



Hansard

LEGISLATIVE ASSEMBLY

60th Parliament

Thursday 2 November 2023

Office-holders of the Legislative Assembly
60th Parliament

Speaker

Maree Edwards

Deputy Speaker

Matt Fregon

Acting Speakers

Juliana Addison, Christine Couzens, Jordan Crugnale, Paul Edbrooke, Wayne Farnham, Bronwyn Halfpenny, Paul Hamer, Michaela Settle, Meng Heang Tak and Jackson Taylor

Leader of the Parliamentary Labor Party and Premier

Jacinta Allan

Deputy Leader of the Parliamentary Labor Party and Deputy Premier

Ben Carroll

Leader of the Parliamentary Liberal Party and Leader of the Opposition

John Pesutto

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition

David Southwick

Leader of the Nationals

Peter Walsh

Deputy Leader of the Nationals

Emma Kealy

Leader of the House

Mary-Anne Thomas

Manager of Opposition Business

James Newbury

Members of the Legislative Assembly
60th Parliament

| Member | District | Party | Member | District | Party |
|------------------------------|------------------|--------|-----------------------------|--------------------|--------|
| Addison, Juliana | Wendouree | ALP | Lambert, Nathan | Preston | ALP |
| Allan, Jacinta | Bendigo East | ALP | Maas, Gary | Narre Warren South | ALP |
| Andrews, Daniel ² | Mulgrave | ALP | McCurdy, Tim | Ovens Valley | Nat |
| Battin, Brad | Berwick | Lib | McGhie, Steve | Melton | ALP |
| Benham, Jade | Mildura | Nat | McLeish, Cindy | Eildon | Lib |
| Britnell, Roma | South-West Coast | Lib | Marchant, Alison | Bellarine | ALP |
| Brooks, Colin | Bundoora | ALP | Matthews-Ward, Kathleen | Broadmeadows | ALP |
| Bull, Josh | Sunbury | ALP | Mercurio, Paul | Hastings | ALP |
| Bull, Tim | Gippsland East | Nat | Mullahy, John | Glen Waverley | ALP |
| Cameron, Martin | Morwell | Nat | Newbury, James | Brighton | Lib |
| Carbines, Anthony | Ivanhoe | ALP | O'Brien, Danny | Gippsland South | Nat |
| Carroll, Ben | Niddrie | ALP | O'Brien, Michael | Malvern | Lib |
| Cheeseman, Darren | South Barwon | ALP | O'Keeffe, Kim | Shepparton | Nat |
| Cianflone, Anthony | Pascoe Vale | ALP | Pallas, Tim | Werribee | ALP |
| Cleeland, Annabelle | Euroa | Nat | Pearson, Danny | Essendon | ALP |
| Connolly, Sarah | Laverton | ALP | Pesutto, John | Hawthorn | Lib |
| Couzens, Christine | Geelong | ALP | Read, Tim | Brunswick | Greens |
| Crewther, Chris | Mornington | Lib | Richards, Pauline | Cranbourne | ALP |
| Crugnale, Jordan | Bass | ALP | Richardson, Tim | Mordialloc | ALP |
| D'Ambrosio, Liliana | Mill Park | ALP | Riordan, Richard | Polwarth | Lib |
| De Martino, Daniela | Monbulk | ALP | Rowswell, Brad | Sandringham | Lib |
| de Vietri, Gabrielle | Richmond | Greens | Sandell, Ellen | Melbourne | Greens |
| Dimopoulos, Steve | Oakleigh | ALP | Settle, Michaela | Eureka | ALP |
| Edbrooke, Paul | Frankston | ALP | Smith, Ryan ³ | Warrandyte | Lib |
| Edwards, Maree | Bendigo West | ALP | Southwick, David | Caulfield | Lib |
| Fowles, Will ¹ | Ringwood | Ind | Spence, Ros | Kalkallo | ALP |
| Fregon, Matt | Ashwood | ALP | Staikos, Nick | Bentleigh | ALP |
| George, Ella | Lara | ALP | Suleyman, Natalie | St Albans | ALP |
| Grigorovitch, Luba | Kororoit | ALP | Tak, Meng Heang | Clarinda | ALP |
| Groth, Sam | Nepean | Lib | Taylor, Jackson | Bayswater | ALP |
| Guy, Matthew | Bulleen | Lib | Taylor, Nina | Albert Park | ALP |
| Halfpenny, Bronwyn | Thomastown | ALP | Theophanous, Kat | Northcote | ALP |
| Hall, Katie | Footscray | ALP | Thomas, Mary-Anne | Macedon | ALP |
| Hamer, Paul | Box Hill | ALP | Tilley, Bill | Benambra | Lib |
| Haylett, Martha | Ripon | ALP | Vallence, Bridget | Evelyn | Lib |
| Hibbins, Sam | Prahran | Greens | Vulin, Emma | Pakenham | ALP |
| Hilakari, Mathew | Point Cook | ALP | Walsh, Peter | Murray Plains | Nat |
| Hodgett, David | Croydon | Lib | Walters, Iwan | Greenvale | ALP |
| Horne, Melissa | Williamstown | ALP | Ward, Vicki | Eltham | ALP |
| Hutchins, Natalie | Sydenham | ALP | Wells, Kim | Rowville | Lib |
| Kathage, Lauren | Yan Yean | ALP | Werner, Nicole ⁴ | Warrandyte | Lib |
| Kealy, Emma | Lowan | Nat | Wight, Dylan | Tameit | ALP |
| Kilkenny, Sonya | Carrum | ALP | Williams, Gabrielle | Dandenong | ALP |
| Wayne Farnham | Narracan | Lib | Wilson, Belinda | Narre Warren North | ALP |
| | | | Wilson, Jess | Kew | Lib |

¹ ALP until 5 August 2023

² Resigned 27 September 2023

³ Resigned 7 July 2023

⁴ Elected 3 October 2023

PARTY ABBREVIATIONS

ALP – Australian Labor Party, Greens – Australian Greens,
Ind – Independent, Lib – Liberal Party of Australia, Nat – National Party of Australia

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Thursday 2 November 2023

The SPEAKER (Maree Edwards) took the chair at 9:32 am, read the prayer and made an acknowledgement of country.

Business of the house**Orders of the day**

The SPEAKER (09:33): General business, order of the day 1, will be removed from the notice paper unless the member wishing their matter to remain advises the Clerk in writing before 2 pm today.

Documents**Documents****Incorporated list as follows:****DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** – The Clerk tabled:

Harness Racing Victoria – Report 2022–23

Subordinate Legislation Act 1994 – Documents under s 15 in relation to Statutory Rule 107.

Business of the house**Standing and sessional orders**

Ellen SANDELL (Melbourne) (09:33): I desire to move, by leave:

That so much of standing and sessional orders be suspended to allow general business, notice of motion 11 relating to the reintroduction of non-government business time, to be moved immediately.

Leave refused.

Adjournment

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (09:34): I move:

That the house, at its rising, adjourns until 14 November 2023.

Motion agreed to.

Members statements**Bridgewater Road, Portland**

Roma BRITNELL (South-West Coast) (09:34): If you have driven along the ring-road in Portland and gone under the Bridgewater Road overpass, you do not need much common sense to realise that a roundabout would not work here, yet that is what the state Labor government has put forward as an option – rip out the overpass and put in a dangerous roundabout. They have been seeking community feedback on this idea, so let me make it clear why this proposal is dangerous and why it should be scrapped immediately, before another cent is wasted.

The overpass was constructed to keep trucks away from local traffic. The ring-road now sees an average of 100 trucks per hour travelling along it. That is more than one truck per minute. Why would removing this separation even be considered by the government as an option? Numerous members of the community have come to me to say that a roundabout would result in a tragedy and that the government need to be up-front about the options, costings and safety reports rather than coming back with a decision they have already made, as the community suspects is happening in this case. We have seen time and time again under Labor that so-called community consultation is not actual consultation, it is just a facade of listening when the real decision has already been made. I have spoken with the Committee for Portland, Keppel Prince and numerous other businesses, who all oppose a roundabout.

Their advice is that a roundabout is unsafe, unnecessary and not value for money. Quite simply, the Labor state government and their bureaucrats in Melbourne must scrap the roundabout option now, not next year after they have spent hundreds of thousands on planning, not once the roundabout is built and they realise how unsafe it is. Scrap it now, and do not waste a penny more.

World Teachers Day

Ben CARROLL (Niddrie – Minister for Education, Minister for Medical Research) (09:36): Education is the most powerful cause for good. We know that it is the most important public investment we can make in our future and we know that teachers inspire and change lives.

Last week we celebrated World Teachers Day. We can all remember that teacher that inspired us to aim higher, work harder and be braver. I had the great pleasure of going back to my old primary school last week, St Christopher's in Airport West, to see the great work that continues to go on there under the teaching staff, the parents, the business managers and all the students. I want to thank Adrian Glasby, who has been there for nine years, as well as Dr Ed Simons, the executive director at Melbourne Archdiocese Catholic Schools, who accompanied me. The school was founded back in 1962. I went there with my brother and sister. It is a wonderful local institution in Airport West. I also had the pleasure, on World Teachers Day, to go to Western Chances and see how scholarships are literally changing lives for some of the most vulnerable kids in Melbourne's west, putting them on that path to education to unlock their true potential.

We know too that the Be That Teacher campaign that was launched between the Commonwealth and state governments around Australia is a real call to arms for our teachers. They serve our community and they inspire the next generation. We want more people to become teachers. On that note, I want to thank all our VCE students, who are going through their important exams. Please do everything you can, but be well organised.

Victorian Education Excellence Awards

Tim McCURDY (Ovens Valley) (09:37): I would like to acknowledge some of the high achievers in our community in the teaching field who were recently honoured at the 2023 Victorian Education Excellence Awards. A finalist for outstanding primary school principal was Kristy Mullins from Wangaratta West Primary School. The Colin Simpson Outstanding Secondary Principal Award went to Kimberly Tempest, principal at Cobram Secondary College, and the Outstanding School Improvement Award went to Wangaratta West Primary School. The education of our young people is the greatest investment that we can make, and I thank all teachers, teachers aides, parents and parents and friends groups for the work that they do.

Wangaratta Festival of Jazz and Blues

Tim McCURDY (Ovens Valley) (09:38): This weekend sees the final Wangaratta jazz and blues festival ever, the Last Hurrah. Wangaratta has hosted this festival for 30 years. The National Jazz Awards have always been a feature, and they will still be held this weekend. Over the 30 years there have been many, many volunteer boards, and I want to thank each and every member of those boards over this time. John and June Brown of Brown Brothers have been outstanding supporters and contributors over the years; Dave Fuller, the current chair – great job, Dave; and certainly Patti Bullus, who steered the ship for many, many years, should be proud of her success and the success of this event. Time waits for nobody, and the curtain will fall on the Wangaratta jazz and blues festival this weekend.

Ovens Valley agricultural shows

Tim McCURDY (Ovens Valley) (09:38): The annual agricultural shows are coming to an end in my region. Congratulations to Wangaratta and Yarrawonga and last weekend the Cobram and Myrtleford shows and all the volunteers who put so much work into making these events terrific events in our local communities.

Gregory Leonard

Tim PALLAS (Werribee – Treasurer, Minister for Industrial Relations, Minister for Economic Growth) (09:39): I rise to acknowledge the passing of Gregory Leonard, a man who touched many people in the Wyndham community. Greg recently passed away suddenly and unexpectedly. I express my condolences to his family. Greg was a ministerial driver for the Department of Premier and Cabinet for over 35 years, and I had the privilege to have Greg drive me between 2006 and 2010. Not many can boast of serving three past premiers of Victoria – John Cain, Joan Kirner and Steve Bracks – and Greg was in the entourage of vehicles for President Bush in 1992. I have got really fond memories of Greg. Greg lived not only for his family but for his community. When driving through regional Victoria he always knew the best bakeries to go to and share a pastie or two.

After he retired Greg contributed much to his community in a volunteer capacity, which is a testament to his great character. He was a justice of the peace for 18 years and assisted Indigenous communities, people with disability and young people learning to drive, and he served on various committees. The loss of Greg will be deeply felt across many organisations and community groups. On behalf of Wyndham, I express my thanks to Greg for his relentless contribution, his service, his kindness, his sense of humour and for giving so much of his time to help others. He will be missed. My deepest sympathies on this passing of a truly decent man to his wife Kerri, daughter Adele, mother Heather and father John.

Great Ocean Road safety

Richard RIORDAN (Polwarth) (09:40): I rise this morning to put on the record the hard work that some 456 members of the Jan Juc and Torquay community have done to put together a petition for the awareness of this house around the fact that there is a need for a safe crossing on the Great Ocean Road in the vicinity of Strathmore Drive. In that area we have, a short distance away, the Bellbrae Primary School and the Christian College Geelong Surf Coast campus, both growing and vibrant school communities with most of their students living on the other side of the Great Ocean Road. The Great Ocean Road is a major conduit for tourism and people visiting and enjoying the wonders of the Great Ocean Road region, and it carries a lot of traffic. This section is still an 80-kilometre zone, and people are distracted by the beauty and the views that they can see in the distance, so it is setting up as a recipe for disaster if we do not put the infrastructure in place. Due to changes in planning and development in the Torquay area, plans from the past to create a crossing no longer exist. There is wonderful bike infrastructure being developed on the other side of the road. The time is now right for the government to get in and support the Surf Coast shire and the Jan Juc, Torquay and Bellbrae communities to get a safe crossing for pedestrians and bike riders and for the school communities.

Epping Primary School

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (09:42): I rise today to speak about the Epping Primary School's Greenbrook campus, a fantastic little school in my electorate of Mill Park. The Greenbrook campus has 90 students enrolled and is a highly multicultural community, with 51 per cent of the school's students qualifying for English as an additional language. I recently had the pleasure of visiting and speaking with school principal Barbara McKenzie about the amazing things the school is doing, including its school breakfast program, which it runs in partnership with Foodbank Victoria, and the many lunchtime clubs they run, such as the garden club and the jewellery club. I was also delighted that the school offers Italian as a second language – bellissimo! The staff are committed to and passionate about providing every opportunity to students aspiring to be lawyers, doctors, veterinarians and football stars. They are a small campus with a big heart who are also delivering a wonderful school experience to their students.

Wollert Secondary College

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (09:42): I also recently had the opportunity to visit Wollert Secondary College, alongside my colleague the member for Thomastown, to see the wonderful bee hotels they have constructed in partnership with Major Projects Victoria's Epping Road upgrade team. The student gardening club gave a fantastic presentation on the different types of native bees that inhabit the hotels and the importance of the bees to our environment. Students also walked us through their new garden, with lots of native species, fruit and vegetable plants – perfect for the hotel guests next door. Thanks to school principal Melissa Lozanovski – (*Time expired*)

Tootgarook Primary School

Sam GROTH (Nepean) (09:43): Tootgarook Primary is a much-loved local public school in my electorate. The school currently has about 170 students but is suffering from declining enrolment – it is projected to be about 150 next year. I recently met with acting principal Leigh McQuillen. Leigh is incredibly proactive and enthusiastic about building Tootgarook Primary's reputation within the community and with that the student numbers. The staff are vibrant and engaging, and the academic results the school has achieved are at or above the network schools.

I thank Leigh for his time and for giving me the opportunity to tour the school, which is in serious need of some upgrades. While schools in the area have had upgrades recently, Tootgarook Primary has been left without that much-needed investment. Some of the things that the school and Leigh have proposed that need to be done are a new undercover synthetic basketball court, giving the school much-needed shade and an outdoor learning and community space; new fencing around the school for security; a new playground for the students, which can be shared with a kinder that attaches and also the local community; the school needs to be repainted; they would love a running track around the oval – I know we are getting into the weeds now, but they would love one of those; and the school needs new carpet throughout as well as extra storage throughout the entirety of the school.

Tootgarook Primary has so much going for it. Leigh is fantastic, he is active. He is trying to do what he can to raise the profile of the school within the community, but with the declining numbers they need these facilities and these upgrades. They will be a major boost for the Tootgarook Primary School community.

Shanleigh Meldrum

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (09:45): I rise to proudly acknowledge a remarkable individual from my community who has recently been inducted into the Victorian women's honour roll as an emerging leader. Shanleigh Meldrum, a deaf person and local Gisborne resident, has dedicated her professional and community life to making our society more inclusive, particularly in the context of emergency management and support for those with sensory disabilities.

Shanleigh's journey as a sensory disability professional and her volunteer work with the SES exemplify her dedication and commitment to the betterment of our community. Through her participation in emergency management forums, Shanleigh tirelessly emphasises the importance of disability access and inclusion during major crisis events, ensuring that the needs of all community members are met regardless of ability. Shanleigh's advocacy and work as a mentor has had a profound impact on deaf, hard of hearing and deafblind young people right across rural and regional Victoria.

I commend Shanleigh Meldrum for her work and her commitment to fostering a more inclusive and supportive society. Her induction into the Victorian women's honour roll is a testament to her remarkable contributions and serves as an inspiration for all of us. As a young and emerging leader, we look forward to witnessing the continued positive impact that Shanleigh will undoubtedly have in years to come.

Shirley McKerrow

Emma KEALY (Lowan) (09:46): I would like to acknowledge the sad passing of Mrs Shirley McKerrow OAM. Shirley was a phenomenal woman and an amazing servant to her community. But she was an amazing woman in so many other ways, because she was the first woman to serve as a state president of any political party, being state president of the Nationals from 1976 to 1980, and then from 1981 to 1987 she was the federal president of the Nationals. We are enormously proud of the work that Shirley did, not just for the National Party but for the community that she served. She did an enormous amount of work with the Gisborne bush nursing hospital when it was first established. She absolutely set the trail for other women to follow in her footsteps and certainly did so for me as a female MP, who saw that the Nationals was a pathway that I could follow. I pass on my sincere condolences to Dianne, Lachlan, Ian and Sally. Vale, Shirley McKerrow.

Regional gas prices

Emma KEALY (Lowan) (09:47): I urge the Minister for Energy and Resources to urgently review the gas monopoly in western Victoria, which is creating soaring energy costs in my electorate of Lowan. The failure of Labor to act to break this monopoly means locals cannot access pay-on-time discounts or paperless bill discounts. This is having a huge impact on the cost of living. I have got one constituent who is reporting their bill has gone up in the last four months by \$1800, and a 16 per cent discount with another provider would have paid for groceries for weeks. *(Time expired)*

Victoria Police Death and Disability Benefits Contingency Fund

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (09:48): Victoria's hardworking police and protective services officers and their families will have better financial protection and peace of mind should anything tragic happen thanks to support from the Allan Labor government. Last month I announced the establishment of the \$15 million death and disability contingency fund, which delivers on a 2018 pledge from the Labor government recognising the critical role of police in keeping Victorians safe. The fund provides operational members aged between 55 and 59 with access to a lump sum payment if they sustain a total and permanent disability. The lump sum will be calculated based on the member's age and final average salary, decreasing with age. If an eligible member passes away before they reach the maximum benefit available under the current emergency services defined benefit, then their estate will be eligible to make a claim on the contingency fund.

The fund ensures our longest-serving police officers are not financially disadvantaged compared to their younger peers in the event of a tragic accident. It will also ensure that our hardworking police officers receive comparable benefits to other emergency services workers. The fund will be administered by the Department of Justice and Community Safety, which will work with Emergency Services & State Super and Victoria Police to provide a streamlined process to claimants. The government has worked closely with the Police Association Victoria, Victoria Police and ESS Super to develop the contingency fund payment structure and service model. I would like to also thank the Treasurer for his collaboration to bring the fund to fruition. The fund will start taking applications immediately and will offer great peace of mind to police members and their families.

Boroondara Hard Rubbish Rehome

Jess WILSON (Kew) (09:49): I wish to draw attention to the excellent work of Boroondara Hard Rubbish Rehome. BHRR is a community-led local sustainability group that aims to support and promote a circular economy in Boroondara. BHRR held their inaugural spring market last month, and it was a brilliant way to showcase their leadership in community sustainability. Hundreds of locals or 'rehomies', as they are colloquially known in the BHRR family, attended the market, purchasing everything from repurposed and upcycled items to plants grown specifically for the market.

It was terrific to spend time on the sausage sizzle being run by the 1st Deepdene Scout group. Kris and the team's gourmet offerings kept all the rehomies fuelled for the market. Congratulations to Jennie

and Cath from BHRR for their leadership and community sustainability and for organising such a successful market.

Under the Same Sky

Jess WILSON (Kew) (09:50): It was an honour to open the new exhibit from the talented artists of QArt at the old Kew Court House last month. The exhibition is called *Under the Same Sky* and showcases the artists' impressions of inclusiveness, exploring what it means to work and live together beneath the same sky. I was lucky enough to have local artists Stefan and Henry show me their incredible paintings and talk about the meaning and techniques behind each one. Congratulations to all QArt studio artists and to Molly and Gordon on such an outstanding exhibition.

Kew schools Halloween colouring competition

Jess WILSON (Kew) (09:50): I want to congratulate the winners of the local Kew school Halloween colouring competition. With hundreds of entries from primary school students across the electorate, I was so impressed with the level of skill and creativity. Congratulations to all the winners. It was very hard to choose the award winners, but it was lots of fun to present them with their certificates and hampers.

West Gate Neighbourhood Fund

Melissa HORNE (Williamstown – Minister for Casino, Gaming and Liquor Regulation, Minister for Local Government, Minister for Ports and Freight, Minister for Roads and Road Safety) (09:51): I have had an awesome 24 hours because I have been ringing community groups across my electorate to tell them that they have been successful for the West Gate Tunnel neighbourhood fund. This is a fund that is all about improving the inner west and supporting the community that has been most impacted by the disruption. We have been focusing on projects celebrating heritage, history or diversity and contributing to safe and liveable environments and arts, culture and learning, and 34 projects across the electorate of Williamstown have received a total of nearly \$1 million.

Let me run you through some of them. We have had Altona City Soccer Club – they have got \$27,000 for an electronic scoreboard. Altona Hockey Club have also got the installation of a large electronic scoreboard to improve player, coach and spectator experience – that is \$48,000. DERMPAV, which is a historical electric rail motor preservation association, will have nearly \$90,000 to restore a very old tram for the local community. Newport Bowls Club have got nearly \$40,000 to upgrade their restoration of the ladies pavilion. And speaking this morning to Seaworks, they have got \$150,000 to restore Melbourne's oldest morgue right down in Seaworks.

Middle East conflict

Ellen SANDELL (Melbourne) (09:52): Many people have contacted me expressing how horrified they are at the events happening in Israel and Palestine right now. On 7 October Hamas killed over 1400 Israelis in the most brutal attacks. These attacks must be loudly condemned and they have been, including here in the Victorian Parliament. Many Labor and Liberal MPs were also quick to support the Israeli government and their response, but few MPs have spoken out about what is now happening in Gaza and what has been happening to the Palestinian people for decades.

Gaza has a population of just over 2 million people, 40 per cent of them are children. Fenced into an area about half the size of Melbourne, they are literally trapped. Yet over the last three weeks the Israeli military has dropped thousands of bombs on them and cut off any access to food, electricity, medicine and even water. Two million people are literally being starved to death. Over 8000 have been killed, almost half of them children. This is a humanitarian catastrophe. This is collective punishment of 2 million innocent people by the Israeli government. That is a war crime, and war crimes can never justify more war crimes.

Yet this week when 140 countries voted for a UN resolution calling for a ceasefire, our Labor government in Australia abstained. We should not be looking away; we should be using our voices to

call loudly for peace, and we need to be honest that to have a lasting peace the Israeli government needs to end the illegal occupation of Palestinian territories. We need all hostages released immediately and we need a ceasefire. Surely supporting more violence and war crimes is never the answer.

Kalkallo electorate infrastructure

Ros SPENCE (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (09:54): Last Friday I had the opportunity to officially open the Kalkallo North Community Centre and the Grand Boulevard Reserve play space in Craigieburn. Kalkallo is a rapidly growing suburb in my electorate and is home to thousands of residents, with plenty more to come, which is why I was thrilled to open this brand new, state-of-the-art community centre, ensuring that local residents have access to the services they need closer to home. The centre includes function spaces, multipurpose community meeting rooms, a commercial kitchen, consulting rooms, maternal and child health services, three preschool rooms catering to nearly 200 places and even a tea and coffee station for locals to help themselves to a cuppa. This facility was a partnership with Hume City Council, with a \$5 million investment from the Allan Labor government's Growing Suburbs Fund and the Building Blocks capacity-building grants, along with \$4.5 million from council. Next door to the new Banum Warrik Primary School opening next year, this centre will help minimise the double drop-off, and the services on site will be warmly welcomed by the local community.

It was also terrific to open the play space at Grand Boulevard Reserve, featuring a nature play area as well as both junior and senior playgrounds for children. In another partnership with Hume City Council this project received \$2 million in funding from our government's Growing Suburbs Fund and \$4.8 million from council. This reserve is an outstanding addition to the local community and once complete will include multipurpose sports courts, a BMX track, a skate park and an irrigated kick-out lawn. I look forward to seeing both these important projects put to good use.

Gippsland Super 6

Wayne FARNHAM (Narracan) (09:55): I rise today to talk about an event coming up next week at the Warragul Country Club, the Gippsland Super 6. You might be surprised to know, but there are only 16 PGA events in Australia and New Zealand in a calendar year, and the Warragul Country Club is on its third year of hosting this event. It is a great event for the local community, with some of the best golfers in Australia coming to Warragul and playing at an absolutely fantastic golf course, so I would encourage anyone in the chamber that is into golf to come down to Warragul for the weekend and have a look at this fantastic event.

Mindfull Aus

Wayne FARNHAM (Narracan) (09:56): I was recently at the Mindfull Aus ball with the Leader of the Opposition John Pesutto, and we had a fantastic night. Mindfull Aus is a unique mental health provider in my area that does not get any local, state or federal support. They focus their attention on young children in primary schools to teach them that feelings are okay and how to feel them, and more importantly, they teach these kids resilience. They do this program all over Victoria in Victorian schools. I congratulate them on a fantastic night and the work that they will continue to do.

Geoff Watt Memorial Fun Run

Wayne FARNHAM (Narracan) (09:56): Lastly I would like to give a shout-out to everyone that participated in the Geoff Watt Memorial Fun Run, hosted by our very own gold medallist Kathy Watt, who is another Warragul girl. Congratulations to all the participants on the day.

Patterson River Secondary College

Sonya KILKENNY (Carrum – Minister for Planning, Minister for the Suburbs) (09:57): Congratulations to Patterson River Secondary College on scooping up seven gold, three silver and one bronze at the state athletics championships recently. This was a record medal haul and a terrific

achievement. Congratulations to Archer McHugh, Jack Kankla, Charlee Lang, Lucy Malcomson, Lochie Fulton, Shannon Delaney and Shkyiah Upson.

Jaq Grantford

Sonya KILKENNY (Carrum – Minister for Planning, Minister for the Suburbs) (09:57): Congratulations to Carrum Downs local Jaq Grantford for winning the People’s Choice Award for the 2023 Archibald Prize. Jack painted Noni Hazlehurst, who many will know from her two decades on the ABC television show *Play School*. The painting titled *Through the Window* pays homage to Noni’s enduring work on *Play School*, depicting her gazing out at us through a rain-streaked, foggy window. It is a fabulous painting, and quite clearly the people loved it. Jaq said it was Noni’s speech delivered in 2016 at Noni’s induction into the Logie Hall of Fame that made her want to paint Noni even more. In that speech Noni called out racism, sexism and bigotry. She spoke about her time on *Play School* and seeing the world through preschoolers’ eyes – to see how free and unafraid they are to just be but also how easily overwhelmed they are, how easily abused and particularly how empathetic they are. ‘No child is born a bigot’ – truer words were never spoken.

Deborah Chemke

Sonya KILKENNY (Carrum – Minister for Planning, Minister for the Suburbs) (09:58): I extend my deepest sympathies to the Honourable Mark Dreyfus on the very sad loss of Deborah Chemke, his beloved wife, his inspiration, companion and most trusted source of advice. Theirs was a partnership of 44 years. My condolences to Mark and their three children Joe, Tom and Laura and the grandchildren.

Hastings electorate community events

Paul MERCURIO (Hastings) (09:58): I had such a great week last week that I wanted to share some of it. On Monday I caught a bus with the mayor of Mornington Peninsula shire from Somerville to Hastings. We were able to talk to regular bus users and get an idea of the good, the bad and the ugly of the service. On Tuesday I had my third principals morning tea, which reinforced how important these events are for the principals, where they share ideas between each other and, importantly, talk about possible solutions to some of their issues. Later that day I met with Frankston City Council to talk about local issues, and then in the evening I met with members of the Australian Education Union to talk about some of their issues and what solutions we might find. On Wednesday I was honoured to open the 35th annual meeting for the Polio Network Victoria. The theme for this year was ‘Stayin’ Alive’. I had no idea that we still have people suffering the consequences of polio, not just in my electorate but in Victoria. Friday was World Teachers Day, and my office staff and I delivered 1446 cupcakes – one for every teacher and staff member at every school in my electorate – to say thank you for the commitment they give to our children and their future. That afternoon I was invited to Somerville Rise Primary School’s colour run. I have never been to a colour run; I had no idea what it was all about. It was an enormous amount of fun, and I definitely got completely slimed. It was a great week to be out and about in my community.

David Colgan

Gabrielle WILLIAMS (Dandenong – Minister for Government Services, Minister for Consumer Affairs, Minister for Public and Active Transport) (10:00): I rise today to pay tribute to David Colgan, a beloved volunteer at the Greater Dandenong SES unit, following his passing in early October. David was a highly respected and admired SES volunteer and was well known and admired for his dedication to his role. He is remembered as a friend and colleague who was always the first to put his hand up to help, whether it was to cook at an SES fundraising barbecue or to respond to calls for assistance. David was one of the most frequent responders to calls for assistance at the unit, often coming out after midnight to jobs. Over a two-year period David completed over 150 requests for assistance with VICSES in Greater Dandenong. In 2022 David was named contributor of the year, the highest individual award, at VICSES Greater Dandenong, and a very well-deserved honour by all reports.

David was appointed section leader for operations earlier this year, and he worked tirelessly to ensure the smooth operation of the unit behind the scenes. He is remembered as a kind and humble presence at the unit, who was always eager to support his fellow volunteers in improving their skills.

David was a brave and dedicated volunteer, but for those who loved him most, he was a friend, a son and a brother. He will be fondly remembered by the Greater Dandenong SES unit and broader south-east community. I would like to extend my deepest condolences to his family, his colleagues and all who had the pleasure of knowing him and loving him. Vale, David Colgan.

Sandra Macneil OAM

Vicki WARD (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (10:01): I congratulate a deeply respected and hardworking member of our community Sandra Macneil – who I know the member for Bundoora, who was just here, and the member for Ivanhoe have great respect for – on receiving an OAM in the King's Birthday honours, which she recently celebrated at Government House. This honour is so very well deserved, as Sandra has devoted decades to supporting and working for our community. Sandra has been the president of eight community groups and many more committees over 40 years of service. This includes 35 years in local basketball, for which she received a Basketball Victoria gold award. Sandra has been an executive member of Diamond Valley Learning Centre for 10 years and participated in establishing a community garden in Macleod with the Sustainable Macleod organisation, of which she remains an integral member. She achieved all of this while raising three sons, going through university and working full time. Sandra deserves her Order of Australia Medal for all her contributions to the community. Congratulations, Sandra. We are so lucky to have you in our community.

Sherbourne Primary School

Vicki WARD (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (10:02): I have wonderful schools in my local community, and this includes the beautiful Sherbourne Primary School in Briar Hill. This great, inclusive and kind school contributed a great many much-needed items to my recent food donation drive for the Asylum Seeker Resource Centre in Footscray after my good friend the member for Footscray asked for support. What was especially thoughtful was the kind of food donated, targeted to refugee communities and their traditional foods. I further thank the wider Eltham community for their donations and their generosity. I needed a trolley to get the donations to my car, which was packed full, boot and backseat, with donated rice, tinned tomatoes, legumes and more. The ASRC estimated between – (*Time expired*)

Orchard Grove Primary School

Paul HAMER (Box Hill) (10:03): It was terrific to join the Orchard Grove Primary School for their school fiesta on 20 October. The event attracted thousands of local community members to see the wonderful work the school is doing and enjoy a night of fun and fireworks. Congratulations to school principal Michelle Ogilvie and all the fiesta organising committee for a great event.

St Francis Xavier Primary School, Box Hill

Paul HAMER (Box Hill) (10:03): On 28 October I attended the St Francis Xavier Primary School fete, which was back after a break of several years. The fete provided a wonderful showcase for the school, with some terrific stalls and music to keep even the youngest visitors engaged. Congratulations to principal Mary Jones and all the fete organising committee for a great event.

Rotary Club of Box Hill Burwood

Paul HAMER (Box Hill) (10:03): Congratulations to the Rotary Club of Box Hill Burwood for putting on the 57th Whitehorse Art Show. As happens each year, the show was launched in grand style with the art show gala dinner on 25 October, with funds being raised for the Whitehorse Men's Shed. A big thankyou to Simon Wheelton and all the organising committee.

Whitehorse business awards

Paul HAMER (Box Hill) (10:03): I was pleased to attend the Whitehorse Business Group's 2023 Excellence in Business Awards on 27 October. Congratulations to all the nominees and award winners, particularly the award winners based in the Box Hill electorate, including Quest Mont Albert for receiving the overall excellence in business award and the franchise business of the year award, Natural Science Wine and Liquor for receiving the sole trader excellence and sustainability award, Kenner Electrics for receiving the small business excellence and sustainability award, Imaging Associates for receiving the innovation in a small business award and Healthy Smiles Dental Group for receiving the medium business excellence and sustainability awards.

Bills

Biosecurity Legislation Amendment (Incident Response) Bill 2023

Statement of compatibility

Ros SPENCE (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (10:05): In accordance with the Charter of Human Rights and Responsibilities Act 2006 I table a statement of compatibility in relation to the Biosecurity Legislation Amendment (Incident Response) Bill 2023.

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 Biosecurity Legislation Amendment (Incident Response) Bill 2023.

In my opinion, the Biosecurity Legislation Amendment (Incident Response) Bill 2023, as introduced to the Legislative Assembly, is compatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview

The Biosecurity Legislation Amendment (Incident Response) Bill 2023 (the Bill) makes various amendments to the following Acts, collectively known as 'the Acts':

- *Livestock Disease Control Act 1994*;
- *Livestock Management Act 2010*; and
- *Plant Biosecurity Act 2010*.

The Bill will make amendments to enhance the Victorian Government's capability to manage biosecurity incidents, including preparing for, responding to, and recovering from an exotic animal disease or plant pest or disease detection and outbreak. Other amendments include improving the administration, operation and enforcement of the Acts, making various miscellaneous and technical amendments, including Machinery of Government related amendments, to improve clarity and consistency.

The Bill supports a public commitment by the Victorian Government to improve exotic pest and disease preparedness and response capability. The Bill aims to do this through amendments to ensure a holistic and effective legislative framework that protects Victoria's valuable agricultural and horticultural sectors and mitigates potential risks to market access and trade disruptions associated with an exotic animal disease or plant pest or disease detection or outbreak.

The Bill also seeks to incentivise compliance with biosecurity measures by increasing penalties for non-compliance as well as ensuring that the compensation regime for loss of livestock as a result of an outbreak of an exotic disease can be more equitably and fairly accessed by, and paid to, responsible livestock owners.

Human Rights Issues

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

- right to freedom of movement (section 12);
- right to privacy and reputation (section 13);
- right to property (section 20);
- right to be presumed innocent until proven guilty (section 25)

Right to freedom of movement

Under section 12 of the Charter, every person lawfully within Victoria has the right to move freely within Victoria and to enter and leave it and has the freedom to choose where to live. The right includes freedom from physical and procedural barriers, such as notification or authorisation requirements, or reporting obligations relating to movement. However, the right does not extend to a freedom of access to all places, such as another person's private property.

Inspector powers to direct movement

The Bill amends section 116 of the *Livestock Disease Control Act 1994* to give inspectors, for the purpose of exercising their powers under the Act relating to exotic diseases, with or without assistants, the power to direct a person in control of a vehicle to move the vehicle to another place including by a specified route or to take a specified action for the purposes of preventing, eradicating, controlling or monitoring an outbreak of exotic disease (clause 19). The amendments provide inspectors with the necessary powers to mitigate and contain the risk of disease spreading and has the effect of limiting a person's movement. Clause 19 will give an inspector power to direct a person that may also result in person's movement being limited.

The Bill will have the effect of limiting a person's right of movement in certain circumstances. This limitation is justified because it will ensure that the risk of an outbreak of exotic disease is either prevented, controlled or adequately monitored. It is in the public interest for movement to be restricted by particular routes in order to minimise these risks related to property (including livestock, and structures), and such limitations will ensure that impacts to the broader economy, which could be affected by a livestock disease outbreak event, are minimised.

Right to privacy

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

The right to privacy is broad and extends beyond information privacy to include, for example, the right to personal autonomy, dignity and identity. It may also apply to protect a person against unlawful or arbitrary restrictions on employment, which may affect a person's personal relationships and private life.

Collection and sharing of information

The collection of information related to the livestock movement is fundamental to prevent, prepare for, respond to and recover from a disease outbreak. The *Livestock Disease Control Act 1994* and regulations provide for the collection of various information for that purpose, which also captures personal information, thereby engaging a person their right to privacy.

Current Section 107B of the *Livestock Disease Control Act 1994* has two key purposes, namely, to require the Secretary to keep particular information and records and to also allow certain records to be shared for purposes linked to the objects of the Act. Clause 3 of the Bill separates the information record keeping requirements and sharing requirements under section 107B, by inserting a new section 107BA and 107BB. It also expands the scope of information sharing to provide clearer authorisation pathways for the Secretary to share information to relevant persons in an emergency and non-emergency context, and for permitted persons to request the disclosure of emergency-related records or information. In an emergency context, the records and information shared with relevant persons and permitted persons may include personal information, such as names, addresses, and contact details of person who have provided information related to livestock movement, or information related to the emergency.

The sharing of records and information provisions is, however, limited by contextual considerations, and to identified persons. The *Livestock Disease Control Act 1994* further contains a secrecy provision (section 107C). This is an offence provision that limits the sharing of records and information that the Secretary must keep unless the sharing is authorised by that section. This limitation ensures the collection, use and disclosure of information is limited to those circumstances that have a proper purpose in accordance with the Act. Accordingly, I am satisfied that the interference with the right to privacy is proportionate to the contextual risks, is for a legitimate purpose, and is not arbitrary.

Inspector search powers on entry

The Bill gives inspectors the power to apply to a magistrate for a warrant to search a specified dwelling, or any other specified land, place, premises or vehicle to which the inspector has been, or is likely to be, refused admission (clause 18). Previously, this power was an additional power of inspectors in respect of exotic diseases set out in section 121 of the *Livestock Disease Control Act 1994*. This Bill repeals section 121 in favour of a power that has a broader application, as opposed to limiting its application to exotic disease matters.

The power of entry may interfere with the right to privacy, however, there are safeguards in place to ensure this power is both reasonable and necessary. This includes that such warrants are issued by a magistrate. A magistrate must be satisfied by evidence that it is reasonably necessary for the inspector to have access to the dwelling, premises, place, land or vehicle concerned for the purpose of exercising the inspector's functions under the Act.

Right to property

Section 20 of the Charter provides that a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely.

General Power of inspectors – removing things

The Bill clarifies an existing power set out in section 109(1)(e) the *Livestock Disease Control Act 1994* that allows inspectors to take and remove 'samples', 'specimens' and 'other thing' in or at the land, vehicle, place or premise. The clarification provided in clause 17 is intended to allow inspectors to remove 'things' that identify livestock (such as ear tags, and other identification devices) which the inspector reasonably believes to be connected to a contravention of the Act or the regulations.

These 'things' have relatively low property value, but high evidential value for offences related to changing an animal's identification contrary to the Act or regulations. Given that the kind of thing being removed has a relatively low property value, and its removal requires an inspector to form a reasonable belief that the thing is connected to the contravention of the Act or regulations, I am satisfied that this clause 17 will not limit persons' property rights.

Right to be presumed innocent until proven guilty

Section 25(1) of the Charter provides that an accused has the right to be presumed innocent until proven guilty according to law. The right requires that the prosecution must prove that an accused committed the charged offence beyond reasonable doubt. This means that the prosecution must generally prove all elements of a criminal offence. However, the right may be subject to reasonable limitations. Two new proposed offences in the Bill are relevant to the right to be presumed innocent until proven guilty according to law.

New offences relating to possession of livestock

The proper identification of livestock, alongside their property location and movement, is necessary for livestock traceability. This is critical for disease control, biosecurity, food safety, market access and other industry-related purposes. The identification of livestock and the related tracing regime is an essential measure for Victoria's readiness for exotic animal disease preparation and preparedness.

The Bill creates two new offences: (1) for a person to be in possession or control of cattle or livestock that has been tagged, marked, branded or identified in accordance with the Act, if that identification device has been removed; and (2) for a person to be in possession or control of cattle or livestock that has been tagged, marked, branded or identified in accordance with the Act if the identification device has been removed and replaced with an identification device other than in accordance with this Act or the regulations. These offences are set out in new section 9AB with a maximum penalty for each offence is 120 penalty units for a natural person and 360 penalty units for a body corporate. The offence does not apply if a person removed the identification marker in accordance with the Act or regulations or has a reasonable excuse.

This provision will require an accused who seeks to avoid liability on the basis of a reasonable excuse to point to or present evidence that raises the possibility of an excuse. Under section 72 of the *Criminal Procedure Act 2009*, where a defendant wishes to rely on an exception, they are required to point to some evidence which would establish facts suggesting a reasonable possibility that the exception applies. Once a defendant identifies that evidence, a prosecution authority would need to disprove those facts beyond reasonable doubt. By imposing an obligation on a defendant to point to relevant evidence in order to avoid conviction, exception provisions therefore impose what is referred to as an evidential onus of proof. However, it only imposes an evidential burden on the accused, and if the accused is in possession or control of livestock that is not identified in accordance with the *Livestock Disease Control Act* or associated regulations then the accused is given an opportunity to demonstrate a reasonable excuse. In my view, and consistent with case law, these provisions do not limit the right to be presumed innocent. The burden of proof remains with the prosecution to prove each element of the offence. Then, once the defendant has pointed to some evidence to suggest that a reasonable excuse exception applies, the burden shifts back to the prosecution to prove the absence of the exception raised. Imposing an evidential onus in this way is reasonable. In most cases, the reasonable excuse exceptions relate to matters of which the defendant is likely to have greater knowledge and be well placed to point to evidence. I consider that it is reasonable to require participants in a regulated industry, being the livestock industry, to be

sufficiently apprised of the identification standards applicable that they are able to point to evidence that they may fall within an exception, breach of which would ordinarily constitute an offence.

Any such limit is therefore reasonably justified under section 7(2) of the Charter.

The Hon. Ros Spence MP
Minister for Agriculture

Second reading

Ros SPENCE (Kalkallo – Minister for Agriculture, Minister for Community Sport, Minister for Carers and Volunteers) (10:06): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

Incorporated speech as follows:

The Bill makes amendments to the *Livestock Disease Control Act 1994* (Livestock Disease Control Act), *Livestock Management Act 2010* (Livestock Management Act) and *Plant Biosecurity Act 2010* (Plant Biosecurity Act) to strengthen emergency management, traceability and enforcement provisions.

The Bill strengthens Victoria's capability to manage biosecurity risks, including preparing for, responding to, and recovering from the detection or outbreak of an exotic animal disease, plant disease or pest. The Bill also supports a public commitment made by the Victorian Government to improve exotic disease preparedness and response capability. The Bill ensures a holistic and effective legislative framework for exotic pests and diseases to protect Victoria's valuable agricultural and horticultural sectors. This will mitigate the potential risk of market access and trade disruptions associated with a detection or outbreak.

Amendments to the Livestock Disease Control Act

The Bill strengthens the operation of the Livestock Disease Control Act to mitigate biosecurity risks by facilitating an efficient and effective response to an exotic animal disease incursion in Victoria, enhancing livestock traceability processes and strengthening compliance and enforcement mechanisms.

The Bill significantly increases penalties for offences for the contravention of provisions related to exotic animal diseases and livestock traceability requirements to underscore the seriousness of these offences and reflect the potential harm that such offending can inflict on the community, environment and the economy.

The Bill also improves and clarifies emergency management provisions to enhance the efficiency of preparedness and response activities by broadening the delegation powers of the Minister to declare Control Areas and Restricted Areas, and to allow the sharing of information related to exotic diseases with other government departments and agencies and other States and Territories.

The Bill refines the existing exotic disease compensation framework to ensure that compensation for exotic animal diseases can be more equitably and fairly paid to affected livestock producers who own affected livestock.

Under national arrangements, affected livestock industries often cost-share exotic disease response costs, including the costs of compensation payments to affected livestock producers. Where a person has intentionally or recklessly contributed to the spread of an exotic disease, consideration of their eligibility for compensation for losses they have incurred as a result should be able to be made. Presently though the circumstances in which compensation may be reduced or denied are limited to when a person has been convicted of such offending. A conviction however is a very high threshold.

The Bill enables the Minister to evaluate a broader range of situations when deciding to reduce or deny compensation, rather than solely basing the decision on a person's conviction of an offence related to the outbreak. These factors include whether the person, or those acting on their behalf, have contravened restrictions related to the management of the exotic disease, such as breaching Control Area and Restricted Area Orders, whether the person has kept livestock, products and property at their premises in contravention of the Livestock Disease Control Act or its Orders, and whether the applicant has made a false or misleading claim. The Minister will be able to also consider other factors as prescribed in the regulations.

It is expected that the Minister deciding to reduce or deny compensation would be an rare occurrence as livestock producers have commendably followed requirements and assisted in successful exotic disease responses in the past. However, in the event that a person's compensation payment is reduced or denied, the applicant will be notified of the decision and reasons and will be able to apply to the Victorian Civil and Administrative Tribunal (VCAT) for a review of that decision.

The Bill clarifies the process relating to the payment of further compensation to a livestock owner for replacement livestock for restocking. It improves flexibility by enabling the Secretary to determine when further compensation may be made during an exotic disease response. This, for example, would facilitate earlier restocking whilst movement restrictions are in place, such as for sentinel surveillance programs or where disease risks vary across different areas of the state.

The Bill also provides the Minister with powers to recoup compensation from a person who is subsequently found to be ineligible for compensation, specifically if the compensation was paid in error, the claim had false or misleading information or any other reason that the Minister determines. The power to recoup compensation will be subject to procedural fairness mechanisms, whereby applicants will be provided with written notice of a decision and have the opportunity to provide a response. The Minister must consider the response and may confirm the amount owing, reduce the amount or write off the amount. Applicants may then seek a review of the Minister's decision by VCAT.

The Bill strengthens the existing enforcement and compliance framework by extending and clarifying the powers of inspectors and broadening the circumstances in which information may be requested from a Council. Also, rather than confining the power of inspectors to seek a warrant from a Magistrate to enter and search dwellings (places of residence) for exotic disease related matters only, the amendment provides that these powers are available for the purposes of enforcing the whole Act. Whilst very rarely used, there may be instances where entering a dwelling is necessary, particularly where records or other evidence have not been produced as required by an inspector, or where there is a risk that otherwise requesting things could result in their tampering or destruction. This amendment assists in protecting Victoria's valuable agricultural sector by facilitating the collection of critical evidence, such as identification devices or records, to determine compliance with the Livestock Disease Control Act when other methods have been exhausted.

The Bill also enhances the capability of police officers to effectively investigate farm-related crimes, including livestock theft and associated traceability offences, by recognising police officers as inspectors under the Livestock Disease Control Act. In situations where police come across biosecurity issues or associated concerns arise, Agriculture Victoria, as part of the Department of Energy, Environment and Climate Action, will provide Victoria Police with advice to manage those risks. Importantly, Agriculture Victoria will continue to lead enforcement of the Livestock Disease Control Act. The Bill requires non-uniformed police officers exercising functions and powers to produce identification if asked. Under the *Victoria Police Act 2013* impersonation of a police officer is a serious offence.

The Bill strengthens livestock traceability requirements by introducing new offences for the possession or control of livestock that have had their permanent identification removed, or removed and replaced, not in accordance with the Livestock Disease Control Act or the Livestock Disease Control Regulations 2017. Currently there is inadequate deterrence to prevent the removal, or removal and replacement, of an animal's permanent identification device (such as ear-tags), a practice often termed 're-birthing'. Re-birthing undermines Victoria's biosecurity and product traceability systems. Exporting cattle based on fraudulent movement information, particularly when those animals do not comply with the receiving country's health requirements, jeopardises the reputation of Victorian livestock producers and risks the potential closure of export markets if the fraud is detected. The new offences will better protect Victoria's livestock industry.

The Bill also modernises public notification procedures by enabling the online publication of notices under the Act, such as Control Area and Restricted Area Orders and facilitating facilitates the electronic service of documents.

Amendments to the Livestock Management Act

The Bill strengthens the existing legislative framework available for the reduction of biosecurity risks caused by unlawful entry onto agricultural premises. Biosecurity breaches caused by individuals who trespass onto premises where livestock activities occur can affect human and animal health, and adversely impact market access.

The Bill doubles the penalties relating to offences for non-compliance with prescribed biosecurity measures, such as in cases of unlawful entry on to agricultural properties, to 120 penalty units for a natural person and 600 penalty units for a body corporate, and increases the corresponding infringement penalties to 12 penalty units for a natural person and 60 penalty units for a body corporate. The penalty for a person damaging, defacing or removing signage erected to notify persons of biosecurity measures that are required to be followed on a property is increased to 40 penalty units, with an infringement penalty increased to 6 penalty units.

The Bill seeks to recognise police officers as inspectors under the Livestock Management Act and the Livestock Disease Control Act. This change requires consequential amendments that remove other references to police officers.

Amendments to the Plant Biosecurity Act

The Bill improves the Victorian Government's capacity to prepare for and respond to biosecurity threats such as exotic plant pest or disease detections and outbreaks.

The Bill improves the clarity and efficiency of emergency response and management provisions relating to plant pests and diseases.

The Bill significantly increases penalties for offences for contravention of provisions related to exotic plant pests and diseases to achieve greater deterrence for non-compliance and reflect the potential harm to industry, the economy and the wider community that breaches of these offences may cause. It also establishes a more consistent legislative framework for disease preparedness and response activities by aligning penalties with the Livestock Disease Control Act for offences that are similar in nature.

The Bill enhances flexibility by enabling the Minister to delegate the power to declare a plant pest or disease as an exotic pest or disease in Victoria, including to the Chief Plant Health Officer. This will facilitate faster responses to prevent the spread of the pest or disease. To support investigations of plant pest or disease detections, the Bill also extends the time period of the declaration from 28 days to 6 months.

In the event of a plant pest or disease outbreak, a timely response is required to mitigate the potential social, environmental and economic risks. The Bill confers the power to declare a Control Area to the Minister or their delegate, rather than the Governor in Council. This improves adaptability by minimising administrative delays and enabling improved regulatory action in response to detections of plant pests and diseases.

To facilitate rapid and effective responses to plant pest or disease outbreaks, the Bill also enables the power to declare a Restricted Area to be delegated, including to the Chief Plant Health Officer.

The Bill enhances enforcement and compliance options by providing the Secretary, and their delegates, with the power to issue a permit to a class of persons, which specifies exemptions to restrictions in relation to a Control Area or Restricted Area. This will improve the efficiency of issuing permits and reduce the associated administrative burden.

The Bill also modernises public notification procedures by allowing the online publication of notices declaring Infected Places and Restricted Area Orders and enables the electronic service of documents.

I commend the Bill to the house.

James NEWBURY (Brighton) (10:06): I move:

That the debate be adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 16 November.

Corrections Amendment (Parole Reform) Bill 2023*Statement of compatibility*

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (10:07): In accordance with the Charter of Human Rights and Responsibilities Act 2006 I table a statement of compatibility in relation to the Corrections Amendment (Parole Reform) Bill 2023.

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 Corrections Amendment (Parole Reform) Bill 2023.

In my opinion, the Corrections Amendment (Parole Reform) Bill 2023, as introduced to the Legislative Assembly, is, in part, incompatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview

The Bill inserts new provisions in the *Corrections Act 1986* (Act) dealing with the powers of the Adult Parole Board and the Secretary to the Department of Justice and Community Safety (DJCS).

Specifically, the Bill will:

- limit the circumstances in which the Adult Parole Board may order the release of Paul Denyer on parole – namely, the prisoner Paul Denyer who was sentenced by the Supreme Court on

20 December 1993 to three consecutive sentences of life imprisonment for three counts of murder; and

- require the Adult Parole Board to impose a no-return period after refusing parole to a person serving a life sentence, and the person cannot receive parole within that period except if they are dying or incapacitated, and
- empower the Adult Parole Board to make a ‘restricted prisoner declaration’ preventing a person serving a life sentence for a particularly serious crime from receiving parole while the declaration is in force except if they are dying or incapacitated, and
- allow the Secretary to DJCS to share information about a no-return period and restricted prisoner declaration with registered victims and, if it is in the public interest, the Adult Parole Board to share this information with other members of the public.

Human Rights Issues

Paul Denyer was sentenced in 1993 to three life sentences for the murders of three women committed with what the sentencing judge referred to as ‘unbelievable savagery’.

Clause 7 of the Bill introduces a new section 74AC into the Act which provides that the Adult Parole Board can only make an order for the release of Paul Denyer on parole if satisfied, on the basis of a report prepared by the Secretary to DJCS, that:

- (a) Paul Denyer is in imminent danger of dying, or is seriously incapacitated, and as a result he no longer has the physical ability to do harm to any person; and
- (b) Paul Denyer has demonstrated that he does not pose a risk to the community; and
- (c) the Adult Parole Board is further satisfied that, because of matters (a) and (b) above, the making of the order is justified.

Clause 8 of the Bill introduces new section 74AAD to the Act. Section 74AAD requires the Adult Parole Board to impose a no-return period of up to 5 years if it refused to grant parole to a prisoner serving a sentence of life imprisonment. The prisoner cannot receive parole during the no-return period unless the Adult Parole Board is satisfied that the prisoner:

- (a) is in imminent danger of dying, or is seriously incapacitated, and as a result, no longer poses a risk to the community, and
- (b) has demonstrated that he does not pose a risk to the community; and
- (c) the Adult Parole Board is further satisfied that, because of matters (a) and (b) above, the making of the order is justified.

Clause 9 of the Bill introduces new sections 74AAE, 74AAF, and 74AAG to the Act which create a restricted prisoner declaration scheme. The scheme will apply to ‘restricted prisoners’ which the Bill defines as prisoners serving life sentences for multiple murders, murder of a child, or murder and a sexual offence. New section 74AAE requires restricted prisoners to apply for a parole order before they can receive parole. New section 74AAF requires the Secretary to DJCS to prepare a report for the Adult Parole Board when a restricted prisoner applies for parole or approaches the end of their non-parole period or the end of the period specified in an existing restricted prisoner declaration. New section 74AAG empowers the Adult Parole Board to, after considering the Secretary’s report, declare that a ‘restricted prisoner’ cannot receive parole for a period of 5-10 years if it is in the public interest to do so. A person cannot receive parole while a restricted prisoner declaration is in force unless the Adult Parole Board is satisfied that the person:

- (a) is in imminent danger of dying, or is seriously incapacitated, and as a result, no longer poses a risk to the community, and
- (b) has demonstrated that he does not pose a risk to the community; and
- (c) the Adult Parole Board is further satisfied that, because of matters (a) and (b) above, the making of the order is justified.

If a declaration is made, the Adult Parole Board must, on receiving a report from the Secretary to DJCS, consider renewing the declaration before it expires.

These clauses collectively are relevant to, and in some cases limit, the following human rights in the Charter:

- the right to equality before the law (section 8)
- the protections against cruel, inhuman and degrading treatment (section 10(b)) and the right to humane treatment when deprived of liberty (section 22)
- the right to freedom of movement (section 12) and liberty (section 21)

- the right to a fair hearing (section 24)
- the right not to be punished more than once (section 26)
- the protection against retrospective criminal laws (section 27)

Clause 5 of the Bill amends section 30A of the Act to allow the Secretary to DJCS to inform victims who have been included on the Victims Register managed by DJCS of a no-return period or restricted prisoner declaration. Clause 5 also empowers the Secretary to DJCS to inform registered victims that the Adult Parole Board is considering making a restricted prisoner declaration to facilitate victims providing a submission to the Board if they wish to do so. Clause 10 of the Bill introduces a new section 104ZZAA to the Act, which allows the Adult Parole Board to inform other members of the public of a no-return period or restricted prisoner declaration if it is in the public interest.

These clauses are relevant to the right to privacy (section 13).

Human rights engaged but not limited by the Bill

Right to privacy

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

The right to privacy is relevant to clauses 5 and 10 of the Bill, which empower the Secretary to DJCS to inform registered victims, and the Adult Parole Board to inform the public, of certain information about a no-return period or restricted prisoner declaration.

In my view, clauses 5 and 10 do not limit the right to privacy, for the following reasons.

The nature and extent of the information permitted to be disclosed is precisely confined and concerns a prisoner's carceral status, the length of any no-return period and any restricted prisoner declaration applicable to them (and by extension, when they may next be considered for release into the community on parole). While this is personal information, it is information that a prisoner would arguably not retain a reasonable expectation of privacy in regards to, given that it largely concerns administrative decisions concerning a prisoner's release, in the context where their head sentence and non-parole period would generally be publicly available information.

However, to the extent that disclosure would interfere with privacy, this would not occur arbitrarily. The extent of any interference is confined, as, in addition to the type of information that can be disclosed being limited to specific matters as set out in the Bill, the persons to whom it may be disclosed are limited to registered victims and persons to whom the Adult Parole Board considers it is in the public interest to disclose it to.

The amendments serve the legitimate and important purpose of reducing the stress and trauma of the parole process for victims and provide reassurance to the public where appropriate. Empowering the Secretary to DJCS to inform victims that the Adult Parole Board is considering making a restricted prisoner declaration is necessary to allow the victim to make submissions to the Adult Parole Board. If a restricted prisoner declaration is made or no-return period imposed, it is also critical that this information can be shared with victims and, if it is in the public interest, members of the public, to reduce the stress and trauma they may experience when there is uncertainty about when a prisoner could next be considered for parole.

There are also several safeguards in place to ensure personal information is not shared arbitrarily.

With respect to the information that the Secretary to DJCS can share with registered victims under clause 5, section 30A(2) gives the Secretary discretion around whether to share information. This means that the Secretary can refrain from disclosing the information where appropriate, such as if it may put the security or safety of a prisoner at risk. Sections 30H and 30I of the Act also apply to information shared with victims under section 30A of the Act. Section 30H ensures that persons to whom information is disclosed must treat that information in an appropriate manner that respects the confidential nature of the information. Section 30I provides that it is an offence to publish the information, cause it to be published, or solicit or obtain the information for the purpose of publication. The Secretary will also be obliged under the Charter to give proper consideration to the right to privacy when exercising this discretion.

As discussed above, new section 104ZZAA requires the Adult Parole Board to be satisfied that disclosing the information is in the public interest before it can do so, which protects against any arbitrary interferences.

Accordingly, I am of the view that the human rights in section 13 are not limited by these reforms, which ultimately permit disclosure of a very limited set of information, in limited circumstances that are justified and established by law.

Right to liberty and freedom of movement

Section 21(1) of the Charter provides that every person has the right to liberty. Section 21(2) provides that a person must not be subjected to arbitrary detention. Section 21(3) provides that a person must not be deprived of their liberty except on the grounds and in accordance with procedures established by law. Section 12 of the Charter provides that every person lawfully within Victoria has the right to move freely, enter and leave it, and has the freedom to choose where to live.

Where a prisoner becomes subject to a restricted prisoner declaration or a no-return period, they will be no longer be eligible for release on parole during the specified period except in strictly limited circumstances. This may appear to constitute a deprivation of liberty and limitation on freedom of movement. The severe curtailment of Paul Denyer's ability to be granted parole may also appear to constitute a deprivation of liberty and restriction on his freedom of movement, as he will only be eligible for release on parole in strictly limited circumstances.

However, the constraints on granting parole if a declaration or no-return period is imposed under clause, 8 and 9 do not themselves deprive any persons of their liberty or right to move freely. Nor does the constraint on granting Paul Denyer parole in clause 7. That deprivation occurred when the sentencing court imposed the sentence of imprisonment.

The right to liberty and freedom of movement is reasonably and justifiably limited where the person is deprived of their liberty under sentence of imprisonment after conviction for a criminal offence by an independent court after a fair hearing. The Bill does not affect the head sentence of imprisonment imposed by the sentencing court nor does it increase the limitation caused by the court's sentence. The Bill only alters the conditions on which the Adult Parole Board can order that Paul Denyer, or other prisoners subject to a no return period or restricted prisoner declaration, be released on parole during their sentence. This does not change the fact that these prisoners have been deprived of liberty and lawfully detained for the duration of the head sentence. As such, the constraints on the granting of parole imposed by the Bill cannot properly be construed as effecting any new or increased deprivation of a prisoner's liberty.

I further note that the setting of a non-parole period does not create a right or an entitlement to release on parole, nor to the continuation of a particular legislative scheme for release on parole for the duration of a person's sentence. The High Court held in *Crump v New South Wales* (2012) 247 CLR 1, and has consistently re-affirmed in subsequent decisions, that the power of the executive government to order a prisoner's release on parole may be broadened or constrained or even abolished entirely by the legislature of the State, to reflect changeable policies and practices.

Accordingly, I am of the view that the human rights in sections 21 and 12 are not limited by these reforms.

Right to a fair hearing (section 24)

Section 24 relevantly provides that every person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

It could be argued that the practical effect of allowing the Adult Parole Board to impose a no-return period or make a restricted prisoner declaration is equivalent to replacing a court-determined non-parole period with a new non-parole period determined by the Board. Likewise, the significant limits imposed by new section 74AC on Paul Denyer's ability to apply for parole could be argued to be replacing the judicial sentencing decision to impose a non-parole period.

However, I am of the view that the right to a fair hearing is not limited by these reforms. The Chief Justice of the High Court in *Crump v NSW* found that there is a clear distinction between the judicial function exercised by a judge in fixing a minimum term of imprisonment, and the administrative function exercised by a parole authority in determining whether a person is eligible for release on parole. In fixing a minimum term before a person in prison can be considered for release on parole, the sentencing judge determines that all the circumstances of the offence require that the offender serve no less than that term, without the opportunity for parole. The purpose of parole generally is to provide for mitigation of the punishment of the person in prison in favour of rehabilitation and reduced risk to the community through conditional freedom, when appropriate, once the person has served the minimum time.

Once an offender is sentenced, the administration of that sentence passes to the executive government. The executive decision to release or not to release a prisoner on parole reflects policies and practices which change from time to time. Although the fixing of a non-parole period permits the executive government to reduce the period of time which the prisoner would spend in prison, it leaves the head sentence unaffected. A person released on parole is still under sentence, until the expiry of the sentence.

Accordingly, following the High Court's reasoning in *Crump v NSW*, I am of the view that the right to a fair hearing is not limited, as the court's determination of the criminal charge and subsequent sentence remains unaffected by these parole reforms.

Further, in my view, the Adult Parole Board's decision to impose a no-return period or restricted prisoner declaration in respect of a person in prison does not engage the right, because such a person is neither charged with a criminal offence, nor involved in a civil proceeding within the meaning of section 24(1) of the Charter. A person applying for parole does not have any entitlement to be heard in respect of their application, and neither the Charter nor the rules of natural justice apply to decisions of the Adult Parole Board.

Protection against retrospective criminal laws (section 27)

Section 27(2) provides that a penalty must not be imposed on any person for a criminal offence that is greater than the penalty that applied to the offence when it was committed.

It could be argued that the restrictions on parole for Paul Denyer and other prisoners retrospectively alter the original punishment given to the affected individuals for their offending. Therefore, the right under section 27(2) may appear to be engaged.

However, in my view, the right in section 27(2) is not limited by these reforms. Allowing the Adult Parole Board to impose a declaration or no-return period which significantly limits the conditions under which a person in prison can receive parole is not properly characterised as punishment. Nor is restricting the conditions under which Paul Denyer can receive parole.

Parole is administered by the Adult Parole Board under the Act. As already stated, although a sentencing court fixes the non-parole period, the fixing of such a sentence exhausts the relevant court's judicial function, and the punitive component of the sentence. Parole then becomes a matter of executive discretion, within the confines of a legislative scheme, and is focused rather on rehabilitation considerations. As previously mentioned, the High Court has held that it is open to the legislature to alter the circumstances in which particular persons may be released on parole, even during the currency of their prison term. The reforms therefore do not impose a penalty and the right in section 27(2) is not limited.

Charter rights limited by the Bill

Right to fair hearing (s 24)

I observe that the Adult Parole Board is not bound by the rules of natural justice and is declared to not be a 'public authority' for the purposes of the Charter. In other words, Parliament has already declared that decisions of the Board do not engage the right to a fair hearing. To the extent that this Bill, which will extend this existing abrogation of fair hearing to decisions where a no-return period exists or make a restricted prisoner declaration, the right to fair hearing is engaged.

To the extent that section 24(1) could be engaged and is limited by this Bill through the extension of the existing exclusion of natural justice to apply to these new decisions by the Adult Parole Board, any limits that may result are in my view reasonably justified. The exclusion of natural justice serves the important aim of facilitating the Adult Parole Board to respond quickly and effectively when performing its functions, which relate to the management of prisoners serving a sentence, many of whom may have dynamic and complex needs and pose associated risks. This includes facilitating the expeditious management of the Board's caseload to ensure that decisions concerning parole are considered without delay and at the earliest opportunity. This also includes flexibility to make prompt decisions in response to a sudden change in circumstances or elevated level of risk, without being required to provide an opportunity to be heard or consider submissions.

Finally, it is also important that the Adult Parole Board is able to discharge its functions without being impaired or frustrated by challenges to its procedures. I note that the Adult Parole Board remains subject to judicial review (other than on the grounds of denial of natural justice), and a prisoner will still retain the right to seek review of the Adult Parole Board's compliance with the applicable statutory criteria concerning these decisions. Accordingly, I am satisfied that any limits on fair hearing effected by this Bill are reasonably justified.

The right to equality before the law

Section 8(3) of the Charter provides that every person is equal before the law and is entitled to the equal protection of the law without discrimination.

There is some uncertainty whether this right is intended to operate as a prohibition on unequal treatment by reference to discrimination based on a protected attribute as defined in the *Equal Opportunity Act 2010* or has a broader application beyond the protected attributes.

Assuming an application beyond protected attributes, affording equal protection of the law could mean properly allowing those who have committed the same offences to have equal access to the parole regime.

Removing the possibility of parole for Paul Denyer treats him differently to other prisoners who have committed the same offences.

This differential treatment is afforded on the basis of the egregious nature of Paul Denyer's offending, and not by reason of a protected attribute enjoyed by Paul Denyer.

If the broad application of the right to equality before the law – that is, the protection against discrimination of grounds beyond the protected attributes – is adapted, then I consider that the right is limited in relation to Paul Denyer because the Bill makes unique provision for him alone.

However, I consider that any limitation of the right to equality before the law is reasonable and justified because of the egregious circumstances of Paul Denyer's offending and his continued and persistent risk of harm to the community. That Paul Denyer still presents an unacceptable risk to the community 30 years after such serious offending means he should not be released on parole while physically capable of doing harm. It also provides greater certainty for the families of Paul Denyer's victims that any unsuitable application for parole by Paul Denyer will not progress, minimising the extent of further stress and trauma these families may experience in relation to the parole process. This justifies the imposition of special restrictive conditions on him for the granting of parole, which may limit the right to equality.

Cruel, inhuman, degrading treatment (section 10(b)) and inhumane treatment (section 22(1))

Section 10(b) provides that a person must not be treated or punished in a cruel, inhuman or degrading way. Similarly, section 22(1) provides that all persons deprived of liberty must be treated with humanity and with respect for the inherent dignity of the human person.

The rights in sections 10(b) and 22(1) have been interpreted as being collectively limited in circumstances where an offender serving a life sentence is given no real prospect of release so as to induce a sense of hopelessness, which may be contrary to human dignity and amount to inhuman and degrading treatment. The plurality of the High Court in *Minogue v Victoria* (2018) 264 CLR 252 [53] observed that there was 'clear support in European and international law for the principle that all prisoners, including those serving life sentences, be offered the possibility of rehabilitation and the prospect of release if that rehabilitation is possible'. Courts have also found that the possibility of release if a person is terminally ill or physically incapacitated is not sufficient to comply with this right.

The reforms in clause 7 effectively make Paul Denyer ineligible for parole until he is either close to death or permanently incapacitated. This may be considered to constitute cruel, inhuman or degrading treatment, or inhumane treatment when deprived of liberty, as the reforms will have the effect of removing his prospect of release and diminishing his possibility of rehabilitation.

The reforms to parole in clauses 8 and 9 empower the Adult Parole Board to impose a no return period or restricted prisoner declaration preventing a person from receiving parole for a set period. In the case of a no return period, the restriction on accessing parole will only last up to a maximum of 5 years. In contrast, a restricted prisoner declaration must last between 5 to 10 years and there is no limit on the number of subsequent declarations that can be made.

Depending on the individual circumstances of the prisoner, a no return period or restricted prisoner declaration will not necessarily remove their hope of rehabilitation and release. However, if a prisoner is aged or infirm when a declaration or no-return period is imposed, it could have the practical effect of rendering the prisoner effectively ineligible for parole until they are either close to death or permanently incapacitated. The risk of this occurring is considerably higher with the restricted prisoner declaration, given the declaration can be in place for up to 10 years and can be renewed an indefinite number of times. The requirement for the Adult Parole Board to automatically consider making a new declaration before an existing declaration expires is likely to further exacerbate any sense of hopelessness experienced by the prisoner subject to the declaration.

For these reasons, there are circumstances in which the no-return or restricted prisoner declaration reforms could also have the effect of removing the prisoner's prospect of release and diminishing their possibility of rehabilitation, which may constitute cruel, inhuman or degrading treatment, or inhumane treatment when deprived of liberty.

While the Victorian statute book already provides for the possibility of life in prison with no prospect of parole, I accept that the restrictive constraints on the granting of parole imposed by a long-restricted prisoner declaration or no-return period may induce a sense of hopelessness in an offender so as to limit the rights in sections 10(b) and 22(1) of the Charter. While these rights are more likely to be limited under the restricted prisoner declaration reforms, there are circumstances in which the rights could also be limited through the no-return reforms.

It has also been stated in the jurisprudence of the European Court of Human Rights and the English Court of Appeal that continued detention beyond what can be justified on legitimate penological grounds also infringes on the right to be treated with dignity and to be free from cruel, inhuman or degrading treatment or punishment.

While the Adult Parole Board will likely consider a prisoner's rehabilitation prospects when determining the length of a no-return period or restricted prisoner declaration, there is a chance that a prisoner could be rehabilitated and not pose a risk to community safety before the expiry of any period set by the Adult Parole Board. If this occurs, the no-return period or restricted prisoner declaration would prevent the person from receiving parole, even though there is no longer justification to keep them in prison on community safety or rehabilitation grounds. Given the prisoner will have served the non-parole period set by a court, they have arguably also satisfied punishment and deterrence purposes of imprisonment. As a result, the Bill could have the practical effect of causing a prisoner to remain in prison beyond what is penologically necessary, contrary to their rights to be free from cruel, inhuman or degrading treatment, and inhumane treatment when deprived of liberty.

Again, the rights in sections 10(b) and 22(1) will not necessarily be limited in all or most instances where the Adult Parole Board imposes a restricted prisoner declaration or no-return period, but there are circumstances where a limitation could occur. The rights are more likely to be limited under the restricted prisoner declaration reforms given the longer length of the declaration, but the risk of limitation also arises with respect to the no-return reforms.

For these reasons, I consider that clauses 7, 8 and 9 of the Bill limit the rights in sections 10(b) and 22(1) of the Charter.

Limitation to sections 10(b) and 22(1) by clauses 7, 8 and 9

The objective of limiting Paul Denyer's access to parole in clause 7 of the Bill is to avoid the risk posed to community by the release from prison of Paul Denyer and to provide greater certainty to the families of his victims and reduce the stress and trauma they experience in relation to the parole process.

The objective of the Bill is to allow the Adult Parole Board to provide more certainty to both victims and prisoners about when the Adult Parole Board can be expected to reconsider the prisoner's suitability for parole following a denial. After a prisoner is refused parole, there is a clear expectation that the prisoner should address the reasons for the parole denial before making a further application for parole. For example, a prisoner may need to identify suitable housing, which could take a few weeks or months, or successfully complete a rehabilitation program, which could take months, or demonstrate good behaviour in the latter half of their sentence, which could take months or years. The amendments in clause 8 formalise the Adult Parole Board's power to set a no-return period and expressly prevent a prisoner from receiving parole during that period, reducing the stress and uncertainty experienced by victims and providing prisoners with more clarity.

The objective of the Bill is also to reduce stress and trauma experienced by families and friends of victims of serious crimes and further enhance community safety and protection by allowing parole eligibility of particularly serious offenders to be restricted where this is in the public interest.

There are significant benefits to be gained by reducing the stress and trauma experienced by family and friends of victims of serious crimes, including the family and friends of Paul Denyer's victims. Providing the victims' families and friends with confidence that a prisoner will not be considered for release into the community unless there is effectively no risk associated with that decision promotes their right to security of person. This is particularly appropriate in circumstances where the prisoner has no realistic prospect of being granted parole.

Notwithstanding that these are pressing and substantial objectives, I accept that the nature of the limitations on the rights in sections 10(b) and 22(1) are severe for Paul Denyer and other prisoners whose parole prospects are affected by these amendments. The Bill will prevent Paul Denyer from being released on parole except in very limited circumstances, and those circumstances are not conducive to leading any meaningful life post-release. In certain cases, a no-return period or restricted prisoner declaration could have the same effect for other prisoners. I also accept that the limitation is intensified by the retrospective effect of the provisions, because offenders, including Paul Denyer, would have had an expectation that they may have had some possibility for release in the future and the capacity to live a meaningful life post-release, which will be removed.

The Bill includes a number of features which lessen the limitation on the rights in sections 10(b) and 22(1) by the no-return period or restricted prisoner declaration scheme.

- Both the no-return period and restricted prisoner declaration provisions will only apply to a very narrow cohort of offenders, where a court imposed head sentences of life imprisonment. The reforms are therefore appropriately targeted at prisoners who have committed the most serious offences, where victims are at the highest risk of retraumatisation through the parole process, and where a court contemplated the possibility of the offender spending the rest of their life in prison.
- The Adult Parole Board will have discretion as to whether it will impose a declaration, the length of the declaration, and the length of a no-return period. This means that if the Adult Parole Board considers it appropriate, it can take into account a prisoner's age and infirmity when determining the length of a declaration or no-return period to minimise the risk of effectively removing the prisoner's hope of

release. The Adult Parole Board can also take into account a prisoner's community safety risk and rehabilitation prospects to avoid a situation where a rehabilitated prisoner is unable to access parole. This will significantly minimise the risk of a decision limiting the rights in section 10(b) and 22(1).

- The Bill also sets limits on the length of a no-return period and restricted prisoner declaration. As noted above, the 5-year limit on a no-return period significantly reduces the risk that a prisoner will remain in prison without any hope of release or beyond what is penologically necessary. The 10-year limit on the length of a restricted prisoner declaration also goes some way to reducing the risk of limiting section 10(b) and 22(1). While the Adult Parole Board can make subsequent restricted prisoner declarations, the Adult Parole Board will be required to re-consider whether a declaration would still be in the public interest, before a new one can be imposed, which could give the individual some hope that rehabilitation efforts could lead to release.

While the above framework will mitigate the extent of limitations on rights, I accept that it does not completely mitigate the risk of arbitrary limits imposed by the reform on the rights in section 10(b) and 22(1). I also accept that there may be alternative less restrictive means reasonably available to achieve the purpose of the reforms, for example by providing more extensive exceptions allowing a prisoner to receive parole during a no-return period or during the period that the restricted prisoner declaration is operational, if they are successfully rehabilitated. However, these alternative means would be inconsistent with the Government's policy intent. Further, I note that since clauses 7, 8 and 9 only apply to people in prison who are serving a life-sentence for which a non-parole period has been set, the post-sentence detention and supervision schemes provided for the *Serious Offenders Act 2018* (which apply to offenders who have completed their custodial sentence, including a period served on parole) are not available as a less restrictive means for achieving the desired objectives.

For these reasons, I conclude that the limitation on the rights in sections 10(b) and 22(1) of the Charter are unable to be justified in accordance with section 7(2) of the Charter. Accordingly, I conclude that clauses 7, 8 and 9 are incompatible with human rights.

For this reason, clauses 7, 8 and 9 contain override declarations expressly providing that the Charter does not apply to each provision. Each provision also contains a sub-section providing that the override provisions do not need to be re-enacted every five years. Consequently, the Charter will have no application to these new sections in perpetuity. In this exceptional case, the Charter is being overridden and its application excluded to ensure that victims of serious crimes are provided with more certainty and not subjected to unnecessary stress and trauma through the parole process and to protect the community from the ongoing risk of serious harm presented by Paul Denyer and other particularly serious offenders whose parole eligibility will be affected by this reform. I also propose to make a statement explaining the exceptional circumstances of the sort of offending to which the provisions apply, and which justifies the inclusion of those override declarations.

The Hon. Anthony Carbines MP
Minister for Police
Minister for Crime Prevention
Minister for Racing

Second reading

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (10:07): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

Incorporated speech as follows:

Before I speak to the Bill, I want to acknowledge the victims of the heinous crimes that led to the development of this Bill. I want to say their names – Natalie Russell, Elizabeth Stevens and Debbie Fream. I also want to acknowledge the deep and ongoing grief experienced by their families, their friends and their community. I admire their resolve to contribute to making positive change so that other families in a similar, heartbreaking position receive the benefits of these reforms. These victims and their families have guided our work on the Bill, and I extend my heartfelt thanks to the family members represented in the gallery today – this Bill is testament to your courage, your conviction, and your advocacy.

The main purpose of the Bill is to prevent Paul Denyer from being released from prison on parole until he is incapable of posing a threat to anyone, and to provide more certainty to other victims of serious crimes in the parole process.

Paul Denyer was sentenced by the Supreme Court of Victoria on 20 December 1993 to three consecutive terms of life imprisonment for three counts of murder. Mr Denyer became eligible to be considered for parole this year but was refused parole in May 2023.

Parole is intended to promote community safety by providing people in prison with structured, supported and supervised transition back into the community. However, parole is a privilege that must be earned, it is not a right. The safety and protection of the community will always be the most important factor for the Adult Parole Board to consider when making a decision whether to release a prisoner on parole.

In the case of Paul Denyer, this principle was followed, and he was denied parole. In terms of the ultimate outcome, the system worked as it should have. However, the experience of the victims' families through the parole process revealed opportunities for us to do better when it comes to supporting victims and their families to avoid unnecessary trauma.

The Bill will be one important measure to protect the safety of the community, provide more certainty to the families of Mr Denyer's victims, and improve the experience of victims of serious crimes through the parole process.

Preventing Mr Denyer from receiving parole

The Bill introduces a new section 74AC into the Corrections Act, which will prevent Mr Denyer from being released on parole unless he is in imminent danger of death or seriously incapacitated and as a result, lacks the capacity to harm anyone. This mirrors the restrictions on parole for Julian Knight and Craig Minogue contained in sections 74AA and 74AB of the Act.

Mr Denyer's crimes were particularly heinous, and the Bill will ensure the community is protected and that both the community and the families of Mr Denyer's victims can have confidence that he will never be released until he can do no harm.

The Government accepts that this provision may be incompatible with Mr Denyer's Charter rights. The new section 74AC therefore includes subsections providing that the *Charter of Human Rights and Responsibilities Act 2006* does not apply to this provision, and that those override declarations do not need to be re-enacted every five years (as is ordinarily required under section 31(7) of the Charter). Consequently, the Charter will have no application to this provision. In this exceptional case, the Charter is being overridden to ensure the community is protected from Mr Denyer and the significant risk he poses to community safety. This is consistent with the existing provisions that apply to Mr Knight and Mr Minogue, which include Charter overrides.

The Bill will also introduce other reforms to minimise unnecessary trauma experienced by other victims of serious crimes during the parole process.

No Return Period

Currently, if the Adult Parole Board refuses to grant a person parole, there is no legislative restriction on when the person can apply for parole again. While the Adult Parole Board will often direct people in prison not to apply for parole again for a specific timeframe, this is not currently a requirement, and the timeframe is not communicated to victims. This can be extremely distressing for victims and their families, who hold the uncertainty of not knowing when the person could apply for parole again and be released into the community.

The Bill will introduce a new section 74AAD, which requires the Adult Parole Board to impose a 'no return' period of up to five years if it refuses to grant parole to a person serving a life sentence. During the 'no return period', the person will be unable to receive parole unless they are dying or incapacitated and lack the capacity to harm another person.

The no return power is a tool for the Board to select an appropriate timeframe within which it does not consider a prisoner should be able to reapply for parole. This will be informed by the evidence the Board considers as part of the parole hearing. The maximum period for a no-return period is five years, and the period can be tailored according to a person's rehabilitation prospects and other factors. For example, a person in prison who demonstrates more positive rehabilitation prospects may receive a shorter no return period, whereas a person who has not engaged in recommended rehabilitation programs or presents a higher risk may receive a longer no-return period to enable those programs to be completed before they can reapply for parole. Importantly, community safety will continue to be the paramount consideration in making parole decisions and when setting a no return period.

After a person in prison applies for parole, victims and their families may be left in the dark, uncertain about whether the person could be released – this is incredibly distressing. The legislation will bridge this information gap by allowing the Victims Register within the Department of Justice and Community Safety to inform registered victims about a no return period set by the Board. If the person is denied parole, victims

can have a level of certainty on when they be next reconsidered for parole. This level of certainty is intended to make the process less stressful and less retraumatising for victims.

Restricted prisoner declaration scheme

The Bill also introduces a restricted prisoner declaration scheme through new sections 74AAE, 74AAF and 74AAG. The scheme gives the Board the power to make a restricted prisoner declaration for certain serious offenders, which will prevent them from being able to receive parole for a specified period if it is in the public interest. A similar reform was introduced in Queensland in 2021 and has seen several declarations made to date.

The declaration scheme will apply to a smaller cohort of people serving life sentences who have committed the most serious crimes. This cohort, known as ‘restricted prisoners,’ will include people serving a life sentence in prison for having committed multiple murders, a single murder where the victim was a child, or a single murder where a serious sexual offence was also committed against the same victim.

The Bill requires the Board to consider making a restricted prisoner declaration when a restricted prisoner applies for parole, or when the person reaches 12 months from the end of their non-parole period (the point at which they are eligible to be considered for parole). This recognises that, for victims, merely knowing that there is a possibility that a person could apply for parole and be released into the community is extremely distressing. It will ensure that the Board will be required to consider whether to make a restricted prisoner declaration before the person can even be considered for parole.

If the Board decides to make a declaration, the length of the declaration must be at least five years up to a maximum of 10 years. Shortly before a declaration expires, the Board will be required to consider making a new declaration. This will give victims some certainty about whether the person in prison can apply for parole at the end the declaration period. It will also give the person in prison more clarity about their ability to receive parole. There will be no limit on the number of declarations that can be made for an individual prisoner.

The decision about whether to make a declaration will sit with the Adult Parole Board. Importantly, this ensures that these significant decisions will be made by the independent Board – the body that is entrusted to make decisions about parole. The Board will need to be satisfied that it is in the public interest to make a declaration. This is a broad concept that will grant the Board flexibility to assess a variety of factors, such as the person in prison’s level of community safety risk and the prisoner’s rehabilitation efforts. The Bill also expressly empowers the Board to consider the potential impact on victims if the prisoner were released on parole.

Like the no return power, a narrow exception will apply that will allow a person who meets the definition of restricted prisoner to receive parole if they are dying or seriously incapacitated and no longer able to pose a threat to community safety.

Importantly, the Bill will empower the Secretary, Department of Justice and Community Safety to inform registered victims about the making of a restricted prisoner declaration.

Nothing can take away the pain experienced by families who have lost loved ones. This provision empowers the Board to, where it is in the public interest, give those families a level of peace knowing that the person who inflicted that suffering upon them won’t be in a position to apply for parole, and won’t be leaving prison for a considerable period.

In the Bill, new sections 74AAD and 74AAG also include subsections providing that the *Charter of Human Rights and Responsibilities Act 2006* does not apply to either provision and that those override declarations do not need to be re-enacted every five years (as is ordinarily required under section 31(7) of the Charter). Consequently, the Charter will have no application to these provisions. The Government accepts that in some limited scenarios, these provisions may have consequences that are incompatible with the Charter. In this exceptional case, the Charter is being overridden to prevent victims of the most abhorrent crime from being retraumatised as part of the parole process, and to minimise the additional stress inflicted upon them by the person who caused their ongoing suffering. Overriding the Charter for these provisions is consistent with the approach previously taken to override the Charter for existing provisions in the Act that limit parole in relation to Mr Knight, Mr Minogue and people who have murdered police officers.

Disclosure of no-return periods or restricted prisoner declarations

The Bill will also empower the Adult Parole Board to disclose details of a no-return period or restricted prisoner declaration to the public, including the media, if it is in the public interest to do so. This will ensure that where appropriate, the Board can keep the public informed and to dispel any misinformation that might arise. It will also help to prevent the harassment of victims and their families that can occur in high profile parole matters.

The reforms in the Bill will go some way towards reducing the trauma that victims of serious crimes and their families can experience during the parole process. It can give victims, their families and friends and the

community more security and more peace, knowing that, where appropriate, prisoners who have committed the most horrific crimes will not be considered for parole for a set amount of time.

I commend the Bill to the house.

Section 31 of the Charter of Human Rights and Responsibilities Act 2006

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (10:08): I now make a statement in accordance with section 31(5) of the Charter of Human Rights and Responsibilities Act 2006. Preventing Mr Denyer from receiving parole: the bill introduces a new section 74AC into the Corrections Act which will prevent Mr Denyer from being released on parole unless he is in imminent danger of death or seriously incapacitated and as a result lacks the capacity to harm anyone. This mirrors the restrictions on parole for Julian Knight and Craig Minogue contained in sections 74AA and 74AB of the act. Mr Denyer's crimes were particularly heinous, and the bill will ensure the community is protected and that both the community and the families of Mr Denyer's victims can have confidence that he will never be released until he can do no harm. The government accepts that this provision may be incompatible with Mr Denyer's charter rights. The new section 74AC therefore includes subsections providing that the Charter of Human Rights and Responsibilities Act 2006 does not apply to this provision and that those override declarations do not need to be re-enacted every five years, as is ordinarily required under section 31(7) of the charter.

Consequently the charter will have no application to these provisions. The government accepts that in some limited scenarios these provisions may have consequences that are incompatible with the charter. In this exceptional case, the charter is being overridden to prevent victims of the most abhorrent crime from being retraumatised as part of the parole process and to minimise the additional stress inflicted upon them by the person who caused their ongoing suffering. Overriding the charter for these provisions is consistent with the approach previously taken to override the charter for existing provisions in the act that limit parole in relation to Mr Knight, Mr Minogue and people who have murdered police officers.

James NEWBURY (Brighton) (10:11): I move:

That the debate be now adjourned.

Motion agreed to and debate adjourned.

Ordered that debate be adjourned for two weeks. Debate adjourned until Thursday 16 November.

Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023

Second reading

Debate resumed on motion of Steve Dimopoulos:

That this bill be now read a second time.

James NEWBURY (Brighton) (10:11): While I have the Minister for Police in the chamber, may I just have indulgence for one moment in thanking Victoria Police for their professionalism following an incident that has just occurred in Brighton in relation to two police cars being rammed and an innocent person's car also, I understand, being involved in the incident. I think I speak for the whole chamber when I say Victoria Police do an incredible job in very difficult circumstances. They have this morning ensured that an incident that potentially could have been a lot worse has resulted, I understand, in no-one being injured. So if the minister would not mind, on behalf of Brighton, passing that on to Victoria Police, that would be appreciated.

I rise to speak on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. I stand here today having expected to speak on this bill yesterday, being the first day of the container deposit scheme's (CDS) operation – the first day. You would have thought that the government would have brought on the bill to be gleeful and gloat and celebrate the first day, but they did not. What they did is shelve the bill until Thursday, when the government often will put bills that

are difficult and when they are embarrassed. I can understand why this bill has been put on Thursday, because the government over the last week has been incredibly embarrassed by the rollout of the container deposit scheme. It is absolutely chaotic.

The rollout of the container deposit scheme follows a week of frankly pure chaos in terms of policy rollouts, but this one was particularly bad. I will go into detail in relation to both the bill and the rollout issues. I try to be kind in the way I describe things, but yesterday in relation to this bill I said that the government completely stuffed this one up. That is the only way to describe what we have seen in relation to the rollout of this policy, this policy that has had a five-year rollout. This is a problem and an issue that we have seen coming for five years. You would think, with a five-year lead-up, the government would have had enormous opportunity to develop policy and implement policy properly. I know that Victorians, quite broadly, are environmentally minded, and that is what they wanted to see. I think that all Victorians had goodwill in relation to the circular economy and wanting to bring in a container deposit scheme that brought in the best not only from Australia, where the scheme operates in other jurisdictions, but also from around the world.

I am sure that I speak for many when I say that accepting the fact that we needed a scheme took too long in terms of the government's acceptance. The coalition led in calling for a container deposit scheme to be implemented in Victoria and committed to a policy to do that. The government finally – belatedly – agreed to follow the coalition's calls. In the good spirit, I think, of all Victorians we had hoped that with a five-year rollout, with having an opportunity to review what was happening around the entire world in terms of container deposit collection, the government would have had the capacity to get this one right. How disappointing it has been for Victorians to see a rollout that is – there is no other way to describe it – completely stuffed up.

This policy was handed over to the new minister, from memory, about a month ago. I do not know whether to feel sorry for the minister or not, but the minister was handed a policy that the former minister clearly had not got right and had not completed before handing it across. I can just imagine the poor minister being handed the brief and attending his first briefing on the container deposit scheme and thinking, 'How am I going to get this done in a month? How am I going to be able to roll this out in a month's time as the minister and put my face to this policy?' Well, it was terrible. No wonder it was announced yesterday 5 minutes from his home in Oakleigh rather than as a big grand scheme in the city or in a big media conference inviting –

Roma Britnell: It wasn't in the city?

James NEWBURY: Well, we will get to why it was not announced in the city – that was because we have no container deposit locations. Even if the minister wanted to do it in the city, he could not have done it in the city. It was announced quietly yesterday in his suburb 5 minutes from home, because the policy rollout has been so completely stuffed up.

What we have seen over recent years – I start with this point in relation to the bill. This bill is the completion of a number of pieces of legislative work in relation to the circular economy. It would be fair to say that 90 per cent of the container deposit scheme has been legislated, so the legislative provisions for much of the scheme are in operation; it is just that the 10 per cent that has not been legislated includes the financial operations and the legal contractual operation of the scheme. The laws that allow the contracts to work and the funding scheme that makes the system work have not passed the Parliament – for a scheme that was introduced and commenced yesterday. It has not even passed the Parliament, despite that occurring yesterday.

When you look at case law around Australia you can see that there are serious issues in relation to the operation of this scheme and whether or not levies are applicable. Previous legislation clearly has been found not to have had an adequate head of power. The 2022 legislation that we dealt with in this chamber last year to allow for contracts to be rolled out in relation to the operation of the scheme has been found to raise legal questions in relation to those contracts. There are clearly legal questions as

to whether or not the powers that were provided last year through this Parliament can broadly enough speak to the contracts that have been signed. We do not know what is in the contracts because they are commercial in confidence, but the fact that we have a bill which admits that the legal head of power may not cover what has been signed, I think, should be greatly concerning.

It should be greatly concerning for everybody in this place that we have a system that was rolled out yesterday where there are serious enough legal questions that a bill is in this place to try and fix the contracts that are currently – supposedly – in operation. You would question whether or not there are legal questions in relation to them; I think that is a very fair question. The government has not adequately explained that, other than to say ‘We accept the premise enough to need to have new powers passed by this Parliament to ensure that they are’. In a best-case scenario, the government manages to pass this bill in two weeks. We will have contracts in place for two weeks, and I would say there are very serious legal questions about the operation of those contracts. That is deeply concerning.

The funding arrangements – what happens in relation to money over the next two weeks? In relation to measures in the current bill, what happens in that regard? What is the legality of collecting money under the premise of powers that are currently before the Parliament and have not even been passed yet? It is concerning. The coalition has deep concerns about the rollout of this bill. I move, by way of reasoned amendment:

That all the words after ‘That’ be omitted and replaced with the words ‘this house refuses to read this bill a second time until the government commits to:

- (1) publicly release an update on the progress of the rollout of the container deposit scheme, which commences on 1 November 2023, noting that:
 - (a) only half of the estimated 600 consumer collection point sites have been publicly confirmed, with no sites announced in Melbourne’s central business district;
 - (b) no meaningful communication has occurred with businesses on their disposal of containers, nor commercial agreements put in place to enable business who generate the bulk of container waste to dispose of containers in an environmentally friendly way;
- (2) publicly state what the government intends to do with the additional charges collected from industry and the community that are not dispensed through the scheme; and
- (3) consider the cost-of-living impact on consumers of a scheme that is designed to impose operational costs on the beverage industry, who will in turn pass those costs on to consumers.’.

If I may start in relation to the amendment by speaking to the first point, and that is the rollout of consumer point sites. We know that a container deposit scheme works if consumers are invested in taking part and they have a capacity to return the cans. Those are two of the most important principles, I would have thought, in making this scheme work – having community buy-in and having places in the community where those cans can be returned. As of Friday morning there was a commitment to 600 sites, and on Monday morning there was one publicly declared site. I felt terribly sorry for the Premier being forced out following that point being made publicly to announce the number of sites. The Premier was forced to go and clean up the chaos of this policy and announce the release on a Friday afternoon of the number of sites, to mop up the mess of this policy chaos. At the time roughly a third of the promised sites were then announced.

When those sites were announced, it came on the back of serious industry figures calling for a delay in the scheme, because industry experts knew that the delay in announcing sites would have an impact on the community take-up and confidence in the system. I refer to Jeff Angel from Boomerang Alliance, who is on the government’s own advisory group for the scheme – who is on the government’s own advisory group – who said on Friday:

I have concerns. For a state that said it was going to be the best in Australia and it had learnt the lessons from the other states. I don’t think that’s happened.

And further:

It’s a system of bad decision-making.

He then spoke shortly after the Premier's announcement of a third of the sites and said:

... a lot of these locations are over-the-counter drop-offs ... and they're really not sufficient.

These are very powerful words from someone who is actually on the government's own advisory committee. The Boomerang Alliance called for a delay in the scheme, a delay to make sure we get it right, so that the community could have buy-in in the way that it wants. The coalition has said for the longest time in this chamber that we not only supported the scheme, we pushed for it to become government policy first. It was I think the fourth speech I gave in this Parliament. The fourth speech I gave in this Parliament was about this scheme. It is something that many people agree on and support very, very passionately, and I have certainly been one of them. For five years it has been a matter that has been spoken about very strongly, so much so that the coalition announced a policy and was the first of the two major parties to do so. But I refer back to the Boomerang Alliance, who have made a number of comments. I will refer to a couple. In terms of the refund points, Mr Angel said that they have some issues with access to refund points because there are not enough. There are significant differences in quality and convenience of the points and that they do not want people to have a disappointing experience and be turned off participating.

These are all very valid concerns. People who have been invested in this policy for years are saying, on behalf of the community, that they want the scheme to succeed. We all want the scheme to succeed, but we have to acknowledge the government has completely stuffed this one up. That is the point here. I went to the CDS website about half an hour ago and had a look at where the current sites are, because the operator yesterday said to keep looking at the sites because opening hours change and are going to change. Some of the drop-off points may be removed altogether. Well, it has only been going for 24 hours and the CEO of VicReturn is telling people to look at the website because some of the too few drop-off points might be removed from the website – a day in. A day in and we are seeing the operators talk about removing too few sites.

In looking at the mapping, which is available on the website, we can see in Melbourne one ginormous vacant space where no sites are located – the City of Melbourne, where 160,000 people live. In South Melbourne, Port Melbourne and Southbank there are no sites at all. There would be the best part of 250,000 people living in that area – a quarter of a million, and well above that in terms of commuters coming into those places – where there is not a site for collection. You would think that at the very least someone would have looked at the proposed drop-off point locations and realised there were not enough and that things were not quite right – that they would have looked at the map and said 'Gee, we can't have none in the city. We can't have none in the place where the most collections will occur, where the most beverages will be consumed'. So all of the businesses, all of the consumers, in effectively Melbourne have no site.

That map, I say, was printed about 45 minutes ago from the government's website. In my region – my area and my adjacent area – in the suburb of St Kilda there is not a site. It will be interesting to see how many members on the other side note that their own communities have not got sites. Elwood in my electorate and Brighton – no sites. The communities of Brighton and Elwood – and St Kilda as well, who are neighbours of my electorate – are very environmentally minded people, and to not have a single site is frankly shameful. Across the road in Elsternwick, Caulfield, Caulfield South, Caulfield North, Armadale, Malvern, Glen Huntly, Ormond, Brighton East, Malvern East, Ashburton, Glen Iris – I could go on – none have a site. It is shocking to think that a government with so many years to roll out a policy have been unable to do so.

On this policy, from the government's point of view in 2018 we effectively saw a collapse of our recycling system in Victoria, which was a concern for everybody. It was not a concern for one side of the chamber, it was a concern for everybody. In short, the overseas market in 2018 adopted a policy whereby they confirmed they would no longer accept our rubbish. That is probably the frank way of putting it – they would no longer take our rubbish. That affected us in Victoria, because roughly 46 per cent of all recycled paper and 65 per cent of all recycled plastic was previously exported and processed

overseas, so almost half of our paper and two-thirds of our plastic. There was a full system issue in terms of how we managed recycling. By 2019 – and I am sure many members recall – the kerbside system in so many municipalities around this state effectively collapsed. We had about a third of our councils unable to process waste, and for that third, who represented a huge proportion of the population of the state, their recyclables were going to landfill, which no-one wanted. In 2018 there was an international decision. The government did nothing for a year. Within a year it affected the bulk of the municipalities in our state, so a third of the municipalities waste was going to landfill. By the way, the government had done nothing about it until a package was eventually announced after all of this waste was going to landfill.

Fast-forward another year before the government announced a recycling policy. So we had the international decision in 2018 and the collapse in 2019. In 2020 they had a glossy brochure announcement – no actual policy delivery, but a glossy brochure. At least they had done something: they announced with their brochure a commitment, following the coalition, to a container deposit scheme, as they should have. It should not have taken the time that it did, but nevertheless a scheme was then committed to, so two years almost from collapse to commitment.

How long has it taken from that point to actual delivery? Three years. It has almost taken five years from the international decision to no longer take our waste for the government to actually implement a container deposit scheme. I do note in the glossy announcement of 2020 the commitment by the government to introduce the scheme by 2022–23. We are in the absolute final days of 2023, so the government on its own commitment had to get its skates on to implement this policy. They did it at the eleventh hour. They certainly have not delivered it. They have commenced it; they certainly have not delivered it. I think any observer would say that. The government's own policy announcement, which took two years to get into a glossy document, committed to a 2022–23 scheme, and three years on from that glossy document, we get to where we are today. I am sure I speak for every environmentally minded Victorian when I say how disappointed we are to see what the scheme is at its commencement. I referred to a number of comments earlier from a member of the government's own advisory board who have said that the scheme is just not good enough and should have been delayed.

The other point that is raised in the reasoned amendment, which I have referred to, is the rollout of collection points, which is well underdone. The government committed to 600; we are at about half. Though I do note, as I mentioned, the operator themselves have said to keep checking the website, because they are going to be pulling some of those sites. There has also been no meaningful communication in relation to the business rollout. A consumer can take their can to one of the too few rollout sites, but businesses actually are the biggest collectors of these cans. So what should happen is you should have business arrangements in place where a business operator, like a pub or a club, can take their cans to a commercial site. There should be an arrangement in place so that those trucks full of cans can be taken there and the business gets their money back, acts in an environmentally responsible way and prevents those cans going to landfill, but those arrangements are not in place. It is just shameful. It is absolutely shameful that that would be the case, that we would be starting this and that businesses would not have those arrangements. In the government's own writing they have confirmed to me that these arrangements are being finalised and will be agreed to over coming weeks. They have not even got the arrangements in place for businesses. So where the majority of the cans are being collected, there are no arrangements commercially in place for anything to happen with them. It is just shocking.

The other point that we raise in our amendment is the cost-of-living impact. We have seen over time the cost-of-living promises broken in relation to this scheme. I note that when the government first put out their materials in relation to this scheme, they talked about cost increases interstate of perhaps 7 cents or in Queensland 9 cents. Then the Victorian government confirmed that there would be a 12.5 cent increase on each item. One provider wrote to all commercial operators and said it will be at least 12.8 cents. Well, if you go to any major shopping business online, you will see that the cost on average is almost 15 cents.

Roma Britnell: And we're hearing 30 cents.

James NEWBURY: There are instances being reported now of 30-cent increases on items. People are doing it tough, and 30-cent increases on each item are serious. When the minister was asked about it, he said 'That's not a matter for us'. Well, of course it is not. We know that the Labor Party, both federal and state, would not have any understanding of the cost-of-living impacts on people – and certainly no policies to assist them. But the minister said 'This is not a matter for us'. So they implemented a policy that seriously impacts on cost of living and then said 'This is not a matter for us' and then more formally they have written to me and said 'We'll monitor beverage prices'. Well, you can keep watching, government, but we are saying to you, and the community is saying to you, that there have been serious price increases. It is not unreasonable for the government, which is implementing the policy and has made promises in relation to price increases, to be called out when those commitments have been proven to be false. The government said there would be a 12.5 cent increase. That is just factually wrong because in many instances the increase is more than double that. The government has to look at this policy and work out the cost-of-living impact, and that is why that part of the reasoned amendment is in place.

Victorians want to see this policy succeed. The coalition wants to see this policy succeed. We desperately want to see this succeed. We have been arguing for this policy to succeed for years and in this place calling for this policy to be implemented properly. But after almost five years we have a policy whose legal basis and financial basis still have not passed the Parliament, and the government is trying to rush it through, and whose implementation and rollout has been shown to be so substandard that experts are calling for the system to be delayed. It is a shameful embarrassment and another example of the chaos of this Labor government.

Nina TAYLOR (Albert Park) (10:41): It is a shame that the member for Brighton really is not keen on the container deposit scheme and the rollout. It is a real shame.

James Newbury: On a point of order, Deputy Speaker, it is unparliamentary to make attacks on other members, and the member knows that.

The DEPUTY SPEAKER: The member for Brighton knows that imputations on members are disorderly. That was not necessarily an imputation on a member.

Nina TAYLOR: Thank you very much. Just for the record, it is evident that a million containers were returned just yesterday. I think that is a good thing. Is that a good thing? He thinks that is a bad thing. The member for Brighton does not like that. He does not think that is success. I think that is a good thing.

James Newbury: On a point of order, Deputy Speaker, the member is now defying your ruling, and I note the member has not yet referred to the fact that there is no collection point in her own electorate.

Members interjecting.

The DEPUTY SPEAKER: Without assistance, member for Frankston. There is no point of order.

Nina TAYLOR: Thank you very much. Also, I think it is strange that the opposition have a problem with the seat of Oakleigh. What is the problem with having a state launch in Oakleigh? Don't the people of Oakleigh deserve that? Why does it have to be in the seat of Melbourne? I mean, I am confused as to why they have such opposition to this. I should say there were SES people, there were Sacred Heart students, there were Rotary club members, there were Scouts, there was the mayor, there were councillors – what is the problem? There is no problem. They are just jealous that they are not launching it. That is what all this kerfuffle is about; that is it, plain and simple. Anyway, let us move on. When we are talking about waste –

Members interjecting.

Nina TAYLOR: I will come back to the rollout. When we are talking about waste we know that it can be a negative or it can be a positive, but our government has been totally committed to delivering on the circular economy. It has been an accumulative process, and we are already seeing that. It is very important when we are talking about climate change that you can see all the organic waste facilities, those beautiful green bins. Councils are getting on board everywhere. It is really convenient. A circular economy is not just about one item. It is about managing the organic waste as well as those recyclable items. Why? Because we want to divert the majority of waste from landfill. We have a target of an 80 per cent reduction over the next 10 years, so all those elements matter. We do not just focus on one element.

Having said that, this bill is targeted at important administrative elements of CDS Vic to ensure the streamlining of this process into the future. It makes sense. And when we are looking at this whole system, it is also really good for jobs. We know that it is creating new economic opportunities. It will generate 645 jobs and turn drink containers into new recycled products. So I am a bit confused. I do not know why the opposition are trying to smear this whole thing, because Victorians are on it. They are with us on this journey. They want to be part of it, don't they? They want to be part of it – otherwise they would not have returned a million containers yesterday, would they? They would have protested. They would have said we do not want to be a part of this. On the contrary, they are absolutely committed, so let us get on board and let us support them in this process rather than casting all these aspersions and really talking down the system and also all the important elements and jobs in it. We know it is really good for community organisations – for Scouts and other not-for-profits. It is a way of people working together. And the more you talk positively about it, the more you educate people about waste and how to manage their waste in a more sensible way. So you can see the positive domino effect on the side of the government.

To reflect on some of the comments made earlier, I am not sure about their position on waste, because if I remember correctly they just want to burn everything – no caps, just burn everything. So I am not sure if the member for Brighton really knows his party very well. From memory they were waste to energy all the way – never mind all the other stuff – whereas we are focused on really optimising the management of waste, because waste can be a good thing if it is managed correctly and if you divert as much as possible away from landfill. I am glad we have that consensus in here, because we have a holistic attitude to the management of waste.

What was I going to talk about? The rollout – that is right. We know that on 1 November CDS Vic launched – absolutely fabulous – and we know that there are over 200 sites across the state, with more coming on line. Yesterday was not the end of it. You would have thought from the speech of the member for Brighton that it was the beginning and end – it all had to happen in 24 hours, there was no possibility that there could be any further rolled out across the state. We have been very up-front about this, very transparent. So this is much ado about nothing, isn't it? There will be more coming on line as we head towards the busy holiday period – just putting that in the chamber; we are very up-front about this – and within 12 months of the scheme starting the network operators are required to have a minimum of one collection point per 14,500 people in metro areas, at least one per town of 750 people in regional areas and at least one per town of 350 people in remote areas. But just to be clear: it is a rollout. It was never designed to all happen in one day. I think that there was a gross distortion of what a rollout is by the member for Brighton. They are called facts – we operate in facts on this side of the chamber. I cannot say the same about the speech that I heard earlier, which was much ado about this and that – opposition to the seat of Oakleigh and goodness knows what. It was very weird. But anyway, we are ignoring that because we are thinking about the people of Victoria, because they are on board with this. They are particularly passionate.

I do not know about you, but a million containers – a million! – has got to mean something. Doesn't that mean something? If we just listened to the member for Brighton, we would have thought returning a million containers was a bad thing – that maybe they should not have. Should we have stopped them? Should we have said 'Don't recycle your items'? No. We are getting on board. We are encouraging Victorians to do that, noting everyone still has recycling bins – this is not the only mechanism for

recycling – and we also have those purple bins as well, so you can separate glass from cardboard. I was on a waste inquiry a few years back, and what we found was that if you do not separate the cardboard from the glass the two go in together and it basically ruins both items, and then they have to go to landfill.

Victoria, contrary to what was stated earlier, has actually been all over this. We have taken definitive action. We are supporting local government to roll out a variety of mechanisms to ensure that the way waste is managed is absolutely optimised. I suggest that the opposition get on board with that. I have a sneaking suspicion that there are many people in the seat of Brighton who will be very keen to be part of recycling, because they are Victorian and they like to have the cleanest possible environment that they can have – in the seat of Oakleigh, in the seat of Albert Park and all over the state. But I put the caveat: we were absolutely transparent and up-front that it could never all be done in one day. To think that it could shows naivety. I am going to be kind in saying it is naivety – I could say it is something else – from the opposition.

I think they are just having a go for the sake of it because they are not rolling out this scheme. They cannot go out there and shout from the hilltops that they are rolling it out. But you know, them's the breaks. That is what it is, and that is what Labor is all about; we are doing, we are delivering. I am very proud of this scheme, but I am very proud of the whole circular economy rollout. All aspects matter. They are all contributing – to jobs and also to reducing emissions. We know that landfill is a pathway to stench but also to decades and decades of land being unproductive and actually contaminated, so the whole focus is on looking at all of the various targeted mechanisms to convert waste to something that is actually good for Victoria.

Tim Richardson: 'Just burn it.'

Nina TAYLOR: Don't just burn it. There might be a bit of re-creation of history over there, but I remember people saying burn everything, which is not what we are about. We are about having balance and optimising the way we manage waste in Victoria. And go Oakleigh!

Martin CAMERON (Morwell) (10:51): It is with pleasure that I stand and talk on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. I think that the people of the Latrobe Valley are on board, and we have our environmental caps on. We recycle down there, believe it or not. We do recycle down there, and we do not burn everything, so it is actually great that we can stand up and talk about this. There is the contentious issue that everyone has been talking about, the container deposit scheme (CDS), which I will get onto later. But the actual bill has some amendments which I might read out to try to make a little bit of sense of the bill.

One of the things we spoke about before is that the scheme did launch yesterday but we are discussing the bill today. As a small business owner, like the member for Narracan, I think if we had come up with a scheme and rolled it out but it actually had not passed and become legislation, we would be shot down in flames and our idea, whatever it had been – collecting cans is what this one does – would not have gotten up off the ground. They have actually put the cart before the horse. There should be due process so we make sure that all boxes are ticked and everything is in place as we go forward.

The bill makes amendments to the Circular Economy (Waste Reduction and Recycling) Act 2021 and the Environment Protection Act 2017. The amendments to the Circular Economy Act impose operational costs of the Container Deposit Scheme regulator, Recycling Victoria (RV), on the beverage industry. So a lot of our pubs and clubs that get a lot of cans and bottles that need to be recycled have questions about where they stand now and how they should actually get their bottles and cans down to the collection point.

Being able to get refunds on our cans and bottles is a great thing. It has been going on for years over in South Australia. I remember as a young fella when Mum and Dad used to take us away on holidays it was a great thing to be able to get your soft drink cans and take them to the deposit recycling place to get your 10 cents back – or 15 cents back I think it was at some stage. Moving forward, the Scouts

and Cubs and Girl Guides will be able to collect their cans from sporting events, whether they be football or cricket grand finals, and it will be a great way for them to be able to raise some funds and make sure our streets are clean. At the moment when we walk through our parks and we drive along our roads – I am not encouraging young kids to walk along the side of the road, with the cars going past – we do see cans and bottles that get tossed out of cars. Hopefully with this we can do it safely and we can have a cleaner environment.

It introduces the recovery of RV costs in administering the waste-to-energy scheme through new periodic licence fees; it establishes the Recycling Victoria Fund and special purpose operating accounts to transparently fund RV's operation under CDS Vic and the waste-to-energy scheme; it grants the authority to set variable fees through regulations and applications for submissions under the act; and it aims to reduce operational risk for CDS Vic by clarifying earlier legislative provisions. It extends the powers of the protective services officers and Game Management Authority officers also. So the bill is not just about one particular part; it is wideranging and does cover a lot of policies going forward.

The 2020 policy included the following goals: a 15 per cent reduction in total waste generation per capita between 2020 and 2030; diversion of 80 per cent of waste from landfill by 2030 – I think everyone in the chamber is in agreement with these goals for what we can do; hopefully moving forward we can reach these targets – with an interim target of 72 per cent by 2025; cutting the volume of organic material going to landfill by 50 per cent between 2020 and 2030, with an interim target of a 20 per cent reduction by 2025; and 100 per cent of households having access to a separate food and organics recovery service or local composting by 2030. It may be rolled out here in the city, but it is starting to roll out through country Victoria. I am sure that, as astute environmental people in the bush, we will take all that on board.

In December 2021 the Parliament passed the Circular Economy (Waste Reduction and Recycling) Bill 2021. The act brought about substantive reform of Victoria's waste and recycling system. It also commenced the state's transition to the circular economy. The initial bill created Recycling Victoria, which sits within the Department of Energy, Environment and Climate Action. Recycling Victoria commenced its operations in July 2022. There is a lot of other stuff that goes into it as well. As I said before, from contact through my office, via email and people ringing up and walking in, and generally if I am walking down the street, people are taking an interest in how the scheme is going to work with actually being able to walk in and get your money back on your cans and bottles. I am not sure a lot of people have taken on board where the stations are that they will be able to go into with their cans and bottles to redeem for their 10 cents. Eventually – not at the moment but eventually, hopefully, once the bill passes – there will be nine locations across the Latrobe Valley. We are going to have one in Churchill, one in Moe, two in Morwell, two in Newborough, two in Traralgon and one in Traralgon East.

One of the groups in Traralgon is Good Land Brewing Co. If you are ever passing by, make sure you call into Good Land Brewing and catch up with the team there. As a former Premier once said, it is a good place to get on the beers, up at Good Land Brewing Co. Not that we are encouraging drinking, but if you are going through and you would like to sample their product, please do so. What they have told me is so far the only communication they have received with regard to CDS is from what they have heard via other people and industry groups, which is not a lot on how it is going to work. We saw with the rollout and the launch yesterday that there was a little bit of confusion about where the sites were going to be and how it was all going to work. There is talk also that if the cans have been half crushed, they will not be accepted by the machines going forward. They are a little bit concerned about going to these machines and placing the cans in if the cans are slightly dented.

I know the member for Nepean sometimes, if he has a can, might crush it as he is drinking it, so maybe his can will not fit into the machine. A lot of people that are in their man caves and man sheds when they may have a drink on a Friday night crush their cans. If they crush their cans, they are not going to be accepted in these machines, so it is going to be a real education about how you have to go there with your vessel of happiness, as some of us call it, with your can or stubby, to get it put through the machine to get your 10 cents back. There is a bit of confusing and conflicting information. The website

information is changing virtually hourly at the moment, with updates on what is open, what is not and how it is all going to work.

But as I said before, we are all on the same page in here. If we can collect our cans and bottles and be refunded, that is a great thing. On the flip side, though, the cost of purchasing your cans when you are in the supermarket or you go to a bottle shop or somewhere like that is going to go up, and stubbies also will go up. If we go to Uncle Dan's for a visit, if it is Christmas time, to get a few bits and pieces, all the prices are going up, so it is going to have an impact on the cost of living. We like what is going on, but we need to see more.

Tim RICHARDSON (Mordialloc) (11:01): It is great to get up and speak on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. The lid is off. We cannot contain our excitement in Victoria. We are no longer bottling it up about environmental action. The member for Brighton can try to can it, but we are up and about and ready to go. The member for Morwell at least made a really thoughtful contribution – a few more tin and beer references than I thought necessary, but that is good; we will get around it and get on the beers, as he mentioned. It was a thoughtful contribution that said there are some challenges. We want to see that ambition – not the member for Brighton, who would be grumpy on a beautiful sunny day down in Brighton. Seriously, he is talking down this policy when we have had a million containers that have been collected in 24 hours, an extraordinary result. Victorians are up and about. I did not know whether he was grumpy about the circular economy of Liberal leaders and candidates that get recycled. Do we get a deposit or refund? He is on the hook. Here we go.

Sam Groth: On a point of order, Acting Speaker, I am sure the member for Mordialloc will know what I am going to say. His contribution is not an opportunity to attack the opposition. It would be nice if he would just talk about the bill at hand.

The ACTING SPEAKER (Wayne Farnham): I bring the member back to the bill.

Tim RICHARDSON: A split second – he had the fastest serve and he had the fastest movement to get up on that point of order, didn't he? I am looking forward to the member for Nepean's contribution because environment policy is really a big interest on our peninsula and around Port Phillip Bay.

What an extraordinary contribution from the member for Brighton, who claimed that the container deposit scheme (CDS) was his idea. We saw this action all through the Public Accounts and Estimates Committee when I served alongside him. But it was the member for Brighton's idea, and then he moves a reasoned amendment to kill the idea. It is an extraordinary day today as the Liberal's and Nationals' policy is to basically bin the container deposit scheme into perpetuity. That is on the back of huge positivity and aspirations from Victorians – 1 million containers collected. But on the environmental significance, as the Minister for Environment, who was on Ali Moore's show yesterday and had a long-form interview – for anyone who wants to hear about how this works and the rollout, the minister did an outstanding job describing this – said, it could be up to a billion containers that are diverted from landfill, waste and impact. We know that by collecting cans in a particular way – and bottles as well – we have a greater likelihood of them being salvaged and recycled rather than being eventually stockpiled or going into landfill. To hear that description that it could be a billion is really welcome for all Victorians.

Now, 392 sites were stood up yesterday. If anyone heard the young chap who was at the press conference yesterday in Oakleigh – and I invite the member for Brighton down. I know it is a long trek. I know it is a different train line. I will even come and pick the member for Brighton up. Get amongst it in Oakleigh. You can come out to Chelsea, to the back of the Woolies car park. He will not have to go up against Felicity Frederico anymore; he can fund his own campaign just by collecting about 10,000 cans, and off he goes. No more boring Liberal Party branch fundraisers anymore. You can get amongst it with your cans, and off you go, on call.

James Newbury: On a point of order, Acting Speaker, on relevance, the member has not even got to the point where he raises the lack of weight he has in his own party. He does not even have a collection point in his own community. He does not have a collection point in Mordialloc.

Tim RICHARDSON: Aspendale.

James Newbury: There is not one in Aspendale. I have just looked on the website: Mordialloc, Aspendale – nothing.

The ACTING SPEAKER (Wayne Farnham): Member for Brighton, what was your point of order?

James Newbury: Relevance.

The ACTING SPEAKER (Wayne Farnham): There is no point of order.

Tim RICHARDSON: There is an open invitation to my bayside colleague the member for Brighton. In Chelsea, out the back of Woolies, is a great collection point. Apparently they were lining up back to Bonbeach – that was how much excitement there was. Braeside has never been so busy down Malcolm Road. I have seen people lining up to take their cans and bottles. Some are coming up with bags full of the stuff. Aspendale Gardens has another collection site. I mean, it is going off in the City of Kingston.

People who live in our community, which I share with the member for Carrum and Minister for Planning, and our beachside patrol groups do an extraordinary job. But each and every time we come up to summer our place gets absolutely smashed with bottles and cans left in our waterways the Mordialloc Creek and the Patterson River and then out in the bay, and the impact is substantial on the environment. Anyone that has gone through the I Sea, I Care program with our students will have heard the passion and energy with which they talk about recycling as well. We know that bottles take 1000 years to break down, and just recently with the Mordialloc Freeway construction we put 200 million recycled bottles into the road. But it would be better if we had a better use than them being in our waterways and diverted them into projects and other community uses and to being recycled and re-used. It takes an extremely long time for plastic bottles, glass and cans to break down, so this is a really important policy that has all the aspiration.

I was just so disappointed in the member for Brighton. I thought this was a moment to get up and about – 392 sites. I mean, the member for Brighton took the literal Mordialloc electorate as a reference point but then failed in the fact that there are four in my area that have been established. Look, it is only a 25-minute drive. I went through the other day. I know that the member for Brighton is so keen. He must have a treasure trove of cans and bottles, and that is what it is really about. It is really about ‘Look at me. I want one too. I just want the selfie to say it was my idea five years ago. I want to get in front of one of those blue machines. I’ve got a bit of relevance deprivation, and I want to be able to say I came up with it and it was mine.’ But the one fundamental thing is to then come in and try to kill the CDS. To kill the CDS and bin it now is a really disappointing policy. It is a really disappointing approach. To verbal the Boomerang Alliance – I heard that interview, and it was positive aspiration. Yes, there is more rollout to go, but that is what happens with a rollout; that is the definition. When you have not had the opportunity to roll something out for nearly a decade, because you have not been in government, you might lose a bit of muscle memory on what a rollout looks like. When they were in government their environment policy was vacant. Remember the office of living it up? That was the environment policy from the Leader of the Nationals. What is their policy now, which the member for Brighton leads? ‘Oh, has anyone got any matches? Can we just light it on fire?’ That is literally their environmental policy – put it in and burn it. To just literally light it on fire is their environmental policy.

James Newbury: On a point of order, Acting Speaker, personal reflections are unparliamentary.

The ACTING SPEAKER (Wayne Farnham): I will ask the member, who has strayed a bit, to please come back to the bill.

Tim RICHARDSON: I think it is relevant to why they have brought in a reasoned amendment. On the entire environmental policy and its make-up, with something that is so significant, the contrasting policy of the coalition is to burn waste. It is literally to burn waste and bin the CDS. That is literally what this does. I know that those opposite had learned friends in legal positions, like the former member for Kew, who was their Shadow Attorney-General. But they come in here and say, 'We'll rely on the legal advice of the member for Brighton, rather than the solicitor-general and the department representatives, on where the legals go on this particular legislation.' I mean, I know that there are a lot of tickets on the member for Brighton, but seriously? I think, our learned friend over there, we will take our advice from the department representatives, we will take our advice from the sector and we will be led by the solicitor-general. Let us go back to first principles – 392 sites.

Roma Britnell interjected.

Tim RICHARDSON: Member for South-West Coast, you will get a chance. You will get a chance to get up soon. But there are 392 sites. You can try to talk down a fantastic aspirational policy that polls off the Richter scale with Victorians. They are so up and about for this that we had a million cans, containers and bottles yesterday. That is how strongly endorsed this policy is. The member for Brighton can talk this policy down; the member for Brighton gets grumpy on a sunny day. The member for Brighton is absolutely false on this, because Victorians have shown their absolute determination to recycle. It was one of the most amazing things, the feedback that we got from our local community on the aspiration of this policy – the excitement – and then the young Victorian students with the I Sea I Care program were so amazing.

James Newbury interjected.

Tim RICHARDSON: Well, they are not going to Brighton, mate. They are staying in our local community with the rollout of this policy. So 392 sites, over a million containers – and there will be a billion over a year – is the extraordinary success of this policy. Those opposite can talk down the container deposit scheme. After saying that they were all for it, they are now trying to kill it. Their entire policy on the environment, on the challenges that we face in biodiversity and the challenges that we face in climate action, is literally to go to the kitchen cabinet, get a box of matches and light waste on fire. That is literally the intellect that they bring to this debate in the serious circumstances we find ourselves, with the impact on biodiversity and the impact on our natural environment. On this side we have a huge record and legacy of environmental action and taking action on climate change. This government has set about establishing a wonderful scheme. It is exciting, it is aspirational and it is purposeful. Victorians are so excited and up and about. They cannot wait. To the member for Brighton: stay in touch.

David SOUTHWICK (Caulfield) (11:11): I rise to make some comments on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. Can I say at the outset that this was going to be one of the best recycling projects since sliced bread. This was absolutely awesome. I can recall as a little fella going down to Moorabbin and watching the Saints with my bag of cans all squashed up so I could fit them all in a big bag, take them up and get my money for my pies and whatever else I got at the footy on a Saturday. It was the best thing to go around with your mates collecting cans and away you went. I reckon, from memory, that was probably – I am not wanting to give my age away – about 30 years ago.

James Newbury: 35-year-old David.

David SOUTHWICK: Thanks very much, member for Brighton. Thirty years on you would reckon, with all the technology and everything else we have going in the world, that you would have almost robots to collect these things. But what have we got now? You cannot squash the cans. You have got to have full cans because the readers do not read them. I cannot believe that we have got a system that is back to the future some 30, 40 years. I mean, this is next-level ridiculous. The fact is that we have got a government that has had all of this time to get a program right –

James Newbury: Nearly five years.

David SOUTHWICK: nearly five years, as the member for Brighton says, to ensure we have got a container deposit scheme that works – and like everything else that they do, they mess it up. They are absolutely poor with execution. Let me remind this chamber that it was the Liberal–Nationals that came up with this scheme. It was the Liberal–Nationals that said ‘Let’s bring a recycling program together. Let’s bring it to the market. Let’s ensure that we get people to think about how we recycle, how we do it. Let’s take up a proper recycling program, along with a waste-to-energy program.’ There was also a great initiative around waste to energy. Again, where has that gone? Nowhere. The government set up an independent review to have a look at this and left it on the shelf along with so many other ideas. There are some great opportunities with energy, when we have got a cost-of-living crisis, to have a waste-to-energy program and recycling, like with a container program – to have a good program. But, like everything, it is all in the detail. It is all in the execution. It is all about getting these things right.

The member for Brighton has a number of amendments which he has suggested today, and they are very, very good. They go to the core of publicly releasing an update on the progress of the rollout of the container deposit scheme, noting that only half of the estimated 600 collection point sites have been publicly confirmed, with no sites announced in Melbourne’s CBD. Well, along with none in the CBD, there are none in my area either. I can tell you the constituency in Caulfield and in Elsternwick, who absolutely are champions for the environment, would love this stuff in spades. Our local schools would get on board with this, and there is absolutely nothing in Elsternwick, nothing in Caulfield and nothing in Caulfield North, St Kilda, Brighton or Caulfield South. I mean, these schools would be lapping this up. We could run an environmental program with all of these schools. I know Caulfield South Primary, Caulfield Junior College, Caulfield Primary School, Ripponlea Primary – all of these schools would actually get on board and do this program, but where will they take their cans? Where will they take them? First of all, they cannot crush them, so they will need a truck, a semi, to actually put the cans in the back. Then they will have to drive them God knows where to actually get them counted. There would be more cost to the environment in actually getting the containers somewhere in fuel, in all of the logistics to this, than what it would be in saving the environment. So again it is about the detail – it is about getting the detail right. It is so disappointing.

There are other states that are doing this kind of stuff. New South Wales is doing a fantastic job. This did not happen yesterday. We have got programs that have been implemented for so long – for five years. We have been talking about this for five years. I cannot believe it. We have got other states, and every single time this government does not go over the border and learn about how New South Wales have done things, like everything that we have done. We have spoken even about a fuel app so people can save money with fuel – they will not learn from that. We have spoken about public transport apps, and they do not learn from that. We go and reinvent the wheel here, and we do it poorly and we all miss out. Who loses out? Victorians lose out. Consumers lose out. Every single time consumers miss out. They pay more and they get less in a cost-of-living crisis. Consumers miss out.

Here is an opportunity where we could be doing more for the environment. We could be doing more for the hip pocket in terms of money into consumers’ pockets, but instead it has failed. Already the container deposit facilities are bursting at the seams. They are done. They are not working properly, and it has only been 5 minutes since they have been rolled out. We have got, as we say, gaps in areas like Elsternwick, Caulfield, Caulfield South, Ripponlea, which have a huge hole in them – nowhere at all to take your cans. The member for Brighton also has as part of his amendment:

- (b) no meaningful communication has occurred with businesses on their disposal of containers, nor commercial agreements put in place to enable business who generate the bulk of container waste to dispose of containers in an environmentally friendly way ...

It is about consultation. It is about working with stakeholders. It is about working with business and industry groups. If you are going to be able to have success, you have to get people on board, and none of this has happened. Point (2) of this amendment:

publicly state what the government intends to do with the additional charges collected from industry and the community that are not dispensed through the scheme ...

There will be some people who will not take the money back, who will not use the money, so that money will sit there – a great opportunity to pump that into environmental programs, a great opportunity to ensure we are doing more for the environment.

What do you reckon this government is going to do with that extra money? Straight in their hip pockets, straight into consolidated revenue, straight to filling the big black hole of debt that Victoria has through waste and mismanagement. That is what this government will do. They will not help the environment. They are all talk and no action when it comes to the environment. They are all about headlines and not about detail when it comes to the environment, and again the environment misses out, Victorians miss out and we all pay more for the government's waste and mismanagement. Victorians all pay more for Labor's waste and mismanagement; it is very, very simple. The government are so reckless with money, they are so reckless with expenditure, all they do is about a headline and nothing about detail. If you want to see a complete lack of detail, have a look at this container management scheme disaster. It is a disaster – it is an absolute disaster. Five years to get it right, and they still do not have places to be able to –

Roma Britnell: Legislation's not been passed.

David SOUTHWICK: No legislation. There is nothing. It is a complete shambolic mess. The last part of all of this, which goes to the core:

consider the cost-of-living impact on consumers of a scheme that is designed to impose operational costs on the beverage industry, who will in turn pass those costs on to consumers.

We have got to make sure consumers do not pay more in a cost-of-living crisis. We have got to do this better, and they have not done so.

In the last minute or so remaining, specifically when we are talking about waste and the environment, one of my interns, Mary Coustas from the Australian Catholic University, did a fantastic report, "*What a Waste*": *A Circular Economy Lens for Textile Waste and Textile Recycling in Victoria*. This looks at what we can do so Victoria can be the leader, because fashion is a key element of what we do but fast fashion is costing the environment and it is costing the taxpayer. What Mary looked at doing was looking at some great opportunities for Victoria. Let us hope this does not sit on the shelf for five-plus years but that the government look at this and look at ways of ensuring we do more with our waste around fashion – things like investing in data collection and green social procurement using recycled textile, utilising existing consortiums like Melbourne Fashion Week to enhance their ideas about promotion and funding high-quality output of closed-loop chemical recycling projects. They are great ideas, and it is a great report that Mary did. Mary goes to a Catholic university. A big shout-out for the parliamentary internship program – it does some really, really good work in this space.

These are great opportunities; Victoria should be leading the way. These are really good ideas. I am glad that the Liberal–Nationals have come up with these ideas, but as I said, it is all about execution. The government have failed in executing what we have got in front of us today. The government need to get this right for the sake of Victorians in a cost-of-living crisis and for the sake of the environment, to ensure we get better programs to save the environment and ensure more sustainability for Victoria.

Dylan WIGHT (Tarnet) (11:21): It gives me great pleasure this morning to rise and contribute to the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. May I just say at the outset, Acting Speaker Farnham, it is great to see you in the big chair there, and you are doing a great job, mate. You are doing a great job, which is far more than I can say for the member for Brighton, who walked into this place this morning and moved a reasoned amendment to absolutely kill Victoria's container deposit scheme. It absolutely baffles me why. The member for Brighton represents a community that is environmentally conscious, as the vast majority of Victorians are, and he walked into Parliament this morning and moved a reasoned amendment that is designed to do

nothing more than kill this scheme. The member for Brighton spent a long, long time over summer, and I understand why, reading the standing orders. I think the member for Brighton should have spent a little bit of time, before he walked into this place, reading what the definition of a rollout is. 392 sites are open in Victoria already, on our way to 600. The member for Caulfield just spoke about schemes in New South Wales. Let me tell you, at the launch of the New South Wales scheme there were 220 sites open – only 220. We have rolled out 392. This scheme is fantastic. It is going to be fantastic for Victorians, fantastic for our environment and fantastic for the cost of living as well.

We on this side of the chamber have a steadfast dedication to fostering a circular economy right here in Victoria. It would be remiss of me to not mention some businesses very close to my community in Tarneit, just across the road in Werribee South – in fact in the member for Point Cook's electorate. There is a business there called Fresh Select. They supply about 80 per cent of Victoria's lettuce. If you buy a lettuce from Coles, you have bought it from Fresh Select. They had a situation in recent years where they had an incredible amount of food waste. There would be products that they would harvest that were not suitable to go to Coles, whether that be broccoli, whether that be carrots, pumpkin, lettuce or whatever it may be. What they did was create a system and a manufacturing facility where they could get all of that excess harvest that they were not able to send to Coles, and they created a new business called Nutri V.

Sam Groth: On a point of order, Acting Speaker, I am sure Fresh Select do an amazing job and they have created an amazing scheme, but I am not sure what that has to do with the bill in front of us and the container deposit scheme. It is on relevance, Acting Speaker.

The ACTING SPEAKER (Wayne Farnham): I would ask the member to come back to the bill. You have gone little bit wide from what has been discussed so far.

Dylan WIGHT: I am talking about the circular economy, something that we on this side of the chamber care about and those on the other side do not. Anyway, back to my point, Nutri V and Fresh Select do an absolutely amazing job. If you go into Coles, you will be able to pick up some Nutri V off the shelf. I think it has got a couple of serves of vegetables in each packet.

A member interjected.

Dylan WIGHT: The member for Nepean can get his vegetable intake up. But, anyway, as I was talking about, we on this side of the chamber have an absolutely steadfast commitment to fostering a circular economy right here in Victoria, aiming to create job opportunities, further our climate change objectives and offer a dependable recycling framework for all Victorians. Since unveiling our circular economy strategy, *Recycling Victoria: A New Economy*, in February 2020 there has been a transformative shift in the state's waste and recycling domain, bolstering the efficacy and quality of life in both urban and regional areas. We have made commendable strides in fulfilling the pledge outlined in *Recycling Victoria: A New Economy*, with the structures laid out in the Circular Economy (Waste Reduction and Recycling) Act 2021 serving as a foundation. Following this, the Environment Legislation Amendment (Circular Economy and Other Matters) Act 2022 was enacted, enriching the circular economy act with additional pivotal policies. This legislation also paved the way for Victoria's waste-to-energy initiative, setting an annual limit of waste that thermal waste-to-energy facilities can process in the state, coupled with a corresponding licensing system.

I think we should probably at this point get to the container deposit scheme, as I am halfway through my contribution. As I said at the outset, 392 sites are open already. This is a rollout – 392 sites on the way to 600. As I said, that is compared to 220 sites when New South Wales opened their scheme some time ago. In my community we have been incredibly lucky to have three sites across both Hoppers Crossing and Tarneit. At the site at Tarneit West shopping centre, which is quite close to where I live in my community, we have a reverse vending machine, so a fully automated service where members of our community, where sporting clubs and where community organisations can take their recycling and can go and use our new container deposit scheme. Whether that be for fundraising for community

sporting clubs or just to help with cost of living, with shopping vouchers or the like, it is an absolutely amazing opportunity for my community and one that I know will be used a whole lot.

Hoppers Crossing has not missed out – I obviously represent Tarneit and Hoppers Crossing. Hoppers Crossing has not missed out at all. In fact I think I said there are two in Hoppers Crossing; there are three sites in Hoppers Crossing for those members of my community to use. I know, because of the correspondence that has come through my office, how excited those members of my community in Tarneit and Hoppers Crossing are to use our new container deposit scheme. It is an environmental initiative, as we have said, and it is designed to encourage the recycling of certain drink containers, reducing litter and waste destined for landfill. Under the CDS, consumers pay a small additional deposit when purchasing beverages in recyclable containers, but obviously they can redeem that when they access the scheme and when they access those deposit points. By providing a financial incentive, the scheme motivates individuals to collect and return containers, recycling and decreasing the volume of beverage container litter.

We are obviously not the first jurisdiction in Australia to do this, but we are rolling it out as we speak. The reason that we are doing that is because we know that it works. We can look at several jurisdictions, not just in Australia but around the world, that have similar schemes, and we know that they work. Finland, for instance, has had a deposit scheme for glass bottles since 1950, aluminium cans since 1996 and plastic bottles since 2018. In 2015 they saw return rates between 89 and 95 per cent. Think about all of that waste not going to landfill – between 89 and 95 per cent; that is significant. In the Faroe Islands a deposit scheme for disposable packaging has been in effect since 2007. Their scheme recovers glass, aluminium and plastic and achieves a 90 per cent return rate. Of course in South Australia, which is probably the jurisdiction in Australia that we all think about when we think about a container deposit scheme, a container deposit scheme has been in place since 1977. In South Australia they saw an overall return rate of 76 per cent in 2022–23. Just over the border beverage containers make up only 2.8 per cent of litter because of this refund scheme. We know that container deposit schemes work. That is why we have worked so hard to create the one that we are speaking about in Parliament today. We will continue the rollout from 392 to 600 deposit points. I commend the bill to the house.

Roma BRITNELL (South-West Coast) (11:31): I rise to speak on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. This bill puts the finishing touches on some of the work that has been in play for some time. The government is rolling out under this the container deposit scheme. What we are seeing is the setting up of things like the Recycling Victoria Fund with special purpose operating accounts to make sure the funds are able to be utilised and some contracts getting finalised for the rollout of this program.

Today is day two of the scheme. Yesterday the scheme began, yet here we are still putting the finishing touches on the legislation that will enable this to occur. What that smacks of, for me, is a government being disorganised but having had many years to get organised. This is just another example – this week has seen a number of them – so it is no surprise. We really do support a container deposit scheme, and we have done, as evidenced by the fact that we came out with a policy prior to this government's – before the last election – supporting the scheme. That demonstrates our commitment to a container deposit scheme. But what I see are some real flaws in this circular economy situation that the government is putting forward, because it actually does not reflect the best opportunity for consumers, and I worry about the opportunity it actually presents more for government.

I was in Portland last Friday – and Warrnambool, obviously, where my electorate is – talking to a number of businesses. In Portland I spoke with Michael Pickles. Michael is one of the local publicans there. This was less than a week ago. Michael was explaining to me that he had had no communication on how this scheme would be implemented from his business's perspective – how he would be able to participate in making sure the environment benefits from less cans and bottles going into landfill. He had had no communication – except from the beverage people that sell him the products, telling him that they would go up by 12.85 cents per bottle or can. That is a cost that he needs to be able to

recover, but he had no information on the system in place for him to do so. There was nowhere in Portland listed at that point for him to use. Since then a reverse deposit place has been identified – as a pop-up – in Portland. They can access that from 10 until 3 on Thursday – which is today – from 10 until 3 tomorrow and from 9 until 5 on Friday. The website does not tell me whether that is going to continue next week or not. There are just those three days – no date – and we do not understand what that actually means other than today, tomorrow and the next day.

Michael also told me that he has got to go there. And this is a pub, this is a hotel venue – he is not going to have one rubbish bag full of containers of Coke cans and beer bottles. He has got a trailer load of stuff that he had ready to go, but he is going to have to put them one by one in the vending machine. Now, if anything is crushed, he cannot put it in. So we have just got to go back and reshape everybody's brains for the last 30 years of crushing cans to fit more effectively waste together in a spot for recycling. We have got to reshape people's thinking and undo all that training and tell them not to crush cans.

Getting back to Michael, he explained to me that for him to take rubbish to the tip costs him \$250 a tonne. For him to take it to the recycling place costs him \$280 a tonne. Now, this is prior to him getting any money back, and he does not know whether he will, because he is not sure what contracts are in place and how he can access this scheme. Clearly he cannot go and put it in a vending machine. So what do we do? I spoke to restaurateurs and I spoke to cafes, and there is just no understanding. I get that there will be, but this started yesterday. Yesterday the consumer walks into a restaurant or a cafe and pays maybe 12.5 cents more – which is what the government said, but I have not seen any evidence of that, as everything has been 12.85 cents or 14 cents. Danielle Shepherd sent me some receipts yesterday. She showed me her receipts from January when she bought some Coke in the supermarket, and yesterday she sent me the picture of the price, which had gone up 14 cents per can. So in a cost-of-living crisis we are asking the consumer to pay more, yet 80 per cent – using the Queensland example – of available recyclable material ends up not in the scheme. So only 20 per cent is going to the scheme. But Michael told me from the maths he has done \$6 million a week will be raised in revenue. It is effectively a tax if only 20 per cent is going to go back to that consumer. Because I am not going to go into the pub next week with my backpack and ask for the bottles and put them in my backpack and then head out to the container deposit scheme. So the publican, if he has something in place, is going to have to work out how he charges to get that money back.

The system is so poorly designed that if only 20 per cent goes back through this scheme, then on the maths of \$6 million a week, that will be \$300 million a year. So over the forward estimates, if only 20 per cent goes back in, which uses the Queensland example for figures, then that is \$1 billion raised for government in revenue. We have seen the government take from schemes like the TAC scheme, which they raided because their black hole of debt was getting greater and greater, so it worries me that there is \$1 billion there that the government will take which the consumers have paid when they have gone into a restaurant or gone into a bar and hoped that the environment would be better off because of that 10 cents – which is not 10 cents, it is at least 12, 14 or up to 30 cents we are hearing today.

The environment is not going to be the beneficiary. This scheme, set up under this legislation, puts an account aside so the environment can benefit, but I am not seeing the guarantee that the benefit will go to the environment. As I pointed out with the TAC example, the people who should be benefiting from that TAC money fund that grew and grew were not benefiting when the government stole money from that and did not give it to people who should be benefiting on pensions and the like, who have been affected by traffic accidents. So the government are really putting in place a tax, because if it is meant to go back to the environment, why would it not be ready today? Why would all the communication that should have taken place with restaurateurs, publicans and all the others who cannot use the reverse vending machines – clearly, because of the amount of material that they will bring in – not have been all set up?

That brings me to households. Cost of living is a really big issue for households. When I put my bottles and cans in my purple or yellow bin, as the member for Albert Park pointed out, I have actually paid

my rates, and those rates go to the council and the council pay for the rubbish removal. So somebody will get that rubbish from my yellow bin and my purple bin and be able to get the refund of the 10 cents per bottle. I worked out that if there are 200 stubbies in my yellow bin, over a period of some time, that will end up being around \$200 to \$500 a year, and that is a lot of money for households. So is that rebate going to come back to the community members who are doing their best recycling? This container deposit scheme and this circular economy should be looking at the picture that gets all those bottles and all those cans incentivised back to the consumers who are paying for it.

The government have done this little bitzer approach. I know that the Scouts will love it, and I think that is fantastic. I am pretty sure my little grandson is going to get out there and try and get many bottles to get his 10 cents – I can see it. That is great. But let us make sure the circular economy that is being spoken about is the true beneficiary. The consumer and the environment need to be working hand in glove to make sure that we get the outcome we are looking for. There is no point in putting this legislation through if it does not look clearly at a circular economy and have a real effect on the environment. The consumer wants to help – they will pay the extra as long as it benefits the environment. But if Michael Pickles from Portland, who is running a pub, is unable to make sure that gets into the scheme or back into recycling or the consumer in the household who is doing the right thing with the yellow and purple bins does not get the benefit, this is not helping the environment; this is charging the consumer more and not benefiting the environment.

I support the bill and I support the reasoned amendment put forward by the member for Brighton. The genuine need is for us to incentivise our community to improve the environment, not tax the consumer, making it more difficult during a cost-of-living crisis for households to make ends meet in the farcical smoke-and-mirrors way of these sorts of bills that are put forward by the government with no learnings from New South Wales and South Australia – South Australia has been doing it for 40 years – that they could have adopted. Instead they are arrogantly rolling it out and it is not ready, as many have said.

Kathleen MATTHEWS-WARD (Broadmeadows) (11:41): I really cannot tell you how excited I am about the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023.

A member interjected.

Kathleen MATTHEWS-WARD: No, I really cannot. I have been waiting a long time for this container deposit scheme (CDS), so it is really exciting for it to have started yesterday. It is not everyone's cup of tea, but waste reduction in particular is a real passion of mine. In fact my house is often a transfer station, finding appropriate homes for things that friends and family do not want anymore. Mum is always giving me things – 'Oh, you can give that to one of your friends.' It does drive my husband crazy. It also drives him crazy when I rescue things from the hard rubbish collection.

On that note, this is a good opportunity to shout out to our Hard Rubbish Rescue Merri-bek and Hume Facebook communities. They are my very favourite Facebook groups. Hard Rubbish Rescue Merri-bek now has an incredible 30,000 members, and I would like to thank the wonderful Vaissy Dasler for her work on this and for running the fabulous Nourishing Neighbours food relief, and all the volunteers who help her. There are also generous groups like St Kilda Mums and Big Group Hug, where dedicated volunteers make sure that mums and bubs have the equipment they need. The circular economy is absolutely where the future is heading and where jobs are. It is so good for the environment and so good for the cost of living.

My staff and kids will tell you how finicky I am about people putting things in the right bins, including my daughter, who lost her phone for a week because she could not take the time to choose the correct bin. So I am truly delighted that from yesterday we have a container deposit scheme in Victoria: 10 cents for every can, plastic or glass bottle and even Big M milk cartons. They have to have the 10-cent refund sign on them, so not 2-litre milk cartons or wine bottles, but 10 cents for the ones that we most often see littering our beautiful parks and waterways. Do not crush the cans, and it is best to keep the lids on because they can be recycled too. Then take them to your nearest refund point.

In Broadmeadows we have plenty of collection points, and more will be rolled out. We have a reverse vending machine at the Campbellfield shopping centre, in the Roxy shopping centre car park and one at 13 Domain Street, behind the East Street shops. There is a walk-through or drive-through depot collection point at 13 Fordson Road, Campbellfield, operated by the social enterprise Green Collect, and plenty of over-the-counter collection points: the convenience store at 85 Kyabram Street, Coolaroo; Olsen Place TattsLotto, next to the pharmacy; the fabulous little IGA in Major Road, Fawkner; the grocer with the best ciabatta in Victoria in North Street, Hadfield; the friendly Glenroy Newsagency, who I also thank for their support in the post office campaign we have been running in Glenroy – they are hoping to become a postal agent in Glenroy, which would be fabulous for our community, who have been left without a post office; and the milk bar in Ridgeway Avenue, Glenroy. I have really fond memories of going to this milk bar as a kid. We spent many a summer day walking there, handing over our 5-cent bottles – I think that was about 40 years ago – and then taking an eternity to choose mixed lollies or buy a Sunnyboy or a Bubble O’Bill. We would normally have finished our treats before the Hewitts’ terrier with an underbite would terrorise us at the end of the laneway.

Not only did we return our bottles, but I remember collecting cans and taking them up to Sims Metal in Campbellfield. One time we were in the old Ford Falcon station wagon with the wind-down window in the back, loaded up with cans and scrap metal, driving along Sydney Road, when a massive huntsman crawled out of a can and ran across the windscreen, frightening the life out of all of us. But Mum kept her cool, even surrounded by all the trucks that were on Sydney Road in those days, and got us safely to Sims. Worse was in Queensland, where my cousin found a tree snake curled up in her collection bin. Anyway, I will be thinking of spider- and snake-free ways to collect my cans and bottles to get the 10 cents.

I am really excited that the system allows us to choose a charity, a school or a club to donate our refunds to. This will be an absolute game changer for many local organisations. There are over 300 donation patrons so far, including Scouts, Beyond Blue, Dachshund Rescue and Tiny Pride, and I encourage all local sporting clubs, schools, clubs and charities to sign up. When I was up in Queensland with my friends the Robinas, finding a bottle or can was like finding gold for the kids, and they raised a massive amount for their local charity. There was hardly any litter to speak of. It made an extraordinary difference in Queensland and Victoria, where there was just no litter on the streets. It breaks my heart to see our parks and streets and especially our creeks and waterways filled with so much litter – so many water bottles floating around. I am so glad our local government is bringing in this scheme, and I thank the current and former ministers for environment for their work on this. My little friend and recycling champion Cooper, whose mum is in the gallery, from Glenroy West Primary was so excited last night to get his 10 cents at a reverse vending machine. He is saving up for a Nintendo Switch game – be like Cooper.

The scheme will generate more than 600 jobs statewide and turn used drink containers into new recycled products, and this legislation will mean it does not cost taxpayers a thing. The scheme is fully covered by the drink industry, and that is why I do not support the amendment that the Liberal Party has put forward. The further information requested goes to communications and not to the substance of the legislative framework. Further, there is good information already available to members of the public and businesses through the scheme website, the scheme coordinator and zone operators, including a map of all refund points. I was looking at the website this morning, and it is actually really fabulous information. There are 392 refund points open to the public on day one of the scheme, and there are more coming. We have engaged businesses throughout the development of Victoria’s container deposit scheme through a CDS advisory group that included the Australian Hotels Association, the Australian Industry Group, the Australian Retailers Association, the Victorian Chamber of Commerce and Industry and the Boomerang Alliance. One million containers recycled in one day shows the success of this rollout and speaks for itself.

CDS Victoria is designed to ensure that the beverage industry meets the full cost of the scheme – and why should they not – including providing the 10-cent refund back to consumers and also other

scheme costs, including scheme infrastructure and logistics, and audit and financial management, in line with the principles of extended producer responsibility. There is no ongoing accumulation of funds. This is no surprise and is consistent with other jurisdictions. The overall cost impact of the scheme on consumers is expected to be modest. Price rises witnessed in other states have been small and less than 10 cents. The Victorian government will monitor any price rises, and when Victorians return their empty drink containers, they will receive a 10-cent refund for every container returned.

The bill will amend the Circular Economy (Waste Reduction and Recycling) Act 2021 to include a cost recovery mechanism to ensure that the beverage industry will bear the scheme cost entirely, in line with the principle of extended producer responsibility. This means that first suppliers of beverages in the container deposit scheme will bear the entire cost for managing beverage containers across their life cycle, taking responsibility for the packaging. The bill also establishes the Recycling Victoria Fund, without which any fees paid to Recycle Victoria through the container deposit scheme and waste-to-energy scheme would have gone into the state's consolidated revenue. Instead a dedicated account will provide a more efficient, transparent and accountable mechanism to demonstrate that funds collected from the scheme participants are only used to recover the state's cost in administering and overseeing the scheme.

This is important for extended producer responsibility schemes such as CDS Vic, which is intended to function as a closed financial loop. The beverage industry participants funding the scheme will expect the industry contributions to be directed solely to the scheme. Creating a dedicated account for this purpose will assure the industry that funds are being managed and used in line with their expectations. I cannot tell you how pleased I am to hear that the legislation will also enable more litter enforcement. Littering is a pet hate of mine. It is so lazy, so disrespectful and so selfish. It shows such little regard for others, for the environment and for the community, and I cannot tell you how happy I am that more people will be penalised for it.

The bill will introduce amendments to the Environment Protection Act 2017 to provide that the EPA is not required to automatically release a financial assurance when property or a permission is no longer held or a notice or order no longer applies to the person who provided the assurance following a liquidator's disclaimer or other event if environmental and financial risk still exist. This power will protect the EPA and the state of Victoria's taxpayers from bearing clean-up costs when remediation is still needed. It will ensure that recipients of remedial costs can recover costs from polluters in all circumstances for which a notice can be issued. The polluter should pay, and this change in the legislation will enable that. At present a person issued with an environmental action notice or site management order by the EPA cannot recover any costs from a person who causes pollution, except in the case of contaminated land, which does not support the polluter-pays principle specified in the Environment Protection Act. The bill will also amend the act to ensure the EPA can delegate its powers and functions conferred under other acts.

Jade BENHAM (Mildura) (11:51): Acting Speaker Farnham, might I say before I begin what an absolute joy it is to see you sitting in the chair. You are doing a terrific job. It is also my pleasure to rise to speak on the container deposit scheme and the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. Do you know what? I had so many puns planned – I really did, because I love a pun, almost as much as I love a sports analogy – and the member for Mordialloc stole them all, so I have had to quickly just rejig what I was going to say. But I am sure that none of us can contain our excitement. Well, there is one – contain our excitement. I have heard 'Put it in the bin' and all these other things. The best one I heard, may I say, was from the member for Morwell, who described a bottle that you can recycle as a 'vessel of happiness'. I am sure we can all identify with that.

I have been listening to a lot of the contributions being made on this bill, and the member for Morwell, as well as being highly entertaining, also made some very, very good points. This did have potential, and the community were very excited about the container deposit scheme in our electorate, but it is not without its challenges. We only have five collection points in the 37,500 square kilometres of my

electorate, which makes things a little bit challenging. One of our main collection points yesterday was having some teething issues on day one with the network operator, but apparently the other one on the other side of town was operating. So there are just some communication issues, and I am sure that will work itself out.

The issue that has been expressed to me though is that we are so vast and have some of the most isolated towns in the state. Murrayville, for example, which is over on the South Australian border, is 2 hours from Mildura. It is out in the desert. I mean, we live in the desert anyway. We choose to live there. It is a great place. It is God's country. However, with the cost of fuel the way it is at the moment – and you cannot actually get fuel in Murrayville. You either have to go across the border into South Australia to get your fuel or get it when you take the 2-hour drive to Mildura or wherever you are going. There is not a collection point there. So with the cost of fuel and the cost of living, although people want to take part in the scheme, there is not really a return on the 4-hour round trip. One of the changes that I believe could be made, and maybe it will be as the program evolves, is if the machines could be put into every country footy club – like Murrayville, like Underbool, like Walpeup and like all these places that are, essentially, hours from anywhere – and have that money go directly to the club, you would have one in every country football club in Victoria.

The other thing is that there have been lots of references to the crushing of cans and then using that money, as the member for Broadmeadows was saying, to go and get your mixed lollies. If you had \$1, it would get you a litre of mixed lollies – the good old days. Crushing cans is one of those things that I have been conditioned to do. I now condition my kids to do it. This may illustrate me in a different light: we have got a can crusher in our outdoor area to make room in the bin. It is one of those things that I am conditioning my kids to do now too.

A member: It's not going to gather dust now, is it?

Jade BENHAM: Well, it might. Do you know what? If we can recycle it, I will take it to a men's shed so they can take it apart and re-weld it into some other sculpture. I do not drink a lot of things out of cans anyway; I prefer vessels of happiness. But I am sure we will find another use for it. My point is that it is the crushing of cans that my generation are conditioned to do, and now I am doing it to my kids. I noticed even on AroundAgain's Facebook page, after they had put up the post yesterday saying 'We're actually not ready to go', that there were some questions like 'Will you take crushed cans?' No, they will not, and there was some discussion about that.

Again, there are a few little challenges, and I think the rollout could be made easier, particularly in my part of the world, where container collection points can be hours away. Like I said, we have five. We have got AroundAgain in Mildura. We have got Bottles and Cans Mildura – they are in Byrne Court, on the other side of town. There is J & J's Trash and Treasure in Robinvale. Then there is not one until Donald and Charlton, which are 3 hours away. I know I talk with my hands a lot. It is my culture – that is what we do. If you imagine Mildura up here and Robinvale here, then there is not another one until right down the bottom of the electorate. So there are some challenges there, obviously, and it just appears to be another scheme that has been rolled out and that had the potential to be great. But because it has been rushed through and it is not right, it would be much better to delay it. I am one of those incredibly practical and pragmatic people – get it right the first time and move on instead of rushing it through and then fixing it as you go.

I know there has been excitement within communities, but this is the feedback that I have had: we would love to see the ability for sports clubs, particularly footy and netball clubs, out in regional Victoria to be able to host the 24-hour automated machines with vast capacity, which would automatically give all that money to the clubs. Like I said, if that was an option, I am sure every football club in my electorate, and probably every country footy club in the state, would take one, because it is money for cans. Ha! There I go – I got one in.

Anthony CIANFLONE (Pascoe Vale) (11:58): It is a pleasure to rise on this amazing bill. I just want to begin by clarifying and picking up on something that the member for Brighton keeps alleging, time and time again, which is that there is no CDS here in the Melbourne CBD. But the reality is and the fact is that we do have a coalition deposit scheme right here at Parliament House, in the heart of the Melbourne CBD. It is a CDS that has just seen opposition leader after opposition leader recycled and recycled. It began with the member for Malvern, then there was the member for Bulleen twice and then the member for Hawthorn. Now it might be the member for Berwick or the member for Sandringham or Kew – who knows who is next? The CDS is here at Parliament House – the coalition deposit scheme. In that sense, let the record show that we do have a CDS here.

I do rise to of course to support the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. I would like to begin by commending Minister D'Ambrosio, Minister Stitt and Minister Dimopoulos and their teams and departments and all the stakeholders that have been involved for so long to help bring together this legislation, this bill, and to help roll out the first container deposit scheme – not coalition deposit scheme but container deposit scheme. I commend them for bringing this work to the house.

As I said in my first speech, the environment is fundamental to all life on earth. It produces the air we breathe, the water we drink and the materials, resources and food that are essential for all life on the planet. As a local member but also as a local parent, I am committed to helping to leave behind a world in as good, if not better, condition as the one that our grandparents left to us. This is why I have always been a strong supporter of meaningful action to preserve our environment, combat climate change and transition towards a more sustainable way of living.

In this respect I am very proud to be part of the Allan Labor government, which is embarking on the most ambitious strategy in the state's history to deliver a new world-class recycling system, which will provide for both statewide and local grassroots benefits in communities. Supported by a record \$515 million of investment, the *Recycling Victoria: A New Economy* strategy sets out Victoria's plan for a cleaner state with less pollution while creating more jobs. Key priorities and actions contained in this plan, several of which are being progressed through measures in this bill, include the rollout of the four-stream waste and recycling system – the new purple glass bins for all households across the state – for better and more recycling and less waste. We are changing how Victorians recycle materials through this system so that materials can be collected from households and are better separated and sorted and are of higher quality so that they can be used again to make new products, particularly by separating cardboard and glass.

We are creating a stronger waste and recycling industry with new infrastructure and innovative waste management solutions for better and more recycling and re-use and less waste. New recycling laws and governance have already been introduced to support best practice waste management, resource use and recycling. We are encouraging investment in appropriate waste-to-energy facilities, which reduce dependence on landfill, which this bill also goes to and the member for Morwell, I believe, touched on. A statewide ban on single-use plastics and promotion of re-usable items will reduce waste and pollution for a cleaner and healthier environment. And of course there is the landmark cash-for-cans scheme, or the container deposit scheme, which is at the heart of this bill and which has commenced as of 1 November, with 1 million containers successfully being recycled on the very first day of its operation across I believe over 300 sites that formed the initial rollout. The CDS is rewarding the return of used drink cans, cartons and bottles for recycling whilst reducing litter in local communities, parks, waterways and streetscapes, which I will focus on in the substance of my contribution shortly.

When combined, these game-changing reforms will help us build a new circular economy across Victoria, which will have a number of benefits including helping us to build a more sustainable and thriving circular economy for a cleaner Victoria and a circular economy and recycling system that Victorians can trust; reducing our carbon emissions and contributing to Victoria's target of net zero emissions by 2045, including by mainly abating greenhouse gas emissions across the waste sector;

significantly increasing the quality and volume of recycling and re-use of our precious resources, reducing reliance on virgin materials; and reducing waste, landfill and litter across communities, as I said, and across parks, waterways and streetscapes.

These reforms will be the catalyst to help us create a wave of new economic and jobs growth across the state's circular economy, recycling and waste sector, potentially boosting Victoria's economy by up to \$6.7 billion by improving material efficiency in recycling. It will help create at least 3900 new jobs and establish new skills in design, repair, efficiency and materials usage across Victoria. It will help create new industry and businesses across the circular economy, including through research and development, material research, product design, repair, refurbishment, resale, re-use and product leasing. It will produce cost savings for households, not just through the 10-cent refund of the CDS but also through increasingly improved product durability and resilience over time as we strengthen our circular economy. It will also improve social inclusion through local initiatives that support repair cafes, product sharing and community composting, which the member for Broadmeadows touched on extensively across our shared communities of interest. Overall these reforms will help us drive behaviour change and build awareness across communities and households, with Victorians having the information and tools they need to reduce waste by re-using, sharing and recycling products.

The benefits of moving to a circular economy are widespread, and this bill will continue to facilitate our state's move in this direction. Since the launch of the Victorian Labor government's *Recycling Victoria: A New Economy* plan in February 2020 the state's waste and recycling sector has entered a period of dynamic and positive change. The Circular Economy (Waste Reduction and Recycling) Act 2021 gave effect to important components of the circular economy plan, including the establishment of Victoria's container deposit scheme. The act also established the foundational powers and functions of the head of Recycling Victoria, a dedicated business unit within the Department of Energy, Environment and Climate Action. Subsequently the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2022 was passed. This amended the circular economy act to provide for further key policy elements.

It also established Victoria's waste-to-energy scheme, which will introduce an annual cap on waste that can be processed in thermal waste-to-energy facilities in Victoria and associated licensing scheme. Recycling Victoria has since commenced the first stage of this licensing scheme for existing waste-to-energy products. Significant progress has since been made towards delivering on this commitment through Recycling Victoria as supported by the relevant frameworks in the act. Some issues, however, have been identified during the implementation of the CDS and the waste-to-energy schemes that need to be resolved to fully realise the benefits of these schemes to the community and the state.

This bill introduces the relevant amendments that address these issues to clarify and streamline the operation of the circular economy act. In particular, the bill supports the efficient operation of the Victorian government's flagship CDS program, which commenced as of yesterday, as I said. The CDS will allow the return of the used drink cans, bottles and cartons for a 10-cent refund at various locations, including shopping centres, collection depots and over-the-counter refund points.

The bill will amend the circular economy act to clarify the cost recovery mechanism for the container deposit scheme to ensure that the regulator, Recycling Victoria, is able to recover all of its costs associated with the schemes. It will enable a new periodic licence fee, prescribed in regulations, to provide a mechanism for the head of Recycling Victoria to recover these ongoing costs and monitor compliance. It will establish the Recycling Victoria Fund, divided into the container deposit scheme account and the waste-to-energy scheme accounts, to support cost recovery for these respective schemes. And it will minimise the operational risks of the CDS and ensure it operates as intended. There are also reforms contained in this bill for the Environment Protection Act 2017 accordingly.

Locally, across my communities of Pascoe Vale, Coburg and Brunswick West, these reforms will help us with the continued rollout of the circular economy strategy and the container deposit scheme. Locally we already have five convenient locations where locals can now go to exchange their bottles,

cans and plastics over the counter for a 10-cent refund, including at 7 Days Convenience Store at 60 Sydney Road, Coburg; the O’Hea Street Convenience Store at 156 O’Hea Street, Coburg; Mister & Missus M. Cafe at 135 Melville Road, Brunswick West; Coonans Hill Bottle Shop at 61 Coonans Road in Pascoe Vale; and the Friendly Grocer at 23 Merlyn Street, Coburg North. For more information on the CDS rollout and other nearby locations, I encourage everyone locally to go to www.cdsvic.org.au.

I am fortunate to have the major Visy recycling and packaging centre in Charles Street, Coburg North, in my electorate too. Visy plays a major role across the state but also across my community through the provision of good-quality local jobs and circular economy outcomes. Employing over 130 local workers at the factory, the site manufactures cans for Victoria’s growers and producers in many of the communities that regional MPs in this chamber represent. Those food cans can be recycled through everyone’s recycling bins and put back into new products. It is a great example of the circular economy in action in each of our respective communities. These cans from my constituents’ bins are then usually sorted through the material recovery facility that Visy operates in Banyule, which is in the member for Ivanhoe’s electorate. I am actually looking forward to visiting Visy in North Coburg very soon. We have been talking about it for a while, but the visit is coming up, and I am looking forward to meeting local workers onsite.

There are many other opportunities that I believe we can continue to leverage off the back of this bill and off the back of ongoing circular economy reforms for my community, in particular along the Newlands Road employment and industrial precinct, where we have the other Visy resource centre in Reservoir, in the member for Preston’s electorate. We also have the Darebin resource recovery centre along Newlands Road, and to the south is the Coburg North centre, which I have just mentioned. I believe there is a lot of opportunity to build off those initiatives to do more.

Bridget VALLENCE (Evelyn) (12:08): I rise today too to speak on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. I will focus on the bulk of the bill in terms of the container deposit scheme, or cash for cans. Who does not love getting cash for their cans – you know, 10 cents a can? But what this tired Labor government fails to remember is that it is not just a headline, it is not just getting cash for cans – there is so much detail behind that. This is an embarrassing display of a tired Labor government trying to play catch-up. Labor has been floundering for years when it comes to the circular economy, and quite frankly this Andrews or this Allan Labor government – Andrews before, now Allan, same old Labor government – has been embarrassed into a CDS, container deposit scheme, after responding to the Victorian Liberals, who led the way on this with a policy in early 2020 to introduce a container deposit scheme, and being outed as the only state in the country without a CDS for years and years. Some other states in Australia have had a CDS for years – in fact decades – and this Labor government has been dragged to the table to have a CDS so that people can get cash for their cans. However, as I said, what the Labor government fails to do time and time again is they love the headline but they forget the detail.

This is a new piece of legislation that we are debating today to fix the container deposit scheme that started yesterday. Day two of the scheme, and a new piece of legislation is required to fix the deep cracks in the system. And they are not just minor issues, they are not just minor cracks, they are issues with the funding model, with the legality of the contracts, with how the thing is going to be operated and how it is going to be funded. It is a container deposit scheme where you cannot deposit all containers. You cannot deposit crushed containers, you cannot deposit wine bottles. I represent the community of the Yarra Valley. There are lots of wine bottles in that area. But do you know what? Not only can you not deposit wine bottles but you cannot deposit containers in Lilydale, Coldstream, Chirnside Park, Seville, Seville East, Silvan, Yering or Gruyere. Nearly 40,000 Victorians live in just this part of Victoria, in my community in the Evelyn electorate, and there is not one container deposit location in any of those areas.

For the government to come out yesterday and herald this new container deposit scheme and then bring in new legislation the day after to fix all of the problems and not have locations for deposit in my

community, is it any wonder why my community is really questioning the validity of this botched program? We want to be able to do it, we want to be able to do it in my community. We have been talking about a CDS for a long time. As I said, the Liberals led the way on this. But we cannot do it in Evelyn, because clearly this Allan Labor government, yet again, ignores the fact that the Evelyn electorate and the Victorians that live in Evelyn exist. It is an absolute joke. It has been at least five or six – probably six or even seven – years. We have a growing and bloating Department of Energy, Environment and Climate Action under this tired Labor government. China's National Sword policy was launched back in 2017. I was in the private sector before coming here, and I worked with the waste industry for well over 10 years before I was even an MP. We were dealing with these challenges and anticipating China's decision well in advance. The mere fact that this Allan Labor government did absolutely nothing – we are in 2023 now, let us not forget – and still the government is catching up when it comes to the circular economy shows that it has been absolutely floundering all of this time.

The government was warned about this. They have been warned about this for years. In fact we debated a bill with almost the exact same name, the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2022, one year ago. I recall my contribution and we were warning the government back then that that particular bill was scant on solutions and scant on detail. And guess what? Fast-track to 12 months later, the CDS has rolled out – and guess what? We are now bringing in more legislation to fix all of the detail that did not exist. Surprise, surprise! This government should not have been surprised, because we told them. We warned them. We wanted it to work. We want it to succeed, yet I have deep concerns that this program will not succeed, and it will be all on the head of the tired Allan Labor government.

I found reading the second-reading speech quite instructive, so I will refer to some parts of the second-reading speech from the Allan Labor government's Minister for Environment. I will quote a few parts of the second-reading speech and then I will talk through them. The reason this legislation is being brought before us today for debate is because:

Some issues have been identified during the implementation of CDS Vic ... that need to be resolved to fully realise the benefits of these schemes to the community and the State.

What have they been doing all this time? You know what? It was announced yesterday. It sort of started yesterday, on 1 November, but surely they have been doing a little bit of work to get to that rollout stage, that implementation stage. So why bring this legislation in now? Why wasn't it brought in months ago? Again from the second-reading speech:

In particular, the Bill supports efficient operation of the Victorian Government's flagship – what a joke –

... CDS Vic, which will commence on 1 November –

yesterday. It goes on to say it is for used drink cans – not crushed; no, not even a slight dint. It is for used cans, as long as they are in pristine condition, and bottles and cartons. It has collection depots, but not everywhere, as we said. There are pretty much none in my community. It states:

CDS Vic will reduce Victoria's litter by up to half ...

That is good; it could have been more. And the second-reading speech says it will:

... create new economic opportunities ...

And won't it, because all of the big foreign-owned beverage companies are going to be increasing their prices. They have already increased the prices of their drinks in cans and bottles, not by 10 cents but by 15 cents and 20 cents per can. They are profiteering under this, under the watch of this Allan Labor government. These big, massive beverage companies are profiteering under this scheme created by the Allan-Andrews government, the same old Labor government, with the economic opportunities that they are creating for their big corporate mates.

Again in the second-reading speech, the minister says the bill will:

clarify the cost recovery mechanism for CDS Vic to ensure the scheme regulator, RV, is able to recover all of its oversight and regulatory costs from the beverage industry ...

Haven't the contracts already been negotiated and signed? The second-reading speech, further on in the piece, says that these amendments are to be:

... applied retrospectively to agreements with the existing Scheme Coordinator and Network Operators that were signed and executed in March 2023 ...

It is November 2023. What have they been doing for the last nine months? They have known about these problems. It is in the second-reading speech. They have known about these problems for nine months, and they could not be bothered to get the legislation in until November, after the scheme had actually started. It is crazy. It is a massive department, a growing bloated department under this Labor government, with big fat-cat bureaucrats. What have they been doing?

Again, it goes on to say so much more. As I say, this second-reading speech is very insightful. It says the scheme is to:

minimise operational risks for CDS Vic to support the scheme and to ensure it operates efficiently ...

It is already operating, and clearly they have already admitted that it is not operating efficiently. Again, nearly 40,000 Victorians just in my community cannot even get one – if they actually want to go to one. There will be some people who will want to get their cans and put them in the machine and get their cash back. What this government has forgotten to think about is that, say, in my community, where there are no locations for a deposit, they are going to have to – not crush their cans – pack up their cans, put them in a car or in a trailer and drive. There is wear and tear on the road and wear and tear on their car, adding to congestion on the roads, and there are emissions from their cars to drive the kilometres and kilometres and kilometres just to get to a deposit location. It is yet another scheme and program. Lest there be any doubt, the Victorian Liberals and Nationals absolutely support a container deposit scheme, but it is years too late. It is absolutely botched, and the government should have done much better.

Lauren KATHAGE (Yan Yean) (12:18): I thank the member for Evelyn for her concern that we might be a little bit tired, but her speech was only 10 minutes, so I am still okay. I do want to update her, though. She wants to know what we have been doing for the last nine months. I am really proud to say that we have been powering ahead with all of our work focused on making Victoria a greener and better place. That includes standing up the SEC, supporting households to go electric and this fantastic initiative that launched yesterday: the container deposit scheme. That is what we have been doing for the last nine months.

I am not sure what the member for South-West Coast is doing. I think by her numbers she was going to end up with 5000 tinnies by the end of the year. Somebody should let Boonie know that his record might be broken. Boonie might also be very pleased to know that under our container deposit scheme he would have been eligible for \$5.20 for those cans on the flight to London, so a missed opportunity for him, but I am so glad that any future records that are broken will be supported by our container deposit scheme.

Of course I am rising to speak to the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. As I said, this is part of our government's full-throttle, excited work on all of the different initiatives to support a greener, better Victoria. It is really well thought through and strategic – it really is – and it is based on some of our existing frameworks. We have got the circular economy act, we released in November 2021 the *Victorian Waste to Energy Framework* after consultation with industry and we also have the Circular Economy Infrastructure Fund. These benefits that we are creating are not just for the environment but for jobs. We know that through the container deposit scheme over 600 jobs are likely to be created, and we are providing opportunities for business through this initiative. As well as that, we are creating a context in which technologies and initiatives are being optimistically developed by business.

I was lucky enough last week to have a tour of the Wollert resource park in my electorate of Yan Yean. This is an innovative circular economy precinct in our growing north. What they are doing there is transforming materials away from landfill and creating valuable circular construction materials. They are proposing to transform the Wollert landfill into a resource recovery precinct, and this will support Victoria's circular economy transition. These are businesses that can step out confidently with innovation and technology because they know they are operating in the context of a government that is creating ideal conditions for businesses that want to make a better mark on the world that we live in and better jobs for people in my electorate of Yan Yean – lots more jobs. I am so pleased about that. What they do there is take on a lot of waste from councils and commercial customers, and the landfill gas that is generated onsite is captured and transformed into electricity. They have got a biogas power facility there that produces almost 8 megawatts of renewable energy, which is enough to power around 11,000 homes or charge 1.2 million electric vehicles. So they are working hard to reach their vision of a circular economy precinct in the outer north, and I look forward to encouraging them on their path there.

It is surrounded by or close to lots of farms, and something that you may not know we farm in the district of Yan Yean is bitcoin – that is right. The Wollert resource park uses before-the-metre electricity to provide opportunities for bitcoin farmers. So we have got the cows, we have got the bitcoin – it is all happening in Yan Yean. This whole circular economy – prioritising waste avoidance, waste reduction, material re-use and recycling – is absolutely where it is at. Waste to energy is the final opportunity, after all of those things, to try and extract some value from materials which would otherwise go to landfill. As we shift to that circular economy, these waste-to-energy facilities play a really important role in making sure that we are getting every value. Of course we are trying to have 80 per cent diverted.

The bill here in relation to the waste-to-energy scheme establishes the Recycling Victoria Fund. That will include a special-purpose operating account where the waste-to-energy fees and the container deposit scheme costs will be used and hypothecated for the specific purpose that the fees are collected.

I want to touch a little bit on something that the member for Kalkallo and I are aware of in our communities, and that is illegal dumping. The illegal dumping of waste in some of our pristine areas can be a real problem. Unfortunately sometimes that waste is industrial waste, where a person who has a responsibility for ensuring the proper disposal or re-use of materials instead chooses to make our communities less beautiful and less safe. Under this bill what we are seeing is the ability to pass remediation costs on to those polluters, and that is the way it should be. Our local communities and the like should not have to cover industrial costs when, instead of taking responsibility for what is a valid business cost, people choose instead to shift that cost to us, the local communities, with their dumping of industrial waste, and we just will not stand for it. One way that we are addressing that is through this legislation to make sure that as polluters they will pay.

Ding, ding, ding – pay up. We did that yesterday: we have heard over 1 million items already handed in for the container deposit scheme. What a successful launch that was. I find it absolutely impossible to have a problem with a way to reduce litter in our communities and provide modest incomes for people. Something I find really great is that in the electorate of Yan Yean the Whittlesea Community House will be a collection point. The Whittlesea Community House already provides so many fantastic services to people in my community who require help with financial counselling, who need to be connected to legal services, who need a friend, who need accompaniment, who need advice or who want to get involved in activities in our community. Having a container deposit scheme collection point at the Whittlesea Community House will increase the number of people who are aware of all the services that they provide, who will be able to connect with the workers and volunteers there and who, as well as getting some money for their waste, will be able to find a second chance at friendships and involvement in the community. I am really looking forward to Whittlesea Community House being one of the collection points for that.

As I said at the start, we are not tired. We are tired of people getting in our way, we are tired of people trying to slow us down and we are tired of people on the one hand saying 'Oh, wait, wait, wait, you

shouldn't have done it yet', on the other hand saying 'It's not perfect' and then another hand saying 'Can my football club have a 24-hour thing?' That is what I am tired of. But I am so proud to be here to support this bill, and I absolutely commend it to the house.

Jess WILSON (Kew) (12:28): I rise to speak on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. Can I acknowledge from the outset the contribution from my colleague the member for Brighton, who in his lengthy speech highlighted the chaos and confusion that has surrounded this poorly implemented scheme. The container deposit scheme (CDS) is yet another example of the Labor government's incompetence. They like to put out a flashy press release, but these are very light on detail and they tend to crumble on implementation. We only have to look at the number of examples over the past week where we have seen implementation being a big problem for this government. We saw last week that they nearly forgot to register their signature policy, the SEC, with ASIC. They had to rush that through at the last minute. It is lucky that ASIC has a 24-hour service turnaround to make sure the press release could look good on that one. Next Tuesday we are going to see the decriminalisation of public drunkenness with no health-led response in place. This incompetence seems to surround every big policy announcement when it comes to implementation by those opposite. Unfortunately it is the case again with the container deposit scheme.

Looking at this bill here today, from the outset – and I appreciate that my colleagues have made very similar points on this side of the house – the Liberals and the Nationals strongly support the introduction of a container deposit scheme. In fact it was a Liberal–National announcement prior to the Labor Party jumping on board to put in place a container deposit scheme. We saw Victoria's recycling chain collapse over five years ago now, and it has taken that long for the Labor government to put in place and announce, belatedly, the introduction of a container deposit scheme. We are well behind other states in this country, and that is a result of not only the incompetence of those opposite but also their failure to actually announce the introduction until well after the collapse of recycling in Victoria.

We all believe on this side of the house that a container deposit scheme is very important for transitioning to a circular economy and making sure that we are limiting our waste and looking at transitioning to an enhanced recycling system in Victoria. This is something that my constituents in Kew are very passionate about. They want to be able to access a container deposit scheme and play their part in improving the circular economy here in Victoria. It has taken some time to drag those opposite on board, but now we need to see the rollout of the container deposit scheme implemented in a way whereby the community can access it effectively and actually see those environmental outcomes – reducing litter across Victoria. But that requires the community being able to access it, and as the scheme has been rolled out we have seen that is not the case.

I have made the point that this is another example of the failure to implement policies by this government. The scheme came into effect yesterday on 1 November, highly lauded by this government, yet here we are today debating legislation that will actually create the financial obligations of the scheme through the cost recovery mechanism and establish many of the legal and contractual foundations of the scheme – after the implementation and the introduction of the scheme and the commencement of the scheme yesterday. So not only has this rollout been a debacle for the community but the financial and legal framework was not even in place when it came into operation.

We saw last week in the media that many organisations have put their hands up to be part of this program but are still waiting on the details around how exactly this scheme will work and what their role will be in the container deposit scheme. It is just more chaos and confusion when it comes to this scheme. The role of government, for those opposite, is to actually do the nitty-gritty work to make sure that the rollout of this scheme and other policies is actually done in a way that brings the community with them so that there is understanding within the community and when you are working with industry they actually understand their contractual and financial obligations – not just put out a press release.

Time and time again we have heard those opposite today singing their own praises when it comes to the introduction of this scheme, but we have listened to some of the stakeholders who have been out in the media this week, and I quote from the director of the Boomerang Alliance:

I have concerns. For a state that said it was going to be the best in Australia and it had learnt the lessons from the other states. I don't think that's happened.

So we are lagging behind other states in terms of the actual introduction of the container deposit scheme and in many other ways. It is a scheme that has been poorly thought through in its implementation. Of course we have heard today from those opposite that there will be 600 locations across Victoria for Victorians to go and deposit their containers, their cans and their bottles, but when this scheme was coming into effect over the past few days – as of Friday last week there was one public location available to find. When I looked just yesterday at the website to see locations in my own area in the electorate of Kew and the surrounds in Boroondara, there were no locations on the website. I checked again this morning, and it has been updated since then with five over-the-counter refund points to service 168,000 residents. There are no reverse vending machines or depots. I understand from talking to Boroondara council that they are very keen to be part of this scheme and they are very keen to work with the contracted provider to find locations, but it has been very, very difficult to have a reasonable conversation about where those locations will be in the Boroondara area, and as a result we have got minimal over-the-counter providers but no reverse vending machines and no actual depots in our area.

If we also turn to some of the surrounding changes, we have seen this government rush through planning law changes over the past couple of months to exempt locations from the usual planning process that would ordinarily apply. Amendment VC246 signed off by the Minister for Planning just a few weeks ago exempts CDS sites from the usual notice and review requirements. I have had an owners corporation reach out, who said that this was foisted upon them against their wishes without any ability to review the decision or to put input into the decision, and now they have to deal with the significant insurance premiums that are going to flow from that and the implications of now having a site that houses a CDS location. At a time when many businesses are struggling, this is being foisted upon them without the ability to actually review that and to work with the CDS provider to identify potentially another location that would be more suitable. This is being forced upon them without the ability to actually have any say and without the ability for consultation.

I also note that there have been many issues raised this week, particularly by the beverage industry, which has said that they will pass the additional cost of this scheme through to consumers. There have been reports that the price of cans this week has increased by up to 30 cents, and the beverage industry itself has highlighted that there will be at least a 12.8 cent increase on the average product. Now, the government have refused to actually answer questions about what they intend to do with the unspent collected levy, but at a time when there are rapidly increasing cost-of-living pressures and many people are struggling, we do not need to see further cost increases when it comes to cans and bottles when we go to the supermarket, particularly when the beverage industry has said that this is going to force that to happen.

For these reasons, I support the member for Brighton's reasoned amendment, which does seek to call out many of these issues; looks at how we can actually ensure that we publicly release an update on the progress of the container deposit scheme, which commenced yesterday; and notes that around only half of those 600 locations across Victoria have been publicly confirmed and there has been no meaningful communication with businesses about the disposal of their containers. We also need to understand what the government does intend to do with the charges collected from the container deposit scheme and consider those cost-of-living impacts. We do not oppose this bill, but we have serious concerns about the rollout and implementation of this policy. The coalition has always supported the introduction of a container deposit scheme. We will continue to do so, but we want to make sure that it is rolled out in a way that actually ensures that Victorians can access it and can benefit from it.

Sarah CONNOLLY (Laverton) (12:38): It gives me a great deal of pleasure to rise to speak on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. It is absolutely fantastic to be standing up here in this place speaking on another bill before the house that is all about making our environment better and talking about the circular economy. Over the last five years we have had so many bills come before this house, and I absolutely love getting up here and talking about it. It is something I most certainly will never tire of. In my contribution, before I begin, I would like to say I have been doing something that maybe the member for Kew has not been doing, and that is hitting the streets and talking to punters about this container deposit scheme and how fantastic it is. Do you know what? If the member for Kew and those opposite had spent time out in their community talking to the real stakeholders in their electorates to get them re-elected here into this place, they would actually know people in Victoria want this. They have been asking for it. We are doing it. It is happening. It has happened this week.

I am going to tell you a little bit of a story of what happened to me when I was doing a bit of a blitz at the container deposit sites which are currently sitting in my electorate of Laverton. There are two in the LGA of Brimbank. We have got one at The Avenue shopping centre – a fantastic little shopping centre for folks in Sunshine West – and of course another huge deposit container that has been set up right next door to West Sunshine Community Centre, which is a really popular community centre for lots of folks, particularly senior citizens, which would be a great opportunity for them to bring their cans, bottles and cartons to recycle there. Then I drove over a couple of kilometres to Braybrook, to the HomeCo shopping centre. I was looking for the fabulous container that I had seen in Sunshine West only to find out that it had not yet arrived but it would be arriving this week – but unfortunately I was in Parliament and unable to have a photo with it.

When I was in Sunshine West at The Avenue we pulled up to have some photos with the container deposit machine. It almost looks like a massive shipping container really; that is the only way I can describe it. It has got the most beautiful, incredible design that you can see from so far off. When I was checking it out, having a bit of a poke and prod, reading everything that was there and taking lots of photos, as politicians do for social media, a young family came over. They said, ‘Isn’t this amazing?’ They did not know I was the MP there. It just looked weird, I guess, me taking lots of photos with my staff. I said, ‘Isn’t it fantastic?’ They wanted to know when it opened. They had been shopping at Coles. They had put their groceries in the car, they had come over and they were showing their kids. They had really young kids, and they were explaining what was going to happen with the recycling from this particular container deposit site. They said to me, ‘Do you know what? I think we’re going to set up a bank account for our kids, and we will encourage them to collect bottles and cans.’ They assured me they had a lot in their household and their extended family had a lot. They were going to encourage their kids to come and recycle there, and they would be able to transfer that money straight into their bank account. I thought that was a wonderful thing. It is a wonderful example of just how fantastic for generations this container deposit scheme really is.

I have been in the chamber now for 2 hours and 45 minutes, so I have listened to a lot of contributions on this bill before the house. What it comes down to is I do not think those opposite agree with, endorse or understand what we are trying to do here with the container deposit scheme. They are against us every step of the way when it comes to the environment, constantly trying to tear down incredible bills and huge legislative reform agendas that come here before the house. It is interesting that over the past almost 3 hours that I have been here sitting here there have still only been two of them sitting on that side of the chamber. Yet when I look on this side of the chamber, whether people are on chamber duty or they are making contributions this afternoon and are excited to listen to the debate –

A member interjected.

Sarah CONNOLLY: I am really sorry, but I do not see anyone sitting beside you very often listening to your contributions before the house.

The DEPUTY SPEAKER: Order! Through the Chair.

Sarah CONNOLLY: This bill is another step forward in implementing our government's circular economy strategy, and the major contributions before this house in volume and numbers will be from this side of the house. We love talking about Victoria's circular economy strategy. We have created it, we are rolling it out and we are implementing it here in Victoria. This week alone we will have about 200 sites, including those three I have just talked about, in the Laverton electorate alone, operational and ready to participate in this scheme. Not every site, as I have said today, has opened on day one. Not every site was going to open on day one; it is being rolled out. If you keep your drink cans, bottles and cartons, you can now get 10 cents for every one you deposit at refund points right across the state. I had a conversation earlier with the member for Broadmeadows and the member for Monbulk about when we were kids what the cost was and what we could get for recycling our bottles and cans. I think from memory it was about 5 cents. We are now going to be getting 10 cents for every one we pop in for a refund right across the state. What is better is that this scheme has the benefit of potentially slashing our litter in half – that is right, half. I am going to take a moment to pause and talk about rubbish and litter in my patch, particularly Melbourne's west and particularly Melbourne's outer west. When I was first preselected as the Labor candidate for the seat of Tarneit I spent so much time at my train stations, walking around my community, talking to people, chatting to local businesses, talking to a lot of commuters and people walking on the street, and the one thing that people talked to me about time and time again was the amount of rubbish and litter that was on their streets. It was almost as if Wyndham City Council could not keep up with removing the rubbish in this municipality.

This container deposit scheme is going to help encourage people to collect their bottles, their cans and their cartons and recycle them at particular points. There is a monetary incentive. While some people think that it is small, others look on the brighter side – they think about how many cans, bottles and cartons they have at home and accumulate week upon week and what that will end up being over a year. For some folks that is quite a bit of money. It is also a great way to get kids to recycle and understand the importance of not throwing your bottles and cans out of the window, whether you are on the highway or local streets, which causes the rubbish in the local area to accumulate and accumulate and get worse and worse.

One of the other things – and I encourage members in this place to do this to help them understand why something like this is just so important – is to visit your local tip. Early on after I was elected as the member for Tarneit I went and had a look at the Werribee tip. It was perhaps one of the more confronting things that I have done and tours I have looked at. The amount of rubbish that was there on that site and then how they dealt with it was quite extraordinary, as was the sheer volume and the volume of what could and should be recycled. There is so much more that we can be doing when it comes to recycling. I think every household here in this state and the country and indeed across the world knows that it can and should – it must – be pulling its weight when it comes to recycling. I have on my bench at home next to the kitchen sink the organic recycling bin, or the compost bin, and we now have our green bins that we put it in. This is just another initiative that we are rolling out that is really going to make inroads in this state in reducing litter and having less landfill and, with the way some landfill is burned off, reducing what goes up into the atmosphere.

This is a really important scheme that is being rolled out across this state. I only wish those on that side of the house would get out in their community and talk about it and how great it is. Encourage people to recycle. On this side of the house I know that every single member will be going to these container deposit sites as they are rolled out in their electorates, as more most certainly are going to be rolled out in mine, and recycle again and again to help better protect our environment but also reduce the amount of rubbish.

The DEPUTY SPEAKER: Order! Before I call the member for Euroa I would like to point out *Rulings from the Chair*, 1998, Deputy Speaker McGrath, and Speaker Languiller later on, states:

A member must not pass between the Chair and the member who is speaking (SO121). It is also not acceptable for a member to bend down in an attempt to get under the line of sight.

Even though this might mean members have to walk the long way around the Chamber, that is what is expected and customary. Members who do not do this may be identified by the Chair.

I would also point out that interjections should be made from a member's place.

Annabelle CLEELAND (Euroa) (12:49): I rise today to speak on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. This is a bill that makes amendments to pieces of existing legislation to provide a more enhanced framework for the transition of waste and recycling in Victoria. Amendments to the Circular Economy (Waste Reduction and Recycling) Act 2021 include imposing operational costs for operating the container deposit scheme (CDS) incurred by the regulator, Recycling Victoria, on the beverage industry; introducing new periodic licence fees that will allow Recycling Victoria to recover costs when administering the waste-to-energy scheme; establishing the Recycling Victoria Fund and special purpose accounts to transparently fund their operations; granting the authority to set variable fees through regulations for applications and submissions under the act; and aiming to reduce the operational risks for CDS Vic through the clarification of earlier legislative provisions. There are also amendments to the Environment Protection Act 2017 that extend the powers of protective services officers and the Game Management Authority.

This bill is quite topical. There has been a lot of passion and puns that we have heard, and a few terrible sledges as well. The Labor government's container deposit scheme has made headlines both in the lead-up to its launch and since going live on 1 November. From what we are hearing, and I am certainly hearing in my electorate, there have been mixed reviews on the rollout of this scheme. Five of these refund points for the container deposit scheme are located within the 12,000 square kilometres of my electorate of Euroa, although we are seeing varying levels of success so far. This is something that many people within my community have been looking forward to for quite some time. The implementation has left many of these people reaching out to my office with concerns as to whether or not it will be worthwhile.

The Tallarook Hotel has also reached out to my office, talking about their decision to pull out from the program. Here is what they said about the scheme. I would like to quote publican Tim. I am quoting him verbatim:

... due to issues that became evident ... on roll out, I have ceased being a collection point.

Overall the rollout roll out was poorly communicated, and slow.

... staff training and organising the workflow could not start until the scheme was live.

... bins arrived on site on 25 October ... with no notice, requiring access to the property. Luckily I was on site to take the bins as it is unclear what would have happened if I was not here.

... I support the goals of the scheme, but the rollout and implementation is a shit show.

All of these collection sites in the Euroa electorate are located within private businesses, who as usual are stepping up where the government often fails. In Benalla there is a Foott depot. While there have been some concerns about it being open in time, it seems to be up and running. In the town of Euroa, the Euroa Timber Company has an over-the-counter location. The Avenel Cafe, an iconic part of the local community and a genuine hidden gem, will also serve as an over-the-counter location, as will the Railway Hotel in Murchison – and a quick shout-out to Mitch Golding and Emilia, you are legends. Speaking to the Avenel Cafe this morning, they were optimistic that this project will be of benefit to them and local residents but have had just two people come through so far. Seymour is home to another over-the-counter facility with J & J Equipment Hire store, and the Bottlemart in Broadford will also have this option, although neither of these have been able to open yet. Speaking to J & J, they say they are yet to receive all the necessary materials to run the scheme and have only received a bunch of containers that were dumped in a pile. They are aiming to open on the 8th but are still not sure when the remaining equipment will arrive. There are also reports of machines in car parks not working and locations for drop-off sites disappearing off the website. There are also some broader concerns with this bill in the implementation, operation and costs associated with the CDS.

This bill and the implementation of the container deposit scheme reflect other shortcomings when it comes to environment policy, including the seed targets outlined in the *Biodiversity 2037* strategy. The Labor government has been at serious risk of failing to meet seed targets under this strategy. The plan was developed in 2017 with the overarching vision to ensure our natural environment is healthy and valued by Victorians. The plan is also slated to stop the decline of native plants and animals while protecting the natural environment. Part of this involves the availability and supply of native seeds for environmental restoration, with the current trajectory set to meet just 10 per cent of the 2037 target. I have met with members of the fantastic Euroa Arboretum to discuss the current state of the sector. The crew at the Euroa Arboretum are passionate about protecting the local environment and put in an incredible amount of volunteer work. There are serious concerns that underinvestment in seed strategy will result in targets being massively undershot. Effective seed strategy will see secure supply of climate-adapted and genetically diverse seed for large-scale restoration. A lot of time has been invested by the Euroa Arboretum into alternative solutions to meeting seed procurement targets across the Goulburn Broken catchment.

They have completed a funding proposal to develop large-scale seed production areas and seed bank facilities for the Goulburn Broken catchment, but unfortunately the rate of return on wild seed harvest is negligible and there are regulations around what can be harvested from wild populations. The proposal put forward by the Euroa Arboretum includes 20 hectares of seed production across three local sites, a new seed bank facility and upgrades to existing facilities at the arboretum. This plan could be adapted and utilised across catchments across eastern Victoria. They are hard workers who are very passionate and have a strong vision for our environment, and I hope the Victorian government is taking their concerns seriously.

This seed project is not the only one in my region that would benefit significantly from some interest by the Minister for Environment and investment by the government. Greening Euroa is an innovative community-driven project that will use recycled water to irrigate public green spaces during the summer months. The proposal is the first of its kind in Victoria. It is climate smart, cost-effective and community inspired. For the Euroa township the Greening Euroa project will keep our school ovals, sporting fields and parks and gardens green in the dry summer months. It will use recycled water to irrigate our public green spaces, something that is essential to our community's health and wellbeing during times of drought. Drought-proofing Euroa is something that is critically needed. In 2007 the town ran out of water, leaving 2500 local residents, businesses and community organisations in genuine trouble as the taps would not turn on. Bottled water and carted-in water from neighbouring areas became essential. The Greening Euroa plan will tap into the excess water from the Euroa wastewater treatment plant. With the support of Goulburn Valley Water, this wastewater will be safely upgraded from class C to class B before being piped underground to storage tanks throughout the township. The Greening Euroa project is a win for everyone – community, children and the environment. It needs \$3.8 million in funding from the state and federal governments, and I look forward to the environment minister and the Treasurer supporting this.

I also want to take the time to recognise local Landcare groups, who continue to do exceptional work. I am sure many will be assisting community members interested in participating in the container deposit scheme. In particular I want to thank Gecko CLaN. They are a community Landcare network which supports 14 Landcare groups stretching from Yarrawonga to the Strathbogie Ranges to Nagambie. The Gecko CLaN implements network-scale projects around the themes of sustainable agriculture and biodiversity. My farm and my family have been closely involved since becoming adults. The Gecko CLaN is proudly independent but enjoys strong working relationships with government agencies and other community organisations. Their role is to support local Landcare groups to carry out their projects, including sourcing funding, project management and administrative assistance. They also develop network-level projects across the whole Gecko CLaN area.

To finish up on this bill, I want to support the Shadow Minister for Environment and Climate Change's reasoned amendment. A commitment to publicly releasing the progress of the CDS will be of significant

benefit to the community. Providing more clarity on the rollout and implementation of this scheme should not be too much to ask. With the reasoned amendment in mind, we do not oppose this bill.

The DEPUTY SPEAKER: Order! I will quote again Deputy Speaker McGrath:

Unparliamentary language is not acceptable and quoting such language from another source does not make it acceptable. Members need to be selective and perhaps substitute other words.

On that note, it is a good time to break for lunch.

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

Business interrupted under standing orders.

Members

Minister for Environment

Minister for Planning

Minister for Jobs and Industry

Absence

Jacinta ALLAN (Bendigo East – Premier) (14:01): I rise to inform the house that for the purpose of today's question time, the Minister for Energy and Resources will answer questions for the portfolios of environment and outdoor recreation, the Minister for Development Victoria will answer questions for the portfolios of planning and the suburbs, the Deputy Premier will answer questions –

James Newbury interjected.

Jacinta ALLAN: People are away, unwell and at a funeral, Manager of Opposition Business. Goodness.

Members interjecting.

The SPEAKER: Order! Manager of Opposition Business!

Jacinta ALLAN: The Deputy Premier will answer questions for the portfolios of jobs and industry and tourism, sport and major events. I will answer questions for the portfolios of women and treaty and First Peoples.

Questions without notice and ministers statements

Transport infrastructure projects

John PESUTTO (Hawthorn – Leader of the Opposition) (14:02): My question is to the Minister for Transport Infrastructure. The former Minister for Transport and Infrastructure oversaw \$30 billion of cost overruns on major projects. What is the minister going to do differently to rein costs in?

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:03): What a great opportunity it is on a Thursday to talk about our Big Build agenda. We are not wasting a day when it comes to delivering the projects that Victorians have voted for not once, not twice, but on three separate occasions. When it comes to removing level crossings, when it comes to building the fantastic Melbourne Metro tunnel and when it comes to delivering on the Suburban Rail Loop – a city-shaping, nation-building project that is just exquisite in its size and scope and its imagination – we are not wasting a day. We are getting on with it, and we are going to have fun.

Members interjecting.

The SPEAKER: Order! The member for Polwarth is warned. The member for Kew is warned. The member for Berwick is warned.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:04): The West Gate Tunnel project is three years late and \$4 billion over budget. When will Victorians be able to drive through it?

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:04): I am curious that the Leader of the Opposition would ask this question. I do not think he has ever been to the western suburbs in his life. The reality is it will open when it is open.

James Newbury: On a point of order, Speaker, on relevance, this is an important project, and I expect the minister to treat the question seriously.

The SPEAKER: That is not a point of order.

Danny PEARSON: This is a really exciting project. It is going to revolutionise the way people connect to the city from the western suburbs. We have not wasted a day in office. If you think back to those opposite, I mean, you had a four-year holiday from work –

Members interjecting.

The SPEAKER: Order! The Premier will come to order.

John Pesutto: On a point of order, Speaker, on relevance, it is a very simple question of when people will be able to drive on the West Gate Tunnel.

The SPEAKER: There is no point of order. The minister was being relevant.

Danny PEARSON: It will open when it is open.

Ministers statements: housing supply

Jacinta ALLAN (Bendigo East – Premier) (14:06): Today I rise to update the house on how the government is building more homes, particularly more social and affordable homes, right across Melbourne and Victoria. Just this morning I was delighted to join with the Commonwealth Minister for Housing alongside our Victorian Minister for Housing in the other place, Harriet Shing, to visit a near-completed housing development in Bangs Street, Prahran. It was fantastic to see hundreds of tradies at work today, working on building more homes for more Victorians. But what is particularly important about this project is it is about providing more homes particularly for people who rely on the government to build them a home, who rely on the government to provide them with a roof over their head. Not only were we seeing the near completion of the work at Bangs Street, Prahran, we were also announcing a new partnership to build more homes with Building Communities –

Sam Groth interjected.

The SPEAKER: Member for Nepean!

Jacinta ALLAN: a not-for-profit partner who are going to build hundreds more homes in four sites across the city. This is as part of the innovative ground lease model that has been driven by this government so we can drive the building of more homes. But also, working particularly with the community housing sector, we can provide services to Victorians, services to support them with some of the challenges they may be having in life – helping them find jobs and helping them access mental health services.

What was really terrific this morning was not only have we got our industry partnership and our community housing partnership – and we were joined by women's housing service providers and Aboriginal housing service providers – but we were also joined by our partner in Canberra. The Albanese Labor government is partnering with us to build more homes across the state, and that is the partnership approach we hope we can continue to drive. We would love to have a partnership approach in this place as well to build – *(Time expired)*

Melbourne Airport rail link

John PESUTTO (Hawthorn – Leader of the Opposition) (14:08): My question is to the Minister for Transport Infrastructure. When asked last week what the director of airport rail link, who is paid over \$560,000 a year, was doing now that the project is shelved, the minister said that he was keeping himself ‘occupied and amused’. At a time when Victorians are doing it tough, why are they paying over \$560,000 for this director to be amused?

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:09): Your backbench certainly is not amused with your performance this week, mate. I will tell you that.

Members interjecting.

The SPEAKER: The member for Nepean can leave the chamber for an hour.

Member for Nepean withdrew from chamber.

Danny PEARSON: Unlike those opposite that took a four-year holiday from work, who did not invest in the critical infrastructure that we needed – they had the Doncaster rail that never eventuated –

James Newbury: On a point of order, Speaker, on relevance, this question was a serious question that referred the minister to flippant comments that he had made, and I ask you to bring him back to the question.

Mary-Anne Thomas: On the point of order, Speaker, there is no point of order. The minister was being entirely relevant to the question, which referred to the airport rail and the people that are working on that project.

The SPEAKER: I ask the Minister for Transport Infrastructure to come back to answering the question.

Danny PEARSON: This individual involved is working as an engineer. He is working on very complex engineering projects in relation to rail. Unlike those opposite who did not do anything for four years and did not build a single piece of rail infrastructure, we have got a big pipeline and a big agenda. So in relation to this individual, he is working on that project. He is also working on the Regional Rail Revival project.

John PESUTTO (Hawthorn – Leader of the Opposition) (14:11): When asked last week how much the airport rail link project is costing taxpayers every day now that it has been shelved, the minister said ‘I don’t have those figures to hand’. Can the minister tell Victorian taxpayers how much they are paying every day for this shelved project?

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:11): The issue here is that this project is the subject of a Commonwealth review. The review is underway in relation to whether the project proceeds or not, and we are awaiting the outcome of that review.

Ministers statements: family violence

Vicki WARD (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (14:12): The Allan Labor government continues to lead the nation on the prevention of family violence reform. We have invested more than \$3.86 billion and implemented all 227 recommendations of the Royal Commission into Family Violence. Yesterday in Parliament I hosted Respect Victoria, who are celebrating their fifth anniversary. I thank them for the important work they have done over the last five years and for the work that they will continue to do in keeping Victorians safe.

Prevention is key if we are to end family violence and keep our homes safe. It is an unfortunate reality that it is often the victim-survivor who has to leave their home to be safe rather than the violent

perpetrator. Victim-survivors are at the forefront of the Allan Labor government's landmark housing statement. That is why we have committed to building 1000 new homes across the state specifically for those who are experiencing family violence. The Big Housing Build has begun to deliver more supply for those fleeing dangerous situations, with one in eight new social housing dwellings reserved for family violence victim-survivors. In 2020 alone we allocated 809 houses to Victorians needing a safe place to go as well as providing support for women and children in private rentals. Each year we provide over 6500 flexible support packages to help support individual financial and housing needs.

This government is focused on how we can end family violence, and it is through our fantastic sector workforce, particularly those frontline workers, that we are able to continue to work towards this goal. This includes Respect Victoria and their important work, and I thank all in this chamber who in the spirit of bipartisan support signed Respect Victoria's pledge yesterday to end family violence. I do hope that the Leader of the Opposition also finds the time to add his signature.

Suburban Rail Loop

David SOUTHWICK (Caulfield) (14:13): My question is to the Minister for the Suburban Rail Loop. The annual reports of the SRL authority show the government has spent over \$126 million to move a 630-metre sewer pipe, shift some water pipes and establish a site for workers. At a time when Victorians are doing it tough, how is paying over \$126 million to move some pipes and set up a worksite value for money?

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:14): This is an incredibly bold and ambitious project that is going to have a long life span. In relation to the way in which we construct this infrastructure through, effectively, brownfield sites, it is a huge project, and it is going to require an enormous amount of detailed design and detailed work in relation to those services relocation in order to build a tunnel. The reality is that if you have got existing services that may have been in this location for 100 years, you just simply have to move them before you can do this important work.

This is an incredibly important project, because the reality is that by 2050, Melbourne will have the population of London. Why that is important is that cities of that size like London do not have one CBD – they tend to have multiple CBDs. Therefore you need to have orbital movements to be able to move from one part of the city to the other. We will not be a hub-and-spoke city; we are going to have more of those orbital movements, which is why the Suburban Rail Loop is so important –

David Southwick: On a point of order, Speaker, on relevance, I ask if you could ask the minister to please come back to answering the question. This is –

A member interjected.

David Southwick: I haven't finished.

The SPEAKER: Order! On the point of order.

David Southwick: On relevance, this is not *The Castle's* 'I dug a hole'. This is a lot more than that, and \$126 million is not value for money within a cost-of-living crisis.

The SPEAKER: Member for Caulfield, there is no point of order.

Danny PEARSON: This project will generate \$58.7 billion worth of economic activity to the state of Victoria. It is a huge project, so we need to do this early work in order to realise those huge benefits that the Victorian community will experience.

David SOUTHWICK (Caulfield) (14:16): According to the latest report there are 78 executives in the authority, 56 of whom are being paid \$240,000 a year or more, with the CEO being paid more than \$500,000. At a time when Victorians are doing it tough, how can the minister justify these extravagant salaries?

Danny PEARSON (Essendon – Minister for Transport Infrastructure, Minister for the Suburban Rail Loop, Assistant Treasurer, Minister for WorkSafe and the TAC) (14:17): This project is a complex project, because as you would appreciate, you are tunnelling through brownfield developments where you are going to have to move those services, and you are building rail infrastructure so you need experts who can do that. We have got six particular precincts we are building, so it is about making sure we do the right work, because each precinct will be different. We need to do the precinct structure planning work around that to make sure these are vibrant and diverse and sustainable communities. When you have got a project of this size, this scale and this breadth, which has been overwhelmingly endorsed by the people of Victoria on two separate occasions, there is a need to make sure –

David Southwick: On a point of order, Speaker, I will ask if you could bring the minister back to the question again. It is about the waste of taxpayers money and value for money in a cost-of-living crisis.

The SPEAKER: Member for Caulfield, that is not a point of order.

Danny PEARSON: Unlike those opposite who wasted every day they held office for four years, we are not wasting a day; we are getting on with it. This is a great project, and it is going to deliver enormous benefits for the people of Victoria.

Ministers statements: housing supply

Colin BROOKS (Bundoora – Minister for Development Victoria, Minister for Precincts, Minister for Creative Industries) (14:18): The Allan Labor government is getting on with the massive task of delivering 2.24 million homes Victorians will need by 2051 as outlined in our housing statement. I am pleased to say that my agency Development Victoria is helping to deliver these homes by revitalising surplus government land to create the affordable and sustainable homes that Victorians need. Over the past two years, 44 per cent of the thousands of homes delivered by Development Victoria went to first home buyers. But we know we need to do a lot more. Over 20 residential projects are on the books, at different stages of delivery, right now. These projects will deliver thousands of homes in places like Springvale, Werribee, Epping, Altona, Ballarat and Officer, just to name a few. As our cities and communities change and grow, we need to unlock surplus government land to create entirely new integrated precincts, just like what is happening at the Fitzroy gasworks site, with a brand new public school campus and a sports centre kickstarting a new neighbourhood that will have some 1200 new homes – a minimum of 20 per cent of those being affordable. That is because we – unlike the Greens political party – know that if you actually want to build thousands more homes and not block them, you have to build more social housing.

As the Premier has mentioned today, you also have to partner with the private sector to increase the supply of homes more generally to improve affordability. This is exactly what Development Victoria has a track record of doing – delivering diverse and affordable homes in partnership with the private sector, with minimal cost to government, through the strength of its balance sheet. We know that the targets in our housing statement are ambitious, but we are determined to achieve them, because Victorians deserve nothing less.

Fossil fuel investment

Ellen SANDELL (Melbourne) (14:20): My question is to the Premier. In May the Australia Institute released a report which shows the Victorian Labor government spent \$70 million of taxpayer funds last year on fossil fuel subsidies across several portfolios. Burning fossil fuels is the main cause of the climate crisis, so why is Labor in Victoria continuing to subsidise and support fossil fuel projects?

Jacinta ALLAN (Bendigo East – Premier) (14:20): I thank the member for Melbourne for her question. I hope the member for Melbourne will appreciate that I may not accept her question as it has been presented; I will take the opportunity to go and seek some further advice. But I will say to the

member for Melbourne that in terms of taking climate action, that is exactly what we are doing right now. Bringing back the SEC is not just about making sure we are putting power back in the hands of people, it is also about making sure that we are driving investment in renewable energy projects across the state, whether it is in solar or in wind onshore and offshore, and making sure that we connect these projects so that the power gets to the places it needs to go – to households, to businesses and to primary producers right across the state. That is why we are taking a coordinated approach in terms of taking real action on climate.

This is all set within a framework of having strong targets that are driving this whole-of-government agenda. I want to give credit to the Minister for Climate Action, who is driving strongly this agenda to drive more renewable energy, to drive down emissions – zero emissions by 2045. That is taking real climate action, and I hope the Greens can support action in this space, not frustrate it.

Ellen SANDELL (Melbourne) (14:22): Premier, under the last Premier, Daniel Andrews, Labor actively supported several new coal and gas projects, including gas drilling near the Twelve Apostles, a new coal-to-hydrogen plant in the Latrobe Valley, extending the life of our brown coal power stations and lifting the ban on conventional gas drilling across Victoria. There are now at least a dozen new gas drilling projects on the cards in Victoria, onshore and offshore. Will the new Premier change direction and rule out supporting any new fossil fuel projects under her leadership?

Jacinta ALLAN (Bendigo East – Premier) (14:23): I thank the member for Melbourne for her supplementary question. As I said about the member for Melbourne's previous question, I will need to check the details she provided in that question, because as the member for Melbourne was speaking our hardworking minister for energy and climate action and resources was providing an alternative set of views, and I think the member for Melbourne will understand the facts. I think the member for Melbourne could appreciate that I will seek the advice and counsel of the Minister for Climate Action, who has been working hard for nearly nine years now to drive down our emissions and to drive up investment in renewable energy and to make sure that is also supporting a pipeline of jobs. When it comes to gas, I simply point to the announcement recently by the minister and the planning minister about new home connections needing to be all electric. That is just one of many examples, member for Melbourne, of the action we are taking.

Ministers statements: State Electricity Commission of Victoria

Lily D'AMBROSIO (Mill Park – Minister for Climate Action, Minister for Energy and Resources, Minister for the State Electricity Commission) (14:24): I am excited to update the house on how the Allan Labor government is helping make homes more comfortable to live in and cheaper to run with the return of the SEC. The SEC is back to put power back in the hands of Victorians, giving them the tools to make the most of cheap, reliable, renewable electricity to lower their power bills. Not only is the SEC investing an initial \$1 billion to deliver 4.5 gigawatts of 100 per cent renewable energy, the SEC will be helping Victorians in their homes. The SEC's strategic plan will support the switch to all-electric households, because we know that electrifying your home means cheaper power bills each and every day. An existing home that goes all electric will save \$1400 per year on their energy bills. With solar installed, this rises to \$2700 per year.

That is savings back in your pocket from day one. But electrifying your home can be complex and very confusing. That is why the SEC will become a trusted one-stop shop to take the guesswork out of the process and step Victorians through how best to make the switch away from expensive fossil gas. A pilot program offering energy solutions for households will be kicked off next year by the SEC before being rolled out across Victoria. The SEC and our strategy have been overwhelmingly endorsed, with the Energy Efficiency Council saying it:

... would help supercharge the transition to efficient electric homes and businesses ...

and

... make sure that everyone can benefit from the net zero transition.

The SEC will cut through the misinformation and lies peddled by the fossil gas industry and the undead over there, led by the nightmare on Glenferrie Road. It is still spooky season. Victorians can be confident –

James Newbury: On a point of order, Speaker, personal reflections are unparliamentary.

The SPEAKER: That is true. Minister, have you concluded your ministers statement? I would ask the minister to not use unparliamentary language.

Lily D'AMBROSIO: Labor's SEC will – *(Time expired)*

Maroondah Hospital

Emma KEALY (Lowan) (14:27): My question is to the Minister for Health. Can the minister update the house as to how the collapse of the second floor of Maroondah Hospital and the subsequent declaration of a code red is affecting staff and patients?

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:27): I welcome the question from the member for Lowan. No government has invested more in the health infrastructure in this state than the Andrews–Allan Labor government. We have also made –

Members interjecting.

The SPEAKER: Order! We cannot hear the answer.

Mary-Anne THOMAS: We have invested in new developments in the ongoing maintenance and indeed to build a new tower out at the current Maroondah Hospital.

Emma Kealy: On a point of order, Speaker, the minister is debating the question. I ask you to bring her back to this very, very important matter, where there has been a collapse at Maroondah Hospital. Can she please update the house.

The SPEAKER: I ask the minister to come back to the question.

Mary-Anne THOMAS: Thank you very much, Speaker, and I welcome that opportunity. I can inform the house that, as I understand it, there has been a burst pipe at Maroondah Hospital. This has just happened, and I will seek advice from my department. I will make this point: when we are talking about the investments, maintenance and infrastructure needs of our health services, no government has done more. We will continue to invest in our health services. I will make sure that I am fully briefed as soon as question time is over to understand the exact circumstances.

Emma KEALY (Lowan) (14:29): Why did the government delay urgent funding for Maroondah Hospital to the point it has now collapsed?

Members interjecting.

The SPEAKER: Order! The Leader of the Opposition and the Premier will come to order.

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (14:29): As I have already indicated, I will receive a full briefing straight after question time on this, but let me be clear –

Emma Kealy interjected.

The SPEAKER: Member for Lowan!

Mary-Anne THOMAS: no government has invested more in the upgrades and in the delivery of new facilities to both expand health services for all Victorians and back in our healthcare workers – not like those on the other side of the house, who at every chance disrespect our healthcare workers.

Members interjecting.

The SPEAKER: The Leader of the Opposition will come to order. The Premier will come to order.

Emma Kealy: On a point of order, Speaker, the minister is debating the question. The question was: why did the government delay –

The SPEAKER: Order! The member for Lowan will not repeat the question in a point of order. Minister for Health, I ask you to come back to the question.

Mary-Anne THOMAS: As advised, I will ensure that I receive a full briefing, but I absolutely reject the assertion by the member for Lowan that this government do not back in our health services, because we absolutely do. We are proud of our world-class health services.

Bridget Vallence: On a point of order, Speaker, in terms of being succinct and direct, the government have known about this issue, saying that they were going to invest in 2018 –

The SPEAKER: Order! What is your point of order? There is no point of order.

Bridget Vallence: It is 2023 and they are still –

The SPEAKER: The Minister for Health has concluded her answer. I would ask members to look at the standing orders and how to call a point of order.

Ministers statements: Melbourne Cup Carnival

Anthony CARBINES (Ivanhoe – Minister for Police, Minister for Crime Prevention, Minister for Racing) (14:31): I rise to update the house on the 2023 Melbourne Cup Carnival. The carnival of course is an unrivalled and unequalled world-class event encompassing the finest in racing, entertainment, fashion, culture, food and wine all in the one place at Flemington. At headquarters on Saturday will be the 170th running of the Victoria Derby, and on Tuesday we will see the 163rd running of the Melbourne Cup. 250,000 people are expected over the four days of the carnival, and we anticipate an economic boost to Victoria of some \$438 million this year in the tourism, retail and hospitality sectors. Let us give a shout-out to all those small businesses and those workers that are going to make this Melbourne Cup Carnival a huge success. That includes the fashion industry, where we spent something like \$34 million last year; more than 230,000 clothing items were purchased. Of course we have also got those racegoers, who are expected to spend \$35 million on accommodation and \$28 million on food and drink. Special Melbourne Cup Carnival-themed cruise ships have also disembarked 8000 tourists and visitors – 80 per cent of our corporate sales for Cup Day are from interstate and overseas tourists.

Let us thank the horses – they are the real stars of the sport. The Allan Labor government is committed to ensuring the highest standard of equine welfare, investing \$9.5 million in equine welfare projects. New safety measures are being introduced by Racing Victoria. We thought that might stop the attendance of international runners, but we have seen a return of a strong contingent from overseas – from the UK, Ireland and Japan. We also saw last week Romantic Warrior and the Hong Kong connections and the elation that I know Niddrie and Essendon saw. The horse conquered the Cox Plate at the Valley.

On Cup Day there will be racing right across the state, including at places like Wangaratta, Bairnsdale, Mildura and Echuca. Can I just say that some wowsers want to cut down the Melbourne Cup and they want to ban racing jobs. The Allan Labor government and most of this house support racing – *(Time expired)*

Cindy McLeish: On a point of order, Speaker, I would like to draw your attention to 14 unanswered questions on notice that I would appreciate being followed up: 152 to the Attorney-General, 155 and 273 to the Minister for Education, 401 to the Minister for Environment, and the Minister for Roads and Road Safety has got quite a lot: 635, 636, 637, 638, 639 and 640. Question 641 is to the Minister

for Public and Active Transport, 642 is to the Minister for Education, 660 is to the Minister for Environment and 661 is to the Minister for Road and Road Safety. I would appreciate those being followed up for me.

Chris Crewther: On a point of order, Speaker, if you could please follow up with the Minister for WorkSafe and the TAC on constituency question 286, which I asked back in August. It is now nearly two months overdue, and Paul and others in my electorate deserve an answer regarding inconsistencies in WorkSafe claim rates.

Roma Britnell: On a point of order, Speaker, I rise regarding several overdue answers to my questions. Questions 295, 688, 341 and 531 remain unanswered by the relevant ministers despite being overdue.

Constituency questions

Brighton electorate

James NEWBURY (Brighton) (14:35): (400) My question is to the Deputy Premier and Minister for Education. When will the government provide much-needed funding to Brighton Primary School? Brighton Primary School is an incredible school in my community and is soon to turn 150 years old. It has been servicing the Brighton community for 150 years. The community has worked hard to ensure that the school is as we would hope that it would be, but the school does need a fair amount of capital funding, and the government unfortunately has neglected that school for many, many years. In fact the school has not received any funding for 50 years in terms of capital funding. A petition was recently signed by over 750 parents and local residents, and I call on the minister to properly address capital funding needs at Brighton Primary School in Brighton.

Wendouree electorate

Juliana ADDISON (Wendouree) (14:36): (401) My constituency question is for the Minister for Environment. What are the benefits of our government's \$515 million investment into the container deposit scheme for the Wendouree electorate? I am so pleased that the Victorian container deposit scheme has started. From yesterday, 1 November, Victorians can return eligible drink cans, bottles and cartons for a 10-cent refund. This refund can be kept or, importantly, donated to Victorian charities, schools or sporting and community groups that have registered for the scheme, which is great news indeed. Further, this scheme will also be transformative for Victoria's waste and recycling system by reducing litter and diverting drink cans, bottles and cartons away from landfill to be recycled, in doing so saving the planet and creating jobs. I look forward to hearing from the minister and learning more about how CDS Vic's accessible beverage recycling scheme will make Ballarat an even better place to live.

Mildura electorate

Jade BENHAM (Mildura) (14:37): (402) My constituency question is for the Minister for Water, and my question is: who is responsible for the maintenance, weeds and growth on different levee banks on the Murray River? The property of my constituents Glen and Deborah Bussell backs onto the urban levee bank that Swan Hill Rural City Council constructed in 2021. In early October Deborah submitted a report on Snap Send Solve, which was initially submitted to Parks Victoria but was reassigned and then nudged to the Department of Energy, Environment and Climate Action. Deborah and Glen had both assumed that council might have been responsible, seeing as it was council that constructed the levee bank. I have since spoken to the council CEO, seeking some clarity. It is actually a matter that needs clarification quite urgently. The grass and weeds that have been growing on the levee bank have gotten out of control, and as well as being an eyesore and a fire hazard, they are also a haven for snakes. Given she has got grandchildren, we need it sorted urgently.

Narre Warren South electorate

Gary MAAS (Narre Warren South) (14:38): (403) My constituency question is for the Minister for Community Sport regarding the upgrade of the Hampton Park Bowls Club, in my electorate of Narre Warren South. Minister, what is the approximate completion date of these upgrade works? The state government committed \$530,000 in the state budget towards the upgrade of facilities at the Hampton Park Bowls Club. I have seen work progressing at the site, and I am looking forward to visiting the completed project, which will mean a boost for our local sports community. I know the bowls club cannot wait for works to be completed for their members and spectators, as many local community groups also use the space for meetings and events as well. I would appreciate knowing the approximate completion date of the upgrade works at Hampton Park Bowls Club, and I look forward to sharing the minister's response with my community.

Eildon electorate

Cindy McLEISH (Eildon) (14:39): (404) My question is to the Premier. Premier, what support and compensation is being provided right now under the forestry transition program to workers and businesses in timber support industries already impacted by the closure of the native timber industry? Many constituents in my electorate have been impacted by the closure of the native timber industry, both directly and indirectly. These people, who invested in good faith to meet contract requirements in working with VicForests, are now left holding machinery and vehicle assets that there is no longer a market for. They have lost their source of income working in support of the industry and are already facing significant hardship. A good example which illustrates this point is that of Brendon Clark. He runs a small business collecting seeds for the repropagation of our native forest areas. One hundred per cent of his income was from VicForests contracts, but he has lost his business – his income – and has so far been unable to gain any assistance from the current support measures that are in place for the timber industry. He needs immediate help right now, Premier.

Northcote electorate

Kat THEOPHANOUS (Northcote) (14:40): (405) My question is to the Minister for Children, and I ask: what is the impact on communities when councils move to increase charges, shorten leases or privatise not-for-profit early learning services? Residents of the inner north are outraged as Darebin council has moved to cut our 18 community centre leases to a mere two years under the guise of developing a new council-wide leasing policy. What they gloss over is the new leasing policy likely involves burdening centres with new rates, taxes and utility and maintenance costs. At a time when state and federal governments are making massive investments into free kinder and cheaper child care, Darebin council wants to pull out resources to help its bottom line. Families are angry, staff and educators are in a state of extreme uncertainty and nobody can plan for the future. Across Melbourne we have seen councils do the same, and we have seen it lead to privatisation and closures. Our community deserves better. I stand with educators, staff, families and children that rely on community early learning centres and I call on Darebin to do better.

Warrandyte electorate

Nicole WERNER (Warrandyte) (14:41): (406) My constituency question is for the Minister for Roads and Road Safety. I ask the minister: when are works going to finally start on the Warrandyte Road and Tortice Drive intersection? The former coalition government delivered \$4.7 million in funding to fix the intersection after a detailed assessment by VicRoads, which determined that traffic lights, while more expensive, were a superior option to a roundabout. The money is on the table, and it is up to the Labor Party whether or not they will fix this perilous intersection. Currently the federal Labor government is deciding whether or not to rip \$4.7 million out of road funding for our community in their 90-day review. The minister knows that this project is ready to proceed, with all of the planning in place. Their delays are increasing traffic congestion and jeopardising lives.

Broadmeadows electorate

Kathleen MATTHEWS-WARD (Broadmeadows) (14:42): (407) My constituency question is to the Minister for Roads and Road Safety. On behalf of my constituents, I am seeking the installation of a new pedestrian crossing on Camp Road. I therefore ask the minister: what is the process for funding the installation of a new pedestrian crossing? Being able to safely cross the road is fundamental to the livability of our suburbs and absolutely essential for the many in the Broadmeadows electorate who do not drive a car. Every morning I witness people attempting to cross Camp Road near the intersection with Railway Crescent and Gibson Street as they access Broady station or my old school, Penola College. The closest pedestrian crossing is over 400 metres away and the speed limit is quite high on Camp Road, especially coming down the hill over Pascoe Vale Road, so it may also be worth investigating a reduction in the speed limit on Camp Road to improve safety. We also desperately need a place to cross Plumpton Street to get to the new Glenroy Community Hub and library.

Morwell electorate

Martin CAMERON (Morwell) (14:43): (408) My constituency question is for the Minister for Health, and the question I ask is: what is the Labor government doing to reduce public dental waitlist times? The waitlist time for general dental care in Victoria was 16.9 months for the first half of 2023, but data from the Australian Dental Association shows that in my electorate of Morwell the average waiting time is 30.4 months, or 2½ years. One constituent in my electorate has been on the waiting list for vital dental treatment for 10 years. In that time this person has had one tooth removed, and after initial treatment they were returned to the bottom of the waitlist. Aside from the serious risk this poses to physical health, this person said the agonising wait has affected their confidence, mental health and ability to gain employment. There are more than 1.5 million adults who are eligible for access to dental health care in Victoria, but only 197,641 were able to receive care in the past 12 months. Minister, what is being done to address the unacceptably long waitlists for dental care?

Bellarine electorate

Alison MARCHANT (Bellarine) (14:44): (409) My question is for the Minister for Emergency Services. Minister, with a potentially dangerous fire season ahead of us, what preparedness activities are the CFA undertaking in the Bellarine in preparation for this fire season? While I was visiting them recently, the Leopold CFA raised the issue of long grass alongside our roads and the risk of grassfires in our area. It would be a great relief to the Bellarine community to know what plans are in place ahead of the summer months.

Bills**Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023***Second reading***Debate resumed.**

Bronwyn HALFPENNY (Thomastown) (14:45): I am very happy to be speaking today on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. This is, as it says, a bill that provides for amendments to two pieces of legislation: the Circular Economy (Waste Reduction and Recycling) Act 2021 and the Environment Protection Act 2017. This is legislation that provides for amendments, and I am going to go through in a bit of detail what those amendments are. For all the speakers from the opposition that I have heard, they really do not seem to have understood what the amendments are and in fact probably have not even read this legislation or learned what it actually means.

A lot of the proposals in here build on an incredible reform, the circular economy reform, which has been a project of the Allan and Andrews Labor governments and has set up Victoria in terms of our approach to the environment, whether it is around solar panels and renewable energy or whether it is around recycling and repurposing and all those things that we need for a better future world for people

and society as well as for the economy and for jobs. This legislation demonstrates that the Victorian government is a government that is flexible, responsive and modern in terms of ensuring that legislation is the best it can possibly be.

For example, currently the circular economy act does not provide for Recycling Victoria to charge fees to cover the costs of all its statutory and contractual responsibilities. The amendments contained in this bill will do just that. The concept is that the original maker or producer of the container in the container deposit scheme, for example, is the one that should bear the cost of that scheme and the recovery of the product that is re-used and taken out of the environment as litter.

Another example of some of the things this legislation does is that it provides several amendments to mitigate operational risks that have been identified during the implementation of the container deposit scheme. They need to be addressed to ensure that the scheme operates as intended. Again, the opposition makes a big deal about these amendments, but they are there to improve the scheme based on experience and based on things that have come to light as the scheme has been rolled out. First, the bill clarifies the scheme coordinator or network operator agreement. It allows that any matters that are negotiated in that agreement will continue also in the act, not just as part of the agreement. This provides flexibility so that additional matters as they arise can be added to those agreements, and the act ensures that they are also part of the legislation and do not go outside the legislation.

Secondly, the bill allows concurrent contracts between the state and more than one scheme coordinator. For example, the current legislation talks about there being one contract for the scheme operator, but what if there is a successor and another company is going to take over? There needs to be the ability to negotiate a second contract in order for that successor to seamlessly replace the original coordinator if, for whatever reason, that arrangement is not going to continue. Similarly, the bill amends the definition of a material recovery facility, because it has come to light that there are certain recyclers that may be in a good position to recycle various different containers. That may not be their only business or may not be the main part of their business, and the definitions in the legislation may mean in that case they are excluded from being part of the scheme. That would be a missed opportunity for the further recycling of more containers within that facility.

Again, there are also minor amendments and clarifications to ensure – and this is very important – that the state can intervene, if required, to make sure that scheme coordinators are fulfilling their obligations. If there is something that is not being fulfilled by a scheme coordinator, which is a private business, then the state can actually step in and ensure that those obligations are met and that the proper processes are followed. Of course we have seen and had some terrible experiences where there have been some really terrible, dodgy companies. There was one particular facility in Epping where they were supposed to be collecting chemical waste and disposing of it in a proper way. That was not the case, and there were all sorts of legal loopholes in order for the state to come in and both ensure that the community was safe and ensure that these dodgy operators were dealt with in accordance with the full force of the law.

There are also of course provisions to allow for recurring charges to be charged on waste-to-energy licence-holders. Recycling Victoria is the state part of this scheme that oversees and administers the scheme – although it is actual private operators that operate the scheme – so this amendment is to ensure that taxpayers are not inadvertently paying for any of these administration or oversight costs, because it may well be that there is not just a one-off fee but a requirement for ongoing or periodic fees to make sure that we as taxpayers are not bearing any of the costs. There are also amendments to the Environment Protection Act 2017 – things that really will make a much better and more efficient system. For example, at the moment Game Management Authority officers, while they can raise issues with individuals about littering, actually cannot take any action against a person that is found to be littering. These are small amendments that make a big difference in terms of the efficiency of how things operate to allow them to be able to enforce the provisions of littering offences.

I would like to go on to the reason for these amendments. The main purpose is to ensure that our really innovative and exciting container deposit scheme program, which started, as everyone has said, yesterday, continues to be able to roll out in a very efficient and seamless way. I know the opposition have been making lots of complaints. There are the amendments that they are proposing, but this shows a real lack of understanding – or laziness – in terms of trying to inform themselves about what this legislation is all about and what in fact the container deposit scheme is all about. For example, I think one speaker from a regional area was complaining that there were not enough facilities for people to take their unwanted and eligible containers to to have them processed and to receive some sort of payment for them. But in fact within this scheme by 1 August next year the commitment is that any remote or rural town that has 350 people or more in it must have a facility for people to take their containers to. Similarly in regional towns, any place where there is a population of more than 750 also must have a facility to which people can take their containers for recycling.

Of course this scheme is really important for some clubs and sporting organisations, places that rely on charity and donations. This will be another way that they can accept revenue and a way that really makes it easy for people to donate money that they may have received in the collection of containers. For example – I think there was news last night about this – you can take some of these containers in to a vending machine and actually deposit them in the vending machine. There is a little barcode or QR code that tallies up those containers, and then you are able to get a voucher and then through the QR code nominate what charity or organisation you would like to donate the money that you have received from those containers to. That makes it a little bit easier for charities and organisations that need fundraising to keep going. This will make it that bit easier for them to do that and for all of us to contribute to those organisations that do such a great job.

Wayne FARNHAM (Narracan) (14:55): I am pleased to rise today to speak on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. We do not oppose this bill on this side of the house, but the member for Brighton has raised concerns and put forward a reasoned amendment.

It does remind me of when I was a little tacker some 40-something years ago – 60 kilos lighter and with long flowing hair – it has been a long time, but recycling was always good. We could go and we could collect cans and collect bottles, and we would be walking down the road with no shoes on in the middle of summer, sunburnt. It was a great time. We would go and we would collect our cans and bottles, and that would be our pocket money. The beautiful thing about recycling is you can get kids out there doing that, and parents do not have to put their hands in their pockets every week to give them pocket money to go and buy things. So I think the container deposit scheme is a good scheme. The Liberal and National parties do not oppose this scheme. We think it is a good idea. But I want to reference what the member for Mildura said earlier. It sort of resonated with me. I am not going to sit here and slag the government off. I am just going to make some comments. I think the member for Mildura had a good point. It would be great to see these schemes in sporting clubs. If you think about it –

Jade Benham interjected.

Wayne FARNHAM: sorry, these deposit centres – if we have got these in sporting clubs and people can take their cans and bottles there, then all of a sudden it could take the pressure off local councils for maintenance of sporting clubs because they have got a bit more income and it could take the pressure off state government as well for the funding of club infrastructure or upkeep of sporting facilities. I actually think it is a very, very good idea, and credit to the member for Mildura for thinking of that. In those regional areas – as I just heard in the member's statement there – where there are populations of 350 people, hopefully we can get them into sporting clubs, especially in those one-club towns. I think that would be a great initiative.

My only criticism, I suppose, of the government – and I am not going to go into all the criticisms that have been made previously – is that the government has been here for 20 out of the last 24 years, so in my mind I am wondering why it took so long, especially back in 2018 after China had had enough

and said ‘We don’t want to be the dumping ground anymore’. I do not blame them for that, and it is something I have thought about quite a few times prior to even thinking about being in this place, that as a state we had failed at recycling. It is not just Victoria. I will actually say this about Australia: I do not think we have done it very well over the years. I have had this conversation with my nieces and nephews, who are all very environmentally conscious, like most Victorians. I believe most Victorians are environmentally conscious. I always got to thinking ‘Why are we sending all of this overseas and making it someone else’s problem?’

I feel as though there has been a severe lack of investment in recycling in this state and in this country. Recycling is not a new concept. It has been around for quite some time now, probably since we got rid of the incinerators, Speaker. You would have had one of those in your backyard, I am sure. We had an incinerator in my backyard, and we used to burn everything. But recycling has been around a long time, and my biggest criticism of the government is: why did we not do this sooner? In other states it has been around for quite some time. In Adelaide I think it was 1976, from memory. It was in Victoria. We used to take in our cash for cans or bottles or whatever we could get our hands on, but somewhere along the line it stopped. I do not know which government stopped it. Whether it was Liberal or Labor I am not sure, but since the time when the incinerators finished we should have been on the front foot. My criticism is that in 2018 China stopped taking our rubbish and stopped being our dumping ground, and the government should have been on the front foot a lot sooner.

My other concern with this is that we are talking about the bill now, but the scheme is already in place. I am not a legal expert – I am not going to pretend to be a legal expert – but to me that seems as though we have put the cart before the horse. I would have thought that the bill would go through, go through the other place, and then the scheme would start. Maybe if we had delayed the announcement for a month to get this all done and we had all the boxes in a row so there was no confusion or no ambiguity or no grey area – because we do know people can be quite litigious when they find a grey area – we would have got it all passed through. The scheme could have started on 1 December in time for Christmas and there would have been no confusion about the law and where people stand.

I do want to reference the member for Morwell, because we all do like a vessel of happiness – that is a nice way of saying it. I feel as though my vessel of happiness is why I am such a happy, happy guy. I reckon I have got 20 kilos of vessels of happiness, to be honest.

A member: You are a vessel of happiness.

Wayne FARNHAM: I am a vessel of happiness; I like being happy. But I just do not understand – and I am more than happy for someone to interject and maybe clarify this for me – why we cannot crush a can.

Nick Staikos: Oh, get over it. Come on, mate.

Wayne FARNHAM: Member for Bentleigh, just hear me out. I will be very patient – just hear me out. Honestly, it seems we have got to keep this can in this perfect cylinder, and it has got to go through a system. Why can’t we have –

A member interjected.

Wayne FARNHAM: Hey, I am not working against you. Just calm down. Why can’t we have a system where it goes by weight? Crush the cans, get more volume in there and go by weight. A can will weigh the same. Because sometimes, member for Bentleigh, I do not know about you, but I get a bit clumsy late in the night and I might accidentally stand on a can.

The ACTING SPEAKER (Meng Heang Tak): Through the Chair.

Wayne FARNHAM: I am very sorry, Acting Speaker. I can get clumsy late at night and accidentally stand on a can, and I might lose 10 cents. I do not want to lose 10 cents. I am sure the

Acting Speaker does not want to lose 10 cents either. I could say that to whoever is in charge of this scheme: why don't we look at cans being weighed so we can crush them up?

A member interjected.

Wayne FARNHAM: They are not heavier when they are crushed, they weigh the same – you need to go back to school. But I think you should investigate that, because it does take a lot of movements up and down the road when you have got more volume. That is no good for the environment, because the cars are running up and down and we are spilling out diesel everywhere with trucks. They are my comments on this bill. I think we have put the cart before the horse. I think you have created a grey area for a couple of weeks. You could have delayed it for a month; I do not think it would have hurt anyone. Then you would have had all your ducks in a row and the scheme would just have gone ahead smoothly.

Nick STAIKOS (Bentleigh) (15:04): It really is a pleasure to rise to make a contribution on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. I am really enthusiastic about this government's circular economy agenda, and it is not just because it is a good agenda but the plan was actually launched in my electorate. A lot of you might not know this, but the Coca-Cola factory is in Moorabbin, in my electorate. The former Premier Dan Andrews and the then Minister for the Environment visited Moorabbin and visited the Coca-Cola factory – with you Acting Speaker as well; it is sort of on the border between our electorates – and launched this plan. Not only am I enthusiastic about the circular economy and what this government is doing in that space, but the community is as well.

Just a couple of years ago, for example, when we were resurfacing East Boundary Road, which is a major arterial road in my electorate, we did something very, very innovative – we resurfaced East Boundary Road using 1600 old tyres. At the time we did the numbers, and we found out that annually in Australia we produce 54 million tyres and about 18 million tyres end up in landfill. One way that we are diverting old tyres from ending up in landfill is by using them to resurface our roads. It only makes sense, and let me tell you two years later East Boundary Road has not fallen apart. It is three years later actually – gosh, time has gone by. It has not fallen to bits; it has fared pretty well.

When it comes to recycling, over the last few years I think the Victorian community has come to understand that we need to do more. It is not good enough to just on bin night put out your recycling bin and away you go – it is not as simple as that. There is a lot more that we need to do. Over the last few years the community has come to understand more about e-waste and understand more about green waste, and our local councils have also lifted their game in terms of making sure that there are different stations around their municipalities where you can dispose of e-waste, and they have changed the system when it comes to collecting green waste to ensure that residents are disposing of food scraps, for instance, in their green waste bins – and the community got on board. There were teething issues at the start, but the reality is your habits change when they need to change. We adapt; we are agile. It is just what we do in a society like Victoria.

I suppose that is why I have been rather disappointed by the debate from the other side today. I did think that they supported the container deposit scheme, but they are quibbling at the edges. They are just always so negative on that side – very, very negative. The member for Kew is at the table, and I must admit I have only been in and out of the chamber today, but I think the member for Kew said that this has crumbled on implementation. She will correct me if I am wrong. You said something like that. You certainly said crumbled on implementation. But yesterday a million containers were collected by the container deposit scheme – on day one. I do not think that constitutes crumbling upon implementation, does it? No, I think that is a real success, and this government is proud of it.

We can quibble at the edges and say 'Oh, well, but you can't crush the cans'. Why do they need to crush their cans and bottles? Are they trying to get their frustration out on these containers? The new member for Warrandyte is nodding yes. I understand it is pretty rugged in that party room, but do not touch your cans and bottles, just save them because you will get 10 cents back. Thankfully everybody

else is very enthusiastic about the container deposit scheme. I know those opposite tell us that they have received countless complaints, but it seems that the only people that complain about the container deposit scheme are in Liberal or National Party electorates. That is what we have found out today. But look, enough about them, because I am already halfway through my time.

Jess WILSON: Thank God.

Nick STAIKOS: Member for Kew, your predecessor would have made good work out of the container deposit scheme, let me say. What I would say is that we are aiming, by this container deposit scheme, to reduce the amount of litter in Victoria by half. That is a significant and aspirational and ambitious target, and that is what we are going to do. Our estimate is that 1 billion containers will be returned in the first year of the scheme and \$100 million will be refunded to Victorian charities, to Victorians and to community groups, and we are all very, very excited about that.

At this point I do want to give a big shout-out to Ashton Hanson, who is 10 years old. He is from my electorate – he lives in East Bentleigh – and he and his brothers have already collected 4000 bottles and cans, and they are aiming for 10,000. This is pretty exciting for them and it is pretty exciting for all Victorians, so congratulations, Ashton, and congratulations to your brothers.

I suppose we have heard from those opposite that we should have delayed the implementation of this scheme. When you have got 392 drop-off locations, why delay it? It was ready to go, and that is evidenced by the fact that a million containers were collected on day one. There are 392 locations open now and there are 600 that will be open by August next year. In my electorate there are a few convenient locations to drop off your containers and collect your refund. One is the scout hall on Argus Street, Cheltenham, and it is wonderful to see just how our scouts in Victoria have embraced this scheme. Another one is the Kingston Heath Reserve car park in Cheltenham on Centre Dandenong Road. The member for Narracan was saying why not co-locate them with sports clubs. Well, at least in that case we have done exactly that, and that is a reverse vending machine. You can also go to the BP on Warrigal Road in Oakleigh, in the Minister for Environment's electorate, just on the other side of the border between the Bentleigh and Oakleigh electorates. There is also – and this is close by to the electorate – Highgate Cellars on Glen Huntly Road, Carnegie. Within 12 months of the scheme starting there will be a minimum of one collection point per 14,500 people in metropolitan areas, at least one per town of 750 people in regional areas and at least one per town of 350 people in remote areas. That is just an amazing number of collection points and creates accessibility for everyone in Victoria.

Again, this scheme was absolutely ready to go yesterday, but it is a rollout, and so this will get better as it goes along. It is already a fantastic scheme, and Victorians are embracing it. Rather than quibbling around the edges, let us just embrace it, because this is about moving forward. This is about embracing the future. The circular economy, a plan that this government is implementing, is about securing the future for the next generation as well. We have got to make sure that we are diverting waste. For many, many years we have been talking about diverting waste, but we have not been good at it. Now we are getting serious, and this is just one of a number of initiatives that this government is embracing to ensure that we are nurturing and fostering a circular economy. I have already spoken about the materials that we are using in terms of resurfacing roads, but there are many other initiatives as well. This government of course banned single-use plastics. Again, we saw how Victorians adapted to that change, and that is because Victorians are clever, intelligent people. They adapt to change, and they are embracing these changes, because Victorians know that initiatives like the container deposit scheme are important for our future. I commend the bill to the house, and I wish it a speedy passage.

Gary MAAS (Narre Warren South) (15:14): I too rise to make a contribution to the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. I do so with great pleasure but just cannot escape some of the reasoning, I guess, that has been put forward by the opposition in their contributions to this bill. First we have the overarching notion that they do support the bill in this place. Then, as others before me have said, they go to very, very fine aspects – whether you would call them communication aspects or whether you would call them operational aspects – that are to do with

the rollout of the scheme. So whilst they are supportive of that, or supportive of the notion that the bill should pass through this place, a reasoned amendment has also been put forward to can, so to speak, the whole scheme, and I just see that the reasoning does not quite seem consistent there.

In terms of some of the concerns that the member for Brighton had with his reasoned amendment, I think it is fair to say that there is so much information that is available to people and members of the community who do want to utilise the container deposit scheme (CDS). There is information on websites. There has been a very big campaign in the lead-up to 1 November pointing out where the container deposit machines are across various LGAs. So there is good information already available to members of the public and also to businesses, and that of course includes, if you have been to the website, a map of where all of these are. Another point that was put forward to amend the bill is that there has not been a complete rollout of all of the deposit machines. But there have been in fact some 392 that were open to the public on the very first day, and as has been said several times and I note was tweeted by our Premier earlier today, yesterday there were in excess of 1 million containers that were recycled on that first day. That is in anyone's terms a huge success on the very first day of operation.

The other notion I want to pick up on in regard to why we supposedly need this reasoned amendment is that somehow we lose a freedom to contract as a result of this bill not passing this place, and that is a huge falsehood. There are several agreements that have been reached through various parties to ensure that the container deposit scheme can be reached. The fact that this bill has not passed both houses does not negate the freedom of parties to contract, and throughout this time the government has engaged all the various businesses and the groups who are being consulted to make sure that this scheme is in place. That includes the Australian Hotels Association, the Australian Industry Group, the Australian Retailers Association, the Victorian Chamber of Commerce and Industry as well as the Boomerang Alliance. The other thing I think should be made clear is that the scheme that is being put in this place is really consistent with other jurisdictions around the country. What we are seeing is a rollout on quite a grand scale in the soon-to-be-biggest state in the country, and this is all rolling out as smoothly as can be. So on that basis we of course oppose the reasoned amendment.

The bill itself clarifies the cost recovery mechanisms for the CDS. It mitigates operational risks associated with it to ensure its smooth operation and alignment with the intended purpose. It introduces a mechanism for the recovery of costs which are incurred by Recycling Victoria in administering the waste-to-energy scheme by enabling the establishment of periodic licence fees through regulations. It creates a dedicated Recycling Victoria Fund, complete with special-purpose operating accounts, to facilitate Recycling Victoria, to recoup costs and to support its operations within the CDS and the waste-to-energy scheme. It also allows for the setting of variable fees through regulations for the processing of applications and submissions under the Circular Economy (Waste Reduction and Recycling) Act 2021, and it enhances the Environment Protection Act 2017 to better align with the original intent of the act and improve its overall functionality and effectiveness as well.

Specific amendments incorporated into the bill encompass the introduction of a cost-recovery mechanism for the CDS to ensure the scheme can effectively cover the operational costs, and that enables it to regulate the scheme effectively and sustainably as well. It addresses various operational risks in the container deposit scheme, as this is a crucial step to ensuring that it runs smoothly, free from potential disruptions or challenges that might hinder its intended operation and objectives as well. It provides flexibility in agreements, allowing for more adaptive and responsive arrangements between the involved parties, enabling the scheme to better accommodate changing needs and circumstances as it progresses.

The bill expands the definition of a material recovery facility, broadening its scope to include facilities prescribed by the regulations, and this modification permits certain recyclers, such as bottle-crushing service operators, to participate in the CDS, enhancing its inclusivity. Minor amendments and clarifications have been incorporated into the bill too to enhance efficiency and transparency within the CDS, and these changes aim to streamline processes and address any potential ambiguities, ensuring that the scheme functions as smoothly as possible. A key focus is on enhancing protection

for the EPA, ensuring that it has the necessary support and legal provisions to fulfil its mandate effectively, and the bill also provides necessary clarifications regarding the responsibilities of liquidators, addressing potential uncertainties and ensuring a clear framework for their role in environmental matters.

To uphold the polluter-pays principle, something that this government has always adhered to, the bill reinforces the obligation for those responsible for environmental harm to bear the costs of remediation and clean-up, promoting greater accountability. Delegation of powers to the EPA is introduced, allowing for more efficient and agile decision-making particularly in that regard. The creation of the Recycling Victoria Fund really is a pivotal move for efficient fund management, enhancing transparency and accountability in financial matters, which are related to environmental protection and recycling initiatives. Finally, the container deposit scheme itself is a pivotal step toward the government's commitment to transforming the waste and recycling sector and building a more sustainable and prosperous future for Victorians. It is for those reasons that I support the bill and commend it to the house.

Alison MARCHANT (Bellarine) (15:24): I am happy to rise and contribute to the debate on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. It is a pleasure to speak on this bill because environmental legislation and the future of our circular economy is a passion of mine, and I know it is an absolute issue that is really important to the Bellarine community as well. I will start by thanking the Minister for Climate Action and her staff for this important piece of reform and the work that she has done. I do not know when she sleeps – it is an incredible amount of work that she has done in this space. Our state is leading in climate action. It is leading in renewables, emissions reductions, biodiversity – there is a long list to talk about in this space, but I am really proud to be part of a government that is committed to all these and more. There is always more to do and we are willing to get on with that work, but we do not shy away from big agendas such as this. This is a huge rollout that the government has undertaken, and day one was an absolute success, with over a million containers being deposited. I think that is a real sign of how successful this is and how much the community is going to support this initiative.

This bill does amend the Circular Economy (Waste Reduction and Recycling) Act 2021 and the Environment Protection Act 2017. This bill is going to do several important things. It will generate, firstly, employment opportunities, which means jobs for Victorians. It is going to help climate change goals and provide the community with a reliable recycling system, which is really important for our growing communities. The container deposit scheme that is part of this bill, which, excitingly, started yesterday, is part of a bigger package of this Allan Labor government's investment in the state's recycling and waste system. This scheme, as we have seen and as we have discussed today, allows Victorians to return those containers, those drinking cans, bottles and cartons, for that 10-cent refund, and the opportunity is at various locations: shopping centres, collection depots and over-the-counter refunding points. I learned an interesting fact that there are over 30,000 approved types of containers that will be accepted when doing this – 30,000 is a lot. It is just an incredible amount going into a recycling system without all those contaminants, now able to be returned and recycled into products.

I know locally the community in the Bellarine was so excited about this scheme. Any correspondence via email or on social media was met with so much interest and excitement. There were lots of questions about how it was going to work in the lead-up to this. They were keen to know about locations and containers, how the act might work and how the refund might work. Trusted sources tell me that the Ocean Grove container was nearly full by 11 o'clock on the first day, and they had to go and empty that and keep going. There were lines. People were so excited to do this. In my electorate I will give a shout-out to the White family. They have two sons in that family, an 8-year-old and an 11-year-old, who put a call-out to their neighbours to say 'We'll come and collect all your cans and bottles and things. We're saving for an Easter holiday'. I also think they are very keen members of the local junior football club, Ocean Grove Cobras, and some donations might go that way, to the club. But they were so excited that all the kids were collecting all the neighbours' containers to take over to the container deposit scheme

reverse vending machine to go and do that. This is going to encourage more community participation around that recycling. Local clubs and charities will be able to be participants in receiving donations. I know this scheme is going to be a success with that community participation; I think we have already seen it, and it is only day 2. I am confident that they will be fully engaged going forward.

Specifically, this bill will amend the circular economy act to do a few things, and I will just go to those points. The bill does clarify the cost recovery mechanism for this scheme to ensure that the scheme regulator is able to recover all of its oversights and regulatory costs for the beverage industry. It is there to minimise operational risks and support the scheme to ensure it operates efficiently, providing a mechanism to recover the cost in administering the waste-to-energy scheme and enabling the periodic licence fees to be set. It does establish a Recycling Victoria Fund with that special purpose operating account. It supports Recycling Victoria to recover the costs and fund its operations under the container deposit scheme and the waste-to-energy scheme in a transparent and accountable way, and finally, it enables regulations to set fees for determining applications or submissions to receive under that act.

Under this new mechanism the cost recovery fee will be passed through to first suppliers of beverages and containers and approved as suitable eligible containers through the scheme's contribution first suppliers, and they are required to pay the scheme coordinator. This cost recovery mechanism really does ensure that the beverage industry will bear the costs of this scheme entirely and in line with the principle of that extended producer responsibility. This means that suppliers of beverages, in container deposit schemes, will bear the cost. I would just like to make the point that it is important that the beverage suppliers are playing their part in helping to improve our recycling rates in the state and reduce the number of containers that end up in landfill or on the side of the road as litter. These are important changes that are being made to support the implementation of the Victorian container deposit scheme and to really ensure that it runs as smoothly as possible for the Victorian community.

To ensure that Recycling Victoria can recover the costs and fund its operations promptly and efficiently, this bill establishes the Recycling Victoria Fund. This dedicated account provides a more efficient, transparent and accountable mechanism to demonstrate that the funds collected from the scheme participants are only used to recover the state's costs in administering and overseeing the scheme. We know and understand that we have to work with local communities, with industries and with businesses in developing any of these targets or schemes that we roll out, and we are absolutely committed to doing that and working collaboratively with them.

I have heard a few statements in the house today, with the other side kind of slamming this scheme in some way. I feel it might be an exercise similar to what happened with the power saving bonus, where they would come into this place, criticise a wonderful scheme for communities and then go out into their communities and do selfies promoting it. I feel like we are seeing a pattern here. This government is doing the hard work, looking after Victorians and doing the things that communities need done. The other side seem to think that it is an opportunity to slam this government, yet they do not understand that their communities are supportive of this. Their communities are actually lining up, recycling their products and getting that refund or donating it to their charities, and they are fully supportive of this program. I am sure we will see a few more selfies on Facebook soon.

Our communities – I know this includes the Bellarine community – absolutely expect us to take action on climate change and expect us to do this work, and many constituents, particularly young people, raise it with me all the time. A really big issue for them is making sure we are doing whatever we can to leave this place better than we found it and to continue the work to act on climate. Like I have explained today, so many young families and children are really excited to get involved in this scheme, and it is great to see. I came to this place advocating for a ban on fracking. It was nation-leading legislation that happened in this place, and I could not be prouder of a government that is willing to do the hard yards and do the things that are right for our Victorian communities. This is just another example of the government – and the minister, like I have indicated, with the incredible amount of

work that she has done in this space – being nation leading, and I would probably argue world leading. I am very proud of this government and this scheme, and I commend the bill to the house.

Steve McGHIE (Melton) (15:34): Acting Speaker Tak, it is great to see you in the chair, and it is always great to follow the member for Bellarine and her fantastic contributions but also so many good contributions from this side of the house. I rise to speak on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023, which is clearly just another way that the Allan Labor government is creating jobs in Victoria and achieving our climate change goals. This bill amends the Circular Economy (Waste Reduction and Recycling) Act 2021 and makes minor amendments to the Environment Protection Act 2017. I thank the Minister for Environment, Minister Dimopoulos, and the previous minister, Minister Stitt in the other place, for the great work that they have done on this important bill.

One million containers in the last 24 hours is pretty impressive, and any suggestion that it is a failed rollout is absolutely crazy. I suppose those opposite have to try and raise any concerns, because it is always their agenda to scare people. I know people in Melton lined up for this program to start. They lined up yesterday, and they were ready to go – and go they did yesterday in the two locations in Melton. When I was growing up in the western suburbs – born and bred in Braybrook, a pretty low socio-economic area – we did have a container deposit scheme back in the 1960s and 70s, and it was run by CUB. If anyone remembers longneck beer bottles – probably not too many people in the chamber at the moment would, because they are all too young – you could collect them, and CUB would send out their bottle-o to pick them up. They would provide the crates, and they would then pay you an amount of money for the collection of those bottles. Of course in doing so they re-used those bottles. They took them back to the factory and cleaned them and re-used them for producing further beer supplies across the state of Victoria. As I said, they would even leave crates at your home to be able to stack the bottles in.

I will respond to some of the more ridiculous things that I have heard in this debate in particular by the opposition. In one breath they are telling us how environmental their constituents are, and then in the next they say that they are not willing to travel to the next suburb to drop off the containers, the bottles and the cans at a collection point. I do not know if they want one of these collection points on every corner. I do not know if that is what they are after. It seems a bit crazy to complain that there are not enough collection points but on the other hand wave the flag and say that they are environmentalists. I have got to agree with my good friend the member for Mordialloc about the grumpiness of the member for Brighton. It seems he has been quite grumpy in recent times, and that is a bit of shame. But I know that the member for Mordialloc invited the member for Brighton to come out to the car park where he has a collection point just to see how the system works. It would be great to witness that if the member for Brighton took that invitation up.

As of yesterday, the container deposit scheme certainly started putting money in people's pockets, and I think that is fantastic. In fact it will reduce the litter across the state by up to a half. That in itself, regardless of what people get in return, is an important issue, and that is about reducing the litter that would go into landfill. I think that is probably the most important thing that will come out of this.

It is estimated that half a billion eligible drink containers are disposed of annually across the western suburbs. At 10 cents a container, that amounts to about \$50 million worth of cans, bottles and cartons, and that is \$50 million that will go into the pockets of constituents across the western suburbs. Of course if you translate that across the state, it could mean up to hundreds of millions of dollars that could be paid out to people engaging with this scheme, and that is a win for everyone. I encourage my constituents in the electorate of Melton to engage with this program and access a part of the \$50 million. It is a nice little earner for people if they want to try and pick up some cash. Yes, sure, it means you have got to go around and collect cans and bottles and things like that and take them to a collection area, but in some cases it would be worth it.

There was reference to the rollout by the opposition, and I just want to remind them that New South Wales was the second state after South Australia to introduce such a scheme in 2017. I know it was a Liberal government at the time; I am not sure who the New South Wales Premier was, but their initial rollout was of just over 200 collection points. They now have around 618, which is pretty close to the total that we want to have. So again, under a New South Wales Liberal government you can roll them out at 200 initially, which is what we have done – better than that – but it seems to be the sky is going to fall in Victoria because we have not rolled out our 600 on the first day. It seems a bit crazy that that is the issue that they have concentrated on.

I want to make reference to the contribution by the member for South-West Coast. She was lamenting that her major concern was that we might have to work to change the thinking of consumers and how they interact with the scheme to ensure compliance and maximise the refunds. I think that reference was in regard to how people previously would crush the cans and things like that. That is something that we as a governing body need to do all the time. We need to change people's ways of doing things. We have done that with things like wearing seatbelts. We have done that with smoking in public places. We have done that with same-sex marriage. We have done that with racial segregation, and we have certainly done that with women's right to vote. Changing people's attitudes and the way that they act is something that governments do all the time, and that is the agenda here. This is about reducing litter going into landfill and compensating people for it, and it is a very positive program. I know that the youth of our communities will be excited by this. The community groups, the Scouts groups, the sports groups and many, many community agencies will be very excited by this, because this is a new avenue, another avenue, where they can try and get access to some funding to run their sports club, run their Scouts group, provide for community groups and assist them in providing whatever services and things they do for those particular participants.

The member for South-West Coast did bring up an important point, though. Clearly the member for Kew had that talking point as well – and I notice the member for Kew is at the table – that a price increase of 14 cents per can is going to cover the costs of the container deposit participation scheme. Well, it is just not accurate. The member for South-West Coast alluded to the fact that she had 200 or 250 stubbies in her wheelie bin and they were just going to wherever they go. I do not know what happens in her collection in her electorate, but I will give her some advice: if she took the opportunity to take those 200 or 250 stubbies at the end of the week to a collection point, it could be a nice little earner for her each week.

Vicki Ward: Or she could donate it to one of her schools.

Steve McGhie: Or she could donate it to one of her community groups, schools or whatever. It could be a nice little earner for her, or she could give it to a group that needs it within her electorate rather than just sticking them in the wheelie bin.

This bill is an important bill. As I say, there have been many, many good contributions made on this bill, and that is because it is really important. Yesterday at one of our collection points I had a constituent that attended the collection point and provided all the cans and bottles that he collected, and he got a return of \$970. I congratulate that constituent for his efforts in cleaning up Melton and also getting a bit of a return for himself, and I hope he continues to do that. Again, I encourage others in my electorate to do the same, certainly the community groups. This is a really important bill and I am pleased to talk on it. I hope it gets a speedy passage through Parliament.

Paul Hamer (Box Hill) (15:44): I also rise in support of the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023, which is a bill to provide for further matters relating to the container deposit scheme and the waste-to-energy scheme and the recovery of regulatory costs for those schemes. It is a pretty exciting moment when we have heard that already one day into the scheme, 24 hours into the scheme, a million bottles and cans and other recyclable items have been returned, which equates to more than \$100,000 that has been returned to individuals

and to community groups, which is back in the pockets of families and back in the pockets of our community groups.

I do want to applaud the constituent from Melton. Almost \$1000 in a single day – that is 10,000 bottles, cans and other recyclables. That is an enormous effort of collection. As the member for Melton rightly said, that person is cleaning up Melton 100 bottles at a time. He is making a fantastic effort. It is a topic that is a matter of conversation right across the state. Even before we started debating the initial bill three or four years ago, this was a topic that regularly came before my office, about when we would as a government introduce a container deposit scheme. We could see that South Australia had had one for many years and many other states had announced that they were introducing them. It does not surprise me that there were many people who had been saving up for yesterday to arrive to literally cash in their cans and bottles, because people in the community do really value the environment. They value the importance of recycling and the importance of using our resources wisely.

It is important that we look at why we are doing this container deposit scheme in the first place. It is about separating our waste products and it is about better re-use and better recycling of the products that we manufacture. Obviously when you are talking about plastics and even glass, if they finish up in the waste or at the tip, they take years – hundreds of years, probably thousands of years – to degrade. Particularly with plastics, what they degrade to is microplastics, which can get into the soil and into the environment and cause issues. A far better use is to collect them as a separate waste stream and actually re-use them and repurpose them for a higher order. I think it was the member for Mordialloc who was talking about the re-use of particularly plastics in the construction of roads and in the construction of the Mordialloc Freeway. I am sure that there are many other roads right across Melbourne and Victoria where we can utilise some of those plastics for a road base so that we are taking them out of the waste stream.

It is a real milestone that we have reached now in our commitment towards the transformation and reform of our waste and recycling sector. I do want to acknowledge at this point the tremendous work that all of the relevant ministers have put in over time, particularly the current Minister for Climate Action and Minister for the State Electricity Commission, who was the Minister for Energy, Environment and Climate Change at the time the initial legislation passed and was a key driver for this reform of the recycling system, Minister D'Ambrosio, and also the subsequent ministers for the environment – Minister Stitt in the other place and now Minister Dimopoulos. It is a really important reform, and it is good that there is continuity in that reform through the changes of ministers.

As has been said before, the container deposit scheme does come in a number of different forms. There are a lot of different options out there for punters who wish to collect their bottles and cans and take them to a drop-off location, whether that is a vending machine or simply a local drop-off location. As has been noted by previous speakers, even on day one we are almost up to 400 refund point locations across the state, which is a fantastic achievement to get to already. That is almost two-thirds of the total locations that I understand will be in place when the program is fully rolled out.

I want to let all in my community know the three locations at which they can drop off their bottles, cans and recyclables: the Box Hill South milk bar, which is on Middleborough Road; J & J Grocery World down in Box Hill; and the Mont Albert newsagent in Hamilton Street. They are three well-positioned local businesses. Any viewers at home in the Box Hill electorate: I would encourage you to collect your bottles and cans and take yourself along to those locations. There is a very convenient website as well where you can see all of the drop-off locations right across the state. As I said, it is a very exciting reform and a reform that many people across the electorate have been long looking forward to.

I want to just briefly go back to the importance of recycling and the circular economy of waste and resource management. Obviously it is a really critical part of our environmental policy, and I am really pleased to see the leadership that we have from the Albanese Labor government in Canberra at the moment, which is also really pushing this agenda and putting a real focus on bringing everyone to the

table to support real change. In June this year environment ministers from across Australia met in Sydney and signed a renewed communiqué to work together to achieve a nature-positive Australia and to leave our environment better off for our kids and our grandkids. At that meeting ministers agreed to act now and for future generations to shift Australia towards a safer, circular economy.

I see even with my own kids and the education that occurs throughout our local schools the real focus on the environment, the focus on recycling and the focus on re-use. There was a Nursery & Garden Industry Victoria expo in Parliament back in August, and they had a recycled scarecrow that was on show. I think the winner this year was from a school in the member for Northcote's electorate, but it inspired my own kids to rustle through the hard rubbish in our place and create a scarecrow. Sadly, it has not actually scared away too many of the pigeons, but it was still tall and a little bit thin –

Vicki Ward: A bit like you, Paul.

Paul HAMER: A bit like me, member for Eltham; that is correct. It was still a fun re-use. It fell over in the wind. Maybe that is me as well. On that happy note, I commend the bill to the house.

Vicki WARD (Eltham – Minister for Prevention of Family Violence, Minister for Employment) (15:54): I have to say that is a pretty hard act to follow, member for Box Hill. I am sad to say that my kids are now getting to the age where they are not going to be making scarecrows and doing all those fun crafting things, because at 18 and nearly 21 – not so much. But they are keen recyclers, which is excellent. As anybody who knows my community well would anticipate, we are a great community of recyclers where I live; we absolutely value our environment.

This has been said before, but I am going to say it again – it is a fun fact: more than 1 million containers were recycled on day one of the container deposit scheme (CDS).

Belinda Wilson: How many?

Vicki WARD: One million.

Belinda Wilson: Wow.

Vicki WARD: Thank you. It is amazing. I would have thought that that was a million reasons to recycle, a million reasons to be a part of the container deposit scheme and it shows you how many Victorians are already interested in this. I do think, member for Melton, that your constituent probably gamed the numbers a little bit with their amazing haul, but the dedication of your constituent is something to absolutely be admired. It also shows the possibilities of this scheme, what it can mean for communities and what it can mean for individuals. Any bit of rubbish – and I do not want to call stuff that we are recycling rubbish, but there are not many better words for it – that is not going into landfill is a win. It is an absolute win. If we are able to bring it back into the economy, if we are able to continue to re-use and resell and keep that circular economy going, it is an absolute win. So I find that this policy, the work that we are doing in this space, is absolutely phenomenal.

The CDS advisory group are to be thanked for their work and for the ongoing conversations that they have had with the various ministers. The CDS advisory group included the Australian Hotels Association, the Australian Industry Group, the Australian Retailers Association, the Victorian Chamber of Commerce and Industry and the Boomerang Alliance. It is a pretty comprehensive group of people. I also do want to thank the various ministers and their staff for all of the work that they have done to bring this really reforming policy to life. It brings into our own communities opportunities for people to recycle stuff and to make some money from it, to actually be able to have a bit more coin in their pockets but really to help support community groups, schools and sporting clubs. There are so many opportunities that come with this container deposit scheme that there really are a million reasons to embrace it.

As you would expect, as Minister for Employment one of the things that I am really interested in with this is the jobs that you can get in recycling. For every 10,000 tonnes of waste recycled 9.2 jobs are

generated, compared to 2.8 jobs if that same waste went to landfill. So member for Melton, your constituent is not only putting nearly 1000 bucks into their pocket, they are also helping to create jobs. That really strong, concerted effort of your constituent has helped create jobs in recycling. I tell you what, there are so many gold stars to give this constituent – there really are – and they are a great example, a poster child, for how important this scheme is. As Victoria continues towards its target of diverting 80 per cent of all material away from landfill by 2030 there are so many jobs to be created. As we know, this is a government that loves to create jobs. We spend a lot of time and effort on thinking how we can create jobs, and we are creating meaningful jobs. We are creating jobs that are paying people well, helping them put food on the table and helping them feel that they belong to the community.

The new four-stream recycling system will help divert 20,000 tonnes of glass from landfill, along with organic waste, which emits harmful gases. I do not know about other people here, but I am a bit of a composter. I love composting in my garden. I have got the composting bins, which I am sad to say, member for Box Hill, my kids do not really help so much with; it is Mum's job. I have recycled my flowerpots. I have put holes in them, taken the tops off and inserted them into my vegie garden as little micro composting pots where the worms go through and around my wicking bed vegie garden. So there is no limit to what we can recycle in our communities and in our state. That is a tip for everyone: recycle your flowerpots – they actually make good micro composting units.

The Labor government's waste and recycling reforms will create nearly 4000 new jobs and boost our economy by up to \$6.7 billion by 2030. That is no mean feat. While we are talking about a million reasons to recycle, there are actually 6.7 billion reasons to recycle, because it does create jobs, it does help strengthen our community and it does help reduce landfill. The CDS is targeting products that are most likely to be consumed away from home with the aim of reducing Victoria's litter by up to half, and this is no mean feat. The program will generate 645 jobs as it rolls out. The opportunity to create new economic opportunities is endless as we increase the supply of recyclable materials and turn drink containers into new recycled products.

The CDS has also launched in my community, as I am sure it has in yours, Acting Speaker Tak. Currently in my district of Eltham we have four over-the-counter locations. The first one is at Lower Plenty Charcoal Chicken, and I would say, Acting Speaker, go and check them out. It is great chicken, it is great chips, but they also do amazing bureks. This is not something that you would necessarily think you are going to see with your charcoal chicken shop in Lower Plenty, but you are. It is a fantastic local business supporting community.

We have also got the Eltham Milk Bar, which is a great little business located in the heart of my electorate close to local schools –

A member interjected.

Vicki WARD: Yes, it has got lollies. It is on a road with a fair bit of traffic on it. We have also got Oregon Xpress in Eltham North, and that is a fantastic cafe, located just over the road from Holy Trinity Primary School – fantastic school, well populated, great community. Those kids will be recycling like nobody's business, and they will be popping over to Oregon Xpress to drop their containers off and to grab some pocket money and no doubt grab a couple of lollies along the way.

We have also got Pepper's Paddock General Store in Wattle Glen. This is a fantastic cafe – amazing food on offer. It is something that you may not expect in the small hamlet of Wattle Glen, but you can get an amazing diversity of food there, and it is a popular gathering place, particularly for out-of-town cyclists. The ability to create even visitor economy revenue is something that is really attractive and really fantastic about our container deposit scheme. These small businesses provide an over-the-counter service, essentially working like a mini depot, providing convenient spots at our local shops while also diversifying the income stream for them. They are not only making money for the community in the sense that it will go to a community group or go into someone's pocket, they are

also generating some revenue for themselves. Really it is an absolute win-win. We know that sites will grow over the next 12 months. As people become more familiar with the program, as they realise that it is quite easy to be a part of and as more people want the opportunity to get some money for their recyclables, this will be a program that will continue to boom.

I have to tell you I was pretty impressed with the 250 stubbies in the wheelie bin, but at our footy clubs this is an amazing opportunity – for example, at a Saturday footy game – to go and chuck your tinnies, your stubbies and the rest of it. Get them over the counter, get some money for your footy club and help invest back into community. There are so many opportunities that come with the container deposit scheme that will absolutely benefit communities while at the same time significantly reducing landfill. There are opportunities for schools, community groups, environment groups, sporting clubs and educational groups to raise funds. They can seek donations of drink containers from their community and redeem them for a refund. They can apply to become a donation partner to receive donations or run a refund point, and I would encourage people across communities, including my own: sign up, be a part of this, be a part of our war on waste, be a part of the reduction in waste and be a part of the circular economy.

What is interesting – in the last 40 seconds that I have got – is waste-to-energy technology has provided a valuable opportunity to reduce the amount of waste sent to landfill. We send around 4.5 million tonnes of waste to landfill every year. Reducing this amount can help reduce our greenhouse gas emissions but also provide so many opportunities for job creation and economic development. As I said, on this side of the house we are all about job creation, and it is fantastic that we have so many policies that we have put forward, so much legislation that we have put forward, that marry the social good, that marry the economic good along with job creation. I also wish this bill a speedy passage.

Mathew HILAKARI (Point Cook) (16:04): I of course rise to speak on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023.

Darren Cheeseman: A bit out of breath.

Mathew HILAKARI: Of course. I am out of breath because I am so excited about this bill. How could you not be out of breath with a system and a container deposit scheme that has already been through a million cans and bottles in this state? What an extraordinary first day. I want to start by thanking ministers D'Ambrosio, Stitt and Dimopoulos and their offices, their advisers and those people who helped put together this bill. It is an important piece of legislation for all Victorians. We are already seeing it in action. Just yesterday the container deposit scheme in Victoria formally started. Many people might have been gathering cans and bottles prior to that date. At 392 locations, including shopping centres, collection depots and over-the-counter refund points, 10 cents was returned to those Victorians when they deposited each of those over-a-million cans and bottles. I say over a million because I got one in, and I will come back to that in a moment.

It is estimated this will reduce Victoria's litter by up to half, create new economic opportunities, generate 645 jobs and turn drink containers into new and recycled products. The member for Mordialloc talked a little bit about this earlier and the roads that have been produced in his area from recycled products. We see it in our street furniture and we see it across our community. The container deposit scheme offers Victorian charities, community groups, environmental groups, our wonderful sporting clubs and education organisations new ways to raise funds. I will get to how this is happening in the community that I represent in a moment.

This is despite some opposition in getting this program up and going from those wanting to delay rather than embrace the future and change. I even heard one of those opposites say that there is only one container deposit scheme place in the state. That does not seem to be true – they are sadly mistaken. I was at one of the container deposit scheme refund points last night, straight after Parliament. I am happy to report that it was full steam ahead. In fact it was incredibly well used, because we are crushing it in Altona Meadows at one of three collection points in the community that I represent.

Brad Battin: You can't crush it, it won't go through the system.

Mathew HILAKARI: No, we are crushing it. I will come back to the opposition's concerns about crushing later. For those in my community, the reverse vending machine that I visited last night was in Central Square in Altona Meadows, at the back of Central Square alongside the library that the Victorian Labor government has supported refurbishing. We were there a couple of weeks ago with the mayor, the deputy mayor and a very proud workforce who saw the Altona Meadows library and what our support has done for it.

On the way home from Parliament last night I sought to deposit a few cans, and it was such a roaring success that it was not taking any cans, cartons or plastic bottles because the deposit was already full, ready to be collected by the scheme. But I was able to deposit a glass bottle, and I have the receipt to prove it. It was wonderful; it is a very easy system. You just pop in the bottle and you get to choose what charity you send the money to, or you can take it yourself.

A member: Did you take it yourself or did you give it to a charity?

Mathew HILAKARI: No, I gave it to charity, and I want to give a shout-out to the charity: Youth Off the Streets. Youth Off the Streets supports homeless people across Victoria.

A member: Including in Wyndham.

Mathew HILAKARI: In Wyndham in particular. They support 12- to 24-year-olds who are seeking to get a better life out of homelessness. I look forward to other charities and community groups getting involved as well. Tomra Cleanaway is the group to contact to achieve that. They are doing a great job of making sure that we have container deposit scheme reverse vending machines and over-the-counter deposit places available across our community.

I want to give a shout-out to the member for Narre Warren North, who yesterday talked about the Fruit2Work scheme. When I went to visit the Fruit2Work scheme earlier this year, they were getting on board with the container deposit scheme in a really big way. They help ex-prisoners get back on their feet. They help ex-prisoners turn their lives around, diverting them from the usual course of returning to prison after spending time in prison. They have had a huge success rate in turning people's lives around and setting them on a new path, which is good for them, their families and our community. Rob and Simon, I just want to give you a shout-out. They were so generous with their time, and they live their values.

This scheme is also about living our values, and remaking the state as we remake material. In all sorts of ways this is making our state better. The Victorian Labor government is committed to a circular economy because it meets so many of our goals. Providing Victorians with a reliable recycling system is a must, because just like Fruit2Work, we seek to live out our values. Our government's circular economy plan was passed – *Recycling Victoria: A New Economy* – and was supported by the government in February 2020. Since that time, we have passed a number of acts, including the Circular Economy (Waste Reduction and Recycling) Act 2021. We made an amendment in 2022, and we have established the waste-to-energy scheme and introduced annual caps on waste that can be processed into thermal waste. Just this morning I heard that being talked about on the radio; the member for Laverton's community will be hosting one of the waste-to-energy plants, and I understand 45,000 tonnes of waste will be diverted from landfill to produce energy – an amazing thing.

The bill before us today puts into practice the principle that I think should be extended beyond this scheme, which is that producers of pollution should bear the cost of pollution across the entire life cycle of the product that an organisation has sold and profited from. In this case it is the supply of glass, cans and packages from companies like Coca-Cola and Pepsi. Even the producers of Mountain Dew will bear the cost of the container deposit scheme, as they should. Too often companies make good profits by not taking into account the true costs of their products, and it is often the taxpayer and our community who have to pick up that tab.

Beach Patrol 3030, in the electorate that I represent, had their eighth birthday this year, and every time they go out into our community to collect rubbish from the wonderful cliffs at K Road at Werribee South beach and many other places, they are hauling in bags and bags of rubbish – rubbish produced by a company that takes no responsibility for the product once it leaves their factory. It is the community that is left to pick up the cans. It is the community that is left to make our environment beautiful. I am pleased to report, however, that some of the changes that we have already been making are having a real impact on organisations like Beach Patrol 3030. We are seeing less single-use plastics. In fact there are very few straws compared to previous beach patrols I have been involved in. There is very much less single-use plastic. That is why this bill is so particularly important – it is going to take some of those cans out the system, and we will see that increase over time regularly. The container deposit scheme is a step change in what we are doing in Victoria.

Some in the opposition seem to find it difficult that they can no longer crush cans. It is a shock, I am sure. This is a point that has been mentioned many times. I understand how they grieve being able to crush their cans, but we can all move to a future where cans are not required to be crushed. I did hear the member for South-West Coast talk about the lack of being able to have the many hundreds of bottles of beer that she has in her recycling each fortnight – I think it was 5200 stubbies per year. I encourage her support of the brewing industries across Victoria. I hope they are union brew sites that she is purchasing her beer from. What a shame it is that she will not be up to collect that, but if she just makes it down to a reverse vending machine, she too will benefit, like so many other Victorians – like the Victorians that have already deposited 1 million bottles and cans. So I of course commend this bill to the house.

The DEPUTY SPEAKER: Order! I remind members that the use of props is disorderly and is not permitted.

Members interjecting.

The DEPUTY SPEAKER: It is a prop, and it should not be used.

Darren CHEESEMEN (South Barwon) (16:14): I rise this afternoon to make my contribution on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. In reflecting on this bill, I can recall, fondly, as a young boy with my brother and sister and our friends, spending time during our summer holidays in caravan parks as we were growing up, more often than not by the beach but on occasion by inland watercourses. In the day we were able to collect glass bottles from all of the caravan sites. We used to run around and collect them, and we used to of course trade them in through the 1970s and 80s container deposit arrangements that existed back then. I think we got about 5 cents a glass bottle, if my memory serves me correctly. Then we would head off to the milk bar, more often than not in the caravan park, and we would buy ourselves a paper bag of mixed lollies. That is a very fond memory that I have. We used to get Jaffas and –

A member: Red frogs.

Darren CHEESEMEN: red frogs, Chupa Chups, all sorts of different lollies, but mainly a paper bag of mixed lollies. That scheme came to an end. I cannot really remember the particular year that that arrangement came to an end, but it was somewhere I think in the 1980s.

Some decade or two beyond that point I had the great pleasure as a 21-year-old of getting elected to the newly formed City of Ballarat, which had been recently amalgamated with a number of other shires surrounding Ballarat at that time, and I was elected to one of the council's subcommittees, called the Highlands Regional Waste Management Group. The Highlands waste management group had two councillor delegates from the City of Ballarat and one councillor delegate from the Moorabool shire, the Pyrenees shire, the Golden Plains shire and the Hepburn shire. On this Highlands waste management group, on behalf of all those local government areas, we had responsibility for managing the waste collection and all of the arrangements that underpinned our waste management back then. I was elected first as the deputy chair and then towards the end of that time as the chair of that group.

I can fondly remember that some of the councils within that body were introducing a second rubbish bin to their collection system. It had a yellow bin lid, and that is where all the recycling product was to go into. I think if my memory serves me correctly – I might be wrong – it was the Moorabool shire at that point in time. I can remember making a significant number of media statements with respect to the introduction of this second rubbish bin. I can remember all sorts of conservatives within that shire complaining that the world was going to come to an end, that people would not want to have a second rubbish bin, that they would not want to indeed take up that challenge of recycling their rubbish and allocating all of the waste coming out of their houses into things that would of course go into the ground – into what we would describe as a tip – versus those products that would head off to be recycled.

I can recall at a later date, beyond my time on council, that councils around Victoria introduced a third rubbish bin to the collection of bins that we had, and at that point in time of course it was a green waste bin, where people would put their green waste. I think in the context of most households that would be general clippings from the garden and lawn clippings. Really early on most people probably were not recycling out of their kitchens into a green waste bin. Perhaps some, such as the member for Eltham, might have been, but I am sure the majority of people were not. The interesting thing about that journey that I have just talked about is that at every stage that governments have stepped up and put the responsibility back onto the household or individual but provided strong public policy to support them in recycling products Victorians have stepped up. And at every stage the proportion of waste that has gone off to our municipal tips has in some way declined. I would like to very much commend Victorians.

More recent iterations of this public policy reform with respect to municipal waste have really gone down the path of product stewardship – that is, those that are responsible for the waste in the very first instance: the manufacturers, the people that sell the goods. They are having to take on responsibility beyond those goods leaving their control and being sold to other people – they are having to take responsibility for that product. We have seen the introduction of e-waste measures, mattress measures and deposit container arrangements. I think what we will see is that at each opportunity that we put in place these arrangements we will see less waste, and we will see those that are profiting ultimately from the waste having responsibility for reducing it. I think that is a very good thing.

I know my community will very much embrace the opportunities that come from a container deposit scheme. They will do that in the first instance because it is the right thing to do by the environment. They will also do it because it provides an opportunity to be generous and donate to charities. I listened very intently to the member for Point Cook, who eloquently but without breath made the point that there are some tremendous charities around. This provides a mechanism for Victorians to donate. Certainly in South Barwon we have got a site that has been up and running now for a day or so. It is already full, so no doubt the community has and will embrace this opportunity.

I look forward to this bill passing. I look forward to the Allan Labor government bringing about further reform in this space. I think that is a good thing. I look forward to the day that businesses look at ways that they can reduce packaging. Rather than having half-empty cereal boxes, they ought look to –
(Time expired)

Kat THEOPHANOUS (Northcote) (16:24): It is my pleasure to rise today in support of the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. This legislation is not just about policies or practices, it is about values – the values that drive us to prioritise our environment, our communities and the sustainable future of Victoria. It is easy to talk about climate action, but it is quite another to do the work to get on with the real policy and legislation that will make a tangible difference. That is what we have before us: amendments which clarify and streamline and support the operation of Victoria's container deposit scheme (CDS). This is an exciting scheme. Certainly in my community in the inner north, which in many ways is at the forefront of innovative recycling and sustainability initiatives, it has been eagerly anticipated. As of this month Victorians right across our state will see cans, bottles and cartons in a new light. We are now able to gather them up and head to a refund location, pop them into a reverse vending machine or hand them over the

counter. Depending on the refund point, people can choose whether to receive a refund in the form of cash, a retail voucher or an electronic refund, or Victorians can choose to donate their refund to a charity or community organisation registered with the scheme. It is a really important opportunity for Victorian charities, local organisations, sporting clubs and environmental groups to be able to share in the cash benefits of recycling and be part of that cultural and educational change that we need.

We have learned a lot about recycling and sustainability over the last decade. Understanding the importance of separating organics and separating glass at the kerb have been relatively new additions to our collective consciousness. The momentum around keep cups, woven shopping bags and removing single-use plastics has been embraced by Victorians. This is the next iteration of our collective efforts, our shared values and our dedication to reducing waste and litter in our state, and I have no doubt that it will be embraced by communities right across our suburbs.

I know that those opposite have argued that we should have maybe delayed the scheme or the scheme should be different or operate differently, but right now the scheme is open and there are already over 350 refund locations – and that will only build in the coming months. Victorians right now are benefiting from the CDS and the environment is right now benefiting from it. Yesterday there were more than a million containers recycled. This is a massive success already, and there is no good reason to delay.

In my community in Northcote there are a range of sites currently available for residents to go to to get their refunds. You can find them by visiting cdsvic.org.au, but for ease I will list some of them now. Over-the-counter sites include Juline's Noodle House in Northcote, Upside Liquor in Thornbury, Cafe Baréa in Preston and the IGA on Johnston Street in Abbotsford. For depots our closest one is at Envirobank Recycling in Preston, and for reverse vending machines we can now take containers to Visy Recycling in Reservoir or the Merri-bek council car park on Sydney Road. In the coming months I look forward to seeing Darebin City Council working with our network operator Visy to confirm more sites across our suburbs so communities can access and participate in this important scheme closer to home. I know this scoping is currently underway, and I do encourage local government as well as the owners of large private sites, like supermarket car parks, to be active participants in this. Reducing waste and recycling is truly a community effort, and this scheme is just one part of our mission to divert 80 per cent of all waste from landfill by 2030.

It may not seem like it at first, but the 10-cent refund per item is actually an incredibly important behaviour change incentive. If you have ever been to a litter pick-up like the ones I have done regularly at the Merri Creek with my community, you will have been confronted by the number of cans and bottles that have just been discarded into our natural environment. These are sensitive riverfront and creek ecosystems, and it is heartbreaking when you come back with a sack full of bottles, cans and cartons, knowing the impact of that on our environment. If the 10-cent refund label on the side of a bottle can make the difference at that point in time when a person makes that split-second decision to toss the bottle or to hold onto it, then this scheme is worthy of our support and our investment. It is those micro choices that will cumulatively allow us to not just reach our climate change goals but create that generational behaviour change which is needed to embed sustainability values in the long term.

I do want to acknowledge the grassroots leadership of Friends of Merri Creek and local Scouts and other organisations, who have been involved for many years in community clean-up initiatives. Leadership comes in a myriad of forms. Sometimes it is leadership through government with important overarching policies like the four-bin system, the CDS, the plastic bans and investing in our circular economy. Sometimes it is at a more local level, like the work being done by a group of local residents in Fairfield to encourage local residents and businesses to embrace using re-usables. Amelia Trompf, one of the organisers, met up with me last week to show me a fantastic exhibit she has put up at Fairfield Library to demonstrate things like re-usable party decorations, home-made bread bags and produce bags and re-using children's artwork as wrapping paper, which we do in my house. It was also fantastic to see so many local businesses like Harvest Foodstore, Three Locals, Bean Counter Cafe, Fifteen Pounds and A1 Bakery in Fairfield all contributing in their creative ways to our sustainable suburbs, with things like produce bags or BYO containers or the Wangim cups.

Sometimes leadership also comes from our inspiring young people. Recently a group of year 6 students at Westgarth Primary Adele Lenne, James Craven, Evie Wear and Sarah Freer wrote to me to share their concerns about the little plastic stickers that are found on fruit and vegetables in the supermarket. What a fantastic issue to raise. These small plastic stickers may seem inconsequential, but when you think about the cumulative scale of all of the fruit and vegetables going through our supermarkets you begin to get a sense of the waste generated by these stickers. So Adele, Evie, James and Sarah had some great suggestions for tackling this issue, including using artificial intelligence to scan the fruit or vegetable to find information about it digitally. I want to thank these students for their innovative thinking and to let them know that I have written to both the Minister for Environment and the CEO of Sustainability Victoria to convey their wonderful ideas.

I am incredibly proud to see real community leadership and local efforts propelling the circular economy forward. The container deposit scheme can only augment that work, giving local families, organisations, schools and businesses yet another opportunity to make a difference and be part of our circular economy. Victorians are innovative and we are adaptive. We know we need to move on from a culture of take, use, dispose. We need a genuinely circular economy, and I will continue to do everything in my power to promote and elevate these efforts. The container deposit scheme is not just about bottles and cans and cartons, it is about creating a future where every product has continued value and no resource is wasted.

In the time I have left I just want to highlight the economic benefits of the container deposit scheme, because as much as this is exceptional environmental policy, it is also wonderful economic policy. A 10-cent refund for every eligible drink container returned is money straight back into the hands of Victorians, into our organisations and our charities, and we will be creating 4000 jobs as part of this scheme across all parts of our state. So for so many reasons I commend this bill to the house.

Ella GEORGE (Lara) (16:34): It is a pleasure to rise in the house today to speak on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. From the outset I must thank the new Minister for Environment for his work in bringing this legislation to the house, and thanks must also go to the previous ministers for environment for the power of work that they have done in this space to establish the container deposit scheme and all across the environment portfolio. This piece of legislation is the culmination of years of work, and it is so integral to our government's vision to transform the state's waste and recycling sector.

The bill that we are debating today will amend the Circular Economy (Waste Reduction and Recycling) Act 2021. The amendments are regulatory in nature but will ensure that Recycling Victoria, who regulate the container deposit scheme, can recover their oversight and regulatory costs. The Allan Labor government is committed to legislating a circular economy right across the state, and this bill is an integral part of that commitment. As a government we have our 10-year circular economy policy, *Recycling Victoria: A New Economy*. This action plan aims to fundamentally transform the state's recycling sector, reduce waste, create thousands of jobs and set Victoria up for a more sustainable future.

Our government's container deposit scheme will contribute to Victoria's target of diverting 80 per cent of all material away from landfill by 2030 and represents a significant milestone in our journey towards a circular economy. Over the past few weeks we have all seen reverse vending machines pop up at locations across the state, and in fact 392 refund points were open to the public on day one of the scheme, with even more to come. I understand that my colleagues the members for Mildura, Euroa and Narracan were speaking earlier today about sporting clubs being an ideal location for reverse vending machines. I could not agree more, and that is exactly why so many are located at sporting clubs. It is a great way to raise some money for local clubs and also to take the pressure off councils for recycling.

In the electorate of Lara sporting clubs are hosting these machines. We have got reverse vending machines at the Lara Sporting Club, the City of Geelong Bowls Club, Leisuretime Sports Precinct and

Norlane community house, which is right next door to the North Shore footy and netball club. Other locations include Corio Village and the Corio fruit market. These venues are open for people to take most of their aluminium, glass, plastic, steel and carton drink containers, and I was blown away when I learned that there are 30,000 types of containers that are approved to go through these machines. Each of these eligible drink containers are worth a 10-cent refund that you can either keep or donate to a community donation partner.

As we know, yesterday was the first day that the container deposit scheme was operational in Victoria, and a whopping 1 million containers were recycled in just one day. That success speaks for itself. I am fairly sure that a big chunk of that 1 million came from residents in the electorate of Lara. At the Lara Sporting Club the bins were full on day one. They posted on Facebook to let the community know, and I quote:

Well we're a little bit embarrassed but also proud. Our new recycling vending machines which opened just before 10am this morning are already closed for now. All the bins are full and we're waiting on a truck to empty them.

It is incredible to see the community get behind recycling and fill up these machines on day one. Judging by the comments on social media, local residents are so thrilled about the container deposit scheme starting, and I would like to share some of these with the house. One resident said:

It's a fantastic result on the first day ...

speaking of the Lara reverse vending machine. Another person said:

Great job Lara!

Another said:

This is fabulous! Cant wait to recycle and get some dollars.

One parent said:

Kids will love that ...

And another mum answered:

theyre wrapped to make extra pocket money.

And it was not just in Lara, with Corio Village machines filling up on day one too. What an incredible first day of the container deposit scheme. This just shows how invested our community is in recycling and contributing to the circular economy.

When it comes to the circular economy it is not just the container deposit scheme that our community is getting behind. I am sure that I am not just being biased when I say that the Geelong region has the most innovative and forward-thinking community and businesses in our state. The northern suburbs of Geelong, which I represent, are the heart of that. We have some local businesses that are truly paving the way when it comes to leadership in environmental solutions that work towards a circular economy.

Some of this work has been done by our local secondary students at the Geelong Tech School. The Geelong Tech School, which was built and funded by the Andrews Labor government, is a technology hub that emphasises the STEM skills needed to create our circular economy. The Geelong Tech School partners with secondary schools across the region to provide access to the latest technologies, state-of-the-art facilities and innovative learning processes, and it partners with local industries, many from the Lara electorate, including Austeng, Boomaroo Nurseries and Cobram Estate Olives. This ensures that the tech school understands the industries, the direction that they are heading and the needs that they have for the future, and it solidifies learning beyond the school environment.

Now, when it comes to local businesses, we are truly lucky in the Lara electorate to have so many forward-thinking businesses. One of these is Austeng, led by Lyn and Ross George, and they are doing some amazing work both at the Geelong Tech School and also at their engineering business in North Geelong. They are leaders in the circular economy space, working to fight food waste and waste across

the wine industry. In fact they have been recognised as one of the top 10 most innovative manufacturing businesses in Australia.

Another local company, Sycle, has a strong desire to protect future generations through smart and sustainable waste solutions. They are taking construction waste off construction sites, waste that would normally go through to landfill, and re-using it to make high-quality construction products. This includes materials that are even used by VicRoads in their products.

Another company is Pavilion Farms, located at Anakie. They are at the forefront of innovation with their biogas initiative. This forward-thinking project aims to transform approximately 30,000 tonnes of chicken litter and other organic waste from their poultry farm into a valuable source of renewable energy and eco-friendly fertilisers. It is an exceptional endeavour. The proposed manufacturing facility is set to yield 8000 tonnes of nutrient-rich organic fertilisers from these waste materials, reducing reliance on chemical fertilisers. Crucially, this initiative not only ensures self-sustaining energy for both segments of their business but also contributes to the local job market. I take great pride in the fact that our government has extended its support to Pavilion Farms by granting them \$9.3 million through the Energy Innovation Fund for their remarkable biogas project.

These are just a few of the innovative projects and businesses that are coming out of the electorate of Lara. Projects such as these will generate employment opportunities for Victorians while also helping to achieve our climate change goals and provide the Victorian community with a reliable recycling system. That is exactly what this bill will do with the container deposit scheme.

I do want to speak to the amendments that this bill will introduce to the Environment Protection Act 2017. These powers will protect the EPA, the state and the Victorian taxpayers from bearing the clean-up costs where site remediation is needed. The bill will also amend the act to clarify that liquidators cannot be held personally liable for site clean-up costs incurred by the EPA in relation to appointments relating to the contaminated land. This bill will ensure that recipients of remedial notices can recover costs from polluters in all circumstances for which a notice can be issued.

In the Lara electorate our community knows all too well how important this is. Unfortunately, in 2017 we saw how this could all go wrong. C & D Recycling was located in Lara and had 350,000 cubic metres of waste inappropriately piled up – mostly tyres. Thirty million dollars had to be allocated for the clean-up at this site after the owner went into liquidation and left the site a hazard to the local community. This should never have happened and cannot be allowed to happen again. That is why these amendments to strengthen the EPA and its powers are just so important.

This bill ensures that the full benefits of the circular economy can be realised by the community and by our state. I know that my community is excited that this container deposit scheme will allow them to return their used drink cans, bottles and cartons for a 10-cent refund at the various locations that I mentioned earlier. I know that there are kids out there who are excited to be earning a bit more pocket money and sporting clubs that are really excited to have these located on their premises. I have heard from sporting clubs and other non-profit organisations, like community houses, that they are excited to have an opportunity to benefit from the container deposit scheme because they can receive the container donations from the community. Importantly, we know that the container deposit scheme will reduce Victoria's litter by up to half, create new economic opportunities, generate hundreds of jobs and turn drink containers into new recycled products. This bill is an important part of the Allan Labor government's vision for a circular economy in Victoria. I commend this bill to the house, and I wish it a speedy passage.

Jordan CRUGNALE (Bass) (16:44): I will not break out into song, but 'You're giving me a million reasons to let you go' does tribute to Lady Gaga, and the million containers that got let go into reverse vending machines do tribute to this Labor government's commitment to the circular economy across this fine state of Victoria. This bill supports the efficient operation of our flagship circular economy program, the Victorian container deposit scheme, which we all know started yesterday, and

we have heard a lot of contributions from a range of members on this side as well about the impact and the numbers going through these machines in their local districts. Drink cans, bottles and cartons for a 10-cent refund at various locations – over 200 thus far, and the rollout will see them reach 600 across the state. Not a million years away and not a million days away – it is actually less than half a million minutes – we will see 600 by August 2024. I think we can handle that.

Within the 12 months of the scheme's start, which was yesterday, the network operators are required to have a minimum of one collection point per 14,500 people in metro areas, at least one per town of 750 people in regional areas, such as Bass, and at least one per town of 350 people in remote areas. You see, we are delivering for all Victorians. Jobs times 645, litter reduced by half, new economic opportunities, the turning of containers into new recycled products, a cleaner environment – the highlights just come streaming in. New ways to raise funds as well for charities and sporting clubs, environmental groups, educational institutions, kinders and schools – these groups and organisations will be able to receive container donations from the community, run a refund collection point or host a container collection drive.

Amendments clarify, streamline and support the scheme. In Bass we are pumped and gathering up cans, bottles and cartons off to a refund point.

A member interjected.

Jordan CRUGNALE: Yes, hear, hear! We have got the Return-It crew down in the fine electorate of Bass, who have been rolling out their two depots in the Bass Coast shire – in Wonthaggi and Cowes – and a stream of reverse vending machines. In fact I was working with the company to get them in touch with local providers when they had a couple of gaps in the smaller towns, so they have all come online.

A member interjected.

Jordan CRUGNALE: I am certainly still not singing. It was great. Even on my Facebook post people are telling me 'There's one in Koo Wee Rup', and I am like 'Where?' It is at the corner of Rossiter Road and Station Street. It was great to have the community out there sending me text messages and photos of where they are all at. The opportunities abound. You can sign up and you can be that circular catalyst in your community. When you are out for a walk have a little satchel – you could have one of my 'Community at heart' bags as well. It is a bit of physical exercise. It strengthens your knees with that pick-up when you are off for a walk. It is a thought-out program.

Juliana Addison interjected.

Jordan CRUGNALE: Don't – I'll get the giggles, member for Wendouree. It is a thought-out program. Some might say 'It took too long', 'You can't collect cans' and 'You have that feel-good perception only and see the stockpile going nowhere'. Circular means circular. This is where we are at, and this is all the work that we had done before the introduction of this program yesterday. A bit of a round of applause for Recycling Victoria. They will monitor the scheme. Currently the act does not enable them to charge fees to cover the cost of acquitting their responsibilities in relation to the scheme.

I thought in that circular space I may as well go off on a slight tangent with the organics and the various programs that we have introduced across Victoria through our circular economy plan – obviously the new four-stream waste and recycling system for all households to get more recycling and less waste. I was fortunate to be on a council, it feels like a very long time ago, where through our waste management plan we introduced organics. We were the 12th LGA in the state, and this was back in 2016–17. That actually diverted over 76 per cent, which was going into landfill at the Grantville tip. Obviously not having organics go into your tip means that they last longer and have less emissions, and also the food waste goes up to Dutson Downs and comes back and nourishes our land.

We have in that circular economy space, like the member for Lara was talking about, construction crews and innovative projects and businesses that are kind of really at the forefront of innovation in

that circular economy space as well. We have one of the most sustainable housing estates in the country in Cape Paterson, which has between 8- and 10-star homes there. In fact the power companies did not want to run lines in because they were not going to make any money because it is that well designed. All the houses are orientated so they do not even need heating or cooling. The building materials that they are starting to use now are very low carbon, I think the word is.

It was a pleasure to be at Phillip Island – Millowl – the other day too, when we officially opened Berninneit, which is the cultural centre. Berninneit in Bunurong means ‘gather together’. The building itself is going to win a whole heap of awards. I am very partial to bricks, aggregate concrete and tiles, and I was pleased that they used a lot of bricks. They were actually made in Victoria and –

A member interjected.

Jordan CRUGNALE: Yes, the Romans – anyway, they are carbon-neutral. I do not know; I get mixed up with all those words anyway. But regardless, whatever it took to make them did not do anything to the environment is basically what I am trying to say. I do want to give a shout-out to Jackson Clements Burrows, the architects, and the builders, McCorkell Constructions, for what is probably the most passive building in the whole Southern Hemisphere. It will certainly win a whole swag of awards, no doubt, when all those awards come up.

On the circular economy, the cash for cans scheme – obviously we have spoken about that one. We are also doing a whole heap of work: we have banned single-use plastics; we have got new recycling laws and governance to support best practice waste management, resource use and recycling; and in agriculture and public transport we are seeing a very clear pathway to green renewable energy and electrification.

In addition to the circular economy reforms, the bill will introduce amendments to the Environment Protection Act 2017, which will strengthen the authority, which is always a good thing, so that it is not required to automatically release a financial assurance when property or a permission is no longer held or a notice or order no longer applies to the person who provided the assurance following a liquidator’s disclaimer or other event if environmental and financial risks still exist. This power will protect the EPA, the state and Victorian taxpayers from bearing clean-up costs when remediation is still needed.

The bill will also amend the act to clarify that liquidators cannot be held personally liable for site clean-up costs incurred by the EPA in relation to appointments relating to contaminated land. The bill will also ensure that recipients of remedial notices can recover costs from polluters in all circumstances for which a notice can be issued. At present a person issued with an environmental action notice or site management order by the EPA cannot recover any costs from a person who caused the pollution, except in the case of contaminated land, so this does not support the polluter-pays principle specified in the EPA. The bill will amend the act to ensure the EPA can delegate its powers or functions conferred under other acts as well. The act currently does not provide for delegation of powers or functions conferred by the EPA under any act. When we look at this whole circular economy, there are a million reasons –

A member interjected.

Jordan CRUGNALE: Well, that is right, and they are everywhere. They are going to be in Lang Lang. They are going to be in Corinella –

A member interjected.

Jordan CRUGNALE: It is a tiny town. They will be in Koo Wee Rup and in Cranbourne West, which is not in the electorate of Bass, but we will take it. I said that we have got the two depots in Wonthaggi and Inverloch.

A member interjected.

Jordan CRUGNALE: So far, yes. It is going a little bit crazy on Facebook, with people taking photos outside their vending machines, and the kids are out collecting cans. Obviously it is always best to have your own water drink bottle and not get – *(Time expired)*

Daniela DE MARTINO (Monbulk) (16:54): It gives me great pleasure to rise and speak on the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. I am conscious I will not have the full 10 minutes and I am sure that all my wonderful colleagues on all sides of the chamber will be quite excited when 5 o'clock comes around and the adjournment commences, but I am hoping that I can keep you all interested in what I have to say here, because I have to say I am incredibly excited about this.

For those who do not know, for the last seven years prior to entering Parliament I owned an organic store, and the reason I believed in organics was I believe we need to tread more lightly on this earth – all of us. We not only have an obligation to ourselves, we have an obligation to every child on this planet and all the future children to come. To each and every person here, we must tread more lightly. The resources of this planet that we have used for centuries – the fossil fuels – are not infinite. We do have resources which are infinite – there is sun, power and wind – and we are finally, finally utilising those and understanding that we need to reduce our consumption, we need to re-use things we have consumed and we need to recycle. I am thrilled about the container deposit scheme that we have enacted here in Victoria, and it seems that there are a million reasons, as has been stated by some of my colleagues, for us all to get excited about it. One million containers returned in a day is extraordinary.

A member: How long?

Daniela DE MARTINO: One day – less than one day when you think about it; I am sure people were not doing it at 3 am. If there is nothing else that tells us how ready Victorians are, that certainly says it loud and proud.

I have to say, when I was a little tacker I used to look at the can that said I could get 5 cents if I lived in South Australia, and it was probably the only time I have ever wanted to live in South Australia. Now that one little reason is gone, because here in Victoria I can get 10 cents. But I will not be taking those 10 cents; I will be donating them to one of the many charities out there that are really excited about this opportunity.

In Monbulk the SES unit in Emerald have put their hand up to receive these containers. They are really excited, genuinely excited, about the opportunity for them to raise some money but also to bring the community in, because by drawing the community in with their containers, they are bringing people to come and visit them who otherwise might not have had a connection to their SES. What a fantastic way to invite the public in in a different way. It is innovative, and I congratulate the organisations that have had this thought and gone 'Actually, not only will we get a little bit of money, we might get some new volunteers who come and see what we're doing, get enthusiastic and join us'. I think we get more bang for our buck than we even realise. It goes beyond 10 cents a container, may I say.

I am incredibly excited. Look at the changes across our state in the last few years alone. Look at the food organics and garden organics. The way we are managing our waste is extraordinary. The way it used to be – the member for Pascoe Vale and I were discussing our grandparents' passion in the 1980s for incinerating things in the backyard: 'Throw it in the incinerator. Have you got plastic left over? Throw it in the incinerator.'

A member: Everything!

Daniela DE MARTINO: Everything went in the incinerator. Thank heavens those times are long, long gone. We are smarter, we are wiser and we are being kinder to our planet and therefore kinder to everyone on it. We have worked out that we cannot just burn things. In fact we have to be clever, and that is what we are doing with this. In encouraging people to turn up and return their containers, we

are making sure that this waste does not end up in landfill, that it is not just thrown out a window, that it is not just cast aside on the street. We are making sure that people take responsibility for the waste they generate and that they do something positive with it.

I have to say there has been a little bit of negativity on that side of the chamber today – maybe ‘a little bit’ is being generous – and that is disappointing. I think we have to accept that you cannot flick a switch overnight and everything will be completely 100 per cent ready to go and finished – no way. Things have to evolve, and they are evolving. As we watch more and more community organisations step up and say ‘We’d like to be part of this, and in doing so we will throw open our doors to our communities and let them in’, it will be fantastic.

I commend this bill to the house. I thank the ministers involved – the previous Minister for Environment and the current Minister for Environment – who have put so much passion, time and energy into this, and all their teams involved, because none of this happens by accident. It happens through hard work, determination and a clear vision of who we are, who we want to be and the direction we want to be heading in. I am incredibly proud.

The SPEAKER: Order! The time set down for consideration of items on the government business program has arrived, and I am required to interrupt business. The house is considering the Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2023. The minister has moved that the bill be now read a second time. The member for Brighton has moved a reasoned amendment to this motion. He has proposed to omit all of the words after ‘That’ with the view of replacing them with the words which have been circulated. The question is:

That the words proposed to be omitted stand part of the question.

Those supporting the reasoned amendment by the member for Brighton should vote no.

Assembly divided on question:

Ayes (50): Juliana Addison, Jacinta Allan, Colin Brooks, Josh Bull, Anthony Carbines, Ben Carroll, Darren Cheeseman, Anthony Cianflone, Sarah Connolly, Chris Couzens, Jordan Crugnale, Lily D’Ambrosio, Daniela De Martino, Matt Fregon, Ella George, Luba Grigorovitch, Bronwyn Halfpenny, Katie Hall, Paul Hamer, Martha Haylett, Sam Hibbins, Mathew Hilakari, Melissa Horne, Lauren Kathage, Sonya Kilkenny, Nathan Lambert, Gary Maas, Alison Marchant, Kathleen Matthews-Ward, Steve McGhie, Paul Mercurio, John Mullahy, Danny Pearson, Tim Read, Pauline Richards, Tim Richardson, Ellen Sandell, Ros Spence, Nick Staikos, Natalie Suleyman, Meng Heang Tak, Nina Taylor, Kat Theophanous, Mary-Anne Thomas, Emma Vulin, Iwan Walters, Vicki Ward, Dylan Wight, Gabrielle Williams, Belinda Wilson

Noes (22): Brad Battin, Jade Benham, Roma Britnell, Tim Bull, Martin Cameron, Chris Crewther, Wayne Farnham, Emma Kealy, Tim McCurdy, Cindy McLeish, James Newbury, Danny O’Brien, Michael O’Brien, John Pesutto, Richard Riordan, David Southwick, Bill Tilley, Bridget Vallence, Peter Walsh, Kim Wells, Nicole Werner, Jess Wilson

Question agreed to.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

The SPEAKER: The bill will now be sent to the Legislative Council and their agreement requested.

Early Childhood Legislation Amendment (Premises Approval in Principle) Bill 2023

Second reading

Debate resumed on motion of Ben Carroll:

That this bill be now read a second time.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

The SPEAKER: The bill will now be sent to the Legislative Council and their agreement requested.

Transport Legislation Amendment Bill 2023

Second reading

Debate resumed on motion of Melissa Horne:

That this bill be now read a second time.

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

The SPEAKER: The bill will now be sent to the Legislative Council and their agreement requested.

Business interrupted under sessional orders.

Adjournment

The SPEAKER: The question is:

That the house now adjourns.

Officer South precinct structure plan

Brad BATTIN (Berwick) (17:08): (421) My adjournment is to the Minister for Planning, and the action I am seeking is for the minister to arrange a meeting between the Department of Transport and Planning and a constituent of mine in Berwick about an issue related to the Officer South employment precinct structure plan. So much of my constituent's land has been taken up by waterways, easements and cultural heritage overlays in this proposed PSP that it leaves very little land he can sell to a developer or use himself, and it is certainly not big enough for anyone to be interested, which is the feedback he has received so far as he has tried to sell the property. They are happy to have part of the whole lot, but there has been no engagement with the department about this. They would be happy also for the department to purchase the entire lot if required. They are one of the most significant impacted stakeholders in the PSP, and it is a substantial landholding. They have attempted to raise their concerns already but feel they have not been heard or listened to. They are putting through a submission via the normal process, but a meeting will ensure the submission is given the appropriate weight and not just lost in the noise of general submissions, and there will be a lot of those because of the scale of the impact of this PSP.

This afternoon I will write to the minister and provide the constituent's specific details, and the reason we will be withholding the name at the moment is just because the person's name will be very well recognised through the community. But the constituent would appreciate the minister's acknowledgement in this forum of the importance that the constituent is heard, and we look forward to arranging this meeting as soon as possible.

Ashwood electorate early childhood centres

Matt FREGON (Ashwood) (17:10): (422) My adjournment matter this afternoon is for the Minister for Children in the other place, and the action I seek is for the minister to join me in the Ashwood district, where we can visit some of our fantastic early childhood centres and directly witness the awesome work that our early childhood workers do. In collaboration with our councils, the Andrews and now Allan Labor government's Building Blocks capacity grant program has proven to be nothing short of a resounding success. An outstanding example of one of those grants can be seen in the Pinewood early learning hub around Mount Waverley, which not only stands as a testament to architectural innovation but has also been honoured with a prestigious Victorian School Design Award, if you do not mind.

The Ashwood district is also eagerly awaiting new upgrades occurring at Dorrington Drive early childhood and Ashwood Memorial kinder, and recently I got to see the fantastic work that has been done at the Rowen Street kinder as well. So there is lots for the minister to come and see. I would just like to conclude by thanking a very special helper this week from Haileybury College. Suriya Rajarajan has been helping out through work experience, and he assisted very capably with this adjournment statement.

South Gippsland Highway

Danny O'BRIEN (Gippsland South) (17:11): (423) My adjournment matter is for the Minister for Roads and Road Safety, and the action I seek is for the minister to finally provide the funds to fix the South Gippsland Highway. Members on this side could list 100 other roads – 100 other highways – throughout the state, but this one is absolutely doing my head in, given the minister specifically raised it in question time yesterday and said that she is actually spending some money. I would like to know what it is on, because this issue is an absolute disgrace. This is meant to be an A-class road and meant to be 100 kilometres an hour, and I have got a 5-kilometre section now between Stony Creek and Foster North that literally –

Richard Riordan interjected.

Danny O'BRIEN: No, it is not 80 kilometres, member for Polwarth. It goes 100, then 60, then 100 again. As of today it goes 60 in another section, back to 100 and then to 80. It is an absolute disgrace that an A-class highway in this state is in such bad condition. I should add: none of those speed limits are changed for any other reason than the poor surface of the road, and the signs have gone up to actually say that.

A member interjected.

Danny O'BRIEN: Indeed – no roadworks. One of the sections where it is 80 has an '80' sign on one side for 'Safety issues ahead'. On the back it said '100 Roadworks ended' – but there actually are not any roadworks going on. What I want to know from the minister is: is the money that she announced yesterday just going to more signs, reducing the speed limit on this road, or is the government actually going to fix it? I wrote to the minister in June this year about the section at Foster North, where it is not potholes, it is not rutting and it is not cracking – the road surface itself has become so worn and smooth that the department itself, in the minister's response, calls it 'polished'. Truckies are ringing me and ringing the department and saying this is a polished road going up a hill; they are losing grip. I do not know about anyone else, but if a truck is going up a hill and starts to lose grip, I do not think that is

going to be a good safety outcome – not to make light of it at all, because in August a motorcycle police officer actually came off his bike and was quite seriously injured in this area.

We had the minister spouting yesterday that we are spending \$770 million on road maintenance this year. Funnily enough, when I actually asked her a question on notice – ‘How do you give us that breakdown?’ – she could not give me a breakdown. Do you know what the answers are? The answers are in budget paper 3 and budget paper 4. Let us go a little bit further. It says this also includes funding from previous budgets. So the notion that there is not a cut to the road maintenance budget is wrong. The minister needs to stop putting up speed reduction signs and actually fix the bloody roads.

The SPEAKER: Member for Gippsland South, you know that was unparliamentary language.

Danny O’BRIEN: I apologise, Speaker.

The SPEAKER: Thank you.

Cranbourne Turf Club

Pauline RICHARDS (Cranbourne) (17:14): (424) My adjournment matter is to the Minister for Racing, and the action I seek is that the minister joins me at the Cranbourne Turf Club to attend the Cranbourne Cup later this month. The club is Cranbourne’s largest employer and home to the biggest training facility in the Southern Hemisphere. It creates secure jobs and fosters a sense of belonging for many hardworking people in our community. The work they undertake supports countless families right throughout my electorate. It has world-class facilities and state-of-the-art equipment, training and infrastructure, and it is located right in the heart of Cranbourne, not very far from my house.

We know that Cranny is home to the largest equine training centre in the Southern Hemisphere –

Mary-Anne Thomas interjected.

Pauline RICHARDS: That is right, Minister. Over 1000 horses train there every day. Six of the 24 horses running in this year’s Melbourne Cup are being prepared for the day at Cranbourne. I would like to acknowledge that the 2022 Melbourne Cup winner Gold Trip is among them, and as he returns he is going to try to go back to back in 2023. I have been fortunate to visit many times, and I am always impressed with the remarkable work of the team at Cranny. I look forward to the minister attending the Cranbourne Cup and seeing the impact that the extraordinary event has on our community.

Roadside vegetation

Richard RIORDAN (Polwarth) (17:15): (425) My adjournment debate this evening is for the Minister for Roads and Road Safety. I invite the minister to come to Polwarth to speak to the contractors who have contracts for roadside maintenance, slashing and clearing. The reason I would like the minister to come down and speak to these contractors is because the minister and the department have given the contractors responsible for roadside maintenance an impossible task. The impossible task is to keep our western Victorian roads safe with one lawn-mow a year, one grass-slash per annum.

We heard this morning in the media from Jason Heffernan, the CFA boss. He said that in south-west Victoria at the moment soil moisture is at record lows. We learned today that right throughout western Victoria we face the highest fire danger risk that we have seen in a long, long time, and one of the single biggest fire danger risks in western Victoria is the grass at roadsides and easements that crisscross western Victoria. It is highly dangerous. One of the only ways that we can keep those communities safe is in fact regular roadside maintenance – roadside slashing, roadside burning – to keep that fuel load down. Every scientist, every weather predictor – everybody – knows that the last three or four years has seen an enormous growth in roadside vegetation. This government has failed to maintain those roadsides, and it is becoming more and more dangerous.

One of the problems is not only do we have huge areas of unmanaged grasslands but with the rollout of safety barriers and other things in recent years motorists now have very few opportunities to turn around and escape if there is going to be a grassfire. One only has to reflect on the tragedy of 1969, when around 20 people lost their lives on the Princes Highway between Geelong and Melbourne when grassfires whipped across there and people were trapped in their cars and burnt to death.

That is not something that we want to see in western Victoria because this government has restricted the maintenance of our roads to one slash a year. One slash is simply not enough, not in a season like this, where anything cut only a few months ago is now going to be long and dry again in no time flat. It is simply not good enough. It is vital for the safety of road users and our local regional communities that the roads minister keeps her end of the bargain and makes sure the roadways – that land that is her responsibility, the department's responsibility – are properly maintained and kept safe. We do not need a royal commission, we do not need inquiries, we do not need other investigations when the day comes that we have a grassfire in western Victoria again, because we simply all know safe roadways are well-maintained roadways.

Coburg Primary School

Anthony CIANFLONE (Pascoe Vale) (17:18): (426) My adjournment matter is for the Minister for Education, and the action I seek is for the minister to visit Coburg Primary School to meet with the local school community and hear firsthand about their vision to support learning and wellbeing outcomes for local students over coming years.

Coburg Primary School is actually one of the oldest and longest running public schools in the state's history and indeed even predates the building and opening of this Victorian Parliament in 1856. The school was first opened on 2 May 1853 on Bell Street and was originally known as the Pentridge National School, the school next to the prison. The first head teacher was William Bryant, and classes for pupils were first held in a large tent. Tents were eventually replaced by a building with four rooms and a hall, with local residents at the time contributing to most of the costs. The school became a common school in 1862 and went on to become a state school between 1873 and 1878, being renamed Coburg State School. By 1909 the school's numbers had continued to swell to 730. As a result an additional site was purchased, with the school to this very day still spread across the two campuses, north and south, over Bell Street, with the preps to grade 1s learning out of the junior southern campus and grades 2 to 6 learning out of the senior northern campus. By 1920 the average number of pupils attending the school was 1000. In 1924 the renovated then new senior school buildings were opened by the Honourable Alexander Peacock, a former Victorian Premier and education minister. The school was renamed Coburg Primary School in 1970. For 170 years it has continued to educate generations of local young students by preparing them for their careers and lifelong learning journeys ahead.

As a proud product of our local public primary school system, having attended Coburg West Primary, I am keen to do what I can to support all of our primary schools in the area. That is why I am so pleased to have visited Coburg Primary School on 26 October to meet with the wonderful school community, which today is made up of 350 students and is on track to grow to more than 380 by 2024, next year. I was absolutely delighted to meet with school captains Edie Jean Feeley, Narmin Georges, Lula Keegan and Felix Wright, all of whom do a magnificent job of representing their school community. I was also pleased to have met with school council president Jacob Kantor, vice-president Debbie Rando and principal Matt Kerby, who alongside all of the school's teachers, support staff and volunteers do a magnificent job of facilitating a very warm, vibrant and beautiful school community.

As part of the visit I was very pleased to learn about previous Victorian Labor government investments, including \$150,000 in school pride and sports funding and \$195,000 provided via the essential maintenance program. I was also very happy to be briefed on the school's current needs and future opportunities for investment by the state government to support their vision to continue accommodating their growing numbers. I was particularly impressed to learn about the school leveraging the mental health officer resources that the state government is investing in at the school,

which principal Matt Kerby, to his credit, has really diversified, including through engaging a psychologist, a speech pathologist, an occupational therapist and other supports to foster resilience and inclusivity and to respond to neurodiversity needs. As the anchor primary school in the central Coburg precinct, the school is doing a great job of building partnerships, including with Coburg High School through the new \$17.8 million technology hub it is going to partner with them on.

Education system

Jess WILSON (Kew) (17:21): (427) My adjournment is for the Minister for Education, and the action I am seeking is for the minister to release a taxpayer-funded study by La Trobe University's school of education into six primary schools that have adopted an evidence-based approach to teaching and reading and as a result have significantly improved their teaching results.

I note that over a quarter of Victorian students failed to meet proficiency standards for literacy in this year's NAPLAN. The government thinks this is a good enough result; the coalition strongly disagrees. It is time to improve student outcomes by setting an evidence-based learning framework for all Victorian schools.

It defies belief that the government is blocking the release of a report into a study of six Victorian government schools that replaced the government-approved, entrenched, balanced literacy approach to teaching reading, instead adopting an approach based on systematic synthetic phonics instruction, regular monitoring of progress, early intervention for students who appear to be struggling and the use of decodable books as take-home readers. La Trobe University requested to publish the report, calling it a good-news story about schools that have switched to evidence-based learning, but the Department of Education refused their publication request. The *Age* requested a copy of the report under freedom of information, but most of the report's findings and all of its recommendations were redacted from the copy provided. Ironically, the Department of Education stated that full disclosure of the report would inform debate on a matter of public importance. I am sure it would. But these bureaucrats ultimately decided its publication would be likely to inhibit frankness and candour in the making of communications. This is a taxpayer-funded report that could help improve outcomes for students at taxpayer-funded schools. This is just another blatant example of the lack of transparency and accountability from this Labor government.

The good news is that we have a new education minister in Victoria, and I call on the new minister to reverse the department's decision to block the release of this important and informed report and instead release it in full so schools and educators across Victoria can learn from its findings and adopt its recommendations. Surely this government would agree that we must equip Victorian students with the fundamental skills which will be essential for employability in the 21st century. This needs to be backed by an approach to teaching that is based on evidence and outcomes.

The Victorian Liberals and Nationals believe in supporting student outcomes by setting an evidence-based framework for learning for all Victorian schools, including investing in professional development and resources for teachers and embedding phonics checks and screening in the system to ensure early interventions for students who need the most support. I will finish with the words of Churchill Primary School principal Jacque Burrows, who adopted the science of reading approach a few years ago:

In our experience, when we were teaching whole language/balanced literacy with fidelity our results were poor and we had high levels of students with dysregulated behaviour ... Our shift to aligning our practice with science of reading research is what improved our academic results and student engagement.

I call on the minister to release the report.

Housing

Gary MAAS (Narre Warren South) (17:24): (428) The adjournment matter I wish to raise is for the attention of the Minister for Planning and concerns the recent Allan Labor government *Victoria's Housing Statement: The Decade Ahead – 2024 to 2034*. The action that I seek is that the minister

provide more information on how the newly announced housing statement will benefit constituents in my electorate of Narre Warren South. Victoria is the fastest growing state in Australia, with our population set to hit 10.3 million by 2051. Housing pressures are impacting house prices and rental prices and reducing the ability of those in lower socio-economic circumstances to secure a roof over their head. These problems are as true in Narre Warren South as for anywhere else in the country, but I am proud to be a part of this government, which is not scared to recognise these issues and to set a course to address these problems.

The main problem of course is supply, and the housing statement aims to build 800,000 new homes – 80,000 a year – across the state over the next 10 years. The housing statement includes reforming Victoria's planning system, unlocking new spaces closer to services, protecting renters rights, providing more social housing and a long-term plan for the decades ahead. This is the plan that my constituents need for secure and affordable housing. I would appreciate it if the minister could provide more information on how the housing statement will benefit my constituents, and I look forward to sharing that response with my community.

Housing

Wayne FARNHAM (Narracan) (17:26): (429) My adjournment this evening is also to the Minister for Housing, and the action I seek is that the minister update the house on how the government intends to deliver 800,000 homes over 10 years. I feel like we are on shuffle, repeat, but that is okay. Eighty thousand homes a year – let us break this down – is 220 homes a day every day, Monday to Sunday, 24/7. What is angering my community is that it is being treated like a joke by the minister. On 24 October the Minister for Housing posted on Facebook an image that said:

How many Big Housing Build homes are we building in regional Victoria?

Tap to find out

And when you tapped on it it said:

Close to 3,000.

Well, unfortunately just tapping on Facebook will not deliver 3000 homes in regional Victoria, and my community would like to know how many of those homes will be delivered in the seat of Narracan. What is doubtful about this commitment is whether the government can achieve it on the statistics that I have in front of me today.

It might surprise you to know, but we have had a 6.3 per cent decrease in construction workers since May this year – that is over 21,000 less construction workers in the industry today. In the year to June 2023 we had 619 building companies collapse. Since 1990 the average number of homes built per year has been 46,000. In 2022–23 – it was not a bad year – there were 54,000 homes built, and the best year that we have had since 1990 was between 2017 and 2018, when it was 75,000 homes. I would like to see the plan that the minister has going forward because, to quote *The Wolf of Wall Street*, to be perfectly honest this is:

Fugayzi, fugazi ... It's fairy dust.

That is not on the elemental chart, and I doubt this will ever exist without more data from the minister and the government.

Maroondah Hospital

John MULLAHY (Glen Waverley) (17:29): (430) My adjournment matter is for the Minister for Health, and the action I seek is for the minister to provide a factual update for members of my community on the status of the Maroondah Hospital. Just last week I was updated by representatives of Eastern Health on the great work that they are doing in looking after the health and wellbeing of the people of the Glen Waverley district and the broader east. As a member who represents communities in the eastern suburbs who access their health care at Eastern Health, including at the Maroondah Hospital, I am concerned that the member for Lowan has created unwarranted and gratuitous alarm

for my local community by saying that the place is falling apart. I look forward to the minister's response.

Responses

Mary-Anne THOMAS (Macedon – Leader of the House, Minister for Health, Minister for Health Infrastructure, Minister for Ambulance Services) (17:29): I welcome the opportunity to provide some factual information for the member for Glen Waverley in relation to the incident at Maroondah Hospital today. Eastern Health have now provided an update on their website in relation to a burst pipe that occurred today at the hospital. As one would expect, the safety of patients and staff was the number one priority for the health service, and I can confirm that eight patients have been safely relocated to other wards of the hospital. I can also advise the member and indeed the house that Ambulance Victoria is working with other Eastern Health campuses such as Box Hill to divert emergency patients. Of course work is already underway, with engineers on site, and rectification works are underway.

It is important that we take this opportunity to clear up this wilful misinformation, but I am afraid to say that it does not surprise me, because the member for Lowan has demonstrated on other occasions that she is all about the politics and never about the patients. If I could take the opportunity also –

Richard Riordan interjected.

Mary-Anne THOMAS: I will take up the interjection. I can confirm that no people were injured. The advice that I have received from Eastern Health is that no patients or staff were injured and that patients have been safely relocated.

Members interjecting.

Mary-Anne THOMAS: I will also take the opportunity to advise the member for Glen Waverley that our government is investing in Maroondah Hospital. As you know, we are redeveloping the hospital, developing a new clinical services tower so that we can continue to deliver for the people of Melbourne's east. I note that the member for Ashwood was also very interested in the work that we are delivering at the Maroondah Hospital. I can advise also that since being elected our government has invested more than \$6 million –

Richard Riordan interjected.

The SPEAKER: Member for Polwarth, your interjections are disrespectful.

Mary-Anne THOMAS: Our government have invested more than \$6 million in maintenance at Maroondah Hospital, and indeed, as I said, we are getting on with delivering a new emergency department, operating theatres, day procedure facilities and specialist care spaces. So again, one can be in no doubt that when it comes to delivering for the people of Melbourne's east, only the Allan Labor government can be trusted to do that.

In terms of the other questions that have been raised, the member for Berwick raised a matter for the attention of the Minister for Planning, and the action he seeks is that the Department of Transport and Planning meet with one of his constituents regarding a precinct structure plan in his electorate. The member for Ashwood has a matter for the attention of the Minister for Children. The action that he seeks is that the minister join him to visit early childhood learning centres in his electorate. The member for Gippsland South has raised a matter for the attention of the Minister for Roads and Road Safety, and the action he seeks is that the minister find some funding to repair the South Gippsland Highway.

The member for Cranbourne raised a matter for the attention of the Minister for Racing, and I must say I think it is one that the Minister for Racing will take up with some gusto, and that is that the Minister for Racing join her at the Cranbourne Cup. The member for Polwarth raised a matter for the attention of the Minister for Roads and Road Safety, and the action that he seeks is that the minister come to his electorate to discuss roadside maintenance. The member for Pascoe Vale raised a matter

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for the Minister for Education, and the action that he seeks is that the minister join him on a visit to Coburg Primary School. The member for Kew raised a matter for the attention of the Minister for Education, and the action that she seeks is that the department release a study by La Trobe Uni into evidence-based education.

The member for Narre Warren South raised a matter for the Minister for Planning. The action that he seeks is that the minister provide him with information on how the Allan Labor government's housing statement will benefit his constituents. The member for Narracan raised a matter for the attention of the Minister for Housing, and the action he seeks is information on how the government will deliver more homes in Victoria and indeed in his own community. I have responded to the member for Glen Waverley. I will refer those matters to the appropriate ministers.

The SPEAKER: Thank you, Minister. Thank you, members. Thank you, clerks. The house now stands adjourned.

House adjourned 5:35 pm.