commonwealth's decision. The proposed amendment replaces a reference to cheques with a technology-neutral term and will make it easier for Victorians by enabling the use of more efficient and cost-effective payment methods such as ATM, eftpos, credit and debit card transactions, online payments and internet and mobile banking.

This Bill also amends the *Circular Economy (Waste Reduction and Recycling) Act 2021* to give the Environment Protection Authority the express power to incorporate documents into certain legislative instruments and exemptions issued under the Act.

These instruments include service standards, guidelines and the Circular Economy Risk, Consequences, and Contingency Plan (CERCC). This amendment will provide greater flexibility in the instruments that the Environment Protection Authority prepares, as it allows the Environment Protection Authority to utilise relevant materials published by other bodies, for instance Australian Standards. This type of material supports more effective regulation by providing regulated entities in Victoria with further guidance and resources to clarify their obligations when complying with these instruments. This will make it easier for businesses to comply, strengthening environmental practices and protections.

The Bill amends the *Environment Protection Act 2017* so that where a person receives an infringement notice for depositing waste from a vehicle but someone else was responsible, liability is more easily attributed to the offender.

The second objective of this Bill is to streamline processes and reduce administrative burden for government, businesses and individuals by making simple and uncontroversial changes to legislation.

This Bill seeks to make the process for Victorians applying for a spent conviction order more accessible, particularly for unrepresented applicants. The existing process is unnecessarily complicated. Applicants must first apply to the Magistrates' Court to obtain a 'sealed' copy of their application and then separately email it to the Attorney-General and the Chief Commissioner of Police. Because of this, applications are commonly lodged incorrectly and court registries have had to develop work arounds to provide sealed copies of applications to the Attorney-General and Chief Commissioner. The amendment proposed in this Bill will remove the requirement for applicants to obtain a sealed copy and send it to the Attorney-General and the Chief Commissioner, and instead formalise the existing arrangement between the court, Attorney-General and Chief Commissioner for conveying spent convictions applications. The change brings the process into line with the findings from the review of the *Spent Convictions Act 2021* completed in 2023 which recommended simplifying this process. Improving the accessibility of this scheme will ensure Victorians can successfully lodge their applications and could encourage more individuals with certain historical convictions to apply to have their convictions spent, thereby improving their access to employment, training and housing opportunities.

This Bill also enables the Environment Protection Authority to 'stop the clock' when it is not reasonably practicable to determine an exemption application within a 28 day period. For example if the Environment Protection Authority requests further information for a fee waiver application, they do not need to restart the process if the 28-day period is insufficient. By not being able to halt or extend the deadline, the Environment Protection Authority must refuse the application, restart or decide on the application based on the information they have. Enabling the Environment Protection Authority to 'stop the clock' will save applicants time by not having to prepare another application, reducing wait times for applicants while also leading to time savings for government.

The Bill amends the Circular Economy (Waste Reduction and Recycling) Act 2021 to streamline the consultation and drafting process for the preparation and amendment of a Victorian Recycling Infrastructure Plan. The current consultation process is rigid and inflexible, requiring discrete stages of revisions and prescribing who should be consulted and how at each stage. This includes persons and bodies that no longer

exist under Machinery of Government changes. The amendments will remove redundancies in the prescribed list of stakeholders that must be consulted. It will also streamline the process so that the Environment Protection Authority can carry out consultation in accordance with government best practice and allow greater flexibility to respond to practical issues arising in the drafting process.

Amendments to the *Conservation, Forests and Lands Act 1987* also look to reduce administrative burden by removing the requirement for landowners to display a notice of agreement on the land that is subject to that agreement. This requirement causes landowners stress, safety and wellbeing issues, particularly where there is opposition in the broader community to using the land for conservation, preservation and other related purposes. There is no benefit that is evident from this requirement, as the notice must already be published in the Government Gazette and in a newspaper circulated throughout Victoria. This amendment will remove an unnecessary administrative burden as well as remove a source of concern for landowners.

Amendments to the *Conservation, Forests and Lands Act 1987* will replace the requirement to provide access to hardcopies of an agreement with access to digital copies. Land management co-operative agreements need to be available for inspection by the public, and this amendment ensures that the public can request a digital copy of an agreement from the Secretary rather than needing to go to designated offices to access a hardcopy, making the agreements more accessible to the public.

Third, this Bill aims to promote consistency and provide clarity with other legislation and existing government policies.

The Bill clarifies that the Victorian Civil and Administrative Tribunal (VCAT) is to hear disputes regarding an election result in its original jurisdiction, preventing disputes about this and ensuring that the integrity of local government in Victoria is maintained. Making this explicit in the legislation will reduce delays to the substantiative consideration of the matter and reduce uncertainty experienced by communities about their Council representatives.

The Bill seeks to ensure consistency in the enforcement of restrictions on the conduct of Councillors. The *Local Government Act 2020* enables a Councillor Conduct Panel (CCP) to hear an application that alleges serious misconduct by a Councillor. The definition of serious misconduct includes disclosure of confidential information by a Councillor. However, there is also an offence provision under the same Act for disclosure of confidential information by Councillors.

These two enforcement mechanisms frame the prohibition of disclosure of confidential information differently, leading to uncertainty and delays when allegations are made and it is heard by the CCPs. Aligning the definition of serious misconduct with the offence provision will remove any legislative uncertainty for CCP proceedings and, consistent with the original intention of these provisions, ensure Councillors are held to the same standards regardless of which enforcement mechanism they are subject to.

The term 'conviction' in the *Spent Convictions Act 2021* differs between sections of the Act. The term is used interchangeably to mean both a sentencing outcome and a finding of guilt by the courts regardless of whether a conviction was recorded. This amendment will provide clarity and consistency in the usage of the term 'conviction' throughout the Act. This will make it easier for Victorians to understand how provisions pertain to their circumstances when applying to have their convictions spent.

It also seeks to provide clarity for the term 'conviction period' in the Act by replacing this term with 'waiting period, as a more precise and self-explanatory phrase to improve understanding and accessibility of the scheme. The term 'conviction period' is used to mean the length of time a person needs to wait before a conviction becomes eligible to be spent, either automatically or through court application. Replacing this with 'waiting period' better reflects the intended meaning and will make it easier for Victorians to understand the scheme and whether they are eligible.

This Bill seeks to replace in the *Competition Policy Reform (Victoria) Act 1995* the outdated references to 1995 National Competition Policy (NCP) agreement that was superseded when the Intergovernmental Agreement (IGA) on National Competition Policy was approved in 2024. Due to the implementation of the 2024 IGA, members of the NCP steering committee were advised that next steps would need to be taken to address any outdated references in legislation to the 1995 agreements. This amendment will ensure that references to the outdated agreement occur in the appropriate transition period (31 December 2026) so that there is not an inconsistency in the future.

This Bill also amends the *Grain Handling and Storage Act 1995* to account for the revitalised 2024 National Competition Policy (NCP). It currently refers to the National Competition Principles contained in the now superseded 1995 Competition Principles Agreement. And like the Competition Policy Reform (Victoria) Act 1995 amendment, this Bill seeks to amend sections in the Act to refer to the current 2024 IGA and updated National Competition Principles.

Lastly, this Bill seeks to make several minor updates and corrections to existing legislation.

The Bill seeks to correct a reference to incorrect subsections of the *Local Government Act 2020* under the definition of electoral material. At present, the definition of electoral material refers to a subsection which describes the meaning of the term 'election' instead of the 'electoral material'. This amendment will ensure the correct subsections are referenced.

The Bill will remove a provision in the LGA that references VCAT imposing a financial penalty following a review of the declaration of an election result. VCAT does not have the power to find an individual guilty of an offence under a review and therefore it is not possible for a financial penalty to be applied. This removes any confusion.

This Bill seeks to replace an incorrect reference in the *Gas Industry Act 2001* to a section of the Act to ensure that licensees are directed to the appropriate subsection. This will ensure easier navigation of the legislation.

This Bill aims to modernise outdated terms used in legislation, providing better clarity. In the *Victorian Conservation Trust Act 1972*, the terms Chairman and Deputy Chairman are used through various provisions to reference a chair. This amendment will replace these with terms consistent with other Victorian legislation and modern language usage.

This Bill aims to correct the omission of provisions from the previous *Local Government Act 1989* in the current *Local Government Act 2020* due to an oversight. This amendment seeks to reintroduce the restriction against former councillors from being appointed as CEO of the council within two years of leaving office. Whilst a current councillor cannot be a member of council staff (including the CEO) and a person who was a councillor in the previous 2 years cannot be employed by the CEO as a member of council staff, a person who was a councillor in the previous 2 years is not currently prevented from being appointed by the council to be the CEO. This amendment will reintroduce an important governance integrity measure to ensure the separation of the roles of councillors and the CEO.

The amendment to provide consistent enforcement for Councillor misconduct in the *Local Government Act 2020* will align the available sanctions which may be imposed for a finding of misconduct made either by an arbiter or a CCP. This Bill seeks to update the legislation so that arbiters and a CCP can impose the same sanctions and Councillors are subject to consistent treatment. Recent amendments to this Act expanded the available sanctions an arbiter may impose for misconduct by a Councillor, however the list of sanctions which may be imposed by a Councillor Conduct Panel (CCP) for the same finding were not updated accordingly, meaning that the sanctions which could be imposed on a Councillor for the same finding of misconduct vary depending on the type of hearing.

The Bill amends the Environment Protection Act 2017 to correct the criteria the Environment Protection Authority must consider when determining whether to amend or refuse an application to amend a permit.

This Bill also makes amendments to the *Circular Economy (Waste Reduction and Recycling) Act 2021* consequential to the Entities Legislation Amendment (Consolidation and Other Matters) Bill 2025. This includes minor administrative changes to allow the Environment Protection Authority, which will absorb the functions of Recycling Victoria, to disclose information or data to carry out their functions or exercise powers in collaboration with the Department of Energy, Environment and Climate Action.

This was not previously included in the Circular Economy Act, because the Head, Recycling Victoria was administratively contained within the Department.

Other consequential amendments ensure the correct sequencing of Circular Economy Risk Consequence and Contingency (CERCC) Plans and Responsible Entities Risk Consequence and Contingency (RERCC) Plans as intended under the Circular Economy Act. The Entities Bill amended both these plans to be three yearly, instead of annual. This amendment ensures that CERCC Plans are published first, with RERCC Plans required to be submitted later in the same year, informed by the most recent CERCC Plan. It also ensures responsible entities have adequate time to complete their RERCC Plans and associated statements of assurance.

As you can see, this Bill addresses a wide range of matters, ranging from the phase out of cheques, an initiative at the federal level, to modernising outdated terms like 'chairman' in legislation. However, in all the initiatives I have described for you today, there is a single common thread, which is the commitment of this Government to bettering the lives of Victorians by making simple, straightforward improvements to legislation. This Bill provides important benefits – such as clearer, fairer and more modern laws and regulations, improved accessibility of government schemes, strengthened integrity measures for local governments and refined regulatory tools for agencies, which do such important work to protect our environment and community.

I commend the Bill to the house.

Evan MULHOLLAND (Northern Metropolitan) (18:35): I move on behalf of my colleague Mr Welch:

That the debate be adjourned for one week.

Motion agreed to and debate adjourned for one week.

Safe Food Victoria Bill 2026

Introduction and first reading

The PRESIDENT (18:35): 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 establish Safe Food Victoria and to provide for it to perform functions in regulating the Victorian food industry, to abolish Dairy Food Safety Victoria and PrimeSafe, to amend the **Dairy Act 2000** to regulate foods that have not traditionally been produced or processed for human consumption in Victoria or that are produced or processed using new technologies, to make consequential and related amendments to the **Dairy Act 2000**, the **Food Act 1984**, the **Meat Industry Act 1993**, the **Seafood Safety Act 2003** and certain other Acts and for other purposes.'

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (18:36): I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Harriet SHING: I move, by leave:

That the second reading be taken forthwith.

Motion agreed to.

Statement of compatibility

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (18:36): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the **Charter**), I make this Statement of Compatibility with respect to the Safe Food Victoria Bill 2026 (the **Bill**).

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

Overview of the Bill

The main purpose of the Bill is to establish a new statutory body called Safe Food Victoria under a new principal Act called the *Safe Food Victoria Act 2026* (the **Principal Act**) and to make reforms for Safe Food Victoria to be responsible for food safety regulation in Victoria.

The Bill will amend the *Dairy Act 2000* (**Dairy Act**), the *Meat Industry Act 1993* (**Meat Industry Act**), the *Seafood Safety Act 2003* (**Seafood Act**), the *Food Act 1984* (**Food Act**) and certain other Acts, including to:

- abolish Dairy Food Safety Victoria and PrimeSafe;
- confer existing functions of Dairy Food Safety Victoria and PrimeSafe under the Dairy Act, Meat Industry Act and Seafood Act on Safe Food Victoria;
- allow Safe Food Victoria to regulate by licence under the Dairy Act non-traditional foods and foods produced using new technologies where those foods are declared by the Minister (referred to in this statement as 'declared foods');
- confer existing food safety regulatory functions and powers of the Secretary to the Department of Health under the Food Act on Safe Food Victoria and on the Secretary to the Department of Energy, Environment and Climate Action;

- insert in the Food Act new compliance and enforcement powers of Safe Food Victoria.

Human rights issues

In conferring food safety regulatory functions under the Food Act on Safe Food Victoria, the Bill will provide for the transfer of information relating to those functions to Safe Food Victoria. The Bill will also enable Safe Food Victoria to request from the Secretary to the Department of Health information relating to Safe Food Victoria's functions and objectives.

The Principal Act will include provisions outlining when information held by Safe Food Victoria under that Act and other food safety legislation may be used and disclosed. The Bill will also insert in the Food Act similar provisions relating to the use and disclosure of information obtained by certain persons under that Act.

To support the regulation of declared foods under the Dairy Act, the Bill will extend certain provisions of the Dairy Act applying to dairy foods and dairy food licence-holders so that they also apply to declared foods and declared food licence-holders. These include provisions relating to the suspension or cancellation of licences, offence and evidentiary provisions, powers of authorised officers to give notices requiring food premises to be cleaned or disinfected, and other general authorised officer powers for the purposes of administering and monitoring compliance with the Dairy Act.

To support Safe Food Victoria in its regulatory functions under the Food Act, the Bill will insert in the Food Act new compliance and enforcement powers of Safe Food Victoria, including powers to issue information or document production notices and to make orders to councils for the inspection of food premises.

The following rights are relevant to the Bill:

- Right to freedom from forced work (section 11);
- Right to privacy and reputation (section 13);
- Right to take part in public life (section 18);
- Right to property (section 20);
- Right to be presumed innocent (section 25(1));
- Right against self-incrimination (section 25(2)(k)).

Right to freedom from forced work

Section 11 of the Charter provides that a person must not be held in slavery or servitude or made to perform forced or compulsory labour. 'Forced or compulsory labour' does not include court-ordered community work as a condition of release from detention, work or service required because of an emergency threatening the Victorian community or a part of that community, or work or service that forms part of normal civil obligations.

Orders in relation to food premises

Clause 102 extends the application of section 46 of the Dairy Act, which allows authorised officers to give notices to owners of dairy premises, dairy food or related vehicles that are unclean, unsafe or otherwise not compliant, requiring certain actions to be taken. That section is extended so that the powers are also available in relation to declared food and declared food premises. Among other things, a notice under section 46 can require that the premises, vehicle, plant, machinery or equipment be cleaned and disinfected to the satisfaction of the authorised officer.

Similarly, clause 172 expands section 19 of the Food Act, which enables orders to be made to food businesses to require that food premises are put into a clean and sanitary condition or that food prepared or handled is made safe. Section 19 is amended to include an additional circumstance where those orders can be made – being that the food premises, or equipment, activities or food on them, does not comply with the Food Safety Standards.

The expansion of the compulsion under those sections to clean food premises and take related actions may interfere with the right to freedom from forced work – specifically, the prohibition on compulsory labour in section 11(2) of the Charter. I am of the view, however, that the right is not engaged as any work required by the notices and orders would fall within the scope of the exception to the prohibition in section 11(3) of the Charter, relating to work or service that 'forms part of normal civil obligations'. The notices and orders can only be given to food businesses and the owners of food premises who are engaging in a regulated activity and have voluntarily assumed associated responsibilities and obligations.

If the exception does not apply, and the right is engaged, I consider that clauses 102 and 172 do not limit the right. In relation to clause 102, under section 46 of the Dairy Act an authorised officer may only order the taking of actions set out in section 46(2) which appear to them to be appropriate in the circumstances (those circumstances being set out in section 46(1)) and so the owner of food premises is not compelled to take all

actions specified in that section. In relation to clause 172, under the new circumstance inserted in section 19 of the Food Act, an order may only be made if the relevant authority is satisfied from the report of an authorised officer that the premises, equipment or food does not comply with an applicable requirement of the Food Safety Standards. In relation to both clauses, even when a notice or order compels the owner of the premises to undertake specific work or labour such that the right may be limited, I consider that any limit is reasonable and proportionate to the legitimate aims of maintaining hygiene and food safety standards and protecting public health.

Right to privacy and reputation

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

Section 13(b) of the Charter provides that a person has the right not to have their reputation unlawfully attacked. An 'attack' on reputation will be lawful if it is permitted by an appropriately circumscribed law.

Disclosure of pecuniary interests

Clause 26 requires members of the Board of Safe Food Victoria to disclose the nature of any direct or indirect pecuniary interest in a matter being considered, or to be considered, by the Board and makes failure to do so an offence. The disclosure must be recorded in the minutes of the Board meeting. These provisions may have the practical effect of compelling Board members to disclose information which may include information about the person's personal or financial affairs. This may interfere with the Board member's right to privacy.

In my view, any such interference with the right to privacy will not be unlawful or arbitrary. The requirement to disclose pecuniary interests is clearly confined to when a conflict of interest might arise and only applies when the Board member's interest is greater than that of any other person in the industry. The requirement is also necessary to ensure the integrity of Board decisions, by removing any real, potential or perceived conflicts of interest.

Information sharing

Part 4 of the Bill provides for the use and disclosure of information held by Safe Food Victoria under the Principal Act and certain other Acts. Clauses 41 and 42 authorise Safe Food Victoria staff, Board members, the chief executive officer, authorised officers and other specified persons to use and disclose this information for certain purposes and in certain circumstances.

Similarly, clause 185 inserts new information sharing provisions in the Food Act. Those provisions apply to Safe Food Victoria staff, Board members, authorised officers and other specified persons. Those persons may use and disclose any information obtained by them for or in connection with the performance of a function or duty or the exercise of a power under the Food Act for certain purposes and in certain circumstances.

The information that may be used or disclosed under those provisions of the Principal Act and the Food Act includes personal information and health information.

While the information sharing provisions are likely to interfere with the right to privacy, I consider this interference to be lawful and not arbitrary. The provisions are necessary to enable Safe Food Victoria, authorised officers and other specified persons to effectively perform their statutory functions and exercise their powers. They also include appropriate limitations on when use and disclosure is authorised, including for purposes directed toward supporting the administration of the Principal Act, the Food Act or any other Act and minimising risks to public health.

Further, the handling of personal information and health information is subject to a range of confidentiality and information sharing restrictions in the *Health Records Act 2001* and the *Privacy and Data Protection Act 2014*. These statutory requirements provide additional protections to ensure that information used or disclosed under the information sharing provisions are managed appropriately and consistently with privacy principles.

I consider that these provisions strike an appropriate balance between enabling the effective exercise of statutory functions and powers and protecting individuals' privacy rights. The information sharing provisions are proportionate to the purpose of the limitation and therefore will not be an unlawful or arbitrary interference with privacy.

Transitional provisions for transfer of information to Safe Food Victoria

Clause 64 requires the Secretary to the Department of Health to transfer to Safe Food Victoria information relating to functions, duties and powers under the Food Act conferred on it under the Bill.

Similarly, clause 65 requires the Secretary to the Department of Energy, Environment and Climate Action to transfer to Safe Food Victoria information relating to functions, duties and powers under the Food Act conferred on it under the Bill.

While clauses 64 and 65 have the potential to interfere with the right to privacy, the interference will be neither unlawful nor arbitrary. The information to be transferred is limited to information obtained or held by the Secretary to the Department of Health or the Secretary to the Department of Energy, Environment and Climate Action in their performance of certain functions under the Food Act and other information necessary to perform those functions. Further, the transfer of that information is necessary to enable Safe Food Victoria to perform functions under the Food Act conferred on it under the Bill. I consider any interference with privacy to be reasonable and proportionate to the purpose of the limitation.

Safe Food Victoria may request information from Secretary to Department of Health or Secretary to Department of Energy, Environment and Climate Action

Clauses 66 and 67 allow Safe Food Victoria by written notice to request information from the Secretary to the Department of Health or the Secretary to the Department of Energy, Environment and Climate Action relating to the performance of Safe Food Victoria's functions or the achievement of its objectives.

These clauses have the potential to interfere with the right to privacy, however in my view the interference will be lawful and not arbitrary. The information which may be requested is limited to information related to the functions and objectives of Safe Food Victoria. The powers to request that information are necessary to enable Safe Food Victoria to perform those functions and achieve its objectives.

I therefore consider that any interference with privacy resulting from clause 66 or 67 is reasonable and proportionate to the purpose of the limitation.

Licence-holders to provide records

Clause 100 extends the application of section 44 of the Dairy Act to also apply to individuals and businesses holding licences for new declared foods. Section 44 currently requires dairy licence-holders to provide records relating to dairy food when required by notice and to permit authorised officers to inspect records required to be kept under that Act. The extension of this provision may interfere with licence-holders' right to privacy, as the records provided, inspected or copied may contain personal or sensitive information.

However, in my view any resulting interference will be lawful and not arbitrary. First, clause 100 merely extends the application of a provision that is already in force. Secondly, the interference will be limited by the scope of the requirement, which only applies to records relating to certain food or which are otherwise required to be kept under the Dairy Act. Thirdly, any interference will be proportionate to the legitimate aim of monitoring compliance of declared food licence-holders with legislation that protects public health and safety.

General powers of authorised officers

Clause 101 extends the application of section 45 of the Dairy Act, which gives authorised officers general powers for the purposes of administering the Dairy Act and monitoring compliance with that Act and with dairy industry licence conditions. These include powers to enter and search dairy premises, enter and search vehicles used to transport dairy food, require the production of records relating to dairy food, inspect records and other things on the premises or vehicle and seize certain records. Clause 101 extends those powers so that they are available for monitoring compliance with declared food licences and so that they apply to declared foods and declared food premises. By extending these powers, the clause is likely to interfere with the right to privacy.

However, in my view the interference will be neither unlawful nor arbitrary. First, clause 101 merely amends powers that are already in force so that they are available in relation to new regulated activities. Secondly, there are clear limitations on the purposes for which the powers may be exercised and the premises, vehicles and information in relation to which they may be exercised. Thirdly, any interference will be proportionate to the legitimate aim of monitoring compliance by licence-holders with legislation that protects public health and safety and with their licence conditions.

I therefore consider the extension of these powers is compatible with the right to privacy.

Orders in relation to food premises

As outlined above, clause 172 expands section 19 of the Food Act, which enables orders to be made to food businesses to require that food premises are put into a clean and sanitary condition or that food prepared or handled is made safe. Section 19 is amended to include an additional circumstance where those orders can be made – being that the food premises, or equipment, activities or food on the premises, does not comply with an applicable requirement of the Food Safety Standards. An order under section 19 can direct that the premises temporarily stop selling or preparing food until the order is complied with – in which case the relevant

authority can require the order to be displayed at the premises, displayed at the point of sale of the food premises, or published on the business's website or elsewhere.

To the extent that the expansion of section 19 may interfere with the right to privacy, in my view any such interference will not be unlawful or arbitrary. The powers are conferred by legislation which is precise and appropriately limited. Under the new circumstance inserted in section 19, an order may only be made if the relevant authority is satisfied from the report of an authorised officer that the premises, equipment or food does not comply with an applicable requirement of the Food Safety Standards. In addition, any interference from the publication of those orders will be reasonable as it serves the legitimate purpose of enabling a member of the public to be made aware that a business should not be selling food and so protecting public health.

Information or document production notices

Clause 176 inserts new production notice provisions in the Food Act. Those provisions enable Safe Food Victoria to compel persons to produce information or documents in certain circumstances. The production notice provisions may interfere with the right to privacy, given that the documents or information required to be produced may contain personal or sensitive information. However, in my view, any resulting interference will be lawful and not arbitrary, for the following reasons.

First, any interference in a person's private sphere will be limited by the scope of the powers. To issue a production notice, Safe Food Victoria must first reasonably believe the information or document is in the person's knowledge, possession custody or control and the information is, or the document contains information that is, necessary for monitoring a person's compliance with the Act, determining whether an offence has been committed under the Act or for determining whether a risk to public health exists. This threshold limits the personal or sensitive information that would be disclosed.

Secondly, production notices serve the legitimate purpose of ensuring compliance with legislation that protects public health and safety. Safeguards are also included in the Bill, including a reasonable excuse defence in the offence provision in new section 19BE of the Food Act.

Finally, the production of information and documents under the Food Act provisions will also be subject to the privacy principles in the *Privacy and Data Protection Act 2014* and *Health Records Act 2001* in relation to how personal and health information is collected, handled and disclosed. These requirements impose additional safeguards to ensure that personal and health information collected through a document that is the subject of an information or document production notice is dealt with appropriately.

Orders to councils for inspection of premises

Clause 181 inserts new inspection order provisions in the Food Act. Under those provisions, Safe Food Victoria may order a council to direct its authorised officers to enter and inspect specified premises for the purposes of monitoring compliance with the Food Act or determining if a risk to public health exists. An inspection order can require the authorised officer to take certain steps at the premises, including inspecting specified documents, articles and things, seizing or taking samples of those things, and taking photographs or recordings of them.

The inspection order provisions may interfere with the right to privacy, as authorised officers may collect personal or sensitive information when executing them. However, any interference will be limited by the scope of the powers. To give an inspection order, Safe Food Victoria must be satisfied that an article is being sold or handled for sale at the premises or place; and must determine that it is appropriate to give the order and require the doing of a thing specified in it, for the purposes of monitoring compliance with the Food Act or to determine whether a serious threat to public health exists. Safe Food Victoria must also consult the relevant council, except in urgent cases.

Further, the inspection order provisions serve the legitimate purpose of ensuring compliance with legislation that protects public health and safety and of monitoring risks to public health.

As such, so far as clause 181 interferes with the right to privacy, I consider the provision is reasonable and proportionate to the legitimate aim of the Bill and therefore not arbitrary.

Power to give information related to food or food premises

Clause 253 inserts a new provision in the *Public Health and Wellbeing Act 2008* which allows the Secretary to the Department of Health to give certain information to Safe Food Victoria, a Council, an authorised food safety officer or the Secretary to the Department of Energy, Environment and Climate Action, if the Secretary considers the information relates to a public health risk, or whether there is such a risk, involving food or food premises.

So far as the information provided may contain sensitive or personal information, the provision may interfere with the right to privacy. However, if the right to privacy is engaged, I am of the view that it will not be limited.

First, any interference will be limited by the scope of the provision, which is limited to the sharing of information obtained under or for the purposes of the *Public Health and Wellbeing Act 2008* or regulations made under it, and only where the information is relevant to a public health risk, or the potential for such a risk, involving food or food premises. Secondly, the provision serves a legitimate public health purpose, enabling the Secretary to identify and act on potential risks to public health associated with food or food premises. Lastly, this information sharing provision will be subject to privacy principles, and any personal or sensitive information will be dealt with accordingly.

Right to take part in public life

Section 18(2)(b) of the Charter provides that every eligible person has the right, and is to have the opportunity, without discrimination, to have access to the Victorian public service and public office. The right requires access to positions in the public service and in public office to be based on general terms of equality.

Appointment and removal of board members

Clause 14 provides for the appointment of members to the Board. A person is only eligible for appointment if they have knowledge, skills and experience in a field relevant to the Board's functions. In determining whether to appoint a person, the Minister is to consider the degree to which the person's knowledge, skills and experience are different from the existing Board members. This clause may be perceived as restricting a person's right of access to positions in the public office. However, the eligibility criteria continue to facilitate equal opportunity to access the public service based on general principles of merit, and ensure that members of the Board have the skills necessary for the proper functioning of the Board. Those criteria are objective, reasonable and non-discriminatory.

Clause 21 enables members of the Board to be removed from office on certain grounds. That clause may be perceived as interfering with the right of access to public service for existing positions. However, to the extent to which there is any interference, it is justified to facilitate good corporate governance, hold members of the Board accountable for their responsibilities and to ensure the independence and proper functioning of the Board.

Accordingly, I consider that clauses 14 and 21, are compatible with the right, and any interference is reasonably justified.

Right to property

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. 'Property' under the Charter includes all real and personal property interests recognised under the general law, relevantly including contractual rights and licences. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely.

Termination of chief executive officer contracts

Clauses 52 and 60 terminate the employment contracts of the chief executive officers of Dairy Food Safety Victoria and PrimeSafe, as if each contract were terminated by the employer giving written notice in accordance with the contract and with payment in lieu of notice.

Those clauses may be perceived as interfering with property rights (that is, contractual rights). However, to the extent that there is any interference, in my view this will be in 'accordance with law'. The clauses are precise and clear as to the form of termination to occur. The termination to occur will be in accordance with the provisions of the contract applying in respect of termination on notice by the employer where the reason for the termination is not based on any serious failure to fulfil duties and responsibilities. Further, the termination of employment of the chief executive officers of Dairy Food Safety Victoria and PrimeSafe is not arbitrary but is a necessary consequence of the abolition of those entities under the Bill.

Cancellation or suspension of declared food licences

Clause 91 extends the application of section 26 of the Dairy Act, which among other things, enables the cancellation or suspension of dairy industry licences on certain grounds. That section is extended to also apply to declared food licences.

While extending that provision could lead to a deprivation of property (that is, loss of a declared food licence), in my view the right will not be limited by the amendments. Clause 91 merely extends powers that are already in force to a new category of licence. Licensees are choosing to participate in a regulated industry and have a conditional right to a licence. In addition, the powers are clear, precisely formulated and subject to various safeguards.

Under section 26 of the Dairy Act as amended, Safe Food Victoria may only cancel or suspend a declared food licence on specific grounds. Many of those grounds are directed to circumstances which, if present, may result in a risk to public health and safety if the licence were to continue, meaning the ability to cancel or suspend is important.

The cancellation or suspension of a declared food licence will also occur in accordance with sections 27 and 28 of the Dairy Act, which provide for procedural fairness in the form of the right of review to the Victorian Civil and Administrative Tribunal (VCAT). A licensee must be notified of the decision to cancel or suspend and on what ground. If the licensee applies to VCAT for review, the cancellation or suspension does not take effect unless and until VCAT have determined in favour of Safe Food Victoria.

Accordingly, the extension of these seizure powers by the Bill is 'in accordance with law'.

General powers of authorised officers and orders in relation to food premises

As outlined above, clause 101 extends the application of section 45 of the Dairy Act, which gives authorised officers general powers for the purposes of administering and monitoring compliance with that Act. These include powers to enter and inspect dairy premises and vehicles used to transport dairy food and seize certain records, products or materials. Clause 101 extends those general powers so that they are available for monitoring compliance with declared food licences and so that they apply to declared foods and declared food premises.

Similarly, clause 102 extends the application of section 46 of the Dairy Act, which allows authorised officers to give notices in writing to owners of dairy premises, dairy food or related vehicles that are unclean, unsafe or otherwise not compliant, requiring certain actions to be taken. That section is extended so that the powers are also available in relation to declared food and declared food premises. Among other things, a notice under section 46 can order specified food to be seized, detained or destroyed.

By extending these powers, clauses 101 and 102 may interfere with property rights under the Charter. However, in my view the right is not limited by the amendments. Both clauses merely extend powers to seize and detain items that are already in force. In addition, the powers are conferred by precise legislation that contains various safeguards.

In relation to clause 101, the powers may only be exercised for the purpose of monitoring compliance with the provisions of the Dairy Act and licence conditions. In relation to clause 102, under section 46 of the Dairy Act an order may only be made where the authorised officer is satisfied that, or expects on reasonable grounds that, the premises, food or vehicles are unclean, unsafe or otherwise not compliant. Additionally, the order may only direct actions set out in section 46(2) which appear to the authorised officer to be appropriate in the circumstances (those circumstances being set out in section 46(1)).

When food is seized under section 46 of the Dairy Act, section 48 of the Dairy Act creates procedural safeguards and obligations relating to its storage, release and destruction. For example, an authorised officer is required to ensure the food is stored where it was seized or in another suitable place; a person may apply to the Magistrates' Court seeking its release; and, if no application is made within the statutory timeframe or an application is refused, the food is to be disposed of in accordance with written directions issued by Safe Food Victoria.

Additionally, section 47 of the Dairy Act sets out requirements and processes for the destruction of food seized under either section 45 or 46 of the Dairy Act and which is decayed, deteriorated or putrefied, or where the owner consents to its destruction.

Accordingly, the extension of these seizure powers by the Bill is 'in accordance with law' and in my view does not limit property rights.

Orders to councils for inspection of premises

As outlined above, clause 181 inserts new inspection order provisions in the Food Act. Under those provisions, Safe Food Victoria may order a council to direct its authorised officers to enter and inspect specified premises for the purposes of monitoring compliance with the Food Act or determining if a risk to public health exists. An inspection order can enable entry onto the premises and certain steps to be taken there, including seizing specified things and detaining or removing them. This risks interfering with property rights.

However, I am of the view that the right is not limited, because the inspection notice powers are clear, are confined in their application and are conferred by provisions that are precisely formulated. To issue an inspection order, Safe Food Victoria must be satisfied that an article is being sold or handled for sale at the premises or place; and must determine that it is appropriate to give the order and require the doing of a thing specified in it, for monitoring compliance with the Food Act or to determine whether a serious threat to public health exists. An inspection order must specify the premises to which it applies, the purpose for which it is given, the steps directed to be carried out at the premises and the time period for compliance. In executing an inspection order, the authorised officer may only do things which the officer believes on reasonable grounds are appropriate to do for the purposes specified in the order.

Accordingly, I consider that clause 181 is compatible with the right to property.

Right to be presumed innocent

Section 25(1) of the Charter provides that a person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law. The right is relevant where a statutory provision

shifts the burden of proof onto an accused in a criminal proceeding, so that the accused is required to prove matters to establish, or raise evidence to suggest, that they are not guilty of an offence.

Evidentiary provisions

Clause 79 inserts new Schedule 1 into the Dairy Act, containing transitional provisions. Item 16(2) of that Schedule saves the operation of the evidentiary provision in section 59(1)(d) of the Dairy Act, despite amendments to it under the Bill. The effect of this is that the provision will still operate to remove the need for proof of the appointment of officers of Dairy Food Safety Victoria in proceedings, until evidence to the contrary is given.

Clause 110 extends the application of section 59(1)(a) of the Dairy Act, which provides for dairy food to be presumed to be intended for sale for human consumption in proceedings, unless there is evidence to the contrary. That provision is extended so that the presumption also applies to declared food.

The continuation and extension, respectively, of those evidentiary provisions may interfere with the right to be presumed innocent. The provisions reduce the evidentiary burden on the prosecution in respect of facts required to be proven to make out certain Dairy Act offences. However, in my view, clauses 79 and 110 will not limit the right. The evidentiary provisions being continued and extended are already in force. Further, the provisions do not transfer the legal burden of proof, and the evidentiary burden remains on the prosecution to prove the remaining elements of the offence. In relation to clause 79, the fact to be presumed is uncontroversial and, in relation to clause 110, the fact would ordinarily be peculiarly within the accused's knowledge. In relation to both clauses, the accused would have the opportunity to rebut the presumption with evidence to the contrary.

Offence to contravene production notice

As outlined above, clause 176 of the Bill inserts new production notice provisions in the Food Act. New section 19BF creates an offence for contravening a production notice, which contains a 'reasonable excuse' exception.

In creating a 'reasonable excuse' exception, the offence in section 19BF may interfere with the right to be presumed innocent, in that it places an evidential burden on the accused to raise evidence of a reasonable excuse. However, in doing so, the exception does not transfer the legal burden of proof. Once the accused has pointed to evidence of a reasonable excuse, which will ordinarily be peculiarly within their knowledge, the burden shifts back to the prosecution to prove the essential elements of the offence. I do not consider that an evidential onus of this kind limits the right to be presumed innocent.

Criminal liability of officers of bodies corporate – new offence provisions

Clause 109 of the Bill amends section 55C of the Dairy Act so that it applies to the offence for failing to hold a declared food licence in new section 22(1A) of the Dairy Act inserted by clause 86 of the Bill. Section 55C of the Dairy Act deems officers of bodies corporate to be liable for offences committed by the body corporate. Section 55C(3) provides officers with a defence that they acted with due diligence to prevent the commission of the offence, and section 55C(4) allows a court to consider the officer's knowledge of the commission of the offence, whether they were in a position to influence the body corporate, and the steps they took or could reasonably have taken to prevent the commission of the offence. Section 55C(5) provides that an officer may rely on a defence available to the body corporate, and bears the same burden of proof to establish the defence as the body corporate.

Clause 179 of the Bill amends section 51A of the Food Act so that it applies to the offence for contravening a production notice in new section 19BF of the Food Act inserted by clause 176. Section 51A of the Food Act deems officers of a body corporate to be criminally liable for offences committed by the body corporate, if they authorised or permitted the offence or were knowingly concerned in its commission. Section 51A(3) provides that an officer may rely on a defence available to the body corporate, in which case the officer bears the same burden of proof to establish the defence as the body corporate.

In applying section 55C of the Dairy Act and section 51A of the Food Act to new offences, clauses 109 and 179 may interfere with the presumption of innocence. Those provisions operate to deem as fact that an officer has committed an offence based on the actions of the body corporate and place an evidential burden on the officer to establish a defence. However, I do not consider that the right to the presumption of innocence is limited.

First, in relation to clause 179, the prosecution must prove the accessorial elements set out in section 51A(1) of the Food Act – that is, that the officer authorised or permitted the offence or was knowingly concerned in its commission.

Secondly, in relation to both clauses 109 and 179, section 55C of the Dairy Act and section 51A of the Food Act only place an evidential burden on the officer to establish a defence, and the prosecution is still required

to prove the main elements of the offence set out in section 22(1A) of the Dairy Act and section 19BE of the Food Act respectively.

Finally, the evidence required to establish a relevant defence will likely be peculiarly within the personal knowledge of the officer, and would be difficult for the prosecution to establish.

In my view, it is appropriate to extend those Dairy Act and Food Act offences to officers of bodies corporate, to ensure proper compliance with the declared food licence and production notice provisions of those Acts. A person who undertakes the role of an officer of a body corporate accepts that they will be subject to certain requirements and duties, including a duty to ensure that the body corporate complies with its legal obligations. Affected persons should be aware of the regulatory requirements and, as such, should have the necessary processes and systems in place to effectively meet these requirements. Finally, neither offence is punishable by a term of imprisonment.

Criminal liability of officers of bodies corporate – extension of existing offence provisions

Clauses 94, 96, 106 and 108 of the Bill extend the food safety offence provisions in sections 30, 36, 50 and 53 of the Dairy Act so that they also apply in respect of declared foods and declared food licence-holders. Section 55A of the Dairy Act applies to an offence against sections 50 or 53; section 55B of the Dairy Act applies to an offence against section 30; and section 55C of the Dairy Act applies in respect of an offence against section 36.

Section 55A of the Dairy Act deems officers of a body corporate to be criminally liable for offences committed by the body corporate, if they authorised or permitted the offence or were knowingly concerned in its commission. Section 55A(3) provides that an officer may rely on a defence available to the body corporate, in which case the officer bears the same burden of proof to establish the defence as the body corporate.

Section 55B of the Dairy Act deems officers of a body corporate to be criminally liable for offences committed by the body corporate, if the officer failed to exercise due diligence to prevent its commission. In determining whether an officer failed to exercise due diligence, section 55B(3) allows a court to consider the officer's knowledge of the commission of the offence, whether they were in a position to influence the body corporate, and the steps they took or could reasonably have taken to prevent the commission of the offence. Section 55B(4) provides that an officer may rely on a defence available to the body corporate, and bears the same burden of proof to establish the defence as the body corporate.

Section 55C of the Dairy Act deems officers of bodies corporate to be liable for offences committed by the body corporate. Section 55C(3) provides officers with a defence that they acted with due diligence to prevent the commission of the offence, and section 55C(4) allows a court to consider the officer's knowledge of the commission of the offence, whether they were in a position to influence the body corporate, and the steps they took or could reasonably have taken to prevent the commission of the offence. Section 55C(5) provides that an officer may rely on a defence available to the body corporate, and bears the same burden of proof to establish the defence as the body corporate

In extending offences to which sections 55A, 55B and 55C of the Dairy Act apply, clauses 94, 96, 106 and 108 may interfere with the right to be presumed innocent. However, I do not consider that the right to the presumption of innocence is limited.

Firstly, the clauses merely extend the application of existing offences to which those evidentiary provisions already apply. Secondly, in relation to clauses 106 and 108 extending offences to which section 55A of the Dairy Act applies, the prosecution must prove the accessorial elements set out in section 55A(1) of the Dairy Act – that is, that the officer authorised or permitted the offence or was knowingly concerned in its commission. Thirdly, in relation to all clauses, sections 55A, 55B and 55C of the Dairy Act only place an evidential burden on the officer to establish a defence, and the prosecution is still required to prove the main elements of the offence set out in the offence provisions. Finally, the evidence required to establish a relevant defence will likely be peculiarly within the personal knowledge of the officer, and would be difficult for the prosecution to establish.

In my view, it is appropriate for the Dairy Act offences amended by these clauses to apply to officers of bodies corporate, as they are directed to protecting public health and safety. A person who undertakes the role of an officer of a body corporate accepts that they will be subject to certain requirements and duties, including a duty to ensure that the body corporate complies with its legal obligations. Affected persons should be aware of the regulatory requirements and, as such, should have the necessary processes and systems in place to effectively meet these requirements. Finally, the offences are not punishable by a term of imprisonment.

Right against self-incrimination

Section 25(2)(k) of the Charter provides that a person charged with a criminal offence is entitled not to be compelled to testify against themselves or to confess guilt. This right is at least as broad as the common-law privilege against self-incrimination. It applies to protect a charged person against the admission in subsequent

criminal proceedings of incriminatory material obtained under compulsion, regardless of whether the information was obtained prior to or subsequent to the charge being laid.

Information or document production notices

As outlined above, clause 176 of the Bill inserts new production notice provisions in the Food Act. New section 19BE enables Safe Food Victoria to compel persons to produce information or documents in certain circumstances. New section 19BF makes it an offence to contravene a production notice without reasonable excuse. New section 19BH provides that a natural person may refuse to provide information (but not documents) specified in a production notice if doing so would tend to incriminate them. However, new section 19BI provides for a use immunity in relation to documents that are produced. Under new section 19BI, a document produced by a natural person that would tend to incriminate them is not admissible against the person in a proceeding, unless they are required by law to keep that document or the proceeding relates to false or misleading information in the document.

So far as they relate to information, in my view, the production notice provisions will not limit the right against self-incrimination. The requirement to provide information in response to a production notice is subject to a reasonable excuse exception in new section 19BF. This exception is coupled with new section 19BH, which will allow the privilege against self-incrimination to be claimed by a natural person to enable them to refuse to give information if doing so would tend to incriminate them.

In relation to documents, new section 19BH of the Food Act provides for a limited abrogation of the right against self-incrimination. A document would be required to be produced even if it may contain evidence that would tend to incriminate the person.

However, this is the case in relation to pre-existing documents only. At common law, the protection afforded to pre-existing documents is considerably weaker than that afforded to oral testimony or to documents that are brought into existence to comply with a request for information. The compulsion to produce pre-existing documents that speak for themselves is in strong contrast to testimonial oral or written evidence that is brought into existence as a direct response to questions. Accordingly, any protection afforded to documentary material by the privilege is limited in scope and not as fundamental to the nature of the right as the protection against the requirement that verbal answers be provided.

In addition, the use immunity in new section 19BI provides an important safeguard by ensuring that any incriminating documents produced by a person are not admissible in evidence against them, except in very limited circumstances.

The weaker protection afforded to pre-existing documents at common law and the safeguard referred to above serve to reduce the extent of any limitation of the right against self-incrimination by new section 19BH. In addition, any limitation is reasonable and justified. The purpose of the abrogation in relation to documents is to ensure the effective operation of the production notice provisions and enable Safe Food Victoria to have access to relevant documents to facilitate and ensure compliance with legislation that protects health and safety. There is significant public interest in enabling this. In my view, there are no less restrictive means available to achieve the purpose of enabling Safe Food Victoria to have access to relevant documents to facilitate and ensure compliance.

General powers of authorised officers

As outlined above, clause 101 extends the application of section 45 of the Dairy Act, which gives authorised officers general powers for the purposes of administering the Dairy Act and monitoring compliance with that Act and with dairy industry licence conditions. These include powers to compel persons to produce records relating to dairy food for inspection. Clause 101 extends those powers so that they are available for monitoring compliance with declared food licences and so that they apply to declared foods and declared food premises. Extending the application of these powers may interfere with the right against self-incrimination, as a person might be forced to provide documents to an authorised officer that might contain incriminating material.

However, in my view the right against self-incrimination will not be limited by the extension of these provisions. Clause 101 merely amends powers that are already in force so that they are available in relation to new regulated activities. Further, the powers to compel the production of records only extend to pre-existing records, in respect of which the protection afforded by the privilege against self-incrimination at common law is weaker than for records brought into existence.

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

Second reading

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (18:36): I move:

That the bill be now read a second time.

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

The Safe Food Victoria Bill 2026 establishes a new consolidated food safety regulator – Safe Food Victoria – and makes other incremental but important changes to improve the way food safety is regulated in Victoria. These reforms will enable the continued protection of public health, a collaborative approach to achieving food safety outcomes with industry, while streamlining and simplifying the regulatory system.

The aim of the Bill is to implement the first stage of a two-stage reform program to consolidate food safety regulators in Victoria, as part of the Government's commitment in the Economic Growth Statement to halve the number of Victorian regulators by 2030.

The way that the current food safety regulatory system is structured is overly complex, with four Victorian Acts and two responsible Ministers. The system is currently regulated by Department of Health, Department of Energy, Environment and Climate Action, Dairy Food Safety Victoria, PrimeSafe and 79 Local Councils.

This first stage of reform – implemented by this legislation – is focused on entity reform. Bringing together PrimeSafe and Dairy Food Safety Victoria; two regulators with similar remits; as well as some departmental food safety regulatory functions; into a new central food safety agency. Safe Food Victoria will enable more efficient regulation, better incident management, a paddock-to-plate approach to food safety that is better aligned with risk, and clearer food safety leadership including within Victoria, as part of Australia and New Zealand's bi-national food regulatory system and for our important export markets.

The purposes of the Bill are to:

- establish Safe Food Victoria and to provide for it to perform functions in regulating the Victorian food industry;
- abolish Dairy Food Safety Victoria and PrimeSafe;
- make consequential and related amendments to the *Dairy Act 2000*, the *Food Act 1984*, the *Meat Industry Act 1993*, the *Seafood Safety Act 2003* and certain other Acts.

A consolidated regulator can deliver benefits for businesses and consumers, while protecting public health. It will reduce the need for businesses to engage with multiple regulators and reduce compliance costs. Consolidation will improve efficiency and remove duplication which will lower the cost of regulation over time. This has been the experience of similar reforms made in New South Wales, Queensland and in most of our comparable international jurisdictions.

A consolidated regulator will also be able to balance important specialist capabilities with general food safety skills – better enabling it to respond to food safety incidents and work with industry to ensure the safety of consumers.

Once Safe Food Victoria is established, a further series of reforms in a second stage will be brought before the Parliament in the next term. This will further consolidate existing food safety legislation, modernising the licensing, compliance and enforcement laws. The second stage of reform will also consider new cost recovery arrangements and the role of local councils in regulating food safety. While we expect some regulatory benefits in this first stage of reform, this legislation will largely set the foundation for more explicit benefits as part of Stage 2.

The Government's vision is that these staged food safety reforms will deliver a regulatory scheme that safeguards public health, protects consumers and assures markets. It will provide a clear, simple and proportionate regulatory environment to support business diversity and economic growth. The legislative framework will be robust and responsive to effectively manage emerging risks, foster innovation and facilitate continual improvement. Finally, the scheme will facilitate a collaborative approach to identifying and managing food safety risks across the supply chain.

Reforms have been supported by an extensive engagement and consultation process over the last year involving more than 60 individual engagements with stakeholders and interest groups. This has culminated in an Engage Victoria process across September and October 2025. More than 120 unique submissions were

received, with an overwhelming 91 per cent in support. This feedback included that the Bill, in creating Safe Food Victoria, should establish a regulator:

- capable of providing clearer food safety information and that can encourage greater consistency of outcome;
- that will be a "one-stop-shop" for businesses;
- that can support local councils and businesses with ongoing specialist expertise;
- that understands the balance between critical, non-negotiable public health outcomes while working with industry to address these efficiently; and
- importantly, has embedded stakeholder connections via consultative committees.

The Government is confident that the design elements of Safe Food Victoria are consistent with this feedback.

I shall now outline the major provisions of the Bill.

- The Bill provides for the creation of a new statutory authority – Safe Food Victoria – to replace PrimeSafe and Dairy Food Safety Victoria, as well as conduct the food safety regulatory functions currently undertaken by the Department of Health. PrimeSafe and Dairy Food Safety Victoria will be abolished.
- Commencement will be by proclamation, but my intention is for Safe Food Victoria to begin operation on 1 July 2026, pending passage of this Bill.
- Safe Food Victoria will be governed by a small Board of between 5 and 7 members led by a Chair and Deputy Chair. The Board will be appointed by the Minister responsible for administering the Act and will report to that Minister. It is intended that the Minister for Agriculture will be responsible for the Act and that Safe Food Victoria will exist in the Agriculture Portfolio.
- Safe Food Victoria will be led by a Chief Executive Officer, appointed by the Board, with power to employ staff.
- The Board will have the ability to form consultative committees for key sectors in seeking advice on the performance of functions of Safe Food Victoria – and I expect, for a start, this to include individual committees for the dairy industry, meat and seafood industries, public health and local government.
- Staff, property and assets from the existing regulators will be transferred to Safe Food Victoria as the legal successor. Staff will transfer on conditions no less favourable overall than they currently hold. This is to maintain the considerable industry expertise that has built up over the years in both Dairy Food Safety Victoria and PrimeSafe. Staff are being supported through this change process.
- Safe Food Victoria will be a largely cost-recovered entity and have a hypothecated fund to ensure funding remains with the entity. Some funding from government will be provided for regulatory functions transferring from the Department of Health.
- Safe Food Victoria will implement the existing regulatory frameworks under legacy legislation. This means that while the Safe Food Victoria Bill provides a legislative umbrella, the frameworks under the *Dairy Act 2000, Food Act 1984, Meat Industry Act 1993*, and *Seafood Safety Act 2003* will continue to apply. Minor amendments are proposed to these acts to ensure this new umbrella framework can function effectively.
- The roles attributed to the Secretary of the Department of Health under the Food Act will transfer to either Safe Food Victoria (for the operational provisions) or the Secretary of the Department of Energy, Environment and Climate Action (for the policy-setting provisions).
- One notable addition created by this legislation is a specialised framework to support businesses engaged in food innovation, such as the production of cell-cultured foods. Safe Food Victoria will be the regulator of this new type of business in Victoria. This supports the Government's response to the recommendation of the Parliamentary Inquiry into the Welfare of Pigs in Victoria to recognise the development of the lab grown meat industry in Victoria.

I would like to recognise the important interactions between the regulatory role of Safe Food Victoria and the central public health roles played by the Minister for Health and Chief Health Officer.

Reforms are a whole of Government endeavour, but I'd like focus on the important role that the Minister for Health and the Department of Health have had in these reforms. After all, Safe Food Victoria will continue to contribute to important public health outcomes. To enable this, the Bill includes provisions that ensure the Chief Health Officer has a role in the new framework. The Chief Health Officer may provide advice or information in relation to a public health risk, such as information about a particular food-borne illness or

pathogen that may not be available to Safe Food Victoria. This may help Safe Food Victoria inform how it assesses or manages a situation. This legislative role will be supported by a new memorandum of understanding between the agencies. Food safety regulation is and will remain predominantly about protecting the public from the risk of contaminated food. Safe Food Victoria will improve how this occurs and reduce the overall risk of contaminated food. The Department of Health will also continue to support contributions to food safety policy and the Food Ministers' Meeting.

Before I conclude I would like to acknowledge the close collaboration that has occurred between portfolios including Agriculture, Health and Treasury. This is an important initiative arising from the Economic Growth Statement that will ensure the regulation of food safety in Victoria is easier and safer. This reform is one of the first in a broader effort by the Allan Government to make government services more efficient, accessible and simpler for businesses.

This Bill makes important improvements to the way that we set up food safety regulation in Victoria. It represents a critical juncture in the broader reform journey that I hope is completed over the coming years. This includes further consolidation of functions, such as those for primary production currently in the Department of Energy, Environment and Climate Action. It also includes opportunities to consider the optimal role for local government in the food safety regulatory framework. These processes will be subject to further consultation and will not be progressed until the next term of Parliament.

I commend the Bill to the House.

Evan MULHOLLAND (Northern Metropolitan) (18:37): I move on behalf of my colleague Ms Bath:

That debate on this bill be adjourned for one week.

Motion agreed to and debate adjourned for one week.

Entities Legislation Amendment (Consolidation and Other Matters) Bill 2025

Council's and Assembly's amendments

The PRESIDENT (18:37): I have received the following message from the Legislative Assembly:

The Legislative Assembly returns 'A Bill for an Act to amend the **Circular Economy (Waste Reduction and Recycling) Act 2021**, the **Environment Protection Act 2017**, the **Marine and Coastal Act 2018**, the **Commissioner for Environmental Sustainability Act 2003**, the **Mineral Resources (Sustainable Development) Act 1990**, the **Public Administration Act 2004**, the **Financial Management Act 1994**, the **Mental Health and Wellbeing Act 2022**, the **Local Government Act 1989**, the **Essential Services Commission Act 2001**, the **Commercial Passenger Vehicle Industry Act 2017**, the **Accident Towing Services Act 2007**, the **Great Ocean Road and Environs Protection Act 2020** and the **Parliamentary Workplace Standards and Integrity Act 2024**, to repeal the **Victorian Environmental Assessment Council Act 2001** and the **Road Safety Camera Commissioner Act 2011** and to make consequential amendments to other Acts and for other purposes' and informs the Legislative Council that the Assembly has:

(1) agreed to amendment Nos 1 to 17, 19 to 24 and 27 to 44; and

(2) refused to entertain amendment Nos 18, 25 and 26 as they seek to force an appropriation from the Consolidated Fund, a direct infringement of the privileges of the House as set out in the *Constitution Act 1975*; and

(3) made further amendments with which agreement is requested.

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (18:39): I move:

That the message be taken into consideration forthwith.

Motion agreed to.

Assembly refused to entertain the following Council amendments:

18. Clause 123, after line 15 insert –

'(1A) After section 421(1) of the **Mental Health and Wellbeing Act 2022 insert** –

"(1A) The Deputy Mental Health and Wellbeing Commissioner –

(a) is to be appointed for the period, not exceeding 5 years, specified in the instrument of appointment; and

(b) is eligible for reappointment; and

(c) holds office on any other terms and conditions, including remuneration and any travelling or other allowances, that are determined by the Governor in Council.”.’.

25. Clause 126, lines 16 to 18, omit all words and expressions on these lines and insert –

‘(2) In section 424(2) of the **Mental Health and Wellbeing Act 2022** –

(a) for “a Mental” (where first occurring) substitute “the Mental”;

(b) for “the office of a Mental Health and Wellbeing Commissioner” (where secondly occurring) **substitute** “that office”.

(3) After section 424(2) of the **Mental Health and Wellbeing Act 2022 insert** –

“(2A) The Minister may appoint a person to act in the office of the Deputy Mental Health and Wellbeing Commissioner for a period of not more than 6 months during a vacancy in that office.”.

(4) In section 424(3) and (5) of the **Mental Health and Wellbeing Act 2022**, after “subsection (1)” **insert** “or (1A)”.

(5) In section 424(4) and (6) of the **Mental Health and Wellbeing Act 2022**, after “subsection (2)” **insert** “or (2A)”.’.

26. Clause 127, lines 20 to 25, omit all words and expressions on these lines and insert –

‘(1) In section 425(1) of the **Mental Health and Wellbeing Act 2022**, for “A Mental Health and Wellbeing Commissioner, including an acting Mental Health and Wellbeing Commissioner,” **substitute** “A person specified in subsection (3)”.

(2) In section 425(2) of the **Mental Health and Wellbeing Act 2022**, for “a Mental Health and Wellbeing Commissioner, including an acting Mental Health and Wellbeing Commissioner,” **substitute** “a person specified in subsection (3)”.

(3) After section 425(2) of the **Mental Health and Wellbeing Act 2022 insert** –

“(3) For the purposes of subsections (1) and (2), the following persons are specified –

(a) the Mental Health and Wellbeing Commissioner, including an acting Mental Health and Wellbeing Commissioner;

(b) the Deputy Mental Health and Wellbeing Commissioner, including an acting Deputy Mental Health and Wellbeing Commissioner.”.’.

Assembly’s amendments:

1. Clause 123, after line 15 insert –

‘(1A) After section 421(1) of the **Mental Health and Wellbeing Act 2022 insert** –

“(1A) The Deputy Mental Health and Wellbeing Commissioner –

(a) is to be appointed for the period, not exceeding 5 years, specified in the instrument of appointment; and

(b) is eligible for reappointment; and

(c) holds office on any other terms and conditions, including remuneration and any travelling or other allowances, that are determined by the Governor in Council.”.’.

2. Clause 126, lines 16 to 18, omit all words and expressions on these lines and insert –

‘(2) In section 424(2) of the **Mental Health and Wellbeing Act 2022** –

(a) for “a Mental” (where first occurring) **substitute** “the Mental”;

(b) for “the office of a Mental Health and Wellbeing Commissioner” (where secondly occurring) **substitute** “that office”.

(3) After section 424(2) of the **Mental Health and Wellbeing Act 2022** insert –

“(2A) The Minister may appoint a person to act in the office of the Deputy Mental Health and Wellbeing Commissioner for a period of not more than 6 months during a vacancy in that office.”.

(4) In section 424(3) and (5) of the **Mental Health and Wellbeing Act 2022**, after "subsection (1)" **insert** "or (1A)".

(5) In section 424(4) and (6) of the **Mental Health and Wellbeing Act 2022**, after "subsection (2)" **insert** "or (2A)".'.

3. Clause 127, lines 20 to 25, omit all words and expressions on these lines and insert –

'(1) In section 425(1) of the **Mental Health and Wellbeing Act 2022**, for "A Mental Health and Wellbeing Commissioner, including an acting Mental Health and Wellbeing Commissioner," **substitute** "A person specified in subsection (3)".

(2) In section 425(2) of the **Mental Health and Wellbeing Act 2022**, for "a Mental Health and Wellbeing Commissioner, including an acting Mental Health and Wellbeing Commissioner," **substitute** "a person specified in subsection (3)".

(3) After section 425(2) of the **Mental Health and Wellbeing Act 2022 insert** –

"(3) For the purposes of subsections (1) and (2), the following persons are specified –

(a) the Mental Health and Wellbeing Commissioner, including an acting Mental Health and Wellbeing Commissioner;

(b) the Deputy Mental Health and Wellbeing Commissioner, including an acting Deputy Mental Health and Wellbeing Commissioner.".'.

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (18:39): I move:

(1) the Council does not insist on its amendments numbered 18, 25 and 26 to this bill; and

(2) the further amendments made by the Assembly be agreed to.

David DAVIS (Southern Metropolitan) (18:40): This is extraordinary. This has come back without time for members to consider the changes that have been proposed by the Assembly. This house earlier in the day, as I understood it, dealt with this bill. The matter now comes back here with no time for anyone to assess the proposed deletions by the Assembly. Let us be clear, they are deletions, and I think that in that circumstance the house should well consider deferring debate on this bill until a suitable time in the next sitting week.

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (18:41): Just in response to the position that Mr Davis has raised, there are literally no changes to this bill to what the Legislative Council has passed. These matters have been a matter for the Legislative Assembly. We have exclusive cognisance and it is not the role of this house to comment on the Assembly's actions. I would refer you to the Legislative Assembly's *Hansard* from earlier debates, but again, there are literally no changes to what this place has indeed already passed.

Motion agreed to.

The PRESIDENT: A message will be sent to the Assembly informing them accordingly.

Business of the house

Parliamentary privilege

Right of reply: Mohamed Mohideen and Deepak Vinayak

The PRESIDENT (18:42): Before we call the minister for the adjournment – I have rights of reply from Mr Mohamed Mohideen and Mr Deepak Vinayak. Under standing order 21.03, I present two separate rights of reply. The first right of reply was from Mr Mohamed Mohideen, President of the Islamic Council of Victoria, relating to statements made by Renee Heath on 3 January 2026. The second right of reply was from Mr Deepak Vinayak relating to statements made by Mr Mulholland on 5 March 2026. During my consideration of the application for the rights of reply, I notified both Dr Heath and Mr Mulholland in writing and further consulted them separately on their respective submissions. I remind the house that standing orders do not require me to consider or judge the truth

of any statements made in the Council or in submissions. In accordance with standing orders the right of reply from Mr Mohamed Mohideen and the right of reply from Mr Deepak Vinayak are ordered to be published and incorporated into *Hansard*.

Reply as follows:

Dear President,

I write to respectfully raise a matter concerning remarks made by Ms Renee Heath during her contribution to condolence motions on the Bondi attack in the Legislative Council on Tuesday, 3rd February 2026.

During her speech in Parliament, Ms Heath referred to me by name, claiming that I had "praised Hamas after 7 October and praised the Islamic regime after they were murdering their own citizens," that I had recently approached her as she was leaving an event (Islamophobia Summit 16 August 2025) to "rant and rave" about the Liberal Party contributing to Islamophobia, and further asserted that I was responsible for "causing Islamophobia."

These are serious allegations presented as statements of fact. They are false. No evidence was cited in support of these claims during the debate. I categorically reject them. At no time have I praised Hamas or supported the murder of civilians, nor have I engaged in conduct that could reasonably be characterized as causing Islamophobia. I also do not recall approaching Ms Heath at an event to discuss Islamophobia but was in fact approached by her. In our discussion I did mention my concerns about the federal Liberal Party and their anti-Muslim stand but had at first, no idea that Ms Heath was a Liberal MP. Characterization of me going out of my way to "rant and rave" to the Liberal Party about Islamophobia are false and damaging.

I was particularly concerned that these statements were made during a condolence motion. Such motions are traditionally occasions for solemn reflection, unity and respect. Introducing unsubstantiated allegations against a named private citizen and speech downplaying Islamophobia in this context risks departing from the dignity of those proceedings in order to demonise Muslim leaders and communities.

I am not a member of either House of Parliament and therefore have no capacity to respond within the chamber. Parliamentary privilege permits robust debate, but it also leaves private citizens without recourse when serious allegations are made against them under its protection. Were such statements made outside Parliament, they would be capable of being defamatory.

As a private citizen who has been named in Parliament and accused of conduct which adversely impacts my reputation and professional standing, I would hope to receive a retraction of these false comments and a public apology from Ms Heath. However, I understand this is not within the President's purview. Accordingly, I respectfully request that this letter be accepted and incorporated pursuant to the Council's citizen's right of reply procedure, so that I may formally refute the claims made about me on record and make clear that they are unsubstantiated and have adversely affected my reputation.

For the record, I would like to state that I am strong advocate of interfaith dialogue and have respect for all faiths and communities. I am a proud supporter of Multiculturalism and will stand with all communities promoting social harmony.

I raise this matter not to prolong controversy, but in the interest of maintaining the integrity of Parliamentary privilege and to ensure that the record reflects that these allegations are false unsupported and denied in the strongest terms.

Sincerely,
Mohamed Mohideen, OAM, JP
President
Islamic Council of Victoria

Reply as follows:

Dear President,

I, Deepak Vinayak OAM JP of Craigieburn, Victoria, seek to exercise my Right of Reply in relation to remarks made in the Victorian Parliament on 5 March 2026 by Evan Mulholland MP, Member for Northern Metropolitan Region.

During the adjournment debate that evening, Mr Mulholland referred to me by name and made statements regarding my social media following and my role as a Justice of the Peace. In his remarks he suggested that my Facebook follower numbers may have been artificially inflated through the use of "bots" or purchased followers. He further called for the Attorney-General to review whether I meet the threshold for removal as a Justice of the Peace for a possible breach of the code of conduct. Mr Mulholland also asserted that I use the

credibility gained through my social media presence to influence people to vote for the Labor Party in the northern suburbs and that I make untrue statements about the Liberal Party within the Indian diaspora.

I believe these remarks have created a misleading impression about my integrity and have adversely affected my reputation and standing within the community.

I have lived in Melbourne for more than 30 years and in Craigieburn for more than 18 years. During that time, I have devoted much of my life to voluntary community service, particularly supporting multicultural communities across Victoria. My work has focused on promoting community harmony, encouraging civic participation and assisting people during difficult periods, including during bushfires, floods and the COVID-19 pandemic.

The parliamentary remarks referring to me were made without any attempt to contact me to verify the information or seek clarification. As a private citizen who has spent many years volunteering in the community, I was deeply concerned to learn that my name had been mentioned in parliamentary proceedings in a manner that may cause members of the public to question my honesty and integrity.

Since those remarks were made, I have experienced significant reputational harm. Members of the public and individuals within the communities I work with have contacted me asking whether the allegations raised in Parliament are true. Responding to these questions has been distressing and has affected my relationships and associations within the community.

The reference made in Parliament has also had serious personal consequences. Following the remarks, I received a phone call from an individual who directly referred to the parliamentary comments and made statements that I perceived as threatening and intimidating. This incident caused considerable concern for my personal safety and for the safety of my family. The matter has been reported to Victoria Police and documented in a statutory declaration.

The situation has also caused significant anxiety and distress. Since the parliamentary reference was made, I have experienced loss of sleep and considerable stress arising from the public attention and the harassment that followed. The impact has affected my wellbeing and my ability to carry out my normal work and community responsibilities. My family has also been deeply distressed by these events and concerned for our safety and wellbeing.

I wish to place on record that I strongly reject the suggestion that my social media following has been obtained through artificial or dishonest means. My online presence has developed over many years through community engagement and public service activities. Like many public platforms, levels of engagement can vary, but I have never engaged in any practice intended to manipulate or artificially inflate follower numbers.

I also reject the implication that I have breached the standards expected of a Justice of the Peace. I take this role seriously and have always carried out my responsibilities with honesty and integrity in accordance with the relevant code of conduct.

In addition, I reject the suggestion that I use my community work or social media presence to promote any particular political party or to spread misinformation about others. My community engagement has always been focused on supporting people from diverse backgrounds, encouraging participation in civic life and promoting respectful dialogue across communities.

I respectfully submit that the remarks made in the Council have adversely affected my reputation, my associations and dealings with members of the community, and my ability to carry out my voluntary and professional responsibilities and have also caused distress to my family and concern for our privacy and wellbeing.

I make this submission respectfully and in good faith solely for the purpose of ensuring that the parliamentary record accurately reflects my position and does not leave an unfair or misleading impression regarding my character or community work.

For more than three decades I have worked to support community harmony and strengthen engagement between Victoria's diverse communities. I remain committed to continuing this work in a respectful and constructive manner.

I respectfully request that this response be incorporated into the parliamentary record in accordance with the procedures of the Legislative Council.

Deepak Vinayak OAM JP
Craigieburn, Victoria

Adjournment

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (18:43): I move:

That the Council, at its rising, adjourn until Tuesday 31 March 2026.

Motion agreed to.

Adjournment

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (18:44): I move:

That the house do now adjourn.

Tourism

Jacinta ERMACORA (Western Victoria) (18:44): (2432) My adjournment matter is for the Minister for Tourism, Sport and Major Events Steve Dimopoulos. It is fabulous that Melbourne has been named the world's best city for 2026. It is also fabulous that regional Victorians can travel to the world's best city affordably, thanks to our capped fares. The action I seek is an update on how the government will build on this recognition to attract more visitors and support local jobs.

Mooroopna Education and Activity Centre

Wendy LOVELL (Northern Victoria) (18:45): (2433) My adjournment matter is for the Minister for Carers and Volunteers, and the action that I seek is for the minister to grant funds to Mooroopna Education and Activity Centre, MEAC, to enable them to employ a living blind support coordinator. Historically Greater Shepparton was well served when it came to services for those living blind in our community. Rotary had built a facility for the provision of programs and services which were delivered by Vision Australia. Rotary had also purchased a bus to pick up clients to transport them to the facility, and there were around 200 registered volunteers to assist clients. A few years ago Vision Australia sold this facility, and services for those living blind in Greater Shepparton declined.

One of those people living blind in Greater Shepparton is Dr Peter Eastaugh, a highly regarded paediatrician and the husband of the former member for Shepparton Suzanna Sheed. Dr Eastaugh is fortunate to have the support of Suzanna, but he has been horrified at the lack of support for others in the community and has been advocating to Vision Australia for better support, but unfortunately there has been no response. Dr Eastaugh has advised me that of the 66,000 people living blind in Australia, 70 per cent are over 65, and most of them sit aimlessly in nursing homes all day. They are socially isolated and cannot read, watch TV or do craft, and it is very difficult for older people to learn braille. He said that while those under 65 qualify for the NDIS, those over 65 need to apply for a My Aged Care package to access services. Dr Eastaugh held a meeting of those living blind in Greater Shepparton. Fifty people attended, 30 of whom were legally blind, and only one of them had an aged care package.

Dr Eastaugh is now working with Jan Phillips at MEAC, and they are looking for funding to employ a living blind coordinator. This proposal is for the coordinator to work two days a week, both providing support directly and training other volunteer community members so that support and resources can be made available Monday to Friday. MEAC seeks grant funding of approximately $150,000 for a three-year program to employ the coordinator and train volunteers. MEAC wants to offer a welcoming space where people with low or no vision can connect socially, get assistance to apply for a My Aged Care package as well as develop skills in using tools that can enable independent living. There are a variety of assistive technologies that can improve daily life for those with low vision, including text-reading devices, magnification tools and even more cutting-edge technology, like Ray-Ban Meta glasses. However, many of those living blind, especially older people, lack confidence in using these technologies and would benefit significantly from having hands-on assistance and guidance using these tools. This is a very worthy proposal that deserves the government's support.

Duck hunting

Jeff BOURMAN (Eastern Victoria) (18:48): (2434) My adjournment matter this evening is for the Minister for Outdoor Recreation, and the action that I seek is for the minister to update the house on how the new Outdoor Recreation Victoria will strengthen compliance and public safety, especially in light of the growing threat animal rights activists pose to Victorian families at duck season opening. Yesterday morning as the 2026 duck season opened, members of the Greens were standing outside this Parliament in front of people holding placards saying 'I <heart> hunting accidents'. Just think about the outrage from those same people if, by analogy, we had a female Prime Minister and the Leader of the Opposition stood in front of a sign saying 'Ditch the witch' or worse. They would rightly call it hateful and disgraceful. Well, it is no less hateful and disgraceful when the target is hunters and their families. That protest was live streamed to a wetland where a repeat protest was actively hindering and harassing law-abiding hunters before protesters became resistant and belligerent with authorities.

For years people in and around this place have winked at, excused and at times glorified unlawful behaviour on our wetlands. Last night we saw exactly where that leads. Anti-hunting activists entered a family camp under the cover of darkness, spray-painted gendered, offensive abuse on boats and sabotaged motors, while parents and children slept only metres away. Nearby, a tree was deliberately dropped across a public road, blocking the only way in or out for dozens of families. If someone had needed an ambulance, the outcome could have been catastrophic.

Hunters are heavily regulated and heavily scrutinised, and by and large they do the right thing. When the rare hunter does not, groups like the Sporting Shooters' Association of Australia and Field & Game – and I – condemn it immediately, and other hunters report it in real time, because they understand that with their rights come some responsibilities. So yes, I want an answer from the minister about compliance and enforcement, but I also want colleagues in this place to take a long, hard look at themselves. When illegal behaviour is brushed off because it is politically fashionable, it escalates. When thuggery is dressed up as activism, innocent people pay the price. Anyone in this Parliament with any sense of responsibility should be out there making it crystal clear: this conduct is criminal, it is dangerous and it must stop.

Free TAFE

John BERGER (Southern Metropolitan) (18:50): (2435) My adjournment matter is for the Minister for Skills and TAFE, Minister Tierney. We have just passed the seven-year anniversary of free TAFE, a proud record of this Labor government. Free TAFE was introduced by the Andrews Labor government to ensure Victorians could upskill and train in new fields without paying out of pocket. It meant a stream of skilled workers entering into new sectors that desperately needed more labour. In my constituency of Southern Metro there are various TAFE centres, such as Melbourne Polytechnic, Kangan Institute and Swinburne University, where Victorians can get real skills for real jobs. More than 225,300 students have benefited from free TAFE in Victoria as of last year, saving students thousands of dollars. The action I seek is that the minister informs me of how much students have collectively saved in my community of Southern Metro thanks to free TAFE.

Planning policy

David DAVIS (Southern Metropolitan) (18:51): (2436) Tonight I want to raise a matter for the Minister for Planning. There have been two announcements made this week. A series of high-rise, high-density zones have been announced, with up to 16 storeys in my own area, in my own suburb of Kew, for example. But I am particularly worried about the conurbation that is being created between Oakleigh, Hughesdale, Murrumbeena and Carnegie. These four areas have got massive new height requirements, with the minister this week announcing a 16-storey height limit, with virtually no planning controls, in Oakleigh. Similar height increases are proposed in the other suburbs. In those four nodes there is up to 16 storeys in Oakleigh, 10 storeys in Murrumbeena and 12 storeys in Carnegie and Hughesdale, and in each of the areas there is a massive zone of 800 metres, with a maximum of six storeys, with virtually no checks or balances on the quality of the arrangements and the support

that goes in. There is no evidence of increased infrastructure; there is no evidence of increased parkland. There is no evidence of any of those basics that you would expect. What is the government going to do with schools? What is the government going to do with health services? What is the government going to do with parking? All of those have not been dealt with by these changes, and the government is going to ride roughshod over the local communities.

What I want the minister to do is to come on a long walk with me from Oakleigh all the way back to Carnegie. You can walk most of the way quite close to the railway line, and you can walk through the suburbs, the towns, as it were, on the way. They all join up under the government's proposal into one massive high-rise density arrangement. It is a massive conurbation that is being created there. It is an ugly outcome for the community. This is very different from what was proposed earlier. I note Mr Dimopoulos promised in 2018 that places like Murrumbeena should not have more than three or four storeys. That is what he promised. Caps were put in for Carnegie and Murrumbeena under a previous Labor planning minister – mandatory caps so that you could not go over four storeys in those areas – but now the government is proposing 16 storeys. It is the same government and the same local member. He said not more than three to four storeys. Now he is supporting 16 storeys in some of these areas. It is 10 storeys in Murrumbeena, 12 storeys in Carnegie, 12 storeys in Hughesdale and 16 storeys in the Oakleigh area. This massive density is all going along, and the member for Oakleigh has misled and deceived his community.

Animal welfare

Katherine COPSEY (Southern Metropolitan) (18:54): (2437) My adjournment tonight is for the Minister for Agriculture. Minister, your counterpart in New South Wales the Honourable Tara Moriarty confirmed in August 2024 that the Labor government there would be establishing an independent office of animal welfare. The action I seek is for the government to follow in their footsteps by committing to an independent office in Victoria. The Greens have long called for the establishment of an independent regulatory body for animal welfare to monitor compliance, with full prosecutorial power and standing in relation to animal matters. The New South Wales commitment responds to concerns raised over many years across the country about departments of agriculture being simultaneously responsible for animal welfare policy.

In 2016 an inquiry into the regulation of Australian agriculture that the Productivity Commission undertook stated that there needs to be 'more independence in the standards development process'. 2017 FOI documents revealed that the New South Wales department of primary industries had organised secret meetings with poultry industry executives during a stakeholder consultation process for national poultry welfare standards. In Victoria animal welfare sits within Agriculture Victoria, whose role is 'to grow and protect profitable, sustainable farms', which is an important function but does raise an obvious question: is it appropriate for the same department charged with maximising agricultural profitability to also oversee animal welfare, when those goals, as we have all seen, can clearly conflict? Currently Animal Welfare Victoria sits within Agriculture Victoria and has no statutory independence.

A 2023 survey by BehaviourWorks at Monash Uni found that 80 per cent of Australians believe animal welfare policy should be overseen by an independent and impartial authority. A dedicated animal welfare agency would build trust in government and improve coordination between the many agencies and charities responsible for enforcing animal welfare legislation, and Agriculture Victoria would remain an important part of the policymaking process by providing technical advice on livestock production. It would mean animal welfare decisions are made on the basis of science, evidence and the interests of animals, not the competing priorities of industry portfolios. The Greens support recognising the sentience of animals, but recognising sentience means very little if the system that is designed to protect those animals is not independent. Minister, Victoria should not lag behind New South Wales on this. We need to make sure that sentient animals are protected by independent oversight.

Housing

Michael GALEA (South-Eastern Metropolitan) (18:57): (2438) For my adjournment matter this evening I wish to raise a matter for the attention of the Minister for Housing and Building, who just happens to be with us tonight, which is terrific. The action that I seek is an update on how sustainable design methodology is informing social housing developments in the state of Victoria, especially as we are undertaking a significant reform and rebuild program of social housing in this state. The many developments which have already taken place include those in places such as Bangs Street, Prahran, which were described this week by the local Liberal member as 'fabulous developments, sustainable developments in Bangs Street', and I could not agree with her more. If only we had some more sensible Liberals like the member for Prahran when it comes to the matter of housing. I know that she was very excited about it, and I know that it is something that the minister has been very excited about in Prahran and across Melbourne as well. But it is not just within these walls at Spring Street that that attention has been piqued. Indeed we saw a great deal of interest from Their Majesties the King and Queen of Denmark, who visited the site in Prahran this week, accompanied by the minister for housing herself, and as I understand, the member for Prahran was also in attendance. I know the minister would be only too thrilled to impress us all, as I am sure she impressed the royals, with her knowledge of dansk sprog, the Danish language, and I look forward to hearing further from her about that. But I would like to know how this sustainable design methodology is informing the social build that this government is undertaking and, in particular, what sort of international engagements and relationships are being built as a result. What lessons are others keen to learn from the state of Victoria? What future collaborations and partnerships are there as well?

Motor vehicle theft

Trung LUU (Western Metropolitan) (18:59): (2439) My adjournment matter is for the Minister for Police regarding the surge in theft of motor vehicles. A recent investigation by Victoria Police suggests that more than 10,000 vehicles a year have been stolen using an onboard diagnostic device, known as an OBD. This is equivalent to around 30 vehicles stolen every single day, an alarming figure that reflects how widespread these techniques have become amongst offenders. Therefore I seek for the minister to provide detailed measures or strategies that the government is currently deploying or intends to deploy to prevent and combat the misuse of onboard diagnostic devices in the theft of motor vehicles. Authorities including Victoria Police and RACV have advised motorists to install OBD port locks, strengthen key security measures and use additional theft devices to deter vulnerability to technology-enabled theft. In spite of this, criminals continue to exploit the easy access of this device to override vehicle security systems, reprogram keys and rapidly steal target vehicles in seconds. OBD devices were originally developed to use within the motor vehicle industry to enable mechanics and technicians to diagnose faults and service vehicles. However, these devices are now being exploited by offenders to bypass vehicle security systems and clone keys. In spite of their legal availability, Victoria Police seized more than 800 of these devices from offenders last year, raising a serious question about why they remain so accessible given the growth of misuse. People rely on vehicles to get to work, take their children to school and carry out everyday responsibilities. They should not have to live in fear that their car could be stolen at any time simply because the offender can obtain and misuse technology designed for a legitimate purpose. I implore the minister to implement strategies and measures to address the rise in theft of motor vehicles with the misuse of onboard diagnostics devices.

Donnybrook Road upgrade

Evan MULHOLLAND (Northern Metropolitan) (19:01): (2440) My adjournment matter is something I bring up pretty much every week, Donnybrook Road in my electorate, and my adjournment is for the Minister for Transport Infrastructure. Last year the government ran a 20-day community feedback consultation about Donnybrook Road, while today marks 250 days since the feedback window closed, and yet it seems we are no closer to clearing the congestion and getting rid of the gridlock that is keeping my constituents trapped in their cars and away from their families. It

will shock absolutely no-one who actually spends time on Donnybrook Road or speaks to local residents, as do I, that:

- The top 2 improvements that respondents would like considered is more road lanes and upgrades to the Hume Freeway Interchange.
- … There was strong support to add new lanes to the Donnybrook Road bridge over the Hume Freeway …

To quote one respondent:

> Must duplicate the bridge over the Hume. It is the primary cause of congestion. The bridge over the Hume should span enough to allow for additional lanes on the Hume Freeway in the future.

Everyone wants that. That is what the community feedback has said. But that is not what the Prime Minister and Minister Williams announced at the end of the last federal election campaign. What they announced with the bumbling member for McEwen – and I believe the member for Yan Yean was there – was that they would duplicate the bridge over the Merri Creek and blow up a roundabout they only just installed in 2023 with a slip lane to put in traffic lights. That is all they will do for $125 million. From everyone in my electorate, from the 20-day consultation from this government that closed 250 days ago, the top feedback was that people want the bridge over the Hume duplicated. That is what my community want, Minister. It is pretty simple and symbolic of the contempt in which the government holds my constituents in the outer north to condemn them to traffic chaos. Maybe if the government did not prioritise the Suburban Rail Loop so much, Donnybrook Road would be top of the priority list. We know the government is prioritising at least $35 billion into SRL East. I saw reports today that some leadership contenders for Premier are considering pausing the SRL and putting it into airport rail. I reckon there will be enough there to put into airport rail and prioritise that and duplicate Donnybrook Road, because that is what is most urgent – to duplicate the bridge over the Hume at Donnybrook Road. It takes my residents 45 minutes to get out of their estate just onto Donnybrook Road. The action I seek is for the minister to duplicate the bridge over the Hume Freeway and duplicate Donnybrook Road.

Responses

Harriet SHING (Eastern Victoria – Minister for the Suburban Rail Loop, Minister for Housing and Building, Minister for Development Victoria and Precincts) (19:04): This evening there were nine matters under the adjournment, which is a very small number, comparatively speaking. It is almost as though everyone on the opposition benches has decided that they need to head off to see what is happening in Nepean. But following the referral of these matters to the relevant ministers for their written responses, I do want to take the opportunity to respond to one matter raised by Mr Galea, as it relates to the housing portfolio and indeed to the work that is happening in Bangs Street in Prahran and the work that we are doing to deliver more affordable housing across the state and in particular in our built-up urban environments to provide the sort of housing that people want and need that is within walking distance of public transport, schools, hospitals, people's jobs and of course the beautiful open spaces that characterise our city.

As Mr Galea rightly noted, one of the examples of really wonderful social housing is at Bangs Street in Prahran. This is something which the Liberal member for Prahran in the other place has also extolled the virtues of in a number of public comments she has made about the importance of investing in good new housing. Across the Bangs Street, Prahran, area we have built 434 new homes, and over 670 homes are under construction across the Prahran precinct. Mr Galea asked about the importance of these homes as they relate to sustainability and to the delivery of housing which is bright, modern, energy-efficient, fit for purpose, warm in winter, cool in summer and accessible so, amongst other things, people can age in place. These homes are all-electric and they have a 5-star green energy rating and a 7-star average NatHERS rating. This also means that people are saving money. It is cheaper to live in a home that is well appointed and fitted out in a way that means that people are not spending large amounts of money on heating and cooling.

These homes, as the member for Prahran in the other place has rightly noted, are so well built and they are such wonderful examples of sustainability that Their Majesties the King and Queen of Denmark came to Prahran to join me and the Victorian government architect on a walk around the precinct. Almene boliger, which is 'public housing' in Denmark, is a really significant set of opportunities for the Danish government to deliver on sustainability and provide opportunities for people to access minimum standards as they relate to the type of housing, the way in which building materials are managed, adaptive reuse and the sort of work that goes into delivering housing that is modern and fit for purpose. We also know that in managing mixed communities we need to deliver the sort of housing that does not confine people in one type of housing to one part of a community without having an opportunity to live in communities, whether that is build-to-rent, private market or social housing. It was wonderful to be able to show the king and the queen around this part of the precinct and also see the sort of work that has gone into delivering these brand new homes, which will be available to people on the housing register to call their own. His Majesty the King actually described these homes as symbolising the journey from outdated stock to the sustainable housing of tomorrow.

We were able to see the outdated high-rise towers immediately around this area and compare and contrast them with the new housing which is being delivered in the same communities so that people can exercise that right of return, can come back to the neighbourhood that they were relocated from if they wish, or otherwise that housing will be provided to people on the housing register. The member for Prahran was obviously effusive about this. We did cross paths with her unexpectedly during this visit when she was standing in front of the public housing. Indeed we look forward to her ongoing and vocal support for the sort of social housing that is being developed and delivered and her vocal support for the redevelopment of these towers across Melbourne. These 39 hectares of land across Melbourne that have these outdated high-rise towers on them are a really good opportunity, as the member for Prahran has indicated, to replace old and outdated housing with brand new housing stock. It is a wonderful thing that we have seen a departure from the Liberal position of opposing the development of these towers, with the member for Prahran's welcoming of this work that will provide better density, better opportunity and better housing with some of the finest social housing that she has seen and indeed that we are producing to the envy of many parts of Australia to address the shortfall in housing and provide modern options for people to have housing that they can be proud to call their own.

Mr Galea, thank you very much for your advocacy in this space. Thank you to everybody who is part of making sure that as we deliver between 16,000 and 17,000 new social housing homes across the state, including in partnership with the Albanese government, we are doing so in a way that plans for the future, that provides people and their children with opportunities to build community with housing and that not only enables this sort of work to connect as communities and families but celebrates the sort of quality housing that people all around Victoria deserve access to now and into the future.

Questions without notice and ministers statements

Written responses

The PRESIDENT (19:10): Before I adjourn the house, I committed to Mr Davis to review an answer to a supplementary question to Minister Shing. Having reviewed *Hansard*, during Minister Shing response's there was a point of order from Mr McGowan. Mr McIntosh spoke further to the point of order. Mr Davis made a point of order. Minister Shing continued her answer. Mr Davis made a point of order. Minister Symes interjected. Mr Davis replied to that interjection. I called the minister back to the question, and I believe the minister answered the question relevantly to what was asked during the chance she got to finish her response. I will not be asking Minister Shing for an answer in writing under standing orders.

I now say that the house is adjourned.

House adjourned 7:11 pm.