



# **Hansard**

## **LEGISLATIVE COUNCIL**

**60th Parliament**

**Tuesday 6 February 2024**



# Members of the Legislative Council

## 60th Parliament

### President

Shaun Leane

### Deputy President

Wendy Lovell

### Leader of the Government in the Legislative Council

Jaclyn Symes

### Deputy Leader of the Government in the Legislative Council

Lizzie Blandthorn

### Leader of the Opposition in the Legislative Council

Georgie Crozier

### Deputy Leader of the Opposition in the Legislative Council

Evan Mulholland (from 31 August 2023)

Matthew Bach (to 31 August 2023)

Member	Region	Party	Member	Region	Party
Bach, Matthew <sup>1</sup>	North-Eastern Metropolitan	Lib	Luu, Trung	Western Metropolitan	Lib
Batchelor, Ryan	Southern Metropolitan	ALP	Mansfield, Sarah	Western Victoria	Greens
Bath, Melina	Eastern Victoria	Nat	McArthur, Bev	Western Victoria	Lib
Berger, John	Southern Metropolitan	ALP	McCracken, Joe	Western Victoria	Lib
Blandthorn, Lizzie	Western Metropolitan	ALP	McGowan, Nick	North-Eastern Metropolitan	Lib
Bourman, Jeff	Eastern Victoria	SFFP	McIntosh, Tom	Eastern Victoria	ALP
Broad, Gaele	Northern Victoria	Nat	Mulholland, Evan	Northern Metropolitan	Lib
Copsey, Katherine	Southern Metropolitan	Greens	Payne, Rachel	South-Eastern Metropolitan	LCV
Crozier, Georgie	Southern Metropolitan	Lib	Puglielli, Aiv	North-Eastern Metropolitan	Greens
Davis, David	Southern Metropolitan	Lib	Purcell, Georgie	Northern Victoria	AJP
Deeming, Moira <sup>2</sup>	Western Metropolitan	IndLib	Ratnam, Samantha <sup>5</sup>	Northern Metropolitan	Greens
Erdogan, Enver	Northern Metropolitan	ALP	Shing, Harriet	Eastern Victoria	ALP
Ermacora, Jacinta	Western Victoria	ALP	Somyurek, Adem	Northern Metropolitan	DLP
Ettershank, David	Western Metropolitan	LCV	Stitt, Ingrid	Western Metropolitan	ALP
Galea, Michael	South-Eastern Metropolitan	ALP	Symes, Jaclyn	Northern Victoria	ALP
Gray-Barberio, Anasina <sup>3</sup>	Northern Metropolitan	Greens	Tarlamis, Lee	South-Eastern Metropolitan	ALP
Heath, Renee	Eastern Victoria	Lib	Terpstra, Sonja	North-Eastern Metropolitan	ALP
Hermans, Ann-Marie	South-Eastern Metropolitan	Lib	Tierney, Gayle	Western Victoria	ALP
Leane, Shaun	North-Eastern Metropolitan	ALP	Tyrrell, Rikkie-Lee	Northern Victoria	PHON
Limbrick, David <sup>4</sup>	South-Eastern Metropolitan	LP	Watt, Sheena	Northern Metropolitan	ALP
Lovell, Wendy	Northern Victoria	Lib	Welch, Richard <sup>6</sup>	North-Eastern Metropolitan	Lib

<sup>1</sup> Resigned 7 December 2023

<sup>2</sup> Lib until 27 March 2023

<sup>3</sup> Appointed 14 November 2024

<sup>4</sup> LDP until 26 July 2023

<sup>5</sup> Resigned 8 November 2024

<sup>6</sup> Appointed 7 February 2024

### Party abbreviations

AJP – Animal Justice Party; ALP – Australian Labor Party; DLP – Democratic Labour Party;

Greens – Australian Greens; IndLib – Independent Liberal; LCV – Legalise Cannabis Victoria;

LDP – Liberal Democratic Party; Lib – Liberal Party of Australia; LP – Libertarian Party;

Nat – National Party of Australia; PHON – Pauline Hanson's One Nation; SFFP – Shooters, Fishers and Farmers Party



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**Tuesday 6 February 2024**

**The PRESIDENT (Shaun Leane) took the chair at 12:02 pm, read the prayer and made an acknowledgement of country.**

*Condolences*

**Dr Ronald James Herbert Wells**

**The PRESIDENT (12:03):** I advise the house of the death on 2 January 2024 of Dr Ronald James Herbert Wells, member of the Legislative Assembly for the electoral district of Dromana from 1985 to 1992 and the Legislative Council for the electoral province of Eumemmerring from 1992 to 1999.

**Joan Marjorie Coxsedg**

**The PRESIDENT (12:04):** I advise the house of the death on 14 January 2024 of Joan Marjorie Coxsedg, member of the Legislative Council for the electoral province of Melbourne West from 1979 to 1992.

**Reg Macey**

**The PRESIDENT (12:04):** I advise the house of the death on 30 January 2024 of Reg Macey, member of the Legislative Council for the electoral province of Monash from 1985 to 1992.

I ask members as a mark of respect if we could stand in our places for a minute's silence.

**Members stood in their places.**

*Bills*

**Corrections Amendment (Parole Reform) Bill 2023**

**Crimes Amendment (Non-fatal Strangulation) Bill 2023**

**State Taxation Acts and Other Acts Amendment Bill 2023**

*Royal assent*

**The PRESIDENT (12:06):** I have received a message from the Administrator, dated 5 December:

The Administrator informs the Legislative Council that she has, on this day, given the Royal Assent to the undermentioned Acts of the present Session presented to her by the Clerk of the Parliaments:

**36/2023** Corrections Amendment (Parole Reform) Act 2023

**37/2023** Crimes Amendment (Non-fatal Strangulation) Act 2023

I have another message, from the Lieutenant-Governor, dated 12 December:

The Lieutenant-Governor informs the Legislative Council that he has, on this day, given the Royal Assent to the undermentioned Act of the present Session presented to him by the Clerk of the Parliaments:

**38/2023** State Taxation Acts and Other Acts Amendment Act 2023

*Members*

**Acting presidents**

**The PRESIDENT (12:07):** I lay on the table a warrant nominating acting presidents and discharging an acting president, and I ask the Clerk to read the warrant.

**The Clerk:**

Pursuant to the provisions of Standing Order 2.12 of the Legislative Council, I:

(1) nominate

Mr Jeff Bourman

Ms Jacinta Ermacora

to be an Acting President whenever requested to do so by the President or Deputy President; and

(2) discharge Ms Sonja Terpstra as an Acting President.

Given under my hand on 6 February 2024.

SHAUN LEANE

President of the Legislative Council

**Matthew Bach**

*Resignation*

**The PRESIDENT** (12:07): I have received a letter from the Lieutenant-Governor advising that he received the written resignation of Dr Matthew Bach as a member of the Victorian Legislative Council on 7 December 2023.

*Joint sitting of Parliament*

**Legislative Council vacancy**

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:08): I move, by leave:

That this house meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Matthew Bach and proposes that the place and time of such a meeting be the Legislative Assembly chamber on Wednesday 7 February 2024 at 6:15 pm.

**Motion agreed to.**

**The PRESIDENT:** A message will be sent to the Assembly informing them of the resolution of the house.

*Questions without notice and ministers statements*

**Child protection**

**Georgie CROZIER** (Southern Metropolitan) (12:09): (390) My question is to the Minister for Children. Minister, last year you promised to ‘keep our children as safe as possible’, yet the Department of Families, Fairness and Housing’s annual report revealed a steep rise in unallocated child protection cases. When will the minister admit that this is just another broken Labor promise?

**The PRESIDENT:** I am concerned that might be seeking an opinion. Can I hear just the last bit again?

**Georgie CROZIER:** When will the minister admit that this is just another broken Labor promise?

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (12:10): I thank the member for her question. No other government has invested more in child protection than this government has – in the most recent budget alone \$895 million in additional funds for reforming the child protection system in this state. On any given day there are over 17,000 Victorian children who are involved with child protection, and all children who are involved with child protection are overseen by a case manager, by a team manager. The team manager has the overall responsibility for actively managing and looking out for the safety of every child that comes under the care of their team, and this includes decisions on assigning allocations. A child not necessarily having been allocated to an individual caseworker does not mean that a child is not being actively managed within the child protection system.

I want to take this opportunity to thank our child protection workforce and their union, who look out for them, particularly Karen Batt. Day in, day out, our child protection workers, who are on the front line of some of the most difficult decisions that we make in our community, are making sure that the

interests of every child are first and foremost in the minds of those officials working within the Department of Families, Fairness and Housing and are making sure that every child is getting the care that is absolutely in their best interests. Those workers do that on the front line day in, day out, and to reduce it to a conversation about an allocation as opposed to ensuring that the best interests of every child are prioritised according to need is really to diminish the work of the child protection system and those child protection workers who are on the front line every day making the decisions to ensure that every child is getting the appropriate services that those children need.

**Georgie CROZIER** (Southern Metropolitan) (12:12): Well, Minister, good try, but there are so many children in this state that you have failed. Minister, as of June last year 16.1 per cent of child protection clients were classified as unallocated – without an active caseworker: a shocking statistic that has led to 322 incidents of abuse having been reported, including 76 allegations of sexual abuse. Minister, why have you failed to keep these children safe from abuse and sexual abuse whilst under your watch?

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (12:12): I again thank the member for her question. It is debatable whether or not it is a supplementary, because you are now confusing the issue of case allocation with –

**Georgie Crozier:** On a point of order, President, this is a really important matter that goes to the heart of vulnerable children, the most vulnerable children, being kept safe in this state.

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

**Georgie Crozier:** I raise the point because I am talking about the minister's statement 'to keep our children as safe as possible', yet they are being abused.

**The PRESIDENT:** Order! You just took the opportunity to repeat the question.

**Lizzie BLANDTHORN:** The point I was trying to make is that the number of children who are specifically allocated to a specific worker as opposed to the overall number of children who are being managed by the child protection system and overseen and actively monitored by the child protection system are two different things, and to then equate that to a conversation about abuse is again to diminish the abuse of these most vulnerable children. But I will not be lectured by those opposite, because at the end of the first quarter of 2023–24, 82.7 per cent of all cases were allocated, yet in 2014, 81.5 per cent of cases were allocated. So if we want to simplify this to allocation rates, our allocation rates are better than when those opposite were in government. That is what the statistics say, but that is not what this is about. (*Time expired*)

### Housing

**Samantha RATNAM** (Northern Metropolitan) (12:14): (391) My question is for the Minister for Housing. The Productivity Commission's latest *Report on Government Services* reveals that Victoria has the lowest per-person expenditure on public and community housing residents of any state or territory. The number reveals that this government is spending the least per capita on maintenance and repairs. This coincides with more and more residents whose homes are crumbling around them. Every day our offices are inundated with emails from people who are at their wits' end because the department refuses to complete maintenance requests. Life-threatening mould, holes in walls and hallways left unclean for weeks at a time are just some of the conditions people are having to live with. Their trust in government authorities is being decimated. What is the Victorian government going to do to get through the enormous backlog of maintenance requests?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:15): Thank you, Dr Ratnam, for that question and for your ongoing interest, albeit in a selective fashion, in the delivery of housing across this state. It is unfortunate that when you get to your feet you ignore the record funding, not just here in Victoria but out of any jurisdiction anywhere in Australia, to deliver – and this is a total – at least \$6.3 billion in housing, both new housing and

upgrades and updates, making sure that people have the right and the access to dignified accommodation, a place to call home and somewhere to be proud of.

When you talk about maintenance, Dr Ratnam, it is a somewhat curious swerve away from what is your usual narrative around why it is that our high-rise residential towers deserve billions of dollars of investment when in fact that would only make them habitable and not bring them up to current compliance and design standards. This is where again I do want, in talking to maintenance, which I am about to go into as far as some statistics go, which you may find helpful – albeit perhaps not consistent with the narrative that you take outside this place – to make sure that we have got infrastructure at the heart of what we are doing in delivering.

People will be interested in this statistic – now 9200 dwellings are either complete or underway, a significant update since I last advised the house of progress on this matter. Homes Victoria provides maintenance to around 6400 dwellings, at a cost of about \$281 million in 2021–22, and about 350,000 maintenance activities every year. That includes requests from renters and essential safety checks as required under the Residential Tenancies Act. There is a really comprehensive program of renewals, upgrades, planned maintenance and responsive maintenance to ensure that safe and secure homes are at the heart of delivering amenity to renters. We have a responsive maintenance triage system, which basically means that maintenance requests are characterised as urgent, to be rectified in 24 hours; priority, within seven days; or normal, to be rectified within 14 days. Planned maintenance does occur across our housing stock within the public domain. The current maintenance backlog is a 75 per cent reduction in maintenance logs from the last 19 months. We have had a review of approximately 184,000 maintenance jobs; that translated to 93,300 jobs as the remaining jobs were either duplicates or were no longer required. So the current maintenance backlog that we have is about 22,811 cases, but over half of these are being investigated by local housing officers to reconfirm works, with the remainder being with contractors for delivery. So we are prioritising maintenance, we are determined to continue that work, and that is backed up by record funding.

**Samantha RATNAM** (Northern Metropolitan) (12:18): Thank you, Minister, for your response. It is all well and good to tout some of those numbers, but all those numbers are still making Victoria come last when it comes to maintenance and repairs for public and community housing residents across this state. With over 22,000 requests that have gone unresolved, that is a lot of people who are languishing, waiting for their homes to be habitable. It is almost as though the mass privatisation and demolition of public housing is designed to relieve the government of the responsibility of funding and administering public housing, leaving Victoria languishing at the bottom of the expenditure tables forever. Minister, will there be more funding in this year's budget for public housing maintenance, or is this a sign the government really is giving up on public housing for good?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:19): Thank you, Dr Ratnam. It took about 13 seconds for you to swerve into the traditional and familiar ground that you have around our record investment in public and social housing across the state. Again, if you had listened to my answer to the substantive question, you would have heard that the remaining works for delivery are being investigated by local housing officers, with slightly under half of those jobs already being with contractors for delivery. It is also not accurate and indeed perhaps a little mischievous, which I would not put behind the convenient narrative of the Greens at basically the expense of facts, to say that these homes are not habitable. I have just talked you through the triage system. I have just talked you through the work that we are doing. When we talk about investment in social housing, it is \$6.3 billion, Dr Ratnam. Find me another state that has invested more, and I would be delighted to hear about it.

#### **Ministers statements: Midsumma Festival**

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:20): I rise today in my capacity as Minister for Equality. Midsumma, which includes the

Pride March, is Australia's premier queer arts and cultural festival, and this brings together a diverse mix of LGBTIQ+ artists, performers, communities and audiences.

The Pride March, which occurred on Sunday, is about our LGBTIQ+ communities coming together to be proud and to be visible. Pride events play a really crucial role in building a more inclusive and cohesive Victoria and in breaking down the misinformation that continues to fuel discrimination, stigma, injury and distress across our LGBTIQ+ communities. It was a privilege to march again at Pride on Sunday and to be joined by so many colleagues from this place, and indeed to join around 400 organisations participating – the largest number of organisations on record. It was a privilege to announce the latest round of the Pride Events and Festivals Fund, with 30 organisations from the middle of Melbourne right out to the edges of the state receiving grants to help connect and improve visibility and celebration of and to tell the stories of LGBTIQ+ people everywhere.

Part of what we celebrate is change and progress: where we have come from and where we are going. This includes Victoria Police, as acknowledged when former commissioner Graham Ashton made a formal apology in 2019 for the harm caused to LGBTIQ+ people and communities caused indirectly or directly by Victoria Police. This was again reiterated by Chief Commissioner of Police Shane Patton following the events at the Pride March on Sunday. The Pride March on Sunday importantly included for the very first time the 78ers: people who, more than anyone, know and understand the difficult history of this issue. There is so much work to do, but I do want to see a police force that understands and reflects the community that it serves and the LGBTIQ+ officers, PSOs and unsworn officers who are part of the work to make our force more inclusive.

### Child protection

**Georgie CROZIER** (Southern Metropolitan) (12:22): (392) My question is again to the Minister for Children. Minister, of the 2837 vulnerable children who were without a caseworker, how many have been involved in criminal activity?

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (12:23): Again, I thank the member for her question. I just want to go back to the premise of her question. It clearly has not been well understood, my answer to her first question and attempt at a supplementary question. Again, for her benefit, there are no children in the child protection system who are not actively monitored by the child protection system. Whether or not a child is specifically allocated, all children involved within child protection are allocated to a team, which is overseen by a team manager.

In case you do not quite understand necessarily what that might mean, that means that decisions are informed by an ongoing risk assessment, and the level of risk is the primary consideration in determining the priorities for the assignment of allocation. When a dedicated child protection practitioner is not assigned to a child, the team manager issues tasks to their team, if you like, which may include things like face-to-face visits, gathering information from both the child and from other professionals, attending case conferences, attending court, completing referrals, completing carer assessments. So to be very clear, there are no children within the child protection system who are not actively monitored by the child protection system.

As at the end of the first quarter of 2023–24, though, there were 82.7 per cent of children who were assigned a specific person, if you like, a specific child protection practitioner. But, as I said, that was compared with 81.5 per cent when you were in government. So I will not be lectured by those opposite, who want to be holier than thou about whether or not someone is or is not allocated a child protection worker specifically.

**Georgie Crozier:** On a point of order, President, I know the minister is incredibly sensitive about this issue, as she should be, because too many children are failing –

**The PRESIDENT:** What is the point of order?

**Georgie Crozier:** I would ask you to draw her back to the question. My question was: of the 2837 vulnerable children who you have admitted were attending court, how many have been involved in criminal activity?

**The PRESIDENT:** The minister did not indicate that she did not understand the question she received.

**Lizzie BLANDTHORN:** I was just seeking to clarify for the member, who does not seem to understand what a specific allocation actually means. The clear implication of your question is that there are children left without case managers, and that is not the case. There are case managers and a child protection team –

**Georgie Crozier:** On a point of order, President, the minister is now debating her own answer. I mean, she just told us that 82.7 per cent were assigned and 17.3 per cent were not assigned. Could she just come back to the question: how many of these children have been involved in criminal activity? That is all I am asking.

**The PRESIDENT:** It is not for me to tell the minister how to answer a question, but also I believe that the minister is rejecting the premise of your question, which she has the right to do as well.

**Lizzie BLANDTHORN:** What I was seeking to do for the member opposite, who clearly does not understand the child protection system – and perhaps it is unfortunate that Dr Bach has gone to the other side of the world because of the state of affairs over there on that side of the chamber. Such a question would not have come from Dr Bach because Dr Bach understood – in the same way that I hope that anyone here who actually does genuinely care for these vulnerable children seeks to take the time to understand it – how the system works.

An allocation is not necessarily in the best interests of a child at any given point in time. Allocations are based on risk assessment. That does not mean that a child who is not assessed as needing a specific child protection practitioner assigned specifically to them is unmonitored. Each of those children has risk assessments, and they also are provided services actively by a team and overseen by a team manager. There are not – *(Time expired)*

**Georgie CROZIER** (Southern Metropolitan) (12:27): President, the minister did not answer the question, so I will ask again: how many children in the child protection system have been involved in criminal activity?

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (12:28): Again, it is a relatively uninformed question. I think we are going to be lamenting a lot the move of Dr Bach so far away from these benches opposite.

**Jaclyn Symes** interjected.

**Lizzie BLANDTHORN:** As the Attorney-General just pointed out, it is unclear to me whether your question is as a victim or as a complainant. What is it that you are specifically suggesting? But what I can tell you is that our dedicated child protection practitioners, their team managers, their union and the Department of Families, Fairness and Housing are every day working in the best interests of the children who are within their care, and that involves active risk assessments. What is important here is that the children who are in the care of the state, who are actively within the child protection system – 17,000 of them on any given day – *(Time expired)*

### Hemp industry

**Rachel PAYNE** (South-Eastern Metropolitan) (12:29): (393) My question is for the Minister for Skills and TAFE, Minister Tierney. Ballarat's Federation TAFE recently announced a partnership to provide Australia's first nationally accredited training course in medicinal cannabis cultivation and production. This is a great step towards ensuring Victoria can reap the benefits of the medicinal cannabis industry, but unfortunately the industrial hemp industry in Victoria does not receive as much

support. With that being said, the recent partnership between Australian Primary Hemp and SuniTAFE to conduct pilot hemp trials is progress, but there is still more to be done. So my question is: would the minister consider funding a similar training course for those seeking training in industrial hemp cultivation and production?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:30): I thank the member for her question. Indeed getting a question about skills, training and TAFE is quite exciting, because those opposite do not seem to be interested in it at all. In respect to the issue that you raised, this was an application that was made to a particular fund that is in my portfolio area but administered by the department. If the fund is still open, I would encourage those people to have a look at the guidelines and to submit an application. Of course the panel that looks at these applications also looks at the data that is provided by the Victorian Skills Authority and the information that is provided in relation to new and emerging technologies and industries and tries to match up applications and the veracity of those applications to the actual labour market needs. They are some of the considerations that are looked at by the panel, and all I would say is that I would encourage industries who have got labour and skills shortages to have a look at the various forms of funding that are available to them to ensure that they have got an alignment of the skills that are required in their industry now and into the future.

**Rachel PAYNE** (South-Eastern Metropolitan) (12:31): I thank the minister for her response, and I also note the hemp inquiry made some recommendations in that similar space. By way of supplementary, I ask: what other education opportunities are currently available through Victoria's TAFE system that may interest those who wish to become industrial hemp growers?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:32): Thank you again for the opportunity to talk about TAFE and indeed the alignment of the delivery of what we have in the TAFE system to what is needed in the labour market. What we have attempted to do in all sorts of ways is to identify the government's priority areas. Obviously they are the health area, the care economy, the environment and of course renewable energy – and housing, absolutely, with Minister Shing. These are the sorts of areas that are incredibly important, but agriculture is incredibly important too, so that is why we – fairly recently – put horticulture on the free TAFE list. There are a range of agricultural courses that were also put on the free TAFE list. Indeed I have got to use this opportunity to give a shout-out to regional TAFE, because I think they have done a superb job in getting the message out to their communities about the types of courses that are being run – *(Time expired)*

### Ministers statements: Lunar New Year

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:33): I rise to update the house on the incredible festivals happening across our state in celebration of Lunar New Year and Têt. This Saturday will mark the Year of the Dragon, an auspicious creature that is known to bring good luck and fortune. I know that this is a very important time of year for our Chinese, Vietnamese, Japanese, Korean, Cambodian, Burmese, Laotian, Thai and Singaporean communities here in Victoria who celebrate. We are part of a global community of around 2 billion celebrating the Lunar New Year. I have been fortunate to attend various Lunar New Year events over the years with many of my colleagues from this place and the other place, and on Sunday I was at the Victoria Street Lunar Festival in Richmond, which showcased Vietnamese and Asian culture and traditions, featuring live music and dance performances, lion dances and firecracker displays. Despite the very hot conditions, locals and Victorians from near and far came out in strength to enjoy the festivities, fostering community connections and showcasing Victoria's vibrant multiculturalism.

The Allan Labor government understands the significance of these cultural events, which is why we provided \$400,000 in multiyear funding to support the Victoria Street Têt festival and Lunar New Year festivals across the state in Springvale, Box Hill and Footscray. Festivities like these provide an

opportunity for our multicultural and multifaith communities to come together and celebrate and share their cultural heritage with all Victorians, regardless of their background. Victoria is proudly one of the most culturally diverse societies in the world – one of our great strengths as a state. We on this side of the house will work with our proud multicultural communities to make Victoria stronger, safer and fairer. So chúc mừng năm mới and gong xi fā cái. To those celebrating, I wish you and your family prosperity, peace and a good year. *(Time expired)*

### TAFE funding

**Joe McCRACKEN** (Western Victoria) (12:35): (394) My question is to the Minister for Skills and TAFE.

*Members interjecting.*

**Joe McCRACKEN:** Yes, I can confirm we actually do care about TAFE, and I have sent many of my students to TAFE once they finished high school. Minister, as you well know, the TAFE year is beginning and students are looking at their options. Why do you continually promote TAFE as free when you know that is actually not true?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:36): I thank the member for the question. First of all, can I say if those opposite are now interested in TAFE, those on this side absolutely – and the Victorian community – will remember that not only were you not interested in TAFE, you took a wrecking ball to the TAFE system, and we will never forget that.

The point that Mr McCracken is trying to make is that he just did not receive the memo. The memo was a memo that was issued before 2019. In 2018 we made a decision that we were going to introduce free TAFE. Free TAFE is like free university under the Whitlam government – you did not say it was ‘tuition fee free’, it was free university. So for all of the things that you are trying to do, what you are really trying to do is muddy the waters and dirty up TAFE again. You are trying to wreck its credibility and its reputation. That is what you really are on about, because the fact of the matter is there are over 156,000 Victorians that understand what free TAFE is, because they have enrolled in it and they have made significant savings in tuition fees. This is a very successful program, and it is only those over there that want to muddy the waters and call it something else other than free TAFE, the language that all Victorians understand, and they have made sure that they have got in the queue to enrol in the courses that lead to jobs in this great state.

**Joe McCRACKEN** (Western Victoria) (12:38): Minister, you might be aware of the Gordon TAFE in Geelong. I checked the free TAFE courses in Geelong there, and I chose some free TAFE ones to look at – the course fees. Cert IV in building and construction, for example – according to the schedule of fees, even if tuition fees were zero, students would have to pay \$665 in resources and another \$138 in their education levy. That is over \$800. How can you sit there and say TAFE is free when we know for the student that it actually is not?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:38): Again, it is just another exercise in how to trash TAFE. This is what it is all about. Victorians understand what free TAFE is, and indeed parents understand –

*Members interjecting.*

**The PRESIDENT:** Order! I could not hear the minister at all, so could we keep the noise down a bit.

**Joe McCracken:** On a point of order, President, I asked the minister a very clear question, and it is not about trashing TAFE, it is about getting honest answers. So please, can you actually answer the question and stop being deceptive?



**The PRESIDENT:** As I said, Mr McCracken, I could not hear the minister, so it is hard for me to judge on that point of order, but I will call her to the question.

**Gayle TIERNEY:** I do appreciate the opportunity to talk about free TAFE again, because as I said in the answer to the substantive question, most Victorians, apart from you and a small group of people around you, Mr McCracken, understand what free TAFE is. They understand that there are over 80 free TAFE courses. There are a lot of shorter courses as well. We are very proud of making sure that we have got the resources and the facilities to ensure that there is a connection between free TAFE – getting that delivered – acquiring those skills and moving on to jobs. This is incredibly important, not just to individuals but also to the economy. Whether it be in Warrnambool, Portland, Bairnsdale, Geelong, Ballarat, we are very, very supportive of our free TAFE program – *(Time expired)*

**Joe McCracken** (Western Victoria) (12:40): I move:

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

**Motion agreed to.**

### Pharmacotherapy services

**David LIMBRICK** (South-Eastern Metropolitan) (12:41): (395) My question is for the Minister for Mental Health. Pharmacotherapy, which can include things like methadone and buprenorphine, is an important therapeutic intervention that can help people with opioid addiction issues. The benefit that it provides goes beyond people obtaining the medication, though, with reductions in crime and other benefits to the community. Things have been tough in Frankston, however, with a health clinic that provides significant pharmacotherapy support now set to close permanently later this month. This should not have come as a shock, however, as the government scrambled to find solutions to a temporary closure late last year. My office has been contacted by people in the area concerned about the impacts of disrupted service. So my question for the minister is: what is the government doing to ensure that there is not a disruption in support for patients of the Frankston Healthcare Medical Centre?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:41): I thank Mr Limbrick for his question. I also thank you for your ongoing interest in these matters and the engagement that you have had with my office over a number of months now. This is an important issue, and I agree with you that these are very important treatment options that are there for people with serious opioid addiction. Of course the situation in Frankston is something that my department has been working very closely with the Commonwealth on. You would be aware that the funding of GP pharmacotherapy treatments is the responsibility of the Commonwealth. However, the Victorian government have wanted to ensure that there are no gaps in the services that are provided to a significant number of patients in the Frankston area through this particular GP closing, so we have been working closely with the Commonwealth and also with the South Eastern Melbourne Primary Health Network and our own health services in that part of the city.

Pleasingly, the Commonwealth government has provided the clinic with additional funding so it can remain open for an additional four weeks while we work together with the Commonwealth on a more enduring solution in Frankston. We know that there is a prescriber shortage nationwide. That is why, in addition to the work that we are doing to find ongoing solutions in Frankston, we are working alongside the Royal Australian College of General Practitioners and the Department of Health to offer free pharmacotherapy training for GPs so that we can build the number of GPs available across the state that are able to prescribe.

The issue does remain that many Commonwealth-funded GP clinics choose, sadly, not to provide this kind of specialist addiction service. So in addition to the Commonwealth efforts, we are also providing funding for surge capacity in Victoria to deal with situations that we have, such as the one in Frankston right now. We also have a broader \$10 million investment to expand pharmacotherapy services and address that service gap. You would be aware, I am sure, Mr Limbrick, through your work and advocacy in this space, that a lot of our GPs that are in pharmacotherapy therapies are ageing, so we

need to really build that pipeline of the new generation of GPs and nurse practitioners to be able to do this important work into the future. It is something that I have got a focus on – making sure that we are doing that work to build that pipeline.

**David LIMBRICK** (South-Eastern Metropolitan) (12:44): I thank the minister for her response. I hope that whatever happens, it happens soon, because we are really running out of time.

My supplementary question is: during the temporary closure last year my office heard many harrowing stories of how this affected people – stories of people getting back on heroin, significant mental health episodes in the streets and other people committing criminal offences. This has the potential to create an ongoing crisis for the people of Frankston and the clients of the health service. But pharmacotherapy of course, as the minister has mentioned, is one of those areas where there is responsibility at federal and state levels and probably there is a bit of buck-passing going on, and probably that has a lot to do with some of the problems that we have got now.

Beyond the immediate crisis in Frankston there is a system strained to breaking point. However, there is hope because in this chamber there is apparently zero opposition to expanding pharmacotherapy options and the government have indicated that they are considering this. What is the government doing in the space of expanding the number of pharmacotherapy options, such as hydromorphone, which was discussed last year in this Parliament?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:46): I thank Mr Limbrick for his supplementary. I think I did go to some of those issues in my answer to the substantive question that you put. This is an incredibly important part of our AOD response for people who struggle with opioid addiction, and I completely agree with you that we do not want a situation where people are lapsing as a result of lack of access to pharmacotherapy. As I think I said in my previous answer, and I will reiterate, this is a focus for the government to make sure that we are working closely with the Commonwealth. But it is not a quick fix. It does require a systemic approach, and I am very happy to keep engaging with you and give you progress updates on that work, Mr Limbrick.

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

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:47): The Allan Labor government is delivering worker accommodation in regional communities where it is needed most. Recently I visited the Koroit caravan park, which has seen five new cabins constructed under the Koroit worker housing project. As I understand it, there is 83 per cent occupancy, so a great result there. Made possible by a grant from the Labor government, these cabins provide affordable rental accommodation for workers in construction, agriculture and aged care. This means more workers for local businesses, more housing stock and more thriving regional communities. As a proud regional Victorian, I have heard firsthand how important it is for workers to live where they are employed. It allows them to put down roots, stay closer to their families and become fully fledged members of their community. In return they are more likely to stay longer and be happier in their jobs – the ultimate win-win.

The Koroit worker housing project is exactly the kind of initiative the Allan Labor government is replicating at scale through the \$150 million Regional Worker Accommodation Fund. Expressions of interest are now open for grants between \$150,000 and \$5 million for shovel-ready projects. These projects will showcase what is possible when government and private businesses come together to advance the interests of Victorians and their communities. The fund complements other work that is being carried out across government to deliver more affordable and accessible housing options for regional Victorians, because the Allan Labor government is a government that delivers for our regions.

### Female volunteer firefighters

**Melina BATH** (Eastern Victoria) (12:48): (396) My question is to the Minister for Emergency Services. Minister, on 4 January the Erica CFA brigade was informed that the feminine hygiene waste disposal service supplied to the station since 2011 had been cancelled, with the volunteers being told a plastic bag and a labelled bin are the future alternative. Minister, noting the Erica brigade is now approaching 50 per cent female membership, is this how the Allan government shows respect to female volunteer firefighters?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:49): I thank Ms Bath for her question. I had this brought to my attention at the end of last year, and as you would appreciate, it is not a matter that the minister is responsible for in relation to the provision of waste disposal matters; it is a matter for individual brigades. I take your point from the question that you have raised that we should have facilities that accommodate and encourage women volunteers, and that is all part of a dedicated funding stream that we have to ensure that we have better facilities for women so that there are no barriers to their participation in the CFA in particular and of course our other emergency services. In relation to this specific matter, it is a matter for that particular brigade. It is a matter that I have been made aware of, and I have made my own inquiries.

**Melina BATH** (Eastern Victoria) (12:50): The minister might like to share what her inquiries have been fruitful about learning. Minister, is it your government's policy to starve Victoria's CFA of funding to the point where cost-cutting measures include cancelling a service that provides dignity and inclusion to female volunteers?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:51): Ms Bath, I will probably pick up some of the interjections. I receive a lot of correspondence particularly from the National Party, who never fail to forget the lack of investment and the neglect that they provided our volunteer organisations when they were in government. It is fine; I will focus –

**Melina Bath:** On a point of order, President, on relevance, bring her back to the question, please.

**The PRESIDENT:** I will bring the minister back to the question.

**Jaclyn SYMES:** Thank you, President. Ms Bath, I am happy to take some of this offline. There are some matters that I would be concerned about in relation to breaching people's private information. As I said, it is not a matter for me to direct the contract provision of individual brigades. This is a matter for this individual brigade. There is a little bit more to the information that I have been provided, but it relates to people's private information. Perhaps you can bring to me the information you have, and you and I can have a conversation about the information I have. My information is not as simple as being about provision for women.

### Police conduct

**Katherine COPSEY** (Southern Metropolitan) (12:52): (397) My question is to the Attorney-General. In January, Attorney, legal observer teams monitored the policing of the pro-Palestine community picket at Webb Dock. I understand the observers' report has been provided to your office. The legal observers reported several times that police did not comply with laws and policies governing use of force at public assemblies, including the use of OC pepper spray. When this spray was first introduced in 1995, politicians in this place assured the public that the chemical agent would not be used against persons offering passive resistance or deployed at demonstrations. Given the well-documented concerns of potentially unlawful use of OC spray by Victoria Police at protests, what guarantees can you provide that Victoria Police are adhering to the law, their manual directives and their charter obligations and that OC spray is not being used to simply force compliance at protests?

**The PRESIDENT:** Ms Copsey, I would imagine the Attorney-General will determine that that is a matter to be directed to the Minister for Police. Do you want to direct it to police now?

**Katherine COPSEY:** I will leave it to the Attorney.

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:53): I thank Ms Copsey for her question. I would concur with the initial assessment that it is more appropriate for the Minister for Police, and I would probably encourage Ms Copsey to refer it to Minister Erdogan on behalf of Minister Carbines.

In relation to the report that you have referenced, I am not familiar with that. I am more than happy to go and check, but again the way you have characterised your question in relation to the provision of police equipment and the like, that is certainly not something that falls within my remit.

**Katherine COPSEY** (Southern Metropolitan) (12:54): I will direct my supplementary to the Attorney-General, thank you – if the appropriate minister wishes to take that up.

One of the recommendations from the legal observers' report, which you will see when you read it, Attorney-General, is that the Victorian Equal Opportunity and Human Rights Commission investigate the operational decisions made during that protest as to the extent that they may have breached the charter and what measures may be applied to prevent recurrence. Would the government be open for the commission or another independent body to conduct a human rights audit of Victoria Police's operational policing practices and guidelines, specifically including the use of force and how Victoria Police are interpreting their obligations under the charter?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:54): Ms Copsey, it is a common misconception that anything in relation to the human rights charter falls within the remit of the Attorney-General. That is not necessarily the case. For example, the equal opportunity commission has done reviews into Ambulance Victoria and provided advice to that organisation. I am not the Minister for Ambulance Services. Similarly, in this case the report or any work that VEOHRC have done for or on behalf of the police or indeed in relation to a complaint and the like do not fall within my ministerial responsibilities. That question you have directed to me – I am answering it, so it cannot be forwarded now – but maybe in future just check with me and we will make sure that you are directing your questions to the right minister.

#### **Ministers statements: National Corrections Day**

**Enver ERDOGAN** (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:55): Last month we acknowledged National Corrections Day, an opportunity to say thank you to all our hardworking corrections staff and recognise their efforts and commitment to keeping all Victorians safe. As the Minister for Corrections, I have had the privilege of meeting many of the dedicated people that work in Victoria's correctional facilities and in our communities right across the state. Their work is vital to the good functioning of our justice system and to making Victoria the fantastic place it is to live, learn and work. There are over 4000 staff members across the state's correctional facilities and in community corrections services across the state. I want to take this moment to put on record our government's thanks for all the work that they have done over the past year and all the work that they continue to do. Prisons, post-sentence facilities and community corrections locations mark National Corrections Day in a range of different ways, including with staff barbecues and social events. Some facilities were lit up in blue to mark the day.

I would also like to acknowledge a couple of my colleagues in the other place – Nina Taylor, the Parliamentary Secretary for Justice; and Juliana Addison, the chair of the Women's Correctional Services Advisory Committee – who also joined in the celebration. And I thank the staff on behalf of our government.

The theme for this year's National Corrections Day is staff wellbeing. Corrections can sometimes be a challenging environment to work in, and I am proud of our government and the way we have supported our staff and invested in services and facilities for all our corrections staff. Of course if

anyone is looking for an exciting and rewarding career, we are recruiting new corrections staff regularly. So please give it a shot if you think it could be for you.

**Georgie Crozier:** On a point of order, President, I know the Minister for Children had difficulty in answering some of my questions, but I do not believe she answered the questions relating to children that have been involved in criminal activity. Her answers went no way to answering the two questions I put to her, and I would ask that they be reinstated.

**The PRESIDENT:** I can review the answers. I believed in real time that for the minister the categorisation of some of the children in care in your question – she did not agree that they actually fell into that category. But I am always happy to review, so I will get back to the chamber.

### *Constituency questions*

#### **Eastern Victoria Region**

**Tom McINTOSH** (Eastern Victoria) (12:58): (623) I love Landcare. It is always great to get out with our local Landcare groups – they are doing incredible work. I recently joined the Landcare group at Balcombe estuary and saw the incredible work that they are doing to restore the local place and maintain it. Ninety-five volunteers, 450 members – they are much like the tens of thousands of volunteers and members right across Victoria that are doing this incredible work. They are learning together, they are connecting together as a community and they are ensuring that our agricultural land is productive, that we have got the best weed management, that our waterways are well maintained and that we have beautiful spaces to come to together and enjoy together. My question for the Minister for Environment in the other place is: how is the Victorian government supporting the amazing work of local Landcare groups right across Eastern Victoria?

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

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:59): (624) My question today is to Minister Carroll in relation to his industry and innovation portfolio. In Bayswater, in our electorate in the north-east, Rosebank Engineering are producing something called uplock actuators, which are used in the operation of the weapons bay doors in F-35 jets that are currently being supplied to Israel. These parts, produced right here in our electorate in Victoria, are crucial to enabling these fighter jets to release bombs on Palestinian civilians in Gaza. Minister, has this business in particular received any state government funding, grants or business support? I think our constituents deserve to know if their taxpayer dollars are being used or are contributing to an act of genocide.

#### **Northern Victoria Region**

**Wendy LOVELL** (Northern Victoria) (12:59): (625) My question is for the Minister for Roads and Road Safety, and the information I seek is the precise start date and completion date for building suicide prevention barriers on the Melrose Drive Hume Freeway overpass at Wodonga. My Assembly colleague the member for Benambra first raised this issue in 2019, almost a year after a New South Wales woman drove past six similar but protected bridges over the Hume in Albury to commit suicide. The federal government provided money for the barriers that year. The Victorian Labor government finally matched the funding in its 2022 budget; however, start dates and promises have come and gone. Now Ken Wright, the widower of the woman, has been told that the project is further delayed and been given a vague estimate of a start sometime in 2024 and completion later in the year. Ken deserves more than vague estimates. Will the minister please provide the precise start and completion dates for building suicide prevention barriers on the Melrose Drive Hume Freeway overpass at Wodonga?

**David Davis:** On a point of order, President, I was listening in the chamber, and I may not have heard clearly, but as I understand it Mr Puglielli made a point that seemed to me to intimate that either Israel or the Jewish community were involved in a genocide. I stand to be corrected, but that is the way that I took it, and others seem to have taken it the same way in discussion. Now, if that is the case, I think that is quite a serious accusation and I think, at a minimum, unparliamentary. As a point of

order, I would ask you to look at the transcript and ensure that no accusation of genocide has been made.

**The PRESIDENT:** Mr Davis, I take note of the point of order. I actually did not get a chance to completely pay attention to Mr Puglielli's constituency question, but I would say that members have parliamentary privilege to put on record their views. I am happy to look at it, but I uphold people's right to have parliamentary privilege in views that other members would completely disagree with.

### Northern Victoria Region

**Rikkie-Lee TYRRELL** (Northern Victoria) (13:02): (626) My constituency question is for the Minister for Water. The rain event of 7 and 8 January was predicted at least a week before it happened, yet Lake Eppalock sat at 100 per cent capacity and Lake Eildon sat at 97.9 per cent capacity. My constituents would like to know why yet again, for the second time in 16 months, no mitigation measures were taken to protect the communities of Rochester and Seymour from flooding.

### Western Metropolitan Region

**Trung LUU** (Western Metropolitan) (13:03): (627) My question is for the Minister for Police. When will Keilor Downs police station return to having 24-hour availability at the reception centre? Under this government, police stations across Victoria are cutting the hours that they are open to the public because the Allan government has allowed its force to become severely understaffed. My constituents in Keilor Downs and St Albans are deeply concerned about the closure of police station front desks to the public in the evening. Most crime is committed under darkness. Most criminals come out at night to steal cars and break into houses, like my colleague Ms Crozier experienced lately. Domestic violence takes place most of the time at night. The latest release of crime stats shows that Brimbank, in my constituency, has had an increase of 8 per cent in criminal activities. Local police stations must be open and accessible to the public at all times, especially in the dark and after hours. The station front desks need to be open to the public, and my constituents need to know when they will be open 24 hours again.

### Western Metropolitan Region

**David ETTERSHANK** (Western Metropolitan) (13:04): (628) My constituency question is for the Minister for Roads and Road Safety. My constituent cycles along Hopkins Street in Footscray, one of the few railway crossings between Footscray and the CBD. My constituent describes the entire area as treacherous for cyclists and pedestrians alike. Of particular concern is the Joseph Road apartment precinct, where cars turning left from Joseph Road into Hopkins Street tend not to see the faded bike path and are not checking for cyclists. This has resulted in several incidents. The *Age* recently obtained documents showing that prior to the tragic death of 23-year-old Angus Collins, multiple warnings about the Footscray and Dock Link roads intersection were ignored. My constituent asks: will the minister commit to undertaking an urgent safety audit and appropriate corrective action for the Joseph Road–Hopkins Street precinct to prevent further tragedies into the future?

### Eastern Victoria Region

**Renee HEATH** (Eastern Victoria) (13:05): (629) My question is for the Minister for Emergency Services, and the question is: what action is the state government taking to ensure the implementation of Life Saving Victoria's recommendations from their 2019 report? Families along the Bass Coast are currently mourning in the wake of recent tragic drownings, and many are asking what can be done to prevent them continuing. In 2017 the Bass Coast was identified as a drowning black spot. Life Saving Victoria handed down a federal government funded Bass Coast shire coastal risk assessment outlining evidence-based recommendations for addressing local drowning risk. Local activist Graham Jolly is campaigning for an inquiry to find what could have been done to prevent the six drownings along the Bass Coast earlier this year. So, Minister, please, when will the recommendations from this report be released?

### Southern Metropolitan Region

**Georgie CROZIER** (Southern Metropolitan) (13:06): (630) My constituency question is directed to the Premier, and I do hope her office is listening. It is in relation to the shocking vandalism that occurred to the Captain Cook statue in Catani Gardens in St Kilda –

**David Davis** interjected.

**Georgie CROZIER:** That is exactly right, Mr Davis. At the time the Premier made a commitment to repair and reinstate the statue, but unfortunately an ALP councillor on the City of Port Phillip, Mr Robbie Nyaguy, is going to move a motion in council tomorrow night, and it essentially will remove the statue. That is really what he is aiming to achieve. There are so many people who are ignorant about the history of Captain Cook and the extraordinary discoveries that he undertook during his time, and I would ask that the Premier follow through with her commitment and speak with her ALP councillor counterpart to have him withdraw his motion and that this statue be reinstated as promised.

### Southern Metropolitan Region

**David DAVIS** (Southern Metropolitan) (13:07): (631) I want to raise for the attention of the Minister for Creative Industries the cuts that have occurred to the Melbourne Youth Orchestras. This \$200,000 cut is a mean and nasty cut, and the two departments, education and creative industries, are respectively pointing fingers at each other. There is a circle go round, and the orchestras have been sent on a wild goose chase to work out how they can get their funding back. I ask the minister: will he ensure that the funding, the \$200,000 a year, is fully restored, noting that funding has been provided for these orchestras since the 1960s? They provide great education for young people, who are advantaged by lifting their musical capacity. Some go on to careers of course, but for others this enriches their life and provides them with a set of skills that are very important. I think this is a cruel cut and it should be reversed.

**The PRESIDENT:** Can I just clarify, Mr Davis: are the Melbourne Youth Orchestras based in your electorate, or are their members?

**David DAVIS:** They are. Actually, President, they are based at 120–130 Southbank Boulevard.

### South-Eastern Metropolitan Region

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (13:08): (632) My constituency question is to the minister for transport and planning, and I ask: is it standard practice for the Department of Transport and Planning to request the exclusion of key individuals or parties from meetings who have a direct impact on that meeting, like the CEO of a company directly impacted by the Progress Street level crossing removal, who was told not to attend the meeting to address the safety and accessibility concerns and that if he did ‘It would be a catalyst for the meeting to be immediately terminated’? Interestingly, the email was not signed. The instructions given were also that the meeting was not to be recorded. I have been down to look at Progress Street recently and many times before, and it defies logic that this government is progressing with work on an unnecessary and unsafe level crossing removal and has excluded impacted people with genuine concerns. *(Time expired)*

### Western Victoria Region

**Bev McARTHUR** (Western Victoria) (13:09): (633) My question to the Minister for Ports and Freight concerns yet another unforeseen consequence in the government’s chaotic plan to transition to renewable energy. GeelongPort is Victoria’s largest bulk port. Our incredibly productive farmers rely upon it to export their product to the world, yet the mass import of wind turbines is blocking berths at the port, causing delay, extra costs and traffic on our roads as exports are forced to Portland, and Minister D’Ambrosio’s embarrassing failure to develop Hastings as an installation base will worsen the problem. Our transmission infrastructure cannot meet Labor’s arbitrary and onerous renewable targets. Now the port infrastructure is failing too, with knock-on consequences for Victorian farmers.

So I congratulate my constituents in Canberra today who are concerned about the above-ground transmission infrastructure, and I ask the minister: what will you do to mitigate the impact on vital Victorian grain exports?

### **Northern Victoria Region**

**Gaelle BROAD** (Northern Victoria) (13:11): (634) My question is to the Minister for Emergency Services. The Bendigo central fire station is over 40 years old and due for an upgrade to accommodate staff and appliances. It was built in 1983, when there were five firefighters; now they have up to 12 on a shift. In 2019 the state government announced the station was to be upgraded and construction was to begin in mid-2020. After a detailed search and submission, a new temporary site was located 3 kilometres away in Murphy Street, East Bendigo, to operate 24 hours a day while the Hargreaves Street station was upgraded. According to the government's own website, the temporary station in Murphy Street was completed in March 2022 and the project status of the permanent station in Bendigo is currently on hold. As we enter 2024 can the minister please explain why the temporary site remains vacant and when it will be used and provide an update on when the Hargreaves Street fire station upgrade will be completed?

### **Northern Metropolitan Region**

**Evan MULHOLLAND** (Northern Metropolitan) (13:12): (635) My constituency question is directed towards the Minister for Roads and Road Safety. I regularly receive complaints, with pictures of potholes and vehicle damage, from my constituents in Wallan. The deterioration of our roads is a constant threat to the safety of my constituents and often causes damage to their vehicles, particularly on Watson Street and the Northern Highway. Locals were even forced last year to plant a garden bed in one of the potholes and call it 'Wallan botanical gardens sponsored by VicRoads'. Meanwhile the state government is continuing with its frivolous decision to proceed with a Suburban Rail Loop, despite a staggering \$9 billion blowout before construction has even started. How can the state government justify funnelling billions into an extravagant project in established areas while motorists in the north play dodgem cars just to try to get to work? Our cars need to be roadworthy, but under this government our roads are not even carworthy.

### **Western Victoria Region**

**Joe McCracken** (Western Victoria) (13:13): (636) My constituency question is to the Minister for Planning, and I might also direct it to the Minister for Energy and Resources and Minister for Climate Action, I think; I am not really sure which one it goes to. It relates to the York Street development in Ballarat East. Powercor is actually building a substation there, which has caused quite a big stir in the community. It is very serious, because there are a number of households that are impacted very negatively. This substation is \$52 million in construction, so it is a very, very substantial construction, and there have been protests and even a meeting with the member for Eureka in her office, but it resulted in no outcome whatsoever. So I ask the minister: will she intervene to make sure that the residents are heard so that we get an outcome which is suitable to all those that are living in the vicinity of this proposed substation?

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

#### **Invitation from Legislative Assembly**

**The PRESIDENT** (13:14): I have two messages from the Assembly before we move to petitions. There is an amendment to the invitation to Legislative Council members for the apology:

The Legislative Assembly has agreed to the following resolution –

That paragraph (2) of the resolution of the House on 16 November 2023, as amended on 28 November 2023, to invite Legislative Council members to attend the special sitting for the parliamentary apology for past care leavers be further amended to omit the words 'lower public gallery on the Opposition side of the House be deemed part of the Legislative Assembly Chamber and the'.



*Joint sitting of Parliament***Legislative Council vacancy**

**The PRESIDENT** (13:14): I have a further message:

The Legislative Assembly informs the Legislative Council that the Assembly has agreed to the Council's proposal for a joint sitting on Wednesday 7 February 2024 at 6:15 in the Legislative Assembly chamber for the purposes of sitting and voting together to choose a person to hold the seat in the Legislative Council that has been rendered vacant by the resignation of Dr Matthew Bach.

*Petitions***Electricity infrastructure**

**Melina BATH** (Eastern Victoria) presented a petition bearing 55 signatures:

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the concerns about overhead transmission lines through Gippsland and their potential impact on farming land and operations, tourism, visual amenity, the mental health and wellbeing of landowners, bushfire safety and biodiversity.

**The petitioners therefore request that the Legislative Council call on the Government to ensure that all new transmission infrastructure for the Gippsland Renewable Energy Zone project use world class underground construction to connect to the existing infrastructure.**

**Road tolls**

**Georgie CROZIER** (Southern Metropolitan) presented a petition bearing 559 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that the road toll in Victoria is currently 20 per cent higher than at the same point in 2022. Furthermore 2023 is more than 50 deaths above the 5-year average for Victoria.

The former Victorian Parliamentary Road Safety Committee, a bipartisan group whose members represented all sides of politics, did important work and pioneered many successful initiatives that reduced the road toll. It is important that the Victorian Government act in a bipartisan manner to reduce the road toll in Victoria. It is important to start the conversation to reduce the road toll in Victoria and we believe the best opportunity to make our roads safer is for all sides of politics to work together.

**The petitioners therefore request that the Legislative Council call on the Government to reinstate the parliamentary Road Safety Committee and to commit the Victorian Parliament to join the federal Parliament and all states in a national conversation to reduce the national road toll.**

**Payroll tax**

**Georgie CROZIER** (Southern Metropolitan) presented a petition bearing 5675 signatures:

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that the introduction of Payroll tax, otherwise known as tenant doctors in medical practices, is regressive, unfair and unjust. The classification is erroneous. Complications with compliance with the State Revenue Office makes it clinically unsafe to provide care in that manner. The costs of complying with notifications will put large numbers of general practices out of business. Services not being provided by general practice will then have to be provided for in the state hospital system at a 10 to 20 factor increase in cost and inconvenience. The extent of this process goes beyond medicine and health. It affects all small businesses that use contractors in their processes. The department needs to discuss this and prevent it from being implemented.

The petitioners therefore request that the Legislative Council call on the Government to stop the introduction of a payroll tax on contractor doctors and contractors in other health businesses needing deployed services.

**Nuclear energy**

**David LIMBRICK** (South-Eastern Metropolitan) presented a petition bearing 240 signatures:

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the ongoing prohibition on nuclear energy technologies. This ban has existed since 1983 and is overdue for review. Rising electricity costs are impacting Victorians greater than ever before. The Government's efforts towards weather dependent technologies, while well intended, have not provided any relief. The ban excludes

Victoria from economic opportunities in the construction and operation of nuclear energy facilities and other federal endeavours into nuclear technologies. Several polls show the majority of Australians now support nuclear energy. It is safe, clean and reliable. A lifecycle analysis conducted for the United Nations shows nuclear energy has the lowest environmental footprint of all energy sources. Numerous studies show that nuclear energy is both safe and low carbon. It is safer than wind energy and cleaner than both wind and solar energy.

**The petitioners therefore request that the Legislative Council vote in support of the Nuclear Energy (Prohibitions) Repeal Bill 2023.**

**David LIMBRICK:** I move:

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

**Motion agreed to.**

### **La Trobe–Victoria streets tram stop**

**Wendy LOVELL** (Northern Victoria) presented a petition bearing 157 signatures:

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council opposition to the proposed removal of Tram Stop No 9 Latrobe/Victoria Street, Melbourne both eastbound and westbound for the following reasons:

1. There are three very substantial residential towers near the corner of Spring and Latrobe Street, being Spring Street Towers, The Focal and The City Gate which are currently serviced by Tram Stop No 9.
2. Many of the residents of these towers are elderly and infirm and place substantial reliance on the proximity or the tram stop to their homes for the purposes of commuting in and around the city. Furthermore the use of public transport by city residents is consistent with State and Local government objectives to minimize private vehicle usage in and around the city.
3. Tram Stop No 9 provides the most direct access to the Carlton Gardens and to the Royal Exhibition Buildings, significant landmarks which attract local residents, commuters, and tourists.
4. The walking times to the proposed replacement stops (8 and 10) have been significantly understated. They are in fact at least 5 to 7 minutes and much longer for the frail, elderly, and those with young children and prams rather than 3 to 4 minutes as stated on the PTV document.

The Petitioners therefore request that Tram Stop No 9 (Latrobe/Victoria Street, Melbourne) both eastbound and westbound be retained.

**Wendy LOVELL:** I move:

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

**Motion agreed to.**

### **Hydrogen Energy Supply Chain**

**Sarah MANSFIELD** (Western Victoria) presented a petition bearing 3845 signatures:

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that a consortium of businesses is proposing a highly polluting brown-coal-to-hydrogen project in the Latrobe Valley and that the Treasurer has expressed that the Government will further assess the feasibility of the project. The Hydrogen Energy Supply Chain project would turn brown coal into hydrogen for export to Japan, while proposing to use carbon capture and storage technology to store carbon dioxide (CO<sub>2</sub>) in disused offshore gas wells, a technology that has not been proven to work at this scale anywhere in the world. Amid a climate crisis, this new coal project would extend the life of Australia's dirtiest fossil fuel and according to The Australia Institute, create between 2.9 to 3.8 million tonnes of CO<sub>2</sub> per year.

**The petitioners therefore request that the Legislative Council call on the Government to stop the Hydrogen Energy Supply Chain project in the Latrobe Valley and begin the urgent phase out of all existing coal projects with appropriate support for workers and communities.**

**Sarah MANSFIELD:** I move:

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

**Motion agreed to.**

**Melbourne Youth Orchestras**

**David DAVIS** (Southern Metropolitan) presented a petition bearing 192 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council that the Melbourne Youth Orchestras has been funded by the Victorian State Government for decades.

The Melbourne Youth Orchestras provides musical education and training for young Victorians, including those from government schools and disadvantaged backgrounds. Youth orchestras exist in all other Australian states and receive state government funding, however the Allan Labor Government has now cut state government funding to the Melbourne Youth Orchestras to zero.

**The petitioners therefore request that the Legislative Council call on the Government to reverse its cuts to the Melbourne Youth Orchestras and fully restore its government funding.**

**David DAVIS:** I move:

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

**Motion agreed to.**

***Papers*****Strathbogie Shire Council**

*Municipal Monitor Appointed to Strathbogie Shire Council: Report to the Minister for Local Government*

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (13:19): I move, by leave:

That the *Municipal Monitor Appointed to Strathbogie Shire Council: Report to the Minister for Local Government* be tabled.

**Motion agreed to.**

***Committees*****Economy and Infrastructure Committee**

*Inquiry into the Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill 2023*

**Georgie PURCELL** (Northern Victoria) (13:20): Pursuant to standing order 23.22, I table a report on the inquiry into the Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill 2023, including an appendix, extracts of proceedings and minority reports, from the Economy and Infrastructure Committee, and I present the transcripts of evidence. I move:

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

**Motion agreed to.**

**Georgie PURCELL:** I move:

That the Council take note of the report.

The Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill 2023 seeks to introduce changes relating to workplace injuries and the WorkCover scheme. This inquiry focused on considering the bill's proposed changes, and the scope is deliberately confined to assessing the merits, implications and potential ramifications of the bill itself. It was not, and was never intended to be, an inquiry into the WorkCover scheme itself. However, due to much of the evidence heard during the process, we do make a recommendation that it is further looked into.

The inquiry had some significant challenges. Firstly, it was referred to the committee by the Legislative Council on the last sitting day of 2023 and had a required tabling date of today, the first day of the new parliamentary year. Therefore the inquiry was held over the Christmas and new year period, when many people are on annual leave. It was difficult for many of the organisations who the committee identified as key stakeholders to engage as they would have liked. Nonetheless we got it done, and I would like to express my appreciation for the stakeholders who were willing to give up valuable time to either appear in the three days of public hearings that were held in mid-December or to provide a submission subsequently. The committee at all times recognised that the timing of the inquiry and the tight deadline made it difficult for them.

I would also like to thank the committee members for making themselves available during those very busy pre-Christmas times for the public hearings and for giving up time in January, which is often one of the few periods in the year when members can finally have a break. The committee had different views on the preferred outcome of the inquiry, and that is reflected in minority reports in this report. However, despite these differences of opinion, I would like to express my appreciation for the courteous and professional manner in which members expressed their different views throughout. The pressure put on committee staff in an inquiry that considered changes around stress and burnout were not lost on me. I really cannot thank the committee staff enough for their marathon effort, in particular Michael Baker the committee manager and Caitlin Connally the inquiry officer, in pulling together the public hearings at very short notice and for providing the comprehensive draft report quickly over the Christmas period. The administrative staff Julie Barnes, Jo Clifford and Sylvette Bassy also made a significant contribution in getting this report ready in time for tabling today. This bill is obviously a very challenging one for this chamber, and I am hopeful that this report will guide us through the decision-making process.

**David DAVIS** (Southern Metropolitan) (13:23): I would like to begin by complimenting other committee members on the work that was done here. This was a short, sharp and pressured inquiry. I want to particularly single out Michael Baker and the staff for the work that they did, which was actually a significant challenge. Three days of public hearings before Christmas and working to write the report and adopt material by this point, by 6 February, has been a significant challenge, but I think it has actually been done with some panache and some style, so I am just going to put that on the record as a very positive step by the committee. Indeed I think there ought to be more of these short, sharp inquiries into bills to actually strengthen the underpinning of understanding of members and to bring out and flush out a great deal more. I thank the staff in particular.

There is a dissenting report from the coalition members, and the reason for that is because there are a number of matters on which we disagree, but that is as it is. I do think the central recommendation of the inquiry by all members that there be not only proper consultation by the minister but that consultation precede the bill proceeding and that there be a report back to the chamber on that is an important one. The second recommendation in particular that is important I think is the establishment of an independent inquiry by an expert panel into the operation and viability of the WorkCover scheme within three months. That would obtain the agreement of employers and employer organisations before the appointment of people so that we can be sure that there are independent, competent and high-quality people who are able to do that report and that that report will be completed within 12 months.

We know the scheme is in serious trouble, and that is one reason the coalition members attached the Finity report to the back of this. The government has known for four years almost the details and that there are really serious problems – (*Time expired*)

**Katherine COPSEY** (Southern Metropolitan) (13:25): Labor's WorkCover bill will harm Victorian workers. What we have seen in this bill – limiting eligibility, stigmatising mental health and penalising workers to make up for shortfalls – is not the way to achieve reform, and stakeholders confirmed these concerns during hearings. The message was absolutely clear: wrong way, go back. In

a minority report submitted together with committee colleagues Mr Ettershank and Ms Purcell, we urge Labor to withdraw this bill.

The Greens are in agreement that the current system is absolutely in need of reform but in sharp disagreement about how this bill proposes to do that. These changes will push injured workers into poverty, into emergency departments and into an already overstretched mental health system. Yet despite the damning evidence heard against these changes, I fear that Labor and the Liberals are teaming up to keep this bill alive. This is a desperate attempt by the government to claw back money after deliberately underfunding WorkCover for years, and the bill penalises workers. It is very much weighted in favour of employers, the way that the system works now, and of WorkSafe agents who want to minimise payment and maximise profit, as we heard during hearings.

What is needed is a far broader look at WorkCover, and that is welcome, with a focus on prevention, rehabilitation and an overall operation of the scheme that is sustainable. I observe that much of that work has actually been done. There have been multiple reviews into WorkCover over a number of years, such as the 2016 and 2019 reports by the Victorian Ombudsman. Many of those reviews include detailed recommendations to improve the scheme. The changes proposed in the bill I note are inconsistent with the findings and recommendations of the Royal Commission into Victoria's Mental Health System and the government's own mental health policy. Labor's anti-worker bill should be withdrawn.

I want to conclude by echoing the comments thanking the committee secretariat and staff, who helped us pull together this committee and hearing schedule at such short notice.

**David ETTERS Hank** (Western Metropolitan) (13:27): I would also like to just reiterate my appreciation to the secretariat. This was an incredibly rushed inquiry, and it was a testament to their dedication and their professionalism that they brought this together in such a timely manner, so our deep thanks to them for their work. It was also, as Ms Purcell suggested, rather ironic given the mental health and stress element of the bill that we were subjecting our own parliamentary staff to just such pressures.

Speaking on the question of the minority report that was put together by us, the Animal Justice Party and the Greens, it was I think fair to say that the inquiry, notwithstanding its limitations, demonstrated clearly the deep flaws within this legislation. So flawed is it that employers and unions were virtually singing from the same song sheet, so poorly constructed that everyone agreed that this will be a lawyers picnic for years to come, so incoherent that much of its assessment for mental health injury is premised upon texts and documents that say they should not be used for the purposes of mental health assessment. It is farcical, but worse still, the legislation is at its heart profoundly cruel. It punishes people – workers – with mental health injuries, which is ironic given the government's own inquiry into mental health.

I would just in closing note that notwithstanding all of these flaws, there is a consensus position amongst all of those committee members, and that is that that bill should not return to this chamber until such time as an inquiry has had the opportunity to try and in detail explore the legislation and rectify its many, many faults.

**Michael GALEA** (South-Eastern Metropolitan) (13:29): As a participating member of the Economy and Infrastructure Committee, I rise to make a brief contribution as well on the tabling of today's report on the inquiry into the Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Bill 2023. As colleagues have noted in their contributions, this was a very short inquiry run by this committee, and I would like to particularly acknowledge the very hard work of the committee staff, including in particular Michael Baker, in leading us through this inquiry, which was done with the upmost professionalism as if we had had many, many more months to process and organise ourselves. I would also like to acknowledge the stewardship of our chair Ms Purcell and, like others, note the collegial nature in which all members participated in this inquiry,

which was really nice to be a part of. Finally, I would also like to really acknowledge the witnesses who came and spoke to us and shared their experiences, shared their stories and shared their insights and really acknowledge the contributions and the impact that they made on this inquiry as well.

**Evan MULHOLLAND** (Northern Metropolitan) (13:30): I will start off by thanking the staff of the committee, particularly Michael Baker. As mentioned by many colleagues, it was a tough ask that this chamber made but I think a worthwhile one, looking at all the submissions and looking at the amount of detail that we came up with and the people that we heard from. I think the opposition was justified in putting forward a motion to this chamber to refer it to a committee. As you can see, there are a number of recommendations that we are keen to see acted on, particularly that the minister actually enacts some consultation. One clear piece of evidence from the inquiry is that there was no consultation, as many stakeholders said. They were ‘consult-told’ about changes, so we are keen to see the minister take part in some pretty urgent consultation around that, and an independent inquiry into the scheme itself commissioned within three months. In obtaining that agreement from employee and employer organisations as to who that should be, you will see a quite detailed dissenting report from the Liberals and Nationals. It was good to see those opposite often supporting our motions throughout that majority report as well. But particularly with regard to our dissenting report, which is quite detailed, we would like to see the government guarantee a freeze on premiums for two years.

We would like to see the government consider separate scheme arrangements for private and public sector employees. The private sector, as we heard during the inquiry, should not be forced to subsidise the public sector. The Victorian public service is responsible for a disproportionate amount of WorkCover claims, with 38 per cent of all mental health injury claims made by public servants, who make up only 10 per cent of Victoria’s labour force. We want to see premium discounts for good employers, and we want to avoid another WorkCover crisis by having WorkCover accountable to the Parliament every six months.

**Motion agreed to.**

### Scrutiny of Acts and Regulations Committee

#### *Alert Digest No. 1*

**Sonja TERPSTRA** (North-Eastern Metropolitan) (13:33): Pursuant to section 35 of the Parliamentary Committees Act 2004, I table *Alert Digest No. 1* of 2024, including appendices, from the Scrutiny of Acts and Regulations Committee. I move:

That the report be published.

**Motion agreed to.**

### *Papers*

### **Papers**

**Tabled by Clerk:**

Auditor-General – Reducing the Harm Caused by Drugs on Victorian Roads, December 2023 (*released on 6 December 2023 – a non-sitting day*) (*Ordered to be published*).

Caulfield Racecourse Reserve Trust – Report, 2022–23.

Crown Land (Reserves) Act 1978 – Order of 14 December 2023 giving approval for the granting of a lease at Albert Park.

Duties Act 2000 – Treasurer’s Report of Foreign Purchaser Additional Duty Exemptions for 1 January 2023 to 30 June 2023, under section 3E(2) of the Act.

Financial Management Act 1994 – 2023–24 Budget Update (*released on 15 December 2023 – a non-sitting day*).

Gambling Regulation Act 2003 –

Wagering and Betting Licence issued to Tabcorp VIC Pty Ltd on 18 December 2023, under section 4.3A.14(1) of the Act.

Wagering and Betting Licence Related Agreement entered into with Tabcorp VIC Pty Ltd on 18 December 2023, under section 4.3A.14(1) of the Act.

Independent Broad-based Anti-corruption Commission – Special report on Victoria Police’s responses to IBAC’s recommendations, December 2023 (*released on 12 December 2023 – a non-sitting day*) (*Ordered to be published*).

Interpretation of Legislation Act 1984 – Notices under section 32(3)(a)(iii) in relation to –

Statutory Rule No. 115/2023 (*Gazette G50, 14 December 2023*).

Statutory Rule No. 122/2023 (*Gazette G50, 14 December 2023*).

Land Acquisition and Compensation Act 1986 – Minister’s certificate of 20 December 2023 to not require the service of a notice of intention to acquire land, under section 7 of the Act.

Legal Profession Uniform Law Application Act 2014 – Practitioner Remuneration Order 2024.

Liquor Control Reform Act 1998 – Report, 2022–23 by the Chief Commissioner of Victoria Police, under section 148R of the Act.

Local Government Act 2020 – Order in Council for the suspension of all of the councillors of the Strathbogie Shire Council and appointment of an administrator for the Council of 5 December 2023, under section 230(7) of the Act (*Gazette S648, 5 December 2023*).

Major Events Act 2009 – Major Sporting Event Order for the 2023 Boxing Day Test between Australia and Pakistan from 26 December to 30 December 2023, the One Day International between Australia and West Indies on 2 February 2024 and all 2023/2024 Big Bash League Twenty20 matches (including Finals) played at the Melbourne Cricket Ground, dated 19 December 2023, under section 22 of the Act.

Ombudsman – Alleged politicisation of the public sector: Investigation of a matter referred from the Legislative Council on 9 February 2022 – Part 2, December 2023 (*released on 6 December 2023 – a non-sitting day*) (*Ordered to be published*).

Planning and Environment Act 1987 –

Infrastructure Contributions and Development Contribution Levies – Report, 2022–23, under section 46GZJ of the Act.

Notices of approval of the following amendments to planning schemes –

Bass Coast Planning Scheme – Amendment C152.

Baw Baw, Cardinia, Greater Dandenong, Greater Geelong, Hepburn, Latrobe, Melbourne, Melton, Merri-bek, Moira, Monash, Stonnington, Strathbogie and Wyndham Planning Schemes – Amendment GC230.

Brimbank Planning Scheme – Amendment C238.

Campaspe Planning Scheme – Amendment C124.

Central Goldfields Planning Scheme – Amendment C39.

Colac Otway Planning Scheme – Amendment C127.

Darebin Planning Scheme – Amendments C199 and C209.

East Gippsland Planning Scheme – Amendment C166.

Golden Plains Planning Scheme – Amendment C103.

Greater Bendigo Planning Scheme – Amendment C247.

Greater Dandenong Planning Scheme – Amendments C224, C240, C246 and C247.

Greater Geelong Planning Scheme – Amendments C339 (Part 2) and C455.

Greater Shepparton Planning Scheme – Amendments C239 and C242.

Hepburn Planning Scheme – Amendment C78.

Hobsons Bay Planning Scheme – Amendment C134.

Hume Planning Scheme – Amendment C269.

Latrobe Planning Scheme – Amendment C121.

Mansfield Planning Scheme – Amendment C59.  
 Maribyrnong Planning Scheme – Amendments C178 and C183.  
 Maroondah Planning Scheme – Amendment C146.  
 Melbourne Planning Scheme – Amendment C457 and C461.  
 Melton Planning Scheme – Amendment C242.  
 Mitchell Planning Scheme – Amendment C157.  
 Moonee Valley Planning Scheme – Amendment C233.  
 Mornington Peninsula Planning Scheme – Amendment C303.  
 Murrindindi Planning Scheme – Amendment C75.  
 Surf Coast Planning Scheme – Amendment C141.  
 Victoria Planning Provisions – Amendments VC249 and VC250.  
 Whitehorse Planning Scheme – Amendment C241.  
 Yarra Planning Scheme – Amendment C269.  
 Yarra Ranges Planning Scheme – Amendments C211 and C222.  
 Yarriambiack Planning Scheme – Amendment C33.

Project Development and Construction Management Act 1994 – Nomination Order and Application Order of 5 December 2023, under sections 6 and 8 of the Act and a statement of reasons for making a Nomination Order of 5 December 2023, under section 9 of the Act.

Statutory Rules under the following Acts –

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 – No. 126/2023.  
 Architects Act 1991 – No. 135/2023.  
 Building Act 1993 – Nos. 132/2023 and 2/2024.  
 Casino Control Act 1991 – No. 119/2023.  
 Circular Economy (Waste Reduction and Recycling) Act 2021 – No. 134/2023.  
 Cladding Safety Victoria Act 2020 – No. 1/2024.  
 County Court Act 1958 – Nos. 120/2023 and 130/2023.  
 Health Practitioner Regulation National Law Act 2009 – No. 127/2023.  
 Heritage Act 2017 – No. 3/2024.  
 Magistrates' Court Act 1989 – No. 128/2023.  
 Magistrates' Court Act 1989 – Criminal Procedure Act 2009 – No. 129/2023.  
 Occupational Health and Safety Act 2004 – No. 4/2024.  
 Subordinate Legislation Act 1994 – No. 133/2023.  
 Supreme Court Act 1986 – Nos. 123/2023 and 124/2023.  
 Supreme Court Act 1986 – Administration and Probate Act 1958 – No. 125/2023.  
 Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 – No. 131/2023.

Subordinate Legislation Act 1994 –

Documents under section 15 in relation to –

Orders under the Occupational Health and Safety Act 2004 relating to the Workplace amenities and work environment compliance code.  
 Statutory Rule Nos. 119/2023, 121/2023, 123/2023, 124/2023, 125/2023, 126/2023, 128/2023, 129/2023, 130/2023, 131/2023, 132/2023, 133/2023, 134/2023, 1/2024, 2/2024, 3/2024 and 4/2024.

Legislative Instruments and related documents under section 16B in respect of –

Environmental Protection Act 2017 –

EPA Designation – Classification of digestate for composting or other secondary processing or use.



EPA Determination – Specifications acceptable to the Authority for receiving digestate.

Essential Services Commission Act 2001 – Land Access Code of Practice 2023.

Water Efficiency Labelling and Standards Act 2005 – Water Efficiency Labelling and Standards scheme, Report, 2022–23.

Proclamations of the Governor in Council fixing operative dates in respect of the following acts were laid on the table by the Clerk:

Environment Legislation Amendment (Circular Economy and Other Matters) Act 2023 – Remaining provisions – 20 December 2023 (*Gazette S686, 19 December 2023*).

Special Investigator Repeal Act 2023 – 2 February 2024 (*Gazette S687, 19 December 2023*).

Proclamation of the Lieutenant-Governor in Council fixing an operative date in respect of the following act was laid on the table by the Clerk:

Triple Zero Victoria Act 2023 – Whole Act, other than Part 11 – 15 December 2023 (*Gazette S670, 12 December 2023*).

*Petitions*

**North East Link**

**Planning permits**

**Gas supply**

**Mount Eliza Secondary College**

*Response*

**The Clerk:** I have received the following papers for presentation to the house pursuant to standing orders: ministers' responses to petitions titled 'Stop the North East Link splitting Watsonia', presented by Mr McGowan; 'Re-evaluate regulations for owner-occupied property planning permits', presented by Dr Bach; 'Reject the decision to stop natural gas connection', presented by Mr Limbrick; and 'Funding for Mount Eliza Secondary College', presented by Dr Bach.

*Production of documents*

**Housing**

**Energy supply**

**Melbourne Airport rail link**

**Duck hunting**

**Kangaroo control**

**The Clerk:** In response to various orders for the production of documents, I table the following letters from the Attorney-General: a letter dated 6 December 2023 in response to a resolution of the Council on 15 November 2023 on the motion of Dr Ratnam relating to the redevelopment of high-rise public housing sites, a letter dated 6 December 2023 in response to a resolution of the Council on 15 November 2023 on the motion of Mr Davis relating to gas and electricity supplies and a letter dated 18 December 2023 in response to a resolution of the Council on 29 November 2023 on the motion of Mr Davis relating to the Commonwealth infrastructure review. These letters state that the date for the production of documents does not allow sufficient time to respond and that the government will endeavour to provide a final response to the orders as soon as possible.

I further table a letter from the Attorney-General dated 1 February 2024 in response to the resolution of the Council on 3 May 2023 on the motion of Mr Bourman and further to the government's initial response on 1 June 2023 relating to the seasonal changes to the 2023 duck-hunting season. The government has identified 66 documents within the scope of the order. A claim of executive privilege

has been made over seven documents in part and four documents in full. I further table 55 documents provided in full and seven documents provided in part together with schedules of the identified documents.

I have received a further letter from the Attorney-General dated 6 February 2024 in response to a resolution of the Council on 29 November 2023 relating to the kangaroo harvest management plan. The letter states that the date for the production of documents does not allow sufficient time to respond and that the government will endeavour to provide a final response to the order as soon as possible.

**Samantha Ratnam:** On a point of order, President, I just note with concern the delay in the production of a number of sets of documents that the Council is awaiting: matters that are really of high significance to a number of plans the government has – for example, the demolition of public housing across this state. I seek your advice on how the Council can hold the government to account for the need to produce documents that the Council has resolved for them to produce.

**David Davis:** Further to the point of order, President, I was about to make a similar point of order, and I particularly draw attention to the request for documents around gas and electricity supplies and the Commonwealth infrastructure review. These are now many months overdue. A letter that comes from the government saying ‘We’re looking and we’re going to take some time’ – President, this is now many months, and there needs to be some explanation. The minister might, by leave, like to make some explanation.

**The PRESIDENT:** Mr Davis, I think that you have made your point. Further to Dr Ratnam’s point of order, there is no point of order as I have no recourse afforded to me under the standing orders in these incidents, but members can move a further motion at a later date to debate this issue.

**David DAVIS** (Southern Metropolitan) (13:39): I move, by leave:

That the minister be given 5 minutes to explain why these documents have not been provided.

**Leave refused.**

### *Business of the house*

#### **Notices**

**Notices of motion given.**

#### **General business**

**Georgie CROZIER** (Southern Metropolitan) (13:54): I move, by leave:

That the following general business take precedence on Wednesday 7 February 2024:

- (1) order of the day 1, second reading of the Drugs, Poisons and Controlled Substances Amendment (Pill Testing Pilot for Drug Harm Reduction) Bill 2023;
- (2) notice of motion given this day by me on youth justice and youth crime;
- (3) notice of motion given this day by me on ambulance services;
- (4) notice of motion given this day by Mr Davis on the Melbourne Youth Orchestras funding; and
- (5) notice of motion given this day by Mr Bourman on firewood collection.

**Motion agreed to.**

*Committees***Legal and Social Issues Committee***Membership*

**Georgie CROZIER** (Southern Metropolitan) (13:55): I move, by leave:

That:

- (1) I be discharged as a member of the Legal and Social Issues Standing Committee;
- (2) Dr Heath be a member of the Legal and Social Issues Standing Committee; and
- (3) I be a participating member of the Legal and Social Issues Standing Committee.

**Motion agreed to.**

*Members statements***It's the Little Things Community**

**John BERGER** (Southern Metropolitan) (13:55): Yesterday I had the opportunity to visit It's the Little Things Community, a charity in my community of Hawthorn. It is a community that I know dearly misses their former, hardworking local member John Kennedy. It's the Little Things works four days a week providing over 600 meals to 11 charities across Melbourne. Yesterday they made 190 individual box meals, including Sri Lankan beef curry and rice, turkey meatloaf and macaroni and cheese, roast chicken and feta mash and sausage pasta. They cook between 9:30 in the morning and 1:30 in the afternoon and then they are out the door. Yesterday's meals were for three charities, all in my electorate of Southern Metro. They included Park Towers, South Melbourne; Emerald Court housing, South Melbourne; and Camcare, Camberwell.

Since May 2022 this great local charity has cooked 45,000 meals – what a great effort. It could not happen without their team of 50 volunteers, who take time out of their own busy lives to give back – people like Nia, Suzy, Ali, Behin, June, Kanchi and Libby, who I met yesterday – and of course the founders Grant and Jane Stewart, who invited me. Thank you to all of you for what you do. I encourage everyone in my community of Hawthorn and Southern Metro to donate if they can at [www.itsthelittlethingscommunity.org](http://www.itsthelittlethingscommunity.org).

**Wilsons Promontory National Park**

**Melina BATH** (Eastern Victoria) (13:57): We all know in Gippsland that Gippsland boasts some of the best beaches in the world, and indeed it is actually official, as Tourism Australia has found that beautiful Squeaky Beach is the best beach in Australia. It has pure white quartz sand that squeaks when we walk on it. It has got beautiful granite boulders that kiss the edge of the beach. It is a wonderful playground for families, with flora and fauna and of course the turquoise water and that foaming surf. It is just an enchanting place for locals, domestic tourists and international tourists.

However, what is far less attractive is when tourists then visit the Tidal River information centre and see the ablution block that has sat there for 50 years and is decaying slowly. Unfortunately the disabled toilet has the sign 'Apologies, I'm out of order'. The toilet itself is archaic. It is not a good look and not a good reflection for people coming to our beautiful Wilsons Promontory. I know the state government two years ago spruiked some money on the table for improvement of infrastructure, but we are yet to see this. The wonderful rangers do the most amazing job, and I am sure that they are very frustrated by the state of this dilapidated facility. I call on the government to actually expedite those upgrades so that we can match our world-class facilities with the world-class beaches.

**Duck hunting**

**Georgie PURCELL** (Northern Victoria) (13:58): This government hates wildlife. Last Monday was the day that duck shooting should have been banned in Victoria. Instead it was a day we saw them waste taxpayer money and betray parliamentary processes, our wildlife and the community by giving

the green light to continue the blood sport. It is a decision that flies in the face of the thousands of Victorians who submitted evidence to this inquiry and one that without justification prioritises hobby shooters over the environment.

It was also the day that ended with a bizarre form of sexism against me. Moments after viewing it on TV I saw an altered image of me from the nightly news shared immediately in a public shooters' forum with a string of violent, sexist and misogynistic commentary underneath. Emboldened by their win, their comments have continued to escalate – backed in by the leaders of this state. It is no secret that this process came at an enormous personal toll for me and many others, and this gutless government has made it all for nothing. But unlike them, I will keep my word and I will continue to fight for our native waterbirds in here and on the wetlands as long as duck shooting continues.

### Midsumma Festival

**Ryan BATCHELOR** (Southern Metropolitan) (14:00): On Sunday we saw the Midsumma Pride March once again return to Fitzroy Street in St Kilda. The Midsumma Pride March is an iconic event in Victoria, and on Sunday it was full of some pretty iconic Victorians expressing themselves, celebrating who they are and who they love. I was honoured to attend this year's Pride March. I marched firstly with the Premier, the Minister for Equality, the Minister for Tourism, Sport and Major Events, the member for Albert Park and then also my state and federal colleagues in Rainbow Labor, along with 400 other groups who marched all the way down Fitzroy Street to celebrate Victoria's LGBTIQ+ communities. It was a fun-filled, jam-packed day full of colour, style, sparkle, fortunately some sun protection and probably a lot of sweat as well.

The Midsumma Festival is a huge start to the year, but our support for our queer communities does not stop there. It is not for one march, it is not for one day, it is not for one month; all LGBTIQ+ Victorians deserve to be treated with dignity and respect all year round, and I am proud to be part of a Labor government that is committed to standing with our LGBTIQ+ communities against discrimination and against hate and to ensuring that they are safe and celebrated and equal.

### Noel Rankin

**Gaelle BROAD** (Northern Victoria) (14:01): I would like to pay tribute today to the life of Noel Rankin, who passed away in January this year at the age of 90. Noel Rankin served the Parliament of Victoria with excellence for many years as an electorate officer to former members of the Legislative Council Ken Wright for 18 years and Ron Best for 14 years. At her 80th birthday celebration Ron Best presented a 'This is your life'. Noel was also a much-loved and long-time member of the Nationals and was recognised as a life member of the Victorian division and served as president of the Nationals Women section and as a member of the state council for many years. A service was held in Bendigo to celebrate her life on 24 January. Noel had many interests in life, but her family made special mention of her Nationals life membership, saying she treasured it.

Just last week we held the official opening of my new electorate office in Bendigo and it was great to see her family represented at the official opening. Her family shared some precious letters that were written to Noel, including a letter from the former leader of the National Party Peter Ryan. It was written when she finished work in 2002, and it seems fitting to repeat these words today:

I freely confess it seems strange to no longer have you amongst us – in the work sense at least. For all that I am sure that you have finished with many wonderful memories.

I wish you well in the time to come. You will always be fondly remembered by all of us who have the honour and good fortune to be representatives of the National Party in the Parliament of Victoria.

Our thoughts and condolences are with Noel Rankin's children, Andrea, Glen and Gayle, as we reflect on and celebrate a life well lived.

### Tamil Heritage Month

**Samantha RATNAM** (Northern Metropolitan) (14:03): Millions of Tamil people across the world celebrate Tamil Heritage Month in January as we mark the annual harvest festival, which is a time of thanksgiving for the abundance of nature. There were a number of events over the month in Melbourne, and I especially want to mention Australian Tamil Sangam and Tamil Festival Australia for hosting two very successful events amongst many across the state.

This year the Australian Tamil Festival was hosted in Nunawading. Over 5000 members of the Tamil community attended a wonderful carnival of music, dance, stalls, rides, food, games and so much more. This was an area that we moved to when we migrated to Melbourne over 30 years ago, and if you had told me that one day it would be possible for thousands of our Tamil community to be supported to gather nearby to celebrate and showcase the best of our culture and talents, I would not have thought it possible, such is the strength of this community that I am so proud to be a part of and represent. This highlights the value of local and other government support to community organisations.

As Tamils from Sri Lanka we have known what it is like for our language, culture, aspirations and homelands to be oppressed, we have known what colonialism does to our ability to keep our histories alive and we have felt how displacement scatters our families across oceans and continents, and that is why so many of us stand steadfast in solidarity with First Nations people here and everywhere. To have events like these to know and feel our culture and take our kids to when we are so far away from our other homelands is so very special. Thanks to all the hardworking organisers who made it such a success for all of us to enjoy.

### MS Mega Challenge

**Sonja TERPSTRA** (North-Eastern Metropolitan) (14:04): I rise to update the house about a recent initiative I am participating in, which is the upcoming MS Mega Swim challenge. It is a 24-hour swimming challenge to raise funds to find a cure for and assist people who are living with multiple sclerosis. There are over 33,000 people living with MS in Australia, and everyone's experience is unique. Living with MS is complex and can be unpredictable, with varied symptoms that can range from mild to severe. They can relapse and they can remit. They may flare up once in a while or last for long periods of time. Recent research has shown that out of every new diagnosis approximately three in four people who are diagnosed with MS are women, so it is incredibly important that we continue the fight to find a cure for MS. It is poorly understood, and the role of women's hormones on the impact of MS is also poorly understood. So I look forward to participating in that challenge. I have known some people during my working life who have had multiple sclerosis. It is a very challenging and difficult disease to live with, and I really hope that through medical research and more effort we can work on finding a cure. I look forward to participating in that swimming challenge. All the proceeds will be going towards finding a cure and helping people living with MS to have a better quality of life.

### Health system

**Georgie CROZIER** (Southern Metropolitan) (14:06): Last week's data from the Productivity Commission's *Report on Government Services* paints a bleak picture for Victoria's health system. Despite spending the second-highest amount in Australia on public health services, the data shows Victorians are not receiving what they are paying for. Furthermore, Victoria has the unenviable position of having the most sentinel events of any Australian jurisdiction. In addition, last week's Victorian Agency for Health Information data also showed little improvement for tens of thousands of Victorians who remain languishing on vital surgery waitlists. Yet today we have another media report on Labor's health tax, a tax that will be adding costs of up to 30 per cent for Victorians to see a doctor, with one in six clinics likely to close. These are really concerning statistics, and again the government refuses to listen. What do the millions of Victorians do, then? They either delay their care and get sicker, or they flood into our already overstretched emergency departments. This insidious tax

must stop, and again I call on the government to understand the real-life impacts of their tax grab, a tax grab that they are doing because the state is broke.

#### **Cecil ‘Boz’ Parsons**

**Georgie CROZIER** (Southern Metropolitan) (14:07): On another matter, can I quickly pay tribute to Cecil Parsons, or ‘Boz’, as we all knew him, who died a few days ago at the age of 105. Boz was a great Australian who served in the RAAF during World War II. He was awarded the Distinguished Flying Cross, and the citation mentioned a capable pilot who had shown an ability to carry out any type of operational flying coolly and skilfully. His story is one of a proud and remarkable Australian who served his country. After the war he took on various roles, including teaching and being a housemaster at Geelong Grammar. For those who knew Boz, including me and members of my family, he was widely respected and much loved. Vale, Boz.

#### **Australia Day**

**Joe McCRACKEN** (Western Victoria) (14:07): I would like to acknowledge all the new citizens that became Australian citizens on Australia Day this year. I attended a number of different ceremonies – in Golden Plains, which was in Haddon; in the City of Melton, which unbelievably had 800 citizens that became Aussies in one day and then 400 the next, which was just massive; and then in the City of Ballarat, which had 64 new citizens. When I look across and see all the new citizens, they are proud to be Aussies. They are there waving the Australian flag.

As part of those citizenship ceremonies we also saw a number of community awards for various shires. I attended the Golden Plains, the Melton and the City of Ballarat ones. I would like to acknowledge the recipients of those awards and congratulate them on their work in supporting the community.

I also want to make the point – and to support Ms Crozier’s point before – that what we saw leading up to Australia Day was disgusting. When you have got public statues being literally cut off at the feet, that is not acceptable in this country. There is no other way to say it – it is just not acceptable. So I hope to see every person in this chamber condemn those horrible attacks in the strongest possible fashion, because that was un-Australian.

#### **Australia Day**

**Trung LUU** (Western Metropolitan) (14:09): I had the great honour of attending the citizenship ceremonies on Australia Day in Hobsons Bay and then at Moonee Valley City Council. I always leave these ceremonies feeling extremely optimistic about our country because I can personally meet our new fellow citizens and get to see firsthand the excitement that people feel at the chance to join our nation and sing the national anthem. There is emotion on their faces when the song *I Am Australian* is sung, with the words:

We are one, but we are many  
And from all the lands on earth we come  
...  
I am, you are, we are Australian.

You feel the energy, the power in the room and the sense of belonging and togetherness at the opportunity to make Australia and Victoria their home.

I still remember the day that I became an Australian citizen with my parents in Box Hill. It was a great moment of pride and feeling of joy that a new country had opened its arms and welcomed us. I feel deeply appreciative throughout my life, and I have given back to Australia as much as I can. I have done my best to serve the country in many roles, and now in Parliament I carry out the duties of this role with a deep appreciation of Australia’s culture and political traditions – traditions that make it a safe country, a prosperous country and a place of integrity and mateship where people can reach out and help each other and have the same values. It is a shame that some councils reject the opportunity

to hold citizenship ceremonies on this day, our national day. There is no better day to have them than Australia Day, and I look forward to doing the same next year.

### **Dunkley by-election**

**Renee HEATH** (Eastern Victoria) (14:11): The more stable industries we have, the stronger and more secure we are as a state. We have a stronger economy, more home ownership, more stability and more opportunity for Victorians. Yet Labor have crashed our energy industry and shut down our native timber industry, and under Labor life is becoming increasingly hard for farmers. Victoria is incredibly rich in natural resources, yet we are in the middle of an energy crisis. We have vast land that produces the best food in the world, yet families are struggling to put food on their own tables. We have a plentiful forest, yet we are not allowed to use our own resources. This is the legacy of Labor – hardship when we should not be struggling, lack in the midst of plenty and a cost-of-living crisis where we should be prospering.

On 2 March the people of Dunkley will be faced with a choice – more of the same or Nathan Conroy, a trusted voice. It is only the values of liberalism that will restore hope to this once-thriving state, so choose wisely on 2 March.

### **George Swinburne**

**David DAVIS** (Southern Metropolitan) (14:12): I want to draw the chamber's attention to the sad and untimely death of George Swinburne, my friend and a strong Liberal. He was the loving husband of Maureen and the loving father of Caroline, Diana and Jane. His presence across the eastern suburbs of Victoria as a Liberal, as a person known widely in the legal community, is something that we will all remember. He was a person who was a strong personal supporter of mine, and I want to place on record my sadness at his untimely passing.

He was a person who was great fun. He could go out for a drink, have a meal. He loved to ski. He had enormous links and arrangements with Ormond College. He was often overseas. He was at the races. He was a person who had links, as I say, absolutely everywhere. George was also a very sharp intellect. George would provide you with an assessment of points of policy and ideas, sometimes not to your liking. But nonetheless he was always a person I listened to because he did provide that information and that feedback, and that strengthens the performance of MPs immeasurably.

It is particularly Maureen that I feel has missed out by George dying at an untimely point. She is a fantastic woman. He was a fantastic partner. They were a great pair, and George will be very, very sadly missed. I will treasure his memory, and I think that he should be recorded widely for his great contribution. Vale, George Swinburne.

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

#### **Notices of motion**

**Lee TARLAMIS** (South-Eastern Metropolitan) (14:14): I move:

That the consideration of notices of motion, government business, 171 to 278 be postponed until later this day.

**Motion agreed to.**

#### ***Bills***

### **Biosecurity Legislation Amendment (Incident Response) Bill 2023**

#### ***Second reading***

**Debate resumed on motion of Harriet Shing:**

That the bill be now read a second time.

**Georgie CROZIER** (Southern Metropolitan) (14:15): I rise to speak to the Biosecurity Legislation Amendment (Incident Response) Bill 2023, and I want to make a few comments. This is an important piece of legislation that we are debating today because it goes to the heart of protecting so much that is so precious to our island nation of Australia and importantly protecting so much of our industry here in Victoria. Having biosecurity measures in place really has an enormous impact on our economy. I will talk a little bit more about recent outbreaks of various diseases that have been detected in the country and how they pose an enormous risk to livelihoods but also the wellbeing and welfare of our flora and fauna and our livestock.

This bill is going to facilitate additional information sharing with the Commonwealth, other jurisdictions and other government agencies during emergencies, including an exotic animal disease outbreak. I think that is a very important point in this bill, because of course we have just come through COVID, and we have seen what has happened through COVID. We have seen how this government here in Victoria acted alone even though there was a national cabinet in place and even though there were decisions made at that national cabinet around COVID. I know that is not what we are talking about – we are on this biosecurity issue specifically – but I am making the point that here in Victoria we went alone without having the consistency that was sometimes decided on by that national cabinet, and I think history will show just how poorly Victoria performed in relation to COVID and how we had the harshest restrictions with the worst outcomes, the worst deaths. Everybody in this chamber understands the devastating effects of the lockdowns, the unilateral decisions that were made, the lack of transparency that was provided to the Victorian community and the impact that that had on the health and wellbeing of many Victorians – of course many children could not go to school. Those impacts are still being felt. Then of course we had the shutdowns of businesses, the lack of support and the really massive, massive amounts of money spent, and we are paying for those decisions of the government.

So I do think it is very important that this bill points out in relation to biosecurity that it does have that information-sharing arrangement with the Commonwealth and other Australian jurisdictions and agencies. I mean, we border New South Wales and South Australia, and yet look at how those border closures caused so much havoc through COVID. This is a sensible measure. I only wish the government had actually put in practice then what it is preaching to us through this piece of legislation in relation to biosecurity measures. As I said, I do not think history is going to treat the former Andrews Labor government very kindly in relation to the management of COVID. That is why I have always said we need a royal commission – so we never, ever go back to those failures and so we understand what we did right and understand the many things that they did wrong.

The other purposes of the bill are to improve control area and restricted area provisions by broadening their applicability and streamlining public notification procedures; improve clarity and efficiency of emergency management provisions, including simplified quarantine provisions – again I give the example of COVID, where lockdowns were widespread across the state and really there was such a disjointed process in all of that, but getting back to this bill – amend compensation payment procedures in relation to exotic animal diseases, including eligibility criteria and valuation processes, to facilitate administrative efficiency; and improve enforcement capability by providing for Victoria Police officers to be appointed as inspectors without requiring the declaration of an exotic animal disease outbreak. I know my colleague Ms Bath will talk about this in relation to the issue around Gippy Goat and really just the issues surrounding what police officers could do when those animal activists have trespassed on a legitimate business and caused so much havoc and distress.

Going back to the bill, it will strengthen inspector powers by allowing inspectors to direct people and vehicles during an exotic animal disease outbreak and broadening the applicability of existing provisions; strengthen traceability requirements to improve compliance and enforcement and mitigate exotic animal disease risks; improve compliance processes by broadening permit provisions in relation to the Plant Biosecurity Act 2010; improve enforcement capability by providing for Victoria Police officers to be appointed as inspectors under the Livestock Management Act 2010; and achieve greater



deterrence by increasing penalties for offences under the Livestock Disease Control Act 1994, the Plant Biosecurity Act 2010 and the Livestock Management Act 2010.

Deputy President, when we were debating a similar piece of legislation back in 2022, the biosecurity animal activists bill – you will not recall; you were not here – the coalition moved an amendment to double the penalties around these animal activists trespassing and really disrupting, as I said, legitimate businesses and the businesses that they are carrying out. Unfortunately, at the time the government rejected that very sensible amendment, but I am pleased they have taken up our amendment from two years ago and they are applying it somewhat in this bill. So it is pleasing to see that the government, despite not listening to what the coalition was putting forward at the time to assist and provide greater security to people, have finally come to the party and are doing it.

I have mentioned Gippy Goat, and that was in relation to some biosecurity issues and trespassing on farms. I grew up on a farm. I am a wool producer's daughter, but we had cattle and also broadacre cropping, so I understand exactly what so many talk about when they are talking about coming onto farms, whether it is trucks and the initial issues of cleaning down trucks or making sure the product that you are producing on your farms is as clean as can be and that when it has been put to market you are providing those high-quality products, whether it is livestock or plant in the instance of crops. But I think this is a very important bill around biosecurity. What it is intending to do is really ensure that we do protect against the threat of animal disease or pest and weed disease that can create havoc across our farming industries, because they are such a huge part of not only our Victorian economy but our Australian economy and provide an enormous amount to the overall running of this country. Indeed I think it is Australian farmers that actually feed somewhere in the vicinity of a hundred million people around the world outside Victoria. That is how efficient and how sought after is our product, and that is something that we must protect.

You may or may not be aware that a few years ago there was an outbreak, and it caused a great deal of distress to our bee industry. The varroa mite was found in New South Wales, and it was thought it came through some sort of shipping component through Newcastle, if I recall correctly; I could have that a little bit wrong. Nevertheless it was very concerning because our bees are absolutely critical to farming and to of course producing some of the cleanest and the most beautiful honey in the world. The most natural resource is honey, and that industry must be protected. So it was concerning that the varroa mite got hold in this country. Of course New South Wales jumped on it, and Victoria also needed to work with the New South Wales government at the time to ensure that management was put in place. Now, they have said that eradication could not be undertaken but that management be put in place, but that is just one recent example of how these diseases, and very serious diseases, can come in and literally wipe out our natural products and a very important component of, in the case of bees, pollination and assisting with our crops and food supply.

A few years ago another news item that I recall was the lumpy skin disease outbreak in cattle in Indonesia. Now, that disease is a shocking disease. It is taking place or taking hold in parts of South-East Asia, and that is something that we do not want in this country at all. We do not want it. It will affect our cattle industry, both beef and dairy. We pride ourselves on having such a brilliant and fabulous beef and dairy industry that provides so much to this country and, as I said, to the export market. It is really important. So it is incredibly important that those sorts of diseases are kept out of our state, and that is why this bill is incredibly important around those biosecurity elements.

I know that there are various parts of the industry and stakeholders who have been consulted on this and provided input to the government. It is important to have that. The Victorian Farmers Federation obviously have provided their feedback. They have also been talking about the issue around extending police powers to act as inspectors on properties and understanding that that has got to be carefully managed and not misused, but I think that is probably being sorted out through the consultation. The minister is nodding over there, so I am pleased that that might be the case.

**Harriet Shing:** It's an ongoing discussion.

**Georgie CROZIER:** An ongoing discussion, excellent. I think that is important to know – understanding the importance of what is trying to be achieved through this so we do not have that example of what we had a few years ago, where there was a difficult situation for all involved. We need to protect the livelihoods and protect farmers and the industry, as I said, as a whole.

I do think that the agriculture sector, which understands the risks of biosecurity breaches, will always be looking at this, and we have to be vigilant in relation to emerging exotic diseases that could come in through, as I said, bees that get through some shipping container or the like, some grain that gets into the country or even when we go and visit countries overseas and are not vigilant if we are visiting areas where disease is in the soil and bring back those diseases through our footwear. You often go through our airport security and declare those things, and it is declared for a good reason: to protect what we have here, our fauna and our flora, and to really understand that is incredibly important.

I understand that there are a number of amendments that are going to be moved by various members of the crossbench, and we will wait to hear from those members. I will have more to say on that, but can I say in relation to this, again: this is an important piece of legislation that we are debating. It is terribly important that we protect our agricultural industry in this state. I am pleased that, as I said, the information sharing with the Commonwealth and other jurisdictions has been noted in this. I do think that is a terribly important element. As I mentioned, we saw what happened through COVID. Victoria acted alone. It was a disaster, and we really need to do better in relation to that, whether it is something like that or the instances that will potentially attack our agricultural industry and bring unwanted pests and diseases into our state.

**Rikkie-Lee TYRRELL** (Northern Victoria) (14:30): I am happy to support this bill with my proposed amendment. I ask that the amendment be circulated now.

**Amendment circulated pursuant to standing orders.**

**Rikkie-Lee TYRRELL:** This amendment to the Biosecurity Legislation Amendment (Incident Response) Bill 2023, coupled with Mr Limbrick's amendments, will make this a more robust bill that still protects Victorians without allowing the government to overstep its boundaries in the event of an exotic disease outbreak. Of the varying industries within the agriculture sector, many do not have standardised record-keeping procedures and practices. My concern here is that a minister's decision to force repayment of compensation, while likely to be rare, should require the minister to consult with relevant industry bodies before making ultimate judgements. This is to alleviate any concerns about evidence the minister deems to be falsified or misleading by ensuring relevant industry representatives and/or organisations who may be better situated to assess said evidence have reviewed and advised the minister accordingly. I believe this will instil confidence in the review process.

**Michael GALEA** (South-Eastern Metropolitan) (14:31): I also rise today to speak in support of the Biosecurity Legislation Amendment (Incident Response) Bill 2023, and I am delighted to be making my first bill contribution for the year. This bill will amend the Livestock Disease Control Act 1994 and the Plant Biosecurity Act 2010 to give Victoria greater capacity to address biosecurity risks and improve the efficiencies within our system. Improving agricultural security is critical to ensuring food security as well as the economic security of our state, and whilst I did not agree with some of the comments that Ms Crozier made in her previous contribution – I am not sure what COVID has to do with the bill before us today – there are many aspects on which I do agree with Ms Crozier, such as the importance of preserving biosecurity for our very important agricultural sector.

It is difficult to overstate the disastrous consequences of an unchecked or mismanaged exotic disease outbreak. To prevent and prepare for such an outbreak Victoria needs robust legislation providing for swift and decisive action when measures need to be taken. This includes having well-established, clearly communicated and proportionate penalties for actions that imperil our biosecurity. To address our ongoing and increasing biosecurity needs this bill makes amendments to the Livestock Disease Control Act, the Livestock Management Act 2010 and the Plant Biosecurity Act 2010. Amendments

in this bill will improve our emergency response and management systems for exotic diseases and pests.

What will it specifically do? It will, firstly, significantly increase 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 to reflect the potential harm that such offending could inflict upon the community, the environment and the economy. It will also improve and clarify the emergency management provisions to enhance efficiency and 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 as well as other states and territories. It will also refine the existing exotic disease compensation framework to ensure that any compensation for exotic animal diseases can be more equitably and fairly paid to affected livestock producers who own such livestock.

Other amendments in this bill will also incentivise compliance by increasing the penalties for various offences, including tampering with livestock traceability. It will improve the enforcement capability by allowing Victoria Police officers to be appointed as inspectors without requiring a declaration of an exotic animal disease outbreak, thus significantly improving and streamlining the response at the moment when it is most critical. It will also improve the act's administration, operation and enforcement by making various miscellaneous and technical amendments to improve clarity and consistency. The Allan Labor government has committed to improving Victoria's exotic disease preparedness and response capability. This bill strengthens our holistic and effective exotic pest and disease legislative framework to protect Victoria's valuable agricultural and horticultural sectors and mitigate the potential risk of market access and trade disruptions associated with such diseases, whether it be plant pest disease detection or other outbreak.

This bill is very much needed considering the undeniable increase in biodiversity risks that Victoria and Australia currently face. We live in an increasingly fast-moving and global world, with people and goods moving more than ever. This presents increased and new biosecurity risks from the sheer weight of movements from overseas and the emergence of novel pests and diseases as well. We had nearly 100 biosecurity incursions in Victoria in the last eight years, in the period between 2015 and 2023. Sadly, it is now a matter of when, not if, the next threat will come to challenge us. We have already seen the result of biosecurity incursions and breaches. In 2020 there was an avian flu outbreak in the Golden Plains shire, where around a fifth of our state's eggs are produced. Over 460,000 birds had to be destroyed, and that eradication ran for nine months, with over 340 people involved.

Being an island nation of course gives us many significant advantages. This has meant that Australia is free from many pests and diseases. It also means that our biosecurity needs are more sensitive and more profound. We have not yet had an outbreak of the African swine fever. It has not so far been recorded in Australia. Foot-and-mouth disease has not been detected in Australia since the 19th century, and we all hope that that remains the case. However, we do know that in the case of foot-and-mouth disease it is on our doorstep, just one incursion away. As members will surely know, in 2022 there was an outbreak of foot-and-mouth disease in Indonesia, and by November of that year the Indonesian government had reported that disease in 27 of its 38 provinces. This outbreak of course led to a ramp-up in biosecurity precautions to protect our native livestock here in Victoria and a coordinated national response led by then agricultural minister Senator Murray Watt. Today, arrivals in Australia will be asked questions specifically relating to the potential exposure to foot-and-mouth disease in Indonesia as well as to African swine virus and other present risks to our biosecurity. Even with such early intervention and firm measures an outbreak can still be difficult to contain, and the impact on our environment, jobs, livelihood and the economy will compound dramatically.

Victoria is also a significant exporter of food and fibre. If we were to have any sort of outbreak of a disease such as foot-and-mouth disease, that would cut down all of our export markets, with devastating effects across the whole industry, not to mention of course the many thousands if not millions of animals that would have to be destroyed to contain any outbreak. In doing so, it is probably

pertinent to reflect on the outbreak of the disease known as bovine spongiform encephalopathy, which I will refer to in future by its acronym BSE – or better yet by its common name, mad cow disease – which struck the UK in the 1980s and 1990s. The first signs of BSE were reported in 1985, when cow 133 died. By December 1986 BSE was discovered by the UK's State Veterinary Service. The epidemic reached a peak in the early 1990s, in 1992–93, when there were 100,000 confirmed cases. In total it is estimated that 180,000 cattle were affected, and to try and stop the disease a staggering 4.4 million cattle were slaughtered.

An outbreak of course, as devastating as it is, does not just affect livestock and the agricultural industry. The human form of BSE is known as variant Creutzfeldt-Jakob disease, or vCJD, which is caused by eating meat that is contaminated with mad cow disease. It can be fatal. It progressively affects the brain and has symptoms which in many cases mirror those of Alzheimer's disease, but it can also remain dormant for decades. Since 1995, when it was identified, 178 deaths in the UK have been directly attributed to vCJD. It is also thought that one in 2000 people in the UK are a disease carrier. That is a staggering number: one outbreak almost 40 years ago, and to this day one in 2000 people in the UK are still carrying this disease within them. It is a subject that still mystifies much of our medical research as well. There have been a lot of advancements in discovering more about this disease. But there is still so much more that we do not know, and it is something that it really pays to be mindful of. I note in various different parts of the media we have seen highlights of what this disease can be, perhaps most exuberantly and touchingly as well as humorously in the great show *Boston Legal*, where Denny Crane purports to have mad cow disease. Whether he has that or Alzheimer's is up for debate, but it is a really good reminder of that issue as well.

In response to the UK outbreak, in 1996 the European Commission imposed a worldwide ban on all British beef exports, which would last in various forms for around a decade before finally being lifted on 1 May 2006. It is hard to imagine what sort of impact that would have had if you were a British beef farmer at the time, and I certainly do not want to imagine Australian cattle farmers being faced with that horrifying situation over here. It is perhaps fitting that this bill that we are speaking on today, the Biosecurity Legislation Amendment (Incident Response) Bill 2023, has the acronym BLAIR, given it was the Tony Blair government in the UK which was finally in the position to lift the ban. I am sure many sensible people in this chamber and beyond are equally hoping for a sensible return to normality in Westminster, with their upcoming election after years and years of chaos by a right-wing conservative government that has inflicted all sorts of pain, such as austerity, Brexit, the crashing of the pound and other measures as well. I am sure our friends over there are looking forward to a return to a sensible situation.

**Melina Bath** interjected.

**Michael GALEA:** Not as wild a chase, Ms Bath, as Ms Crozier did, perhaps, but just a thing to point to there. But the substance of this bill, of course, is that it is essential to reflect on the fact that cases such as this acknowledge just how serious our biosecurity is. One breach, one incursion, can have devastating impacts on our environment, on our agricultural economy, on our animals themselves and of course on the many, many thousands – hundreds of thousands – of people who rely on that industry for their wellbeing and for their livelihoods.

The need to ensure our biosecurity legislation is robust and fit for purpose is paramount. This bill makes significant amendments to the Livestock Disease Control Act. These amendments specifically will mitigate biosecurity risks by facilitating efficient response to exotic animal diseases, enhancing livestock traceability processes and strengthening the compliance and enforcement mechanisms. The significant penalty increases to which I referred at the earlier part of my speech today do reflect the profound risk and impact of any infringement or breach of our biosecurity for our community. These increases will double the penalties for contravention of biosecurity measures, with the penalty for a natural person being 120 penalty units, and for a body corporate 600 penalty units. Furthermore, it will increase the infringement penalty for a natural person to 12 penalty units and for a body corporate to

60 penalty units in other areas, whilst the penalty for damaging or removing signage will be increased to 40 penalty units.

This bill broadens the emergency management provisions, giving the minister increased delegation powers for declaring controlled and restricted areas. It allows the sharing of information related to exotic diseases with other agencies and jurisdictions. It also refines the compensation framework to ensure fairer payment to livestock producers when compensation is required. The amendments will ensure the legislation considers eligibility based on various factors beyond such measures, as well as convictions. The minister will be empowered to recoup compensation paid in error or with false information, and the secretary will be enabled to determine when further compensation for restocking may be made, contributing to improved flexibility during a disease response. Clear and well-defined compensation provisions will foster confidence amongst producers and provide the necessary support during challenging outbreaks whilst facilitating a smooth and efficient compensation process that benefits the affected industry.

In terms of enforcement and compliance, the bill will also extend and clarify the powers of inspectors by allowing entry into dwellings to enforce the whole act and enhancing police officers' capability to investigate farm-related crimes. As mentioned, this bill will give police the power to act as inspectors under the Livestock Management Act 2010, streamlining their authority and ability to investigate acts of trespass and offences applicable to prescribed biosecurity measures, which is going to be another important measure in making our response to these events as quick, as efficient and as effective as possible. For these reasons and to protect the future biosecurity of our very important agricultural sector, I do commend the bill to the house.

**Renee HEATH** (Eastern Victoria) (14:46): I rise to speak on the Biosecurity Legislation Amendment (Incident Response) Bill 2023, which aims to strengthen the response and defences relating to biosecurity. There has long been a need to legislate for better protections for our farming and agricultural communities and industries. Every one of us in some way, shape or form relies on farmers, and we need to protect Victoria's agricultural and livestock industries. Falling short in this area will cause widespread devastation; it will have a ripple effect that just keeps on going. This bill amends the Livestock Disease Control Act 1994, the Livestock Management Act 2010 and the Plant Biosecurity Act 2010 to enhance our ability to mitigate biosecurity risks.

The risk of dangerous outbreaks reaching our doorsteps from nearby countries is very real. We saw this in recent years with the threat of foot-and-mouth disease and lumpy skin disease. When this threat was most acute, biosecurity was at the forefront of every farmer's mind. Strict procedures were put in place to minimise the risk of contaminated soil. These were things like soil coming in on shoes or on tyres. But then there was also the stress of roaming animals, which are a little bit harder to control, that could have gone from farm to farm spreading disease. Farmers felt the pressure as they considered the implications of contamination: animals would die or need to be put down, land would need to be treated and businesses would potentially go broke. Although the threat of this has died down, our need to be vigilant has not.

I have heard from many farmers about the distress caused by animal activists who have trespassed on their property. This is a biosecurity risk and one that a lot of people do not think about a lot. Farmers and property owners need to have more rights and more legal protection than people who come and trespass on their property, causing distress and harm. I am very pleased to see that increased penalties will be put in place through this legislation. There need to be much stronger disincentives for law-breakers and out-of-control activists. Farmers care for their animals, and ironically it is the activists, who claim to care, that by trespassing cause distress and harm. They disrupt the environments for animals, and they cause biosecurity breaches. The degree of potential damage from these threats is often missed or misunderstood by those that are outside of the agricultural industries. As a major exporter of food and fibre, an outbreak could have devastating consequences for a crucial part of Victoria's economy.

We are trusted in the global community – our local produce is some of the best in the world – and it is important that we protect this reputation. Our biosecurity efforts are no small feat. Not only are we protecting our own food sources, but we are also helping to secure our economy, so I am pleased to support this bill.

**Rachel PAYNE** (South-Eastern Metropolitan) (14:50): I rise to speak to the Biosecurity Legislation Amendment (Incident Response) Bill 2023 on behalf of Legalise Cannabis Victoria. This bill amends the Livestock Disease Control Act 1994, Livestock Management Act 2010 and Plant Biosecurity Act 2010. The intent of this bill is to strengthen our state's emergency management, traceability and enforcement powers, allowing us to better manage biosecurity risks.

Just last year we saw the importance of strong biosecurity protections when Indonesia responded to widespread detection of foot-and-mouth disease. If these measures had failed, the result would have been catastrophic for local fauna, flora, the connected ecosystems and our economy. 2013 modelling by the Australian Bureau of Agricultural and Resource Economics and Sciences found that a large amount of foot-and-mouth disease in Australia would have had a \$50 billion impact over 10 years. Prior to that, we saw the spread of the varroa mite in New South Wales: a parasite that weakens and kills honey bee colonies. Management of this spread is ongoing, but unfortunately a failed national eradication response has already resulted in the extermination of thousands of honey bees.

Biosecurity risks are very real, and strong protective measures are imperative for protecting our natural environment. This bill includes such measures: greater information sharing, compensation arrangements and increased powers to respond to biosecurity risks. However, as several of my colleagues have pointed out, concerns have been raised that the increased penalties in this bill could act as a smokescreen to crack down on those who seek to expose animal suffering and inhumane practices. This form of activism is not without controversy, but the right to protest is essential for our democracy. Protests of this kind have highlighted the abhorrent mistreatment of animals where government have either failed to intervene or failed to ensure compliance. We saw this with sow stalls – narrow pens used for pigs that are not even wide enough for them to turn around in. The Australian pig industry committed to phasing these out by 2017, bringing us in line with the UK, Switzerland, New Zealand, Austria and Sweden. Yet footage later taken by animal activists purported to show sow stalls in use at multiple Victorian piggeries, with it being alleged that some were being used for multiple weeks. We are concerned that this bill imposes significant financial penalties on those who just want to shed a light on inhumane practices and advocate for a better life for these animals. With this in mind, we will be supporting the amendments by the Greens to remove the clauses in this bill that seek to increase these penalties.

But to return to the central purpose of this bill, these are very important reforms that will ensure that we can respond quickly and efficiently to biosecurity risks as they arise. Accordingly, we will be supporting this bill, recognising the important purpose that it serves.

**Ryan BATCHELOR** (Southern Metropolitan) (14:53): I am pleased to rise and speak today on the Biosecurity Legislation Amendment (Incident Response) Bill 2023, which amends several acts, including the Livestock Disease Control Act 1994, the Livestock Management Act 2010 and the Plant Biosecurity Act 2010, to enhance the Victorian government's capacity and capability to manage biosecurity incidents, including preparing for, responding to and recovering from an exotic animal disease, pest or plant disease detection or outbreak.

The agricultural sector is an incredibly important part of Victoria and the Victorian economy, given the contribution that agriculture makes to the broader Victorian economy. The gross value of agricultural production in Victoria was around \$20 billion in 2021–22, which was seriously impressive growth on the previous year, according to some figures made available by Agriculture Victoria. It grew by around 15 per cent on the previous year's gross value for agricultural production in and around Victoria. That accounted for around 23 per cent of the gross value of Australia's agricultural production, making Victoria Australia's second-largest agricultural producer after New South Wales –

statistics that are significant and that I think help ground the debate that today's bill presents in matters that are more broadly significant to the Victorian economy. We know that for the 150,000-odd people employed in Victoria's agricultural production and manufacturing sectors – just under 70,000 in primary production and around 85,000 in food and beverage manufacturing – not only is this sector important as a contributor to Victoria's economy but it is also an important source of jobs for Victorians.

These are but some of the reasons why we as a government take the question of biosecurity very, very seriously. One of the unique benefits of being an island nation, in large part, is that it has enabled Australia historically to maintain a position of being free from many of the pests and diseases that have afflicted agricultural production in other parts of the world. Not only has that afforded us some protection, but also increasingly that affords us an advantage when it comes to positioning our agricultural sector in contrast and in preference to, in an export sense, many other parts of the globe. That success does not come by accident. Ensuring that we have a thriving agricultural sector that provides a significant part of Victoria's economic activity and employs 150,000-odd Victorians, in both the production and the food manufacturing sectors, comes because of sustained and repeated vigilance when it comes to things like biosecurity. For the management of disease outbreaks and the like when it comes to livestock but also on the plant side of the biosecurity spectrum, we know that the success that we have had as a nation and as a state is the result of vigilance over many, many years. That demonstrates why we need to continue and why this legislation before us today is so incredibly important – to ensure that this significant generator of economic activity and jobs is able to continue here in Victoria.

We know that we have faced, obviously, challenges in the past when exotic diseases and pests have found their way onto Australia's shores. We cannot obviously always keep them from crossing our land border to Victoria. Across our nation there are other approach vectors, I suppose you would describe them as, but we have to learn from the way that those circumstances have occurred in the past. What this legislation seeks to do is improve and enhance the response that we have – improve the clarity of the emergency response and the effectiveness of the emergency response and the management of exotic disease and pest outbreaks here in Victoria – and also improve the incentives to comply with the stringent biosecurity arrangements that effectively underpin a significant section of our economy and support the livelihoods of so many Victorians by increasing penalties for various offences, including things like tampering with livestock traceability.

It will do this by introducing new offences for the possession or control of livestock that have had their permanent identification removed or removed and replaced. It will strengthen the operation of the current Livestock Disease Control Act to mitigate the potential biosecurity risks by enhancing the traceability processes for livestock and strengthening both the compliance and enforcement mechanisms to help establish an effective response in the face of an outbreak of exotic disease and/or pests occurring here in Victoria so that we have got better systems in place to keep an eye on where livestock movements are taking place, so that if there is a breach in the biosecurity we are able to track it down fast and we do not have gaps in the system that enable an oversight to cause damage. That is partly what this bill is designed to prevent. It will improve the system of us knowing where things are so that in case something does go wrong, we can get on to it as quickly as we possibly can, lock it down and ensure that the biosecurity systems that are in place to protect our agricultural production and manufacturing do that to the best of their abilities.

The bill will also significantly change the fines as described in the current legislation to assist them to act as a deterrent to practices that would potentially cause harm to biosecurity. This includes increased penalties for offences for the contravention of provisions relating to exotic animal diseases and livestock traceability requirements which acknowledge the seriousness of these offences and which reflect the substantial harm that they could present to the entirety of Victoria's agricultural sector. Penalties will also double for offences relating to noncompliance with prescribed biosecurity measures. In some instances they will be for unlawful entry onto agricultural properties. The changes

will enable 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 for an offence related to the outbreak. So in the context of this important legislative framework and the regulatory and compliance systems that underpin it they will enable some more consideration of all relevant matters by the minister to evaluate these situations in circumstances relating to compensation.

The bill also will seek to refine the existing exotic disease compensation framework to further protect farmers directly impacted by exotic animal diseases, ensuring that compensation can be paid more equitably and fairly. We know this is becoming increasingly important as we see growth in employment across the agricultural sector at both the production and the manufacturing ends. The legislation will also encourage the sharing of information related to exotic diseases with other government departments and agencies in other states and territories, because we know across a whole range of emergency response settings that the hoarding and siloing of information that others might see as relevant and useful does nothing to strengthen our collective and common response to threats – that just as in other settings, with sharing of information in relation to biosecurity matters, such as diseases and pests, we should be able to freely share it with others who are concerned, whether that be other state and territory governments or other agencies, because as much as we might think that there is no other part of Australia worth worrying about on the other side of our borders, particularly those bits north of the Murray, we know that exotic diseases and pests do not have as discerning tastes as we do and are frequent traversers of our state borders. We cannot keep them out. These pests cross the borders. They do not stop just because it says 'Thank you for visiting New South Wales. Welcome to Victoria.' So through this legislation we are seeking to ensure that that the information about exotic pests and diseases can be shared more effectively across jurisdictions.

We have seen that on a number of occasions recently, with recent outbreaks in relation to varroa mites and the like, where the spread of exotic pests was occurring. We knew that the Victorian response needed to be in lock step with the response in other states. That is just one example of where this needs to occur. The bill will also improve the emergency provisions by broadening the delegation powers of the minister to declare control areas and restricted areas to contain an outbreak of disease and to contain its spread. This will assist in managing and preventing the first spread of such disease, particularly in circumstances where eradication efforts have proved to be unsuccessful. This hopefully will prevent the need for the mass destruction of affected livestock that are more broadly affected. If we can contain the risk, we do not need to take as widespread measures to destroy those livestock and/or crops that have been affected. In the end it will make for a better response and better ongoing management that hopefully will both contain risk and reduce unnecessary livestock or crop reduction.

We know that despite our best wishes for this island nation to remain free of many diseases, the volume of international trade and the volume of international traffic does mean that outbreaks can occur at any time. We must always stay vigilant. We must identify concern when it exists and increase both our preparedness and our capability to respond. Part of that is ensuring that the frameworks that are put in place to get people to do the right thing – penalties, enforcement – are as tough and strengthened as they need to be to stop things like outbreaks of foot-and-mouth, which affects our cattle industry. We do not want that anywhere near Victoria's dairy production sector. It would be an absolute disaster for those sorts of diseases to take hold amongst our agricultural sector – in that instance, our dairy production sector. That would have a devastating effect. These have devastating effects not only on our economy but, as we are all concerned with, on things like food security and the cost of living. Ensuring that we can produce enough of our food as close to home as we possibly can keeps downward pressure on those prices and ensures that there is enough food on the table. Fundamentally, biosecurity is about keeping our agricultural sector safe, it is about ensuring that people have got jobs and it is about ensuring that there is low-cost, accessible food available to Victorians to enable us all to thrive. This is important legislation, and I hope all members support it today.

**Melina BATH** (Eastern Victoria) (15:08): I am pleased to rise to make my contribution to the Biosecurity Legislation Amendment (Incident Response) Bill 2023, affectionately known as the



BLAIR bill. In doing so I want to put on record my thanks to our current Shadow Minister for Agriculture Emma Kealy in the other place and indeed our former Shadow Minister for Agriculture the Honourable Peter Walsh. To say that this has been an interest of mine is an understatement, and I am very keen to see elements of this bill go through. The bill really focuses on three particular acts – the Livestock Disease Control Act 1994, the Plant Biosecurity Act 2010 and the Livestock Management Act 2010 – and is designed to strengthen emergency management procedures and traceability and control outbreaks of exotic animal diseases, external parasites and significant plant diseases. It is supposed to mitigate, minimise and control what would decimate our livestock and our horticultural and pollination industries. It would cripple our food and fibre industry in Victoria should some of these very exotic diseases infiltrate and decimate our farms, our livelihoods.

I grew up on a dairy farm, and I know very much the importance of being a farmer. I know their value – that when the rest of the state goes into lockdown the essential services are farms and food production – and I thank all those people every day for the work they do to put food on our plates and clothes on our backs and provide wool for our blankets et cetera. We have a world-class dairy industry, sheep, pigs, beef, wool fibre, poultry and even niche market livestock such as goats, turkeys and even rabbits for our domestic and international plates – somewhere in the vicinity of \$85 billion in ag production and value across Victoria, somewhere in the vicinity of 21,000 farms and thousands upon thousands of workers every day. These farms, particularly livestock farms, focus on animal welfare, and they focus on keeping biosecurity measures at a premium.

Let me give you an example of one that I really want to focus on. I want to focus on clause 96, to start with, in this bill, which looks at the Livestock Management Act 2010. One of those particular farmers, whose evidence I want to read into *Hansard*, was a Tyabb chicken farmer who presented to our animal activist inquiry hearing, which I introduced and the government tweaked the wording of and ran in 2019. Indeed we had many and varied submissions and a broad range of opinions and investigations and hearings. The gentleman, the Tyabb chicken meat farmer, came and spoke, but he asked for his name to be withheld. It is in the minority report that the Nationals and Liberals put out, but you can also go and look at it online. He said:

They manage our farm under strict biosecurity with locks on all gates and appropriate legal signage. We have footbaths to sanitise all footwear. We have a visitors declaration for contact with any avian species or pigs before they are allowed to enter our farm and that is for disease control, particularly the H5N1 bird virus and ILT, which is rife in the industry and easily spread on people's bodies.

At this same inquiry we also heard this gentleman speak about how animal activists thought they had not just the right to protest – people have the right to law-abidingly protest – but the right to storm onto this person's farm. The house, as we know, is often directly beside the shed, the farm or whatever. They stormed onto their home and farm, and 70 people spray-painted it, yelled abuse at this farmer and his wife and stormed into that shed and ended up suffocating over 300 birds. This is not what we would call peaceful protest; to identify this unacceptable behaviour, this is vigilantism, and I will always call this out. All sides of this house should call that out and mitigate it.

Indeed as part of the other investigation into that animal activist inquiry there were people who I became very friendly with. Now, unfortunately, John has passed on, but there were John and Penny Gommans from the Gippy Goat case, where 70 people – I wonder if they were the same people – also thought it would be a good idea to enter that property unlawfully and steal a goat. I met the Italian vet who actually worked on that farm on a daily basis and supervised Gippy Goat farm. Through abuse online they also shut down a cafe and displaced workers who were working in the local area of Yarragon. These are not things that I think should be praised. These are things that should be condemned. Moving on, both John and this gentleman – and others – spoke to our inquiry about suitable on-the-spot fine penalties and how where there is a biosecurity breach those should be implemented, and strong penalties they had.

There is just one other thing that I thought I would put on record. I know we have a pig inquiry happening in the Economy and Infrastructure Committee, so this is from Rivalea Australia and was in

one of their submissions. This is a particular piggery site, and they spoke about some of the biosecurity measures that they implement on a daily and weekly basis: showering in; monitoring vehicle movements; use of company clothing and boots; exclusion periods between contact with pigs and restrictions for staff; exclusion bans on bringing pork, naturally, into the site – ham, bacon et cetera; and cleanliness of materials brought into the piggery site – all must be clean and free of organic matter. There is a list of things that farmers do on a regular basis to keep out these sorts of biosecurity incidents and problems.

John Gommans and others put on record that they felt that there should be on average a \$23,000 penalty for biosecurity breaches where farms had those biosecurity plans in place and then up to \$440,000 for organisations, corporations et cetera. Moving on, after that occurred the report was tabled, back at the start of 2020. The government of the day, which is now the Allan government but was then the Andrews government, took another two years to bother to bring around the livestock management amendment animal activist debate. It was debated in 2022. That was very tardy, and it was quite stressful for those farmers, who deserve to have better protection to deter. Now, people are going to be obstinate, stupid and vigilantes. We need to have proper deterrents there. What we do know is that at the time of that debate on behalf the Nationals and the Liberals I moved an amendment to have the exact penalties put in that legislation that are now in clause 96 today.

So I am not saying, ‘Wow, well done.’ I am just saying that the government for whatever reason refused to listen back in that period of time in 2022. What I do know, looking up *Hansard* and the discussion by Ms Tierney – and I will speak to Ms Tierney in a minute; she is one of the many agriculture ministers that the Labor government has had. She said that this advice on the penalties was provided by the Department of Justice and Community Safety and they were considered to be consistent with other penalties in the Livestock Management Act 2010. I guess I question whether or not that did come from the department, because for whatever reason the same department is now – and welcome so – through the government looking at doubling those penalties against these sorts of people coming on farm.

One other thing that we did – in the lower house Mr Walsh and me in the upper house – was move a private members bill that looked to address that problem at the time. It also looked at the licensed riverfrontages and access to those. The Liberals and Nationals felt the need to ensure that a licensed riverfrontage had the same legal protections as a freehold piece of land or one that was rented and therefore considered to be that farming property. Again, this government did not want to give that sort of protection to farmers.

One thing I know in speaking with Ian Cane, who lives just out of Bairnsdale in East Gippsland – he has been an apiarist for 40 years – is the vitality and the importance of our apiary industry and pollination industry. We saw very concerningly sometime in about August last year there was an infiltration via ships, I am sure, into Newcastle and therefore varroa mite hit the land of Australia and was making its way down. Indeed it was seen at the top of the Murray River not far from Victoria – not far from Mildura – and I would like to put on record my thanks to the minister at the time, Minister Tierney, for giving us a briefing. I asked a number of questions at question time in relation to mitigation and protection and those biosecurity commitments and requirements to mitigate this terrible varroa mite.

I know up there there was an eradication program. It is very important to have that communication between federal government and state government and between state governments, and I think some of the information that is contained within this bill is about making those better communications. But one of the concerns I have is that at the end of the day, varroa mite is here, and it felt like there was a bit of indecision about, ‘Will we try eradication or will there be containment?’ I think, in speaking with Ian Cane, there needs to be significant funds put into mitigation and containment. It is a bit like that other thing that we had a couple of years ago – you are never going to eradicate it once it is in the system.

We have heard from a number of speakers, so I will not go on in a great level of detail, about foot-and-mouth and lumpy skin disease, and indeed I know the acting chair spoke about mad cow disease in the UK. That absolutely decimated the economy, but how devastating must it be for farmers to see their prized stock with decades of blood lines having to be destroyed in protection? We understand why, but we do not need that in our regions – in our country, nor in our state. Certainly there were traces of foot-and-mouth disease found in pig product in Melbourne, and that caused a great deal of alarm.

What I do have a question about, and I know Emma Kealy raised this during the bill briefing and at other times, is the staff required should there be a massive outbreak of a significant nature, an exotic disease outbreak. The government has assured us that they are going to, I guess, redirect some 5000 extra staff from other places, migrating them from other departments, and my concern around that is: what level of professionalism or skill set will they have to mitigate and to be really helpful and supportive in the ag department? We know the agricultural department has had cuts over recent times.

As you can see, there are a number of issues that I would particularly like to discuss. I think my time is running out. I see that there are some amendments, and I know we will speak more to those. I believe that the Greens amendments and the Animal Justice amendment, should they hit our floor, will certainly not be things that we will support. We want protection for our farmers. We feel that law-abiding farmers should have protection. If that means additional penalties to deter activists, then that is something that we would certainly support. It will be interesting in committee of the whole, and I wish this a speedy passage.

**Sarah MANSFIELD** (Western Victoria) (15:23): This is a mixed bag of a bill. While the Greens welcome some of the changes the government is seeking to make here, we are very concerned about measures buried towards the end of the bill that mean we cannot support it unamended. First and foremost, we acknowledge the absolute importance of strengthening our biosecurity incident response efforts. Biosecurity threats may not be at the forefront of most Victorians' minds, but the impacts of significant incidents could reach all households, for example, affecting food availability, water security and our health.

To this end I was glad to see the government release its new biosecurity strategy at the end of last year. It was good to see that the strategy acknowledges climate change is a key driver for increased biosecurity risk in this state. Warming temperatures increase the spread of exotic pests and animals, especially when the ecosystem is at its most vulnerable after climate disasters. But whilst the strategy acknowledges climate change, it fails to outline any meaningful actions relating to a changing climate, nor are there any in the bill before us today, and that perhaps speaks to a broader failure to see biosecurity in a holistic manner. While our agriculture industry is of course important, it is essential that we begin to frame biosecurity protection as a whole-of-ecosystem issue. For example, we have cinnamon fungus and feral pigs wreaking havoc in the Otways, European carp destroying our rivers and the northern Pacific sea star invading Port Phillip Bay. Serrated tussock and phalaris are destroying native grasslands. These are biosecurity issues as well and warrant at least as much concern as livestock and crop threats, because resilient ecological systems are essential for current and future generations to thrive. I have also heard from councils and stakeholders that the state's biosecurity efforts are incredibly under-resourced. We need to be properly funding this space if we are going to ensure that these strategies can be implemented across all levels of the community, from landowners to Landcare.

What this legislation does do well is enable action for Victoria to respond to exotic animal disease outbreaks. An outbreak of foot-and-mouth disease, for example, as others have mentioned, would have broad-ranging agricultural, environmental and social implications. Foot-and-mouth disease is caused by a highly contagious virus and affects cloven-hoofed animals like cattle and sheep. It causes fevers and weakness as well as blisters in their mouths and on their feet and teats. These blisters burst and leave painful ulcers that can take weeks to heal. Young animals are particularly vulnerable and may die. First and foremost, not only would this create a serious animal welfare issue in the effects of the

disease itself on animals, but many would have to be killed to try and contain the outbreak, and livestock movements would be restricted, resulting in overcrowding. Then there are the environmental impacts of the culling and disposal of large numbers of livestock, including potential contamination of water, and visual pollution and toxic emissions resulting from burning carcasses. There would be threats to humans too through significant supply chain disruptions and threats to food security. This is just one example of a biosecurity threat that is knocking on our door. Others are already being dealt with in Australia. For example, fire ants are increasingly a real threat here in Victoria, with potentially devastating impacts not just for agriculture but for people, native species and the economy. I implore the government to commit to properly funding mitigation efforts in this space as well.

Then there is the varroa mite, which again we have heard about from others. It is regarded as the most serious global pest for the honey bee. Late last year the federal government moved from an eradication to a management approach, acknowledging that varroa mite was here to stay. What we have learned from the varroa mite experience elsewhere is that when it comes to invasive species, we often get just one chance to stop them.

So this bill's efforts towards improving Victoria's preparedness for and response to biosecurity risks are welcome, including improvements to traceability, particularly given the rising challenge of farm theft, by better using technology to identify and intercept thefts earlier, clarification for farmers about compensation schemes for losses incurred as a result of disposal of livestock or crops and modernisation of public notification procedures.

While we are supportive of many of these changes, there are amendments proposed towards the end of this bill that are of significant concern and render what might have otherwise been a reasonable bill unsupportable by the Greens. The amendments to the Livestock Management Act 2010 are a particular concern. Buried in the last two pages of this bill there is a doubling of infringements that were only introduced through amendments to the Livestock Management Act in late 2022. The government is now proposing increasing the penalties for unlawful entry onto agricultural property to \$23,077 for individuals and over \$115,000 for organisations. It is worth refreshing our memories about what occurred in 2022 when the most recent amendments to the Livestock Management Act were made to create the existing penalties. Ms Bath has already alluded to the fact that changes were introduced at that time and that the coalition introduced amendments seeking to double the penalty units for these trespass- and activist-related offences to the amount that Labor is currently proposing. The coalition at the time felt Labor's proposed changes to the penalties in the act were not a sufficient deterrent for animal activists. Labor rejected the coalition's proposal, claiming it was unnecessary because these were already some of the harshest penalties against activists in the country. To quote the then Minister for Agriculture Gayle Tierney:

The fact is that the on-the-spot fines contained in this bill will be the toughest of their kind anywhere in Australia.

But here we are – in the last two pages of the Biosecurity Legislation Amendment (Incident Response) Bill 2023, the government is backflipping and doing what the coalition always wanted.

So what has changed in the past 18 months that has compelled Labor to so dramatically increase what are, by their own reckoning, extremely harsh penalties? Is it that they are issuing so many infringements that they have to concede that the existing ones are not acting as a deterrent? Is it that the farms are being overrun by what members of the coalition today referred to as out-of-control activists? No. In fact data provided by the government shows that there have been zero official warnings, zero infringement notices, issued since these offences were introduced – zero. So I would like to know, then, why these offences are being doubled, because the government has provided zero evidence to support this. For some unexplained reason this Victorian Labor government is belatedly adopting Nationals policy and trying to bury hugely controversial changes to these offences in what would otherwise be an acceptable bill. These changes are totally unjustified, and that is why we are

introducing amendments to omit clauses 96 to 98 of the bill to remove the doubling of penalties from this piece of legislation. I would ask if those amendments could please be circulated now.

**Amendments circulated pursuant to standing orders.**

**Sarah MANSFIELD:** I will speak more to the amendments and have some questions during committee stage, but, needless to say, the Greens will not be supporting this bill in its current form.

**Jacinta ERMACORA** (Western Victoria) (15:31): Happy new year to everybody – first gig for the year. I am pleased to speak on this bill, the Biosecurity Legislation Amendment (Incident Response) Bill 2023, before us today. It intends to amend the Livestock Disease Control Act 1994, the Livestock Management Act 2010 and the Plant Biosecurity Act 2010. Victoria is Australia's number one food producer, and the south-west region of Victoria is the nation's biggest producer of food and fibre by value of product.

I was raised on a prime lamb and cattle property in south-west Victoria, so my own heritage is embedded very much in agriculture and farming practices. We can all be proud of Victoria's world-renowned, clean, green reputation and the input of agriculture's circular economy in supporting local jobs. Direct farming jobs, like my first job in the family shearing shed as a rouseabout, is what the agricultural economy is all about, and related jobs, like truck driving, where milk and livestock are transported to market and to processing facilities like Bega in Koroit, like Saputo in Allansford and like ProviCo in Dennington. As you can tell, I am going to give you a little microcosm of the agricultural community that is based in Warrnambool and surrounds.

These workers who transport product are supported by our wonderful Transport Workers' Union. Factory jobs where locals work as cheesemakers, on the butter line or in other roles are also represented by unions. There are agricultural supply jobs, where companies like Bade Ness Rural and AG Warehouse in Koroit supply equipment and support to farmers from the surrounding district. People work in these businesses and have their first opportunities and live their lives working in these businesses. These jobs supply the industry with equipment, feed, medicines and PPE for farm work, like gumboots, overalls, workboots and tools. I know most kids that come off farms have a favourite brand of gumboots. I certainly had my favourite brand, and they used to be purchased at the Warrnambool Co-op. I was devastated when they went off the market, because you just wore out gumboots year after year. I know that is a different story to what most people would believe would be my background – no snickering from you, Mr Berger. There is also the Western District Agricentre, where tractors and other machinery are bought and sold.

Further examples are Nutrien Ag Solutions, where engineering solutions are provided for stock-handling equipment, water troughs and other merchandise – more jobs, more agricultural jobs – or Purcell Pump Services, where workers provide support for water pumps and other stock-watering technologies. I was at Sheepvention in August last year, where I was looking at bluetooth-connected and wi-fi-connected stock-watering equipment, which was absolutely fascinating – there is nothing you cannot connect to your wi-fi now. There are dairy supply services like Milka-Ware in Warrnambool, formerly Southern Cross Dairy Services, where all things dairy are available, or Acme Rural Supplies.

Then there are the financial services utilised by the aforementioned businesses and farmers, like Sinclair Wilson, and agricultural arms of the traditional banks and legal firms as well. Then you have also got livestock and agricultural agents like Landmark, Elders, Ray White or J & J Kelly. Also, we have the Department of Agriculture, Fisheries and Forests, where research and other agricultural support services are provided. All of these businesses employ people in our local community, many of whom were trained at TAFE or other agricultural education institutions.

As you can see, agriculture is the backbone of our rural and outer regional communities – the reason for our cities and towns to exist. Agriculture supports the social fabric of farming communities as they play a critical role in food production for all of us. The Allan Labor government is ensuring our

hardworking farming communities can face the challenges posed by climate change and biosecurity risks, drawing on the latest research and leading practice responses. That is why it is critical that our agriculture sector is as prepared as possible to respond to and manage growing biosecurity risks.

My first job as a rouseabout in the family shearing shed was one example where we first came across all sorts of different experiences on the farm. Dealing with pests, plants, animals and biosecurity risks was a part of everyday life, whether that was hoeing thistles, trying to block carp from a stream, dealing with rabbits or shooting foxes; all of those things are biosecurity risks. Introduced species such as foxes and rabbits, along with thistles, ragwort and other invasive plants, not only do harm to our indigenous landscapes, they also incur significant costs for the agricultural sector.

Fortunately, due to careful interventions, Australia is still free of the world's worst animal diseases, but we must remain vigilant. I grew up knowing how important it was to protect our island nation from outside hazards. I remember a visit a very long time ago when Prince Charles, who is now the King, had to dip his feet in a bucket as he alighted from the aircraft to ensure that he did not bring foot-and-mouth disease to the country. So it has been going on for long time. With the increase in international travel and ease of global movement, the risks to our state and national biosecurity capabilities are growing. That is why the Allan Labor government is committed to managing and preparing for key biosecurity risks. The Victorian government has invested \$17.5 million in biosecurity as a part of this year's budget. As the Minister for Agriculture Gayle Tierney articulated on 25 September 2023:

When we all keep an eye out for the risks, we have the power to protect our precious natural resources, valuable agricultural industry and ensure future food security for everyone to share and enjoy.

The bill before us today reinforces this commitment, and as stated on the Agriculture Victoria website, the changes to the Livestock Management Act 2010 acknowledge that:

Victorian farmers work hard to keep their animals safe and protect them from pests and diseases with robust biosecurity systems. These new laws will deter behaviour that puts that hard work at risk.

They will significantly improve the operation of these acts in relation to biosecurity, incident preparedness and response. Importantly and through consultation the bill follows a legislative review focused on improving Victoria's readiness to respond to an outbreak of an exotic animal disease. These diseases, such as foot-and-mouth disease and lumpy skin disease, have the potential to significantly impact or wipe out agricultural industries.

Equally critical is the detection and management of exotic plant diseases and pests in Australia. Pests or bugs can do untold damage to our agricultural sector and destroy livelihoods. The impact that these events can have on communities in not only loss of production but in farmers seeing their livestock suffer, crops diminish or even be catastrophically wiped out is clearly enormous. These laws will help alleviate fear of this happening by ensuring our biosecurity safety is as strong as possible. The bill includes amendments to provisions related to compensation payments for exotic animal diseases. Crucially it expands the powers of Victoria Police officers to investigate livestock-related offences. This is backed by increases in penalties for offences related to exotic diseases.

There are several main purposes of this bill. The first is to facilitate additional information sharing with the Commonwealth, other Australian jurisdictions and other government agencies during emergencies, including during an exotic animal disease outbreak. The importance of information sharing across jurisdictions is illustrated perfectly by a case study published in *Victoria's Biosecurity Strategy* on the Agriculture Victoria website. I am sure everybody understands about the close call and the management of the varroa mite for bees and how important this is. I know the former agriculture minister did refer to the important work going on in that space. It certainly is very concerning to imagine a world without bees. Horticultural crops are heavily dependent on honey bee pollination, particularly almonds, apples and pears, where the absence of bees can lead to near-total crop failure. The collaborative effort between industry and government proved critical during detection of the varroa mite at the Port of Melbourne in 2018. Shared responsibility and conducting timely surveillance and testing contributed to the effectiveness of the emergency response.

Improving control area and restricted area provisions by broadening their applicability and streamlining public notification procedures is also an important area. Further, this bill will improve clarity and efficiency of emergency management provisions, including simplified quarantine provisions – and I think it is worth pausing there at ‘simplified quarantine provisions’; amend compensation payment procedures in relation to exotic animal diseases, including eligibility criteria and valuation processes, to facilitate administrative efficiency; improve enforcement capability by providing for Victoria Police officers to be appointed as inspectors without requiring the declaration of an exotic animal disease outbreak; and strengthen inspector powers by allowing inspectors to direct people and vehicles during an exotic animal disease outbreak.

The need for improved enforcement capability, with Victoria Police officers being appointed, is based on crimes and offences that are not isolated and can be dangerous. As reported by *ABC News* on Friday 3 March 2023, a former livestock agent from eastern Victoria was handed what is believed to be the state’s largest fine for breaching national livestock biosecurity laws. I know that the invasion of farming properties is something that is very intimidating and triggers fear in the hearts of many farmers, particularly people living alone on a farm, which is increasingly common.

This bill will achieve greater deterrence by increasing penalties for offences under the Livestock Disease Control Act 1994, the Plant Biosecurity Act 2010 and the Livestock Management Act 2010. These penalties are clear and will eliminate any ambiguity as to what constitutes an offence, with doubling of penalties for noncompliance and increasing infringement penalties.

The bill is sensible and provides clear guidelines necessary to safeguard our vibrant agricultural sector. This bill is important not just for the protection of animals, not just for the protection of the community, but also for the protection of the agricultural economy. As I described earlier, my first job was working on my family’s farm. I have just described the importance of the vertical agricultural economy in the Warrnambool community alone, and if you multiply that out by many times around the Victorian state, you will see just how important it is to support this bill.

**David LIMBRICK** (South-Eastern Metropolitan) (15:46): I also rise to speak on the Biosecurity Legislation Amendment (Incident Response) Bill 2023. Despite many rumours to the contrary, I am not quite an anarchist, so I do believe that there are some valid functions of the state. And even if I was an anarchist, I think that biosecurity would be one of the last functions that we would want to get rid of. For that reason I am not going to oppose this bill. It does make some very sensible changes to a number of acts. However, there are some things that we do have some problems with. I actually share the concerns of the Greens about the doubling of the penalty outlined in the bill. If people cast their minds back to the last term of Parliament, it was actually the introduction of this offence that caused me and Mr Quilty at the time to disagree on this issue and vote different ways – because I was not willing to give more power to the state, considering the circumstances at the time.

I also note that, as has been stated a few times, there have been zero warnings or actual penalties applied to anyone. So I am also, like the Greens, curious as to why the penalty is being doubled. Certainly if the penalty was not high enough to act as a deterrent, then one might expect that there would be a lot of incidents of this offence occurring. That is not the case, so I do not buy the deterrence angle. However, I have put forward a number of amendments from the Libertarian Party to try and improve some parts of this bill. I will briefly go through some of these amendments, but firstly I might get them circulated, if that is okay.

#### **Amendments circulated pursuant to standing orders.**

**David LIMBRICK:** The first part of the amendments that I am proposing is related to compensation for property that is destroyed and the ability of the minister to refuse or reduce this compensation. This bill allows the minister to declare that someone has acted recklessly or negligently, presumably on the report of some officer. Now, reckless and negligent actions have a specific legal test and should require a higher level of evidence and consideration, and that is what I am putting in

this bill, so that it would require that test before farmers or whoever was getting their property destroyed would receive compensation.

The second part of these amendments proposes a minor adjustment of the requirements declaring a restricted area or a control area. Given my extensive experience and the experience of all Victorians with emergency powers during the last term of Parliament, we know that declaring very large areas or putting restrictions on very large areas has very many unintended consequences. So this second amendment merely states that it needs to be set over a specific area, and also that there might be a 'reasonable belief' that an exotic disease is present or might be introduced into any land, premises, place or area. But as it stands, the legislation grants these powers if the minister believes or suspects that this might be the case, and the change that I am proposing is just that this must be a reasonable belief, which has a very specific and well-understood legal meaning. In practice, this probably will not change much, but we are seeking to ensure that these laws are not used recklessly in the future to declare the entire state, for example.

The amendments also introduce the words 'likely to be impacted' into the section of the Livestock Disease Control Act 1994 that grants the minister powers to declare control areas related to exotic disease outbreaks. This amendment seeks to prevent these laws being used in the kinds of ways that we saw during the pandemic, where areas that were disease free and at much lower risk than other areas were subjected to the same restrictions – for example, when we had people forced to wear a mask while walking down an empty street adjacent to their farm without another person in sight during the pandemic. This amendment seeks to ensure that due diligence is conducted and the whole state is not simply just declared a control area without a reasonable belief that disease outbreak could be likely to occur.

The final part of the amendments that I am proposing should be uncontroversial. If emergency powers are being used, even if they are reasonable and supported by communities and all stakeholders, there should be a requirement to report to Parliament on the use of these powers, and that is what this amendment is seeking to do. I would also say that with regard to what the Greens are proposing in not supporting the increase in the penalty, I will be supporting that also, but I would be very interested in the committee stage to hear from the minister as to what the reasoning is for the increase in this penalty, because I do not buy the current explanation that it is for deterrence. So I will await the minister's response on that.

**Tom McIntosh** (Eastern Victoria) (15:52): I rise to speak on the Biosecurity Legislation Amendment (Incident Response) Bill 2023. The bill will make amendments to the Livestock Disease Control Act 1994, the Livestock Management Act 2010 and the Plant Biosecurity Act 2010. The bill supports a public commitment made by the Victorian government to improve exotic disease preparedness and response capability. 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, the environment and the economy. It 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. It also 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. It mitigates the potential risks of market access and trade disruptions and safeguards Victoria's agricultural and horticultural sectors.

Amendments to the Livestock Disease Control Act mitigate biosecurity risks by facilitating efficient response to exotic animal diseases and enhanced livestock traceability processes. It strengthens compliance and enforcement mechanisms. Penalty increases see a doubling of penalties for contravention of biosecurity measures. For a natural person that is 120 penalty units and for a body corporate, 600 penalty units. It increases infringement penalties for a natural person to 12 penalty units



and for a body corporate to 60 penalty units. The penalty for damaging or removing signage is increased to 40 penalty units. Within the emergency management provisions it broadens the minister's delegation powers for declaring controlled and restricted areas and allows sharing of information related to exotic diseases with other agencies and jurisdictions.

Within the exotic disease compensation framework it refines the compensation framework for fairer payments to affected livestock producers and considers eligibility based on various factors beyond convictions. The minister is empowered to recoup compensation paid in error or with false information, and procedural fairness is ensured with notice and review mechanisms. Further compensation for restocking is there, with the secretary enabled to determine when further compensation for restocking may be made. It also improves flexibility during a disease response.

Within enforcement and compliance it extends and clarifies the powers of inspectors, allows entry into dwellings for enforcing the whole act and enhances police officers' capability to investigate farm-related crimes. Livestock traceability introduces offences for possession of livestock with removed or replaced permanent identification and aims to deter fraudulent practices like rebirthing and protect Victoria's livestock industry. The modernised notification procedures will enable online publication of notices and electronic service of documents and enhance accessibility and efficiency in public notification processes.

Amendments to the Livestock Management Act will see strengthening of the existing legislative framework for reducing biosecurity risks from unlawful entry onto agricultural premises. Trespass onto livestock premises can obviously lead to biosecurity breaches, impacting human and animal health and access. The doubled penalties for noncompliance with prescribed biosecurity measures for a natural person are 120 penalty units and for a body corporate 600 penalty units, with an increase in the infringement penalties for a natural person to 12 penalty units and for the body corporate to 60 penalty units. The increased penalty for damaging, defacing or removing signage related to biosecurity measures will carry 40 penalty units.

Recognising police officers as inspectors under the Livestock Management Act and the Livestock Disease Control Act and consequential amendments to remove other references to police officers and amendments to the Plant Biosecurity Act will improve government capacity and enhance readiness to respond to biosecurity threats like exotic plants, pests or diseases, with clarity and efficiency in emergency response through improving emergency response and management provisions related to plant pests and diseases. Penalties are significantly increased for contravention of provisions related to exotic plant pests and diseases and aim for greater deterrence and to align penalties with the Livestock Disease Control Act.

Around delegation of powers, the bill enables the minister to delegate power to declare plant pests or diseases as exotic to the chief plant health officer. It also facilitates faster responses and supports investigations by extending the declaration period to six months. The control area declaration shifts the power to declare a control area to the minister or delegate for quicker regulatory action. It also minimises administrative delays and improves adaptability to respond to plant pest outbreaks. The restricted area declaration allows delegation of power to declare a restricted area, including to the chief plant health officer, and facilitates rapid and effective responses to plant pests or disease outbreaks. Enforcement and compliance options grant the secretary power to issue permits specifying exemptions to restrictions in controlled or restricted areas, enhance the efficiency of issuing permits and reduce the administrative burden. The modernised public notification procedures permit online publication notices for infected plants, and restricted area orders enable electronic service of documents to streamline communication.

I think the fact that there is broad support for the work that has been done in bringing this forward is a good sign. It shows that the government is continuing its work of many decades delivering for rural and regional Victorians and rural and regional Victorian towns. We know that here in Victoria international food and fibre exports are number one in Australia, which is something that I and many

of my constituents are incredibly proud of. They are 24 per cent of the national total, so for our size as a state that is incredible. The fact that we have hit a record of \$19.6 billion in food and fibre across that area is just sensational, considering that is up from \$14.5 billion just in 2020. I think it is the work that we have done and our global standing as quality producers and quality manufacturers that means we have those markets wanting to take our export products. That is why this government is proud to stand with our food and fibre producers, our manufacturers, and ensure that they have not only the infrastructure they need to grow and export their products but also the systems around them, the regulations of government, to ensure that they are in a safe environment to do so.

We on this side understand the value that comes from these exports – the jobs, and what we have seen with regional unemployment being so incredibly low. Investing broadly in these industries and these sectors in our regions is seeing us get the results of these massive exports, these massive dollar figures, and providing the jobs and the benefits broadly to us as a state and as a society, because we know that for Victorians – children, families, workers, everyone – the fact that we have world-class food being produced here not only for consumption here but also for export is a wonderful string to our bow. Whilst those opposite repeatedly showed when they were in government that they did not want to support regional and rural Victorians, we maintain the services and infrastructure that go around our food and fibre industries. They want to cut them. This bill is another example of how we want to ensure that everything that is needed, whether it is infrastructure or a safe environment to grow and produce in, is there.

It was good to hear about Ms Bath growing up on the farm. It was good to hear that there are still some Nats that have done that. I thought everyone had to be a retired journo to get into the Nats nowadays, but that is good to hear. It was great to hear from my colleague Ms Ermacora about growing up on the farm – some of the beautiful stories she told about being an ex-rouseabout. I started having a chat to Mr Berger about him being a jackaroo. But we know that, growing up on a farm, things like footrot have a massive impact. Victorians know that. There are those opposite – like Mr Mulholland, but those opposite in the 1980s and the 1990s – who stood around worshipping Thatcher and Reaganism, and we saw the results of that in regional and rural Victoria.

The last four leaders on this side – when you look at Jacinta Allan growing up in regional Victoria; Daniel Andrews in Wangaratta; Brumby in Bendigo, retired back to the farm now; and Bracks, born and bred in Ballarat – were working in the regions. When I grew up, towns like Ballarat were Liberal held. Now for 25 years we have seen our key regional centres understanding the value of government investment in them and government sticking by them, not working to a Thatcher-Reagan model of everybody for their own. It is about investing in community. This bill is to a similar effect – you have got to put the supports around our producers and around our manufacturers, unlike that lot over there. They will say it was not their fault, it was the feds ripping the auto industry out of Australia when the dollar was at \$1.10. Of course we know where it is now. They just want to rip and cut. I just think, coming back to Ms Ermacora's points before – the beautiful reflection she had on regional and rural living and output and products – was great to hear.

I know Ms Bath is trying to get me to not talk about our investment in the regions, but again the fact that –

**Melina Bath** interjected.

**Tom McINTOSH:** No, around biosecurity. We could talk about broader security and climate security and supporting our farmers by ensuring they are not going to be hit by more and more years of drought, which is going to lower their economic outputs, which is going to put further stress on consumers on prices when they are going to the supermarket. I know that those opposite do not want to look holistically at how to ensure future generations of farmers, but this bill does exactly that by protecting, if you will, local environmental contributing factors to quality and security of growth and product but then also looking holistically at our farmers' abilities to grow in the broader climate. The fact is that our farmers want to see skilled workers so they can have a top-grade product that fits this

incredible international export. The fact is that we have got the TAFEs, we have got the training and we are investing in regional worker accommodation so that workers are there. We are investing in the schools so we have got the family supported. We are investing in hospitals and health care. This is the holistic nature of ensuring that this bill is one of many that are ensuring the sustained viability of our farmers, their output, the contribution that makes to our state and the great product that it gives to our state, our families, workers and all of us that depend on it.

**Georgie PURCELL** (Northern Victoria) (16:07): I have a reasoned amendment to the Biosecurity Legislation Amendment (Incident Response) Bill 2023 and I ask for it to be circulated. I move:

That all the words after 'That' be omitted and replaced with 'the bill be withdrawn and not reintroduced until the government sets out a new approach to animal welfare in Victoria.'

Let me highlight something from the very start as I explain the need for my reasoned amendment and my obvious opposition to this bill. This bill is simply an ag gag law in disguise, a disingenuous bill that makes a mockery not only of the members in this place but of Victorians who the government believes are so naive as to not recognise the true intention behind it. The time for this government to be transparent has well and truly passed, and to be honest I expected nothing less from them. We saw it with the decision to continue recreational duck shooting just last week, ignoring the key recommendation from their own report, to allow the slaughter of our native waterbirds and decimation of their habitat. When it comes to more than just covering up animal cruelty but supporting it, this government knows no bounds. The animal protection legislation that purports to protect animals was promised over two elections ago, and the government is still yet to deliver it. The Prevention of Cruelty to Animals Act was implemented in 1986 and has not been updated since, yet the government is prioritising increasing penalties for whistleblowers who seek to expose animal cruelty and save animals' lives. This is a cheap money grab and a tool to silence cruelty.

Let us not forget that it is the government's failure to protect animals and their neglect towards updating animal welfare legislation that forces whistleblowers to attend these properties. Had the government fulfilled their promise, we would not be having this conversation here today. Instead of real actions from the government, they are simply increasing penalties for offences that are not even being breached. This bill will increase the penalty for contravening a prescribed biosecurity measure under section 50A of the Livestock Management Act 2010 from 60 penalty units to 120 penalty units for an individual, a monetary penalty of \$23,077, and from 300 to 600 penalty units for a body corporate, or \$115,386. Similarly, the penalty for the offence of damaging or defacing a sign under section 50B is doubled to 40 penalty units, or \$7692. However, since January 2022 there have been zero Livestock Management Act infringements or official warnings issued. So why is the government proposing to double penalties for these non-existent offenders?

The doubling of penalties is wholly disproportionate to the absence of infringements, calling into question the real purpose of this bill. This bill is seeking to criminalise the legal act of whistleblowing by preventing anyone entering a premises, including when an animal is very clearly in need. Are we supposed to believe that whistleblowers, who install cameras in slaughterhouses on rare occasions, are the biggest threat to our state's biosecurity? I am not buying it, and neither should anyone in this chamber. There is no proven correlation between whistleblowers and harm to agricultural biosecurity. I repeat: there is no evidence whatsoever that shows that animal activism has led to a disease outbreak in this country. But what there is is evidence of the serious breaches by these businesses that threaten our biosecurity and human health.

PrimeSafe led prosecutions in 2019 and 2022 of two separate unlicensed seafood businesses that were harvesting and selling seafood without a seafood safety licence. The court imposed fines of \$1500 and in the later hearing ordered a fine of \$10,000. In 2019 a business was found to be in severe violation of the Meat Industry Act 1993, where it sold meat for human consumption that had been slaughtered at an unlicensed facility. The magistrate recognised the grave consequences that such actions can have on the health of our community yet ordered a mere fine of \$2500. There have been numerous court

cases of the seizure of meat and fish because of the failure of businesses to provide hygienic conditions for slaughter and processing, where the sale of meat is not even being inspected and branded in accordance with our laws. But now the government is sitting here and telling us that we are doubling penalties targeting whistleblowers up to 15 times the amount of what noncompliance costs factories. Does this sound right – that the offenders of cruelty, putting the nation’s biosecurity and health at risk, get a slap on the wrist while those who expose their offences are increasingly disproportionately punished?

This bill is further marked by ignorance, with several members utilising foot-and-mouth disease, bees and varroa mite, avian flu outbreak and fire ants as examples to demonstrate the necessity of this bill whilst neglecting to note that these biosecurity risks are not caused by whistleblowers. Rather, they are a product of the industry itself. Zoonotic diseases occur out of the unnatural contact between farmed animals and wild animals with humans in our intensive factory farms that are breeding sites for bacteria, viruses and parasites.

Let us delve into some of those examples that were so confidently put forth by members in the other place. Foot-and-mouth disease was first described in the 16th century and has continually been revitalised over the decades. It was the first animal pathogen identified as a virus, but it was not the last. The United Kingdom outbreak in 2001 was a result of inadequate animal care, when infected meat was fed to pigs on a farm in Northumberland, leading to a cost of £8 billion and a massive 6.5 million animals culled.

The swine flu emergence in 1998 was born out of the high density of pigs in factory farms. It then mutated and was transmitted to humans. Avian flu in Australia was and is circulated within poultry and wild bird populations themselves – again, not by animal activists. In 1992 near Bendigo an outbreak occurred on a chicken breeding farm. The flu spread from the neighbouring abhorrent duck meat farm, which failed to meet many standards of hygiene and animal welfare, through a worker who worked on both farms and spread it between the two.

Further, we all know that the heartache and financial burden of COVID-19 still rings true for so many locally and around the world, and yet it went largely ignored that this virus was a product of mistreating animals – with open-air wet markets, the selling of exotic animals and seafood, the caging of live animals and the shackling of those that had been killed. I will not let this government make a scapegoat out of animal activists for its own failures. Let me paint you a picture of the reality of these conditions right here in Victoria that animal activists have brought to their and our attention.

An investigation by Farm Transparency in 2023 into Victorian slaughterhouses showed the world the horrific and cruel practices that occur behind closed doors, an investigation that left the public hysterical and mortified by the treatment of animals in our state. Footage showed piglets gassed to death, gasping and squealing for air before being hung up. I am sure by now you are all familiar with the image of pigs desperate to escape, screaming and pleading for their lives as they are shoved into a gondola and lowered to their violent death of suffocation by gas. And who made us aware? It was not the industry and it was not this government. These are creatures with the intelligence of a three-year-old child and smarter than dogs. They are sentient beings capable of feeling pain, fear and distress. They have love for their offspring and family, and the industry responds to this by tearing piglets apart from mothers – an indescribable pain that no being should ever have to endure. The footage obtained by activists showed pigs being brutally beaten with paddles and their body parts torn off from getting caught in machinery all while fully conscious. These machines are enclosed by metal walls with the purpose to shut us out and keep our eyes from the industry’s most well-kept secret – the abominable animal cruelty that it inflicts – so that the industry and government can continue to profit from animal abuse and community ignorance. These activists risked their lives to perform the job of this government’s own inspectors.

The Australian Food Group slaughterhouse in Laverton, one of three of Australia’s biggest pig slaughterhouses, decided to shut down instead of installing mandated CCTV following the footage

being released. Take a moment to think about that. Why would you choose to shut down a huge business instead of doing the simple task of installing a CCTV camera? It is because these slaughterhouses are caves of unimaginable cruelty, pain and suffering. The routine and systemic breaches are so severe that they would rather shut down than show us the truth. This is an industry that thrives on a lack of accountability, and the government lets it happen. Did inspectors charge the slaughterhouse with illegal cruelty and noncompliance until it was brought to national television? No. It was not until animal activists brought this to light that the cruelty was even exposed. Notably, this being the biggest exposure case by activists in this state, it resulted in no biosecurity breaches. Livestock animals already suffer from a severe absence of legal protection, with slaughter being excluded from the Prevention of Cruelty to Animals Act where it is done in accordance with the Meat Industry Act or any other Commonwealth act, and now this government seeks to snatch away another protection – the people that are trying to help them. Now I ask you: how does penalising activists who expose these cruel and illegal practices protect our biosecurity?

I could tell you endless stories of animal suffering across Victoria, but this Parliament has already shown it cares not for the welfare of animals but only for silencing those trying to speak out for animals for its own financial gain. So let me speak to you in terms the government can perhaps relate to, separate from having some compassion. Let us discuss the practicality and actual capacity for this bill and its amendment to achieve its stated objectives. If the government truly cared about the biosecurity of our state, it would have used this bill to impose truck wash and boot disinfection installations at the entry of every farm that is carrying contaminants from place to place every single day or even multiple times per day. Where are the actual biosecurity improvements? If animal activists disinfected their shoes upon arrival, would they then be allowed to proceed with their activism? No, because this bill is not about biosecurity; it is about persecuting those who expose Victoria's cruel and inhumane farming practices that happen widely and go unmonitored across the state.

In 2019 in response to the federal Criminal Code Amendment (Agricultural Protection) Bill 2019, a bill with several similar ag gag clauses, Labor provided the following additional comments:

The offences created by this bill appear to overlap with existing state laws that already prohibit trespass, damage to property and theft, and that could already form the basis of criminal liability for those who incite those offences. To this extent, the bill might only complicate the law with additional offences that will not improve existing legal protections for farmers.

But now this government expects us to believe that these challenges are no longer present, despite not being able to explain how these penalties interact with such offences. To say the least, this proposal's compatibility with our legal framework is questionable and unanswered. This proposal does not have the capacity to protect our biosecurity. It has not a single clause that focuses on improvements for farmers, animals or our environment. I will not be fooled by this bill's title; this is nothing but ag gag legislation. The government does not care for our biosecurity, it only cares for secrecy and shutting Victorians out from the truth.

The next ridiculous amendment proposed in this bill relates to the destruction and damage of signage. At what stage do we start caring more about the condition of signage than we do about the actual living conditions of the animals reared for consumption? It is an absurd and nonsensical inclusion. Where is the evidence that animal activists are damaging signs? With all due respect, activists have a much bigger goal in mind than destroying signage on properties – they are there to save animals' lives. In September last year a Victorian sheep farmer was fined \$14,000 for 13 charges of animal cruelty, being the failure to provide proper and sufficient care, food and treatment to 475 sheep at his farm. 475 animals – that equated to 3 cents per animal. This cruelty led to the death of 135 sheep, 15 becoming seriously disabled, rotting carcasses, mangled limbs, blood spattered everywhere and untreated wounds. That is a real biosecurity threat. Yet this government proposes that the fine for damaging a sign is to be more than half this amount, at \$7692. It is disgusting that the lives of 475 sheep and the punishment for extreme breaches of our law are valued at a mere \$7000 more than

knocking over a sign. This government needs to get its priorities right and focus efforts on real problems and real actions for our animals.

I would also like to correct those in the other place that have absurdly and offensively conflated animal activism with terrorism. I ask: do you therefore consider me a terrorist? I have been to slaughterhouses, knackeries and countless farms where I have seen the truth about farming practices in this state and have helped sick, injured and dying animals. It is part of the reason that led me here. This label should not be thrown around lightly – it is an offence to every person who has suffered at the hands of real terrorism, and it is deeply concerning that those in the other place would be so senseless to misrepresent the word's meaning and be so careless and insensitive to use it in this present time. Using the word 'terrorist' is an attempt to invoke fear in Victorians. If the industry has nothing to hide, then what does it fear from those who seek to record its practices? If this government is so confident in the welfare of animals on farms, why not just let the public see it? The reason is obvious: the truth is incompatible with the innate compassion we as humans possess, the truth is confronting and, most importantly, the truth would require that we change our ways.

With this bill the government is sentencing millions of animals to a life of suffering and unimaginable cruelty right through to their slaughter and abstaining from taking any real action to protect our biosecurity all in the name of its vendetta against activists. Perhaps the government's greatest fear is whistleblowers exposing its own negligence and incompetence in regulating this industry. There is no evidence to support the claim that activists are impacting our biosecurity. The greatest threat is the industry itself, with its flagrant breaches, its unhygienic facilities and its producing of environments so detrimental to the health of animals through high density, extreme confinement and endless abuse.

I remind you that this bill has zero capacity to improve our biosecurity. The government has put forth no practical actions for improvement. I encourage my colleagues in this chamber to support my reasoned amendment, and if it does not pass, to oppose this bill today.

**Adem SOMYUREK** (Northern Metropolitan) (16:25): I rise to support the Biosecurity Legislation Amendment (Incident Response) Bill 2023. The measures contained in the bill are crucial for safeguarding Victoria's economy, public health and environmental sustainability against the potentially devastating impacts of biosecurity threats. These measures in the bill ensure that our state, Victoria, remains a reliable and competitive player in global agriculture and horticulture markets.

As a former minister for trade, I can report to the house that Victoria does have a very, very good reputation internationally, both in the region and across the world, for our clean and green produce; we are viewed as a source of clean and green produce. That is an invaluable competitive advantage that we have. That ultimately helps enhance our exports, which means more jobs, which means more prosperity for Victorians. This is in a region that we cannot compete with on costs, so our agriculture and horticulture sectors are very, very important for this state. Therefore we must ensure that we have a robust and flexible regulatory framework in place that quickly and effectively responds to biosecurity threats. From where I sit, I see this piece of legislation as being a part of that.

Once tarnished, our reputation will be very, very difficult to restore, so we need to be vigilant, and I think this bill goes a long way to doing that and getting the balance right – although I do have some apprehension, notwithstanding what I have just said. There are a couple of things that Mr Limbrick will address around transparency that I think the bill could be tightened up on. But overall I think it is a good bill, and I commend the bill to the house.

**Jeff BOURMAN** (Eastern Victoria) (16:27): I rise to speak on the Biosecurity Legislation Amendment (Incident Response) Bill 2023. To me this is a multifaceted thing. It was actually very interesting listening to the member for Northern Victoria who spoke just previously, and in a lot of ways I agree with her about animal cruelty and things like that. We may have a different view on what constitutes cruelty, but I personally, and my party, do not stand for just wanton cruelty. I guess where we move apart is in that I look at this and I say activists want to go to someone's farm without

permission and take their pictures, do what they want and all that, and that is fine. They do not want to obey the law. But those laws are there for the protection of everyone. If the animals are being kept in substandard conditions, I would suggest that they have found that out via a whistleblower. If that whistleblower does not get caught, then surely there has got to be a better means than illegal means. Should the activists get their way and, let us say, we all become vegans, it will be illegal – it will have to be enforced – to eat animal products or whatever, and therefore there would be an expectation that we would obey those laws. We cannot have it both ways. Whether we like it or not, they are laws that need to be obeyed, and I could never support anything that encourages people to disobey laws. In this case we are encouraging people not to disobey laws by increasing penalties, and I think that sends a far clearer message than anything else.

I will not be supporting Ms Purcell's reasoned amendment, obviously, but I commend this bill to the house. I will be listening to Mr Limbrick's amendments with some interest, but when it comes to farms, we have to be very careful what we do. As a couple of other people have said, if we have one major incident, the reputational pounding we will take will drop the price of everything. It will affect the regional areas, and it could take them years to get back. So I encourage people to do everything they can to follow their passions and pursuits, but within the law.

#### **Council divided on amendment:**

*Ayes (5):* Katherine Copsey, Sarah Mansfield, Aiv Puglielli, Georgie Purcell, Samantha Ratnam

*Noes (32):* Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaele Broad, Georgie Crozier, Moira Deeming, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Rachel Payne, Harriet Shing, Adem Somyurek, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt

#### **Amendment negatived.**

#### **Motion agreed to.**

#### **Read second time.**

#### **Committed.**

#### *Committee*

#### **Clause 1 (16:39)**

**Melina BATH:** Minister, I believe this is in your home patch. In Benalla in April 2023 there were 30 protesters who entered a facility early in the morning and allegedly chained themselves to machines, putting a halt to operations. This was in a pig abattoir. Reports were that seven protesters were charged with trespassing, not whistleblowing. I am interested to know the status, if your department has that status. Have they actually been formally charged?

**Jaclyn SYMES:** I do not think responding to the status of a police inquiry or indeed any subsequent action would be in the remit of the bill. I can confirm that the owner of that abattoir Mr Colin Sinclair did ring me after the event – being Benalla – and reported very positive interaction with the police. He was very impressed with the way that it had been handled as a matter. That was only brought to my attention by virtue of my personal knowledge with that operator. In my capacity as minister, in my portfolio and also as acting in agriculture, I am not provided with a current status update of that matter, nor do I think that is appropriate within the remit of this bill for the purpose of the committee stage.

**Melina BATH:** Minister, we have heard today in debate people in this chamber say that there have not been any of the current trespass biosecurity laws enacted or infringements or penalties. Can you

confirm that is the case? From the livestock act, have there been any infringements or penalties issued since it came into being two years ago?

**Jaclyn SYMES:** No infringements have been issued, as you have identified, Ms Bath.

**Melina BATH:** Does that mean that there were no successful penalties laid or that there were no charges laid, period?

**Jaclyn SYMES:** No infringements have been issued.

**Melina BATH:** Just in relation to simplifying the permit requirements for material movements across borders, we know when the varroa mite came down to the top of, we will say, Mildura way, there was very much a cross-border interaction around securing the site. Can the minister just outline how the particular amendments in this bill will create that simplification? Where there has been an identified outbreak of an infectious disease or a mite like varroa mite, how will this bill support the simplification of material movements?

**Jaclyn SYMES:** I am sorry, Ms Bath. I have to ask you to clarify the exact question you are asking. Is it about information dissemination between the states? I am just a little unclear about your specific request for information.

**Melina BATH:** A section of this bill looks at simplifying the permit requirements for material movement, and I am just interested to note there was the example up in the north where we had varroa mite in New South Wales and then we had mitigation in Victoria. Can you share with this committee the simplification of those permit requirements for material movement?

**Jaclyn SYMES:** It might assist me, Ms Bath, if you can point to the section that you are referring to. Which clause of the bill are you referring to? We are in clause 1, and you have just referred to a particular section.

**Melina BATH:** No, I cannot, so that is okay. I will do some research, and we can come back.

**Jaclyn SYMES:** Yes, sure.

**Clause agreed to; clauses 2 to 7 agreed to.**

**Clause 8 (16:45)**

**David LIMBRICK:** I move:

1. Clause 8, page 14, lines 9 to 15, omit all words and expressions on these lines.
2. Clause 8, page 14, line 16, omit “(c)” and insert “(b)”.
3. Clause 8, page 14, line 20, omit “(d)” and insert “(c)”.
4. Clause 8, page 14, line 27, omit “(e)” and insert “(d)”.
5. Clause 8, page 14, line 30, omit “(f)” and insert “(e)”.

This is in relation to the reduction in compensation factors. Basically, as I outlined in my second-reading speech, this is over the concern that if the minister is going to make an allegation of recklessness, that that actually has a legal test, and therefore this amendment corrects that and raises the bar in line with that.

**Georgie CROZIER:** The coalition will not be supporting Mr Limbrick’s amendments 1 to 5 on this occasion. We understand his intent but do just have concerns around some of those areas around the negligent nature that could be applied by some people and how that needs to be dealt with in a timely manner.

**Jaclyn SYMES:** The government is not in a position to support Mr Limbrick’s amendments.



**Council divided on amendments:**

*Ayes (5):* Jeff Bourman, Moira Deeming, David Limbrick, Georgie Purcell, Rikkie-Lee Tyrrell

*Noes (32):* Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Gaelle Broad, Katherine Copsey, Georgie Crozier, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Trung Luu, Sarah Mansfield, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Rachel Payne, Aiv Puglielli, Samantha Ratnam, Harriet Shing, Adem Somyurek, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

**Amendments negatived.****Clause agreed to; clauses 9 and 10 agreed to.****Clause 11 (16:54)**

**Rikkie-Lee TYRRELL:** I move:

1. Clause 11, line 21, omit “The” and insert “After consulting with relevant industry representatives, the”.

**Council divided on amendment:**

*Ayes (5):* Jeff Bourman, Moira Deeming, David Limbrick, Adem Somyurek, Rikkie-Lee Tyrrell

*Noes (33):* Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Gaelle Broad, Katherine Copsey, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Trung Luu, Sarah Mansfield, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

**Amendment negatived.****Clause agreed to; clauses 12 to 23 agreed to.****Clause 24 (16:59)**

**David LIMBRICK:** I move:

6. Clause 24, lines 21 to 23, omit all words and expressions on these lines and insert –
  - ‘(1) In section 26(1) of the **Livestock Disease Control Act 1994**, after “is a” insert “reasonable”.
  - (2) In section 26(1)(a) of the **Livestock Disease Control Act 1994**, after “area” (where first occurring) insert “likely to be impacted by an exotic disease”.’.
7. Clause 24, line 24, omit “(2)” and insert “(3)”.

These are related to the restricted and control area declarations. This simply adds a reasonableness test and slightly raises the bar to say that an area must be likely to be impacted by a disease. The rationale behind this amendment is that during the pandemic we saw areas affected by restrictions that had, in my opinion, low likelihood or no prospect of requiring restrictions but that nevertheless were subjected to them. This test at the very least will require the minister to consider whether it is actually likely or reasonable that an area would be affected before setting a declaration.

**Georgie CROZIER:** The coalition will be supporting Mr Limbrick’s amendment, and I take into consideration his comments that he made just in relation to what Victorians had to endure through COVID, where there were wide declarations made. I think this goes to a bit of a commonsense measure, and so the coalition will be agreeing to support Mr Limbrick’s amendment on this occasion.

**Jaclyn SYMES:** Mr Limbrick, just a question: so it is your contention that because of health measures that were taken on the advice of the chief health officer, you are applying the same logic to

infectious diseases of animals with the advice of the chief vet – is that what you are basing this amendment on?

**David LIMBRICK:** It is more around the use of powers that are declared by whatever that person may be, whether it is the vet or CHO or whatever it is. When we have these sorts of extreme powers that are being declared, then it is my contention that there should be some underlying basis for that and not just merely a suspicion. This slightly raises the bar so that they would have to say why they believe it is likely or why it is reasonable that they impose that restriction on a declared area.

**Jaclyn SYMES:** Mr Limbrick, are you concerned about any past practices in relation to Agriculture Victoria and the chief vet's information that went out to the public in relation to responding to avian influenza and the like that you can point to, where you are concerned about past practices?

**David LIMBRICK:** No, I am not referring to past practices; I am anticipating potential future problems that may arise, and this is a safeguard against any potential future problem.

**Jaclyn SYMES:** Rather than continuing to ask Mr Limbrick questions, the government will not be supporting the amendment. I guess I am the representing minister in this case, but I was the minister that was in the seat during the avian influenza incident, which a lot of people did not realise happened because it was in July 2020 and people were focused on the pandemic that was impacting humans. The speed at which that event unfolded, the fact that I was on video links at 3 am with the latest information about the fact that it had jumped from poultry to turkeys to emus – with any kind of additional restrictions, particularly in the amendment that you are proposing here, I guess I am actually more concerned about the reporting amendments that you have coming up and the impost that that puts on people that really need to be responding to these types of issues. I think in my experience, in practice, if you put in too many barriers, you are reducing the ability to act fast, because once this stuff goes, it is very hard to claw back. When you have interactions – you are correlating it to human movement – if you think about avian influenza, it was not the chickens that were making the turkeys sick, it was the wild birds and the ducks that were flying between them. So this is something that is very dynamic. This is not about telling people what they can and cannot do, this is about being able to jump on something in the most appropriate manner. Frankly, giving the reasons that come from the directions of the chief vet and all that information I think, in my experience, basically meets some of the things that you have said, but I would be uncomfortable putting in additional barriers that might mean that something gets away in this space, because the consequences are just too dire.

**David LIMBRICK:** My response to that would be that in the particular case the Attorney brought up of the avian flu, the responses would actually meet this test of 'reasonable'. The actions that the government undertook would meet the test of 'reasonable' and would meet the test of 'likely to be impacted', so I do not think this would have stopped anything that the government did in that particular instance.

#### **Council divided on amendments:**

*Ayes (16):* Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Moira Deeming, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Joe McCracken, Nick McGowan, Evan Mulholland, Georgie Purcell, Adem Somyurek, Rikkie-Lee Tyrrell

*Noes (21):* Ryan Batchelor, John Berger, Lizzie Blandthorn, Jeff Bourman, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Samantha Ratnam, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney

**Amendments negatived.**

**Clause agreed to; clauses 25 and 26 agreed to.**

**New clause (17:09)****David LIMBRICK:** I move:

9. Insert the following New Clause to follow clause 26 –

**‘26A New section 31A inserted**

After section 31 of the Livestock Disease Control Act 1994 insert –

**“31A Reporting to Parliament in relation to an order declaring a restricted area or a control area**

- (1) If an order declaring a restricted area or a control area is made, varied, continued or revoked, as the case may be, the Minister must prepare a report in accordance with this section on the making, variation, continuation or revocation of that order, which must include the following –
  - (a) a statement of the reasons for the making, variation, continuation or revocation of the order;
  - (b) a copy of the advice of the chief veterinary officer of the Department (or chief plant health officer of the Department to the extent that the order relates to bees) in respect of the making, variation, continuation or revocation of the order;
  - (c) a summary of the matters in subsection (4), if applicable.
- (2) Subject to subsection (3), if a House of the Parliament is sitting on the day after the coming into force of an order declaring a restricted area or a control area or the variation, continuation or revocation of that order, as the case may be, the Minister must cause the report to be laid before that House on that day.
- (3) If –
  - (a) a House of the Parliament is not sitting on the day after the coming into force of an order declaring a restricted area or a control area or the variation, continuation or revocation of that order, as the case may be; or
  - (b) for another reason it is not reasonably practicable for the report under subsection (1) to be laid before that House on that day –

the Minister must, within 5 business days of the coming into force of the order, give a copy of the report to the Clerk of that House.
- (4) A report under subsection (1) in relation to a variation, continuation or revocation, as the case may be, of an order declaring a restricted area or a control area must also include a summary of any proceeding commenced for a contravention of any prohibition, restriction or requirement specified in the order during the period –
  - (a) beginning when the order that is varied, continued or revoked first came into force; and
  - (b) ending when the variation, continuation or revocation of the order came into force.
- (5) If the Clerk of either House is given a copy of a report under subsection (3), the Clerk must –
  - (a) give a copy of the report to each member of the House as soon as practicable after receiving it; and
  - (b) cause a copy of the report to be laid before the House on the next sitting day of the House.
- (6) A failure to comply with the requirements of this section in relation to a report under subsection (1) in respect of the making, variation, continuation or revocation of an order, as the case may be, declaring a restricted area or a control area does not affect the validity of the making of the order or the variation, continuation or revocation of that order.”.

This is around reporting requirements to Parliament. Effectively what this is doing is saying that if you are going to use one of these declarations, a report must be tabled before Parliament. It is as simple as that.

**Jaclyn SYMES:** I touched on this in my response to the previous amendment. The government's position on this amendment is that it cannot agree with it because it increases the administrative burden of making time-critical exotic disease restricted area and control area orders, which presently are made rapidly and proportionate to the risk based on suspicion and belief of the possibility of an exotic disease being present in or being introduced into Victoria from outside the state. Introducing requirements for the minister to provide a report to Parliament in the instance of a declaration, variation, continuation or revocation of a restricted area or control area being made under the act would significantly hinder the efficiency and effectiveness of an exotic disease response in Victoria.

I understand your desire for greater transparency and accountability and that is not necessarily my problem, but the way you have structured your amendment is effectively going to divert resources from a response. As I said, the advice in relation to the outbreak that I dealt with changed rapidly and you could have a change in boundary three times in one day. You could have somebody say, 'I'm included and I shouldn't be.' Like, there are so many times that it changes. If you were after a report after the event, I think that would be easily provided. But I think the real-time type of reporting that you are seeking the minister to do – we all know that there are people that provide that advice to the minister. In these situations, diverting someone's attention from response to administratively continuing to update us is not what I think Victorians would expect.

**Council divided on new clause:**

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

*Noes (20):* Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Shaun Leane, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Samantha Ratnam, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney

**New clause negatived.**

**Clauses 27 to 95 agreed to.**

**Clauses 96 to 98 (17:15)**

**Sarah MANSFIELD:** I have got a couple of questions regarding these clauses. What we are seeking to do with these amendments is remove the clauses in the bill that seek to double the infringements in the Livestock Management Act 2010 that were amended back in 2022. What we want to know is what process was undertaken to decide to increase these penalties, given that in defending the penalties that Labor introduced in 2022 you claimed that you were advised that they were sufficient when the Nationals sought to double the penalties at that stage? Did the government seek or receive any advice to justify this increase in penalties at the present time?

**Jaclyn SYMES:** My advice is that, as you have recognised, the government was not in a position to make this decision during the previous bill and we wanted to take the time to have further consultations with relevant stakeholders, which have come back with the view that the existing penalties were inadequate in relation to exotic animal disease and livestock traceability offences because they were not serving as an effective deterrent. Those consultations have put us in a position where we are more confident now than we were then that this is required. As you have identified, the bill does increase penalties for offences related to those offences, mainly to underscore the gravity of the offences and to reflect the potential harm that such offending can inflict on the community, the

environment and also the economy. My advice is that the penalties are similar to other jurisdictions, so a little bit of catching up has occurred here.

**Sarah MANSFIELD:** With respect to the relative penalties under section 50A(1) of the Livestock Management Act 2010, since they came into effect in 2022, how many official warnings have been issued and how many infringements have been issued?

**Jaclyn SYMES:** I have previously answered the question. No infringements have been issued, and I do not have advice in relation to warnings.

**Sarah MANSFIELD:** I may be able to provide some information. I received an email on 24 November 2023 from the office of the Minister for Agriculture, Minister Spence, which says that livestock management infringements since January 2022 have been zero, and there have been zero livestock management official warnings since January 2022. So I am just curious to understand your justification for the penalties that were introduced in 2022 by Labor and defended by Labor as being adequate. You are claiming that they are not a sufficient deterrent, yet there have been zero infringements and zero warnings issued. You are saying we need to double them. We have had zero infringements and zero warnings in that time. What aspect of the existing penalties is not a sufficient deterrent? How are you justifying this?

**Jaclyn SYMES:** Dr Mansfield, as I explained, following further consultation from the duration of that bill to this one, the decision that has been made by the government is to increase the penalties for a variety of reasons that include the concern that the existing penalties do not offer an effective deterrent to offending, they do not reflect the seriousness of the breach, they are lower than comparable offences in other jurisdictions and they are lower than other offences that relate to the outbreak of human-related disease. I think just on that last point, having consistent laws and consistent penalties across the statute books is important.

**Georgie PURCELL:** We understand that no infringements or official warnings have been issued with the last set of penalties, introduced over two years ago now. With a number of acts that protect animals and the environment being so well overdue by this government, such as wildlife act reform and the new Animal Care and Protection Bill, could the Attorney please explain why the government's priority is proposing penalties be doubled under this act when they have not been used?

**Jaclyn SYMES:** What is your question?

**Georgie PURCELL:** My question is: why has the government prioritised the doubling of penalties when there have been no infringements or official warnings and there are two animal protection bills delayed by the government?

**Jaclyn SYMES:** Ms Purcell, I take issue with the characterisation of the question in relation to priorities. This bill is before us today, and you are well aware that there are other bills to come, which you have identified, which deal predominantly with animal welfare issues. They remain a priority of the government and will be progressed.

**Georgie PURCELL:** Does the government have any evidence or examples of any instances that demonstrate that unlawful entry by whistleblowers has specifically resulted in a disease outbreak?

**Jaclyn SYMES:** Ms Purcell, that is not possible to determine, but it is certainly not possible to rule out for unauthorised entry onto our farms and places that have biosecurity concerns. Any unauthorised access by people that have not received the appropriate training or do not have the appropriate awareness of things that they need to take into account when coming to and indeed leaving a property can pose a biosecurity risk.

**Georgie PURCELL:** I just want to confirm that the government has no examples of whistleblowers specifically causing a disease outbreak.

**Jaclyn SYMES:** I just reiterate my answer that it is possible for any person regardless of whether they are characterised as an animal activist, as a whistleblower or as someone who is lost. For anybody who is entering a property unauthorised where there are biosecurity concerns, it is possible that they could cause an infection or an outbreak of some kind.

**Georgie PURCELL:** Does the government have any examples of individuals generally causing a disease outbreak, not just whistleblowers?

**Jaclyn SYMES:** This bill is quite triggering. It has been a while since I have been in this portfolio, but there are plenty of examples of outbreaks that have been caused or contributed to by human behaviour. When I first got sworn into this role I spent a harrowing couple of hours at Attwood in relation to Agriculture Victoria's biosecurity hub there. I attended one of my first meetings as a baby minister about a month into the role and had a briefing with the emergency management commissioner from the chief vet and the equivalent plant person, who – I am sorry; I am offending –

**Gayle Tierney:** Chief plant officer.

**Jaclyn SYMES:** Chief plant officer – the former minister is closer to the role than me. It is pretty terrifying. It is hard to sleep at night after you get those briefings about the consequences from different perspectives. The destruction of animals is awful. The impact on communities, the economy and just the community more broadly is actually terrifying, and there are cases around the world that are because of humans not doing the right thing, whether they have not followed biosecurity protocols or indeed not told people what they have done wrong at an early enough time. So yes, there are plenty of examples of human error in relation to causing outbreaks. Fortunately, in Australia serious incidents are very few and far between, and it is bills like this that are designed to keep it that way.

**Georgie PURCELL:** I guess my point is that there could not be an example of a whistleblower pointed to but there were plenty for individuals, yet they were the largest focus of this debate. But I will move on. What alternatives were considered to enhance Victoria's biosecurity in addition to the increasing of penalties?

**Jaclyn SYMES:** Ms Purcell, as you could appreciate, as the minister that is acting in the role for the purposes of this committee, your question goes to policy development and not clauses, so it is difficult for me to outline to you all of the considerations that might have come to this. I would be in a better position if it was my legislation, but I would put to you that your question is about policy development, which makes it outside the scope of this particular committee stage. I recognise that you would like an answer to that question, but I would put to you that it is not relevant to this committee. You might want to take that up with the minister. It would be, obviously, education, awareness, biosecurity signs at fronts of farms. There are a range of measures and a strategy that underpin a lot of the response to protecting Victoria's agricultural industry through the biosecurity lens. It is not just local and state but also a national strategy. There is a lot that goes into this, but because your question is a broad question and not directly about a particular clause in the bill, I think that my commentary could probably end there. I would suggest that you take up those questions directly with the minister's office.

**Georgie PURCELL:** How will these new offences interact with already established offences relating to trespass and property damage?

**Jaclyn SYMES:** Just from conferring with the box, in terms of my understanding, obviously there is a role for AgVic and there is a role for authorised officers and Victoria Police. As in any matter, when an offence is identified, relevant charges can be put and they can interact across the statute books, depending on the circumstances.

**Georgie PURCELL:** With the powers of police expanding to being classified as inspectors under the Livestock Management Act, will police be receiving additional biosecurity training, and if so, what will the training include?

**Jaclyn SYMES:** Ms Purcell, there is the farm crime coordination unit, which has regular conversations with relevant community members and industry members in relation to crime and other incidents that impact the agricultural sector, so they would be well briefed in these matters. There is also online material being developed to be rolled out to police and relevant officers.

**Georgie PURCELL:** Whistleblowers commonly use PPE equipment and adhere to all biosecurity measures when undertaking work. If this is done, will there be any exemptions from these offences?

**Jaclyn SYMES:** I want to seek some advice from the box before I jump in and answer that.

Ms Purcell, I think in a practical situation I am sure that people that are charged with these offences may seek to put evidence in relation to their expertise to protect against biosecurity. I guess the concern that we have and why there are not exemptions proposed in the bill is that the position would be that generic responses or dressing in PPE may not be appropriate for every circumstance. They would also be unlikely to have obtained the consent of the property owner, so creating an exemption in the absence of consent is problematic as well. So I guess the short answer to your question is that there is no way to dress in any way or provide your own mitigation as a defence under the legislation to being charged with any of those offences.

**Georgie PURCELL:** Thanks, Attorney. What led the government to change its position from 2022 when it rejected the Liberals' and Nationals' proposal to double these penalties?

**Jaclyn SYMES:** I responded to Dr Mansfield's question, which was pretty much identical, where I outlined that there are a number of factors when considering penalties. I think my understanding is that at the time the government wanted to ensure that they could undertake consultation and further consideration of the adequacy of penalties and for reasons such as the adequacy of the deterrence, the reflection of the seriousness of the breaches and the fact that the existing offences were lower than comparable offences under other jurisdictions, and it was also identified that some of these offences were lower than others that relate to the outbreak of human-related diseases. So ensuring that there was some consistency across the books and indeed those other areas that came out through consultation is the advice that I have received.

**Georgie PURCELL:** Will this bill be used to target undercover investigators and animal rescuers?

**Jaclyn SYMES:** No, this is not designed to target any individual group. This is designed to ensure that the biosecurity efforts in this state are maximised to provide the greatest protection for the benefit of everyone in the community. There is no characterisation or identification of any particular group that this is targeting. This is designed to ensure that everyone in the community obeys these laws.

**Georgie PURCELL:** If the intention of the bill is to not target animal rescuers, how will the government ensure they are protected?

**Jaclyn SYMES:** A broad question – I can only assume you are concerned about appropriate protest activities and the like, which are not touched by this legislation. This is purely about biosecurity risks on individual properties. If individuals want to stand out the front of properties and express a view about the practices et cetera, this bill does not cover that.

**Georgie PURCELL:** What is the difference between the effects of this bill and those from ag-gag laws?

**Jaclyn SYMES:** I was searching through pages because I anticipated that you may raise this particular issue. I guess the short answer is that we certainly reject any suggestion that this is an ag gag bill in any way. It applies to anyone. It is agnostic, and I would make the point that it applies to people working in the agricultural sector, such as livestock agents, for example. This is not designed to target any particular group; it is designed to protect the biosecurity issues that are a big concern.

**Georgie PURCELL:** If this bill is not an ag gag law or not targeting whistleblowers, then why did that form the dominant proportion of the second-reading debate in both houses, including by members of the government?

**Jaclyn SYMES:** You will have to ask individual members about why they were drawn to that type of debate. That is not how I would characterise the bill. I certainly have not referred to that. As I reflected before, responding to biosecurity concerns is a community problem. It is an agricultural issue. It keeps people awake at night worrying about these concerns. I take your point that there may be people that now find it a little bit more difficult to become a whistleblower, but this is about ensuring that the agricultural sector is protected. It is not about gagging people that have concerns – sometimes legitimate concerns – about practices. We would certainly encourage information to come forward, but trespassing on someone's property and putting yourself and the industry at risk is not the way to go about it.

**Georgie PURCELL:** Is the government seeking to prevent footage being obtained from farms with this legislation?

**Jaclyn SYMES:** The short answer is no. We would characterise this as about discouraging any type of unauthorised access to property, but there is nothing in this bill that specifically picks up filming or the placement of cameras and the like. That is not specifically covered in this bill. However, it might have the effect of discouraging people from unauthorised entry to perform such tasks.

**Georgie PURCELL:** The last set of on-the-spot fines for animal activists came from a recommendation from a parliamentary inquiry into animal activism, and then we have got this new set of legislation. Activists have consistently said that they do this work because there is a lack of transparency, and now they are at risk under these laws of severe penalties. That same inquiry recommended that the government implement CCTV in slaughterhouses to improve transparency, and the government accepted that recommendation. Why have they not acted on that but implemented two sets of fines since then?

**Jaclyn SYMES:** As you would appreciate, you are asking about matters that are not covered in this bill, and in relation to other recommendations that may have been put to the government I would direct you to the minister's office for the latest update on where they might be up to in the consideration of those recommendations.

**Georgie PURCELL:** How does the government intend to ensure that whistleblowing activity is not conflated with criminal behaviour under this bill?

**Jaclyn SYMES:** This is purely about ensuring that unauthorised access that puts biosecurity issues at risk is deterred and responded to appropriately. You are conflating issues that I would suggest are not the purpose of this bill.

**Georgie PURCELL:** Can you tell us exactly which animals and what types of premises are captured by this bill? For example, will it include animals used for racing and other recreational facilities with animals?

**Jaclyn SYMES:** Any property that has livestock can opt in to the biosecurity measures provided by this framework.

**Georgie PURCELL:** The fines imposed under this bill are extraordinarily severe. What is the justification for such disparity between them other state penalties?

**Jaclyn SYMES:** You are asking me for a lot of opinions, Ms Purcell, and a lot of them are statements that you are making, characterised as a question. I have answered the question in relation to penalties and comparisons with other states and comparisons with other laws, and I do not think that anything further would be required except for responding to your requests for me to have an opinion that I express back to you.



**Georgie PURCELL:** Why have signs been singled out from other forms of property damage in this bill?

**Jaclyn SYMES:** The explanation here is that notification by way of signage is the way that property owners and farmers can identify that there is a biosecurity management plan in effect on that property. You would not want a situation where the removal of signage would be a way to get around avoiding an offence. So that is why it is specifically spelt out in here, because you do not want to have a situation where people think that they can remove a sign and therefore the biosecurity management plan does not apply to that property, which means in effect you could step it out that someone would argue that there is no offence, because there is no notification of the biosecurity management plan being applicable to that property. So that is why the signage here in this legislation has been drawn out, because it is the part of the framework in relation to making sure that is how people communicate that they have opted in to a biosecurity management plan.

**Georgie PURCELL:** Thanks for the explanation, Attorney. Has there been an evidenced increase in or examples of damages to signs or defacing of signs to justify this change?

**Jaclyn SYMES:** I think I would argue that I have answered that in my response to your previous question in that it is part of the framework. It is how landowners communicate that they have a biosecurity management plan and therefore there is a risk if you enter their property that you may jeopardise the safety of yourself, animals, the environment et cetera, so it is an important part of ensuring that there is awareness. Therefore you would not want a situation where somebody was wanting to avoid breaching the framework by removing a sign and the like. I would hope that this is not something that occurs, but you would want to ensure that it is not a means of avoiding your responsibilities or obligations under this legislation.

**Georgie PURCELL:** I completely understand it is part of the framework. But the penalty has been doubled to 40 penalty units, and the fine is almost \$8000. So my question is: are there examples of it happening? Understanding it is part of the framework, has this happened to justify this change?

**Jaclyn SYMES:** Not to my knowledge.

**Georgie PURCELL:** How is this different to property damage legislated under the Crimes Act 1958 and Summary Offences Act 1966?

**Jaclyn SYMES:** I think you could probably get charged with both if you are committing damage or vandalism to someone's property. But this is, as I have explained, a fundamental part of the framework, an identification that there is a biosecurity management plan, which in effect is a sign that says you could endanger yourself, my farm or the community because there are biosecurity considerations that you are not aware of as somebody that is coming onto my property. It means that if someone is coming onto the property, they can stop and they can make sure that they are not entering the property without consent or they know where they can go and where they cannot. I know that is an issue particularly with people that live on their properties in terms of just visitors to their home versus to their farm property and the like. It is an important tool to make sure the people know the risks and therefore can take the right steps to comply with a biosecurity management plan. It is a separate offence under this legislation if you are to alter that, because of the risks that it could lead to in terms of somebody inadvertently breaching biosecurity conditions or putting themselves in harm's way. This is a different framework. To your question 'How is it different?' it is different, but there could be other offences for damage to personal property that would be applicable. They would sit in a different context, and it would be up to law enforcement to decide what is an appropriate charge for the conduct that is before them.

**Georgie PURCELL:** You touched on this in your response and said you think. My next question is: can you confirm that it could be an additional penalty on top of standard property or damage charges?

**Jaclyn SYMES:** It could be, but it would depend on the specific circumstances.

**Georgie PURCELL:** This is my last one. What is the purpose of increasing the penalties under clause 98 for offences under infringement notices when no infringement notices have been issued for two years?

**Jaclyn SYMES:** I have run through the rationale for the government's position in raising penalties. I guess with it being your last question and, hopefully, one of my last answers, I hope that we continue to have another two years of no-one being convicted of or being charged with any of these offences. We hope that through communication and through the signage if it is kept in place and the like that people know what the risks are and people know what their obligations are. For those that are concerned about this legislation in any way – some of the issues you have raised – rest assured this is not designed to attack your endeavours; this is designed to protect the agricultural sector, the state and the nation. But also your activities, your concerns, your genuine protest abilities and the like are not disrupted by this. You just have to go about it in a legal way.

**Council divided on clauses 96 to 98:**

*Ayes (29):* Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaele Broad, Georgie Crozier, David Davis, Moira Deeming, Enver Erdogan, Jacinta Ermacora, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, Wendy Lovell, Trung Luu, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt

*Noes (8):* Katherine Copsey, David Ettershank, David Limbrick, Sarah Mansfield, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam

**Clauses agreed to.**

**Clauses 99 to 100 agreed to.**

**Reported to house without amendment.**

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (17:59):  
I move:

That the report be now adopted.

**Motion agreed to.**

**Report adopted.**

*Third reading*

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (17:59):  
I move:

That the bill be now read a third time.

**The PRESIDENT:** The question is:

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

**Council divided on question:**

*Ayes (31):* Ryan Batchelor, Melina Bath, John Berger, Lizzie Blandthorn, Jeff Bourman, Gaele Broad, Georgie Crozier, David Davis, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Renee Heath, Ann-Marie Hermans, Shaun Leane, David Limbrick, Wendy Lovell, Trung Luu, Joe McCracken, Nick McGowan, Tom McIntosh, Evan Mulholland, Rachel Payne, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Rikkie-Lee Tyrrell, Sheena Watt

*Noes (6):* Katherine Copsey, Moira Deeming, Sarah Mansfield, Aiv Puglielli, Georgie Purcell, Samantha Ratnam

**Question agreed to.**

**Read third time.**

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

**Justice Legislation Amendment (Police and Other Matters) Bill 2023**

*Second reading*

**Debate resumed on motion of Harriet Shing:**

That the bill be now read a second time.

**David DAVIS** (Southern Metropolitan) (18:06): I am pleased to rise to make a contribution for the Liberals and Nationals to the Justice Legislation Amendment (Police and Other Matters) Bill 2023, and in doing so I want to make some clear points before I get into the detail of the bill. The first is that I am reliant on the significant work of Brad Battin, our shadow minister in the area. He has consulted widely on this bill, and in doing so brought in the views of a range of different groups. Whether they be the Police Association Victoria, fire or other groups, he has actually talked quite widely on this bill. We will not be opposing the bill, and certainly that is driven in part by the wide consultation that we have undertaken on the bill and the fact that overwhelmingly that consultation did not bring back concerns.

The bill is an omnibus-style bill, and it does cover a number of different acts. It is probably worth just putting on record precisely what it does. It amends the Child Employment Act 2003 in relation to exemptions from the working with children check. It amends the Fire Rescue Victoria Act 1958 to provide for further allocation of certain property rights and liabilities and obligations of the Country Fire Authority to Fire Rescue Victoria. It amends the Firearms Act 1996 in relation to the surrender of firearms to licensed firearms dealers and special arrangements or conditions for longarm firearm licences. It does amend the Road Safety Act 1986 to provide for use of vehicle immobilising devices. It amends the Terrorism (Community Protection) Act 2003 to provide for procedures and operations for the Countering Violent Extremism Multi-Agency Panel and also powers of the courts and the secretary's delegates in relation to support and engagement orders. It amends the Victoria Police Act 2013 in relation to the code of conduct for Victoria Police personnel, medical assessments for fitness to participate in inquiries, conditions that may be imposed on a police officer or protective services officer for breach of discipline or an offence punishable by imprisonment and changes with respect to restorative arrangements and redress schemes for current and former members of Victoria Police personnel, and it deals with the unauthorised access to and use and disclosure of police information. It also amends the Victorian Civil and Administrative Tribunal Act 1998 in relation to federal subject matter or material. It amends the Worker Screening Act 2020 in relation to exemptions from the working with children check, and there are a number of other minor and technical amendments. As I said, it is a genuine omnibus bill that covers the field.

According to the government, the bill before the house introduces a range of policing reforms which are aimed at strengthening the integrity of the Victoria Police discipline system and supporting Victoria Police and other agencies. We have no objection to these. It will amend the Firearms Act to allow licensed firearms dealers to receive, accept and take possession of firearms from unlicensed persons who are not exempted by the Firearms Act for the purpose of sale, registration or destruction. Police custody officers will no longer be required to obtain a working with children check if they are engaged in child-related activities, including as part of their role. This will provide consistency with frontline Victoria Police roles, in effect removing a duplication, and to that extent we do not believe it

diminishes the information that is on hand and the checks and balances, but it does provide a situation where there is not a duplicative set of steps.

The bill amends, as I said, the FRV act to enable the minister to ensure the allocation of rights, liabilities and obligations for staff not assigned to a particular station, ensures that is captured and ensures consistency with arrangements legislated for staff assigned to a particular station.

The bill makes a number of minor technical amendments to the VCAT act and in particular provides the courts with power to extend the limitation period for federal jurisdiction matters referred to them by VCAT. I should say that our Shadow Attorney-General Michael O'Brien has been calling for some of these changes to the VCAT act. The minor technical amendments to the VCAT act address what is a potential ambiguity, and it was amended as recently as 2023 to provide courts the power to extend the limitation for federal jurisdiction matters, but this will make it clear. I will just quote this:

Following the introduction of those amendments into Parliament, the Court of Appeal handed down its decision in *Krongold Constructions (Aust) Pty Ltd v Thurin [2023] VSCA 191*, which raised ambiguity as to whether this power to extend limitation periods applied to third parties who were not joined to a VCAT proceeding, where that proceeding was then referred to the court under section 77(3). The Bill clarifies that if a matter is referred to a court under section 77(3), the court has the power to extend any limitation period, including to any party that was not joined to a VCAT proceeding before the matter was referred.

Again, my point is that the shadow attorney has actually been campaigning for this change and sees the relevance of it, so in that sense we welcome the government's decision to take the steps that are required here.

As I said, the Fire Rescue Victoria Act change fixes a drafting error that was in the relevant act when the merger happened some years ago. It is related to differences in that in-house staff not allocated to a particular station had to be handled in the background compared to staff with a permanent station. Advice from stakeholders is that the changes are supported, and we think that that is important.

On the amendments to the Firearms Act, the categorisation as we understand it will make some sense, but I know that at least one of our colleagues in the chamber has raised some issues, and we will certainly look at those as they are brought forward during the debate.

I want to say something about the Road Safety Act, and I think this basically enables the better deployment of vehicle immobilising devices in a great range of proactive situations. The change gives blanket approval to the police, but specific approval still has to be sought from local commanders on each occasion. We think this probably makes sense, but I do want to make some reflections on the road safety situation in the state and nationally. It is a serious situation. The road safety performance in the state has deteriorated. The number of people dying and the number of people injured has grown. We have called repeatedly for the reinstatement of the parliamentary road safety committee, that committee that was instituted in the 1960s and 70s and had a lead role nationally – a lead role internationally – in a series of steps which brought the road toll down massively. We think in a situation where the road toll is rising so significantly and without the explanation that is required – I do not believe there has been the quality of explanation that is required in such a serious situation – it is our view that the parliamentary road safety committee should be reinstated. It should have that leadership role. It is a matter on which parliamentary committees can act in a generally bipartisan way and have people of quality from both sides of the chamber who are able to contribute and lead on steps going forward. The government has been very resistant to reinstituting the committee. There have been votes in the chamber, and on every occasion they have resisted and fought the idea that the parliamentary Road Safety Committee would be reinstated. I do not understand why, and I do not understand why such a sensible and practical suggestion has been resisted in the way that it has.

I do want to make a number of other points. In terms of community safety, there is no doubt that there are real issues in the community now, and these issues are growing; they are not declining. I have watched people in this chamber and the other chamber work for their local communities to try and get stronger protective outcomes. I am particularly thinking of Mr Newbury in Brighton, who has

campaigned strongly for a better presence and a stronger response to the home invasions and other matters which are increasingly becoming an issue. All of us have seen these cases on the television. We know that there is problem. That doctor out in Doncaster – what a shocking case. This was an exemplary person who was killed through no fault of their own. I do think that there has got to be a stronger response from the government. The government appears becalmed. It appears uninterested in responding to these terrible matters that go directly to security. Ms Crozier, for example, has also had her own issues. This is something that actually needs to be responded to, and the government does not appear to be responding.

New data from the *Report on Government Services* figures for the 2022–23 financial year does shed some light on the number of police. The Productivity Commission's report shows the number of operational sworn police per 100,000 people decreased from 242 in 2021–22 to 235 in 2022–23, a fall of 2.9 per cent, while at the same time there is some increase in unsworn staff, non-operational staff. But it is actually about the feet on the ground, the police on the beat in the face of these terrible issues; the fewer police on the beat to solve crimes and protect the community is what I think is concerning people. The proportion of Victorians satisfied with police services decreased 6.4 per cent since 2020–21 to 73.4 per cent in 2022–23. So there are actually measurable changes occurring here in people's satisfaction with outcomes. The Crime Statistic Agency data for 30 September 2023 release found a 33 per cent increase in residential aggravated burglaries over the past 12 months, with motor vehicle thefts up 25 per cent. These are horrific figures. Overall theft figures were up 22,683 to 167,099 offences; theft from retail stores increased by more than 38 per cent, or 7308 offences, to more than 26,000. It is clear that there is a real issue. We know there are over 800 vacancies, forcing police stations to close and cars to remain idle.

It is also interesting to look at the Productivity Commission's report on prisoners and the issues around that. In Victoria real net operating expenditure per day per prisoner was \$400.95 in 2022–23, compared to \$298 in New South Wales and \$251 in Queensland. This per-prisoner cost equates to it being 34 per cent higher in Victoria than New South Wales and 59.77 per cent higher than in Queensland. Yet we hear of the escapes and the problems, and even in this chamber we hear inadequate response from the government.

I want to put on record some figures from my local area around the strength of our local police stations. This comes from FOI figures, and they relate to November 2020. I have got new figures on the way, I hope. Camberwell, for example, had 55 staff, but the interesting point is there were five secondments. So this is the idea that the number of secondments is growing and a number of police who are actually in a local station available for response are being removed and put into secondments in big offices in the city away from people, away from the community and away from proactive policing, which is actually a local focus and a local way forward. There were five secondments there, so 9.1 per cent of the staff allocated to Camberwell were on secondment. At Malvern there were nine secondments in 53 – that is 17 per cent. At Prahran there were 19 secondments in 91 police, so that is actually 20.9 per cent. In South Melbourne there were three secondments out of 56 – that is 5.4 per cent. At St Kilda there were 15 secondments out of 87 – that is 17.2 per cent. The total across those stations is 51 secondments in 342 police – that is 14.9 per cent. Almost 15 per cent of police in those local stations in my region are out from the local police station and seconded far away or to some hifalutin taskforce. I am not saying that none of these taskforces do any good work, but I am saying that local policing is important and actually the proactive policing where police actually understand their local community, understand where to go and how to deal with things is actually quite an important point.

In my area stations like Ashburton, Burwood and Murrumbeena have all been closed by this government. Ashburton sits there as a shell, and it should be opened. We saw what happened in the period before 2010 when they wound back support there. This is happening broadly. On a broad front these police stations are being closed. I am indebted to my colleague here for the story on Reservoir police station. In 2020 the government compulsorily acquired three homes to make way for a new \$15 million police station that would be open 24/7. Lisa Neville was there. Mr Mulholland makes it

clear that there is actually footage out there of Lisa Neville opening this and talking it up big, only for it to move to an 8-hour reception late in 2023. That is another case study of the local policing presence being contracted, being cut back.

The cuts and the cutbacks of police in the community are significant. It is no wonder people feel vulnerable. They see the rising rate of home invasions, they see a rising rate of retail crime and they see threats on the street. We see people being killed, and then we see that the police are being stripped out of our suburbs and police are being stripped out of local police stations. I think that that is a very significant concern.

We have got more and more of these large marches, and I want to put on record my concern at the approach of a lot of the pro-Palestinian groups who have been marching actually in my view sort of in a provocative way designed to elicit response to attack, often in an anti-Semitic way – not always, but it is often the case. I for one am very concerned in my own electorate about the safety of the Jewish community. We need to be very clear and strong that these anti-Semitic views are completely and utterly unacceptable. The sort of attack on Israel via ‘Oh, it’s the right of the Palestinians, this, that and the other,’ well, I understand all that, but at the same time Israel has got to defend itself. Those attacks happened in October, and it is not a coincidence that Israel has been forced to respond in the way that it has.

I also today want to say something about the Pride March and the threats that were involved there. I do not think this is acceptable. As somebody who has actually marched repeatedly over two decades in the Pride March, I find it completely and utterly unacceptable that there would be a targeted and planned set of incidents that go after the police in a very unacceptable way. I think we have got to respect our police and protect them. We have got to recognise that they are owed our support. They often have a very difficult job to do. I was disappointed to hear that Midsumma Festival chief Karen Bryant is reported to have said of the premeditated attack on marching police:

We are highly disappointed by the disruption of the march and the escalation of events from both sides ...

From both sides – I mean, the police in that march were marching sensibly and responsibly, and many of them were gay themselves. I remember when that first march by police happened, and I understand the controversy around that, but the idea that you would then have a group of people setting up a deliberate ambush in this kind of way I just think is fundamentally disgraceful. My focus is to protect those police who are there to protect us.

I also just want to return to the issue of policing more generally and just say we cannot continue to have police stripped out of the suburbs. We cannot have police stripped out again and again and again and the numbers wound down in our suburbs, where the local policing is such an important factor. The understanding that comes from local policing, the understanding of local communities – they know where the trouble is likely to arise, and they know often who is likely to be behind it, so they will work from previous knowledge to build a proper case in a lot of these situations. We need available police. Community safety depends on the numbers being available. They cannot all be seconded into big-city taskforces. I know it is fashionable and I know the police hierarchy love all that, but the truth is it is actually old-fashioned policing that is such an important part of protecting the community.

**Lee TARLAMIS** (South-Eastern Metropolitan) (18:27): I move:

That debate on this bill be adjourned until the next day of meeting.

**Motion agreed to and debate adjourned until next day of meeting.**

*Adjournment*

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (18:28): I move:

That the house do now adjourn.

**Melbourne Airport bus services**

**Trung LUU** (Western Metropolitan) (18:28): (655) My adjournment matter is for the Minister for Public and Active Transport. The action I seek is for the minister to overhaul the bus system servicing the Tullamarine airport. Melbourne is a world city and a major international destination for business and tourism. The airport is staffed by 18,000 people, who work hard every day and make sure that the planes run on time, the bags go on the planes and drinks and food are available while you are waiting to board, but sadly, many of these workers find it quite difficult to get to work.

The SkyBus from the city to the airport does not make any stops along the way. The airport rail is a dream, and no-one knows when it will become reality. Many of the airport workers actually live close to the airport and in surrounding suburbs, but the bus system that does service the airport is patchy, limited and decades out of date. The route does not service the needs of the community. If we want the world-class city we need the world-class airport, and we must ensure that we have the workers to service the airport. The bus networks servicing the airport should be easily fixed, but this government seems incapable of delivering simple, essential services when it comes to the western suburbs and those communities trying to access the airport.

**Multicultural festivals and events program**

**Michael GALEA** (South-Eastern Metropolitan) (18:29): (656) My adjournment matter this evening is for the Minister for Multicultural Affairs Ingrid Stitt. The action that I am seeking is an update on the government's support for Victoria's multicultural events, particularly in relation to events related to the Lunar New Year. Vibrant Lunar New Year celebrations continue to add to the rich cultural fabric that characterises both my region of the south-east and the entire state of Victoria. The Year of the Dragon, which symbolises strength, wisdom and fortune, is now approaching us. Celebrating the beginning of the Year of the Dragon this Saturday is a fantastic opportunity for the community to come together, celebrate our diverse backgrounds and join in bringing in this new Lunar New Year. Festivities like these are central to fostering a sense of belonging and community spirit among all of our constituents and the communities that I am proud to represent.

I also note that in the 2023–24 Victorian state budget the government invested more than \$69 million over four years to support multicultural and multifaith communities. This commitment facilitates celebrations from the African Music and Cultural Festival to the Springvale Lunar New Year Festival, enriching our community's cultural landscape and promoting inclusivity. The Allan Labor government has demonstrated ongoing support, including an investment of \$400,000 to the Victoria Street Business Association for the Victoria Street Lunar New Year festival as well. From mesmerising dragon dances that captivate our streets to cultural feats that bring us together, these celebrations are a testament to the strength of our multiculturalism and the bond of our communities. This investment also ensures all of these festivals continued success and honours our key election commitment to multiculturalism and community engagement across all in our community.

To all celebrating Lunar New Year, may the Year of the Dragon bring you happiness, health and prosperity. I hope that the year is filled with the courageous spirit and auspicious energy of the dragon. And I restate that the action I am seeking is an update on the government's support for Victoria's multicultural events, particularly in relation to the Lunar New Year.

**Road safety**

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (18:32): (657) I rise today with my adjournment matter for the attention of the Minister for Police, and the action I am calling on the

minister to take is to hold a bipartisan road safety summit to identify measures to address the rising Victorian road toll. For every 100,000 people, over four lives are lost in road accidents. In fact that includes nearly four fatal crashes. The local government areas with the highest number of lives lost according to the TAC are Moira, 16; Greater Shepparton, 14; my area of Casey, 13; Wyndham, 12; Brimbank and Yarra Ranges and so on, nine; Geelong and Latrobe, eight; and so forth. I would like to highlight the importance of not only acknowledging that more work needs to be done to educate drivers but also maintaining a safe road network. When talking about areas where we can educate drivers, I would like to shout out to the TRAG – the Teenagers Road Accident Group – Drive 4 Life program, which I had the great pleasure of attending. TRAG has been going since 1999 and provides road trauma presentations to secondary schools in the south-east of Melbourne and also in the Mornington Peninsula. It is wonderful to see all of the different emergency services volunteering their time to make sure that young people understand how incredibly important it is to be safe on the roads.

Now, the RACV estimates that 80 per cent of Victoria's 180,000 kilometres of regional roads with 100-kilometre limits needs upgrading. In fact if we look at the TAC, it says the following:

If we accept this 'road toll' as the price of a rural lifestyle –  
or outer suburban lifestyle; I am just adding that little bit in –

... or getting from A to B, another 2,500 people will die in the next 10 years and 50,000 people will be hospitalised with serious and life changing injuries.

...

The price we pay for using the road shouldn't be death or serious injury.

In my electorate the City of Casey is one of the fastest growing municipalities, if you listen to the government's own rhetoric, and on a typical weekday close to 50,000 vehicles use O'Shea, Clyde and Greens roads in Berwick, and the number is expected to increase. The current road infrastructure will be unable to cope with increased demand. In fact in areas of Cranbourne I can say that the roads have always been clogged up for the last few years; it has been absolutely atrocious. The top concerns according to my local people are that we need to have our potholes and our broken edges fixed up by this government.

### Climate change

**Sarah MANSFIELD** (Western Victoria) (18:35): (658) The action I am seeking is for the Minister for Planning to urgently revise Victoria's outdated planning legislation to reflect the risk of sea level rise based on the best available science. Last month the Labor government released the Port Phillip Bay coastal hazard assessment. The assessment maps the areas along Victoria's coastline which will be inundated by water when the sea level rises by 1.4 metres, as projected by the CSIRO. If you have not seen this mapping before, take a look. It clearly demonstrates what many have been warning about for far too long – that at the turn of the next century much of our coastline will be uninhabitable. Point Lonsdale, Barwon Heads, Queenscliff and Portarlington on the Bellarine Peninsula in my electorate of Western Victoria are particularly vulnerable, with much of the towns underwater during a one-in-100-year storm event.

Whilst many reports have focused on the loss of public infrastructure and homes, there is also a significant impact on our ecosystems. Coastal erosion will devastate habitats of already threatened species. Fish, bird life and our coast-dwelling mammals are set to lose not just their homes but also their lives.

Reports estimate that coastal inundation will come with an astronomical price tag. The Victorian Marine and Coastal Council last year predicted that an 82-centimetre sea level rise by 2100 when combined with storm surges would cost Victoria \$442 billion and over 80,000 homes would be lost, not to mention an upwards of \$105 billion loss for our wetlands. But sea level rise is actually on track to reach 140 centimetres – 60 per cent higher than what is currently built into planning regulations – so these eye-watering cost estimates are not even close to the mark, yet Labor continue to allow



development on land that is going to be impacted by inundation and flooding and councils and planning authorities are bound by woefully inadequate planning laws.

For decades we have been warned about the impacts of climate change. We are now experiencing it. Every year brings ever more severe weather events, and sea level rise has begun. Accepting that climate change is happening can cause feelings of despair, but for the government it must be a call to action. Victorian Labor must listen to the science on emissions and stop supporting new coal and gas projects, but they also must listen to the science when it comes to preparing for the impacts of climate change that their and other governments' negligence has guaranteed. I urge the minister to update our planning laws to protect all Victorians.

### **St Kilda Captain Cook statue**

**David DAVIS** (Southern Metropolitan) (18:37): (659) My matter for the adjournment tonight is for the attention of the Premier. It concerns a terrible activity that happened just before Australia Day in the City of Port Phillip – the outrageous destruction of the Captain Cook statue. Captain Cook was one of the world's great mariners, the person who in fact was the first European to sight the eastern coast of Australia – down in your electorate actually, President – at Point Hicks. 19 April 1770 was the date, and it was the first visibility of the Australian eastern coast by a European. I hasten to add the common view that Captain Cook in some way was responsible for settlement is clearly untrue, because he was dead before Australia was settled in 1788. So there is an ignorance there. But he was one of the world's great mariners. He does hold the position as the first European to see the eastern coast of the Australian mainland at Point Hicks in Victoria. But the idea that you would have this gratuitous and shameful vandalism, destroying an important historical monument that actually does reflect our history – and it is true that Victoria and Australia were settled by the British. It is true that Captain Cook had a significant role in that in the sense that he made reports and later settlement followed in 1788. Of course Victoria was not settled till a lot later than that, in 1834 and 1835, successfully by Europeans.

I note that the Premier Jacinta Allan has promised that she will restore that statue as quickly as possible, so I am asking her to do two things as part of the response to this. One is to stick to her promise and to actually make funds available to have that process of restoration occur in the next 60 days, but I also want her to legislate to stop such gratuitous vandalism. Why is this tolerated? Why are people allowed to tear down a graceful statue that does actually point to the facts of our past? They can be contested – people can have their views about that – but the idea that you would destroy a work of art is frankly very troubling to me.

This gratuitous behaviour, this shameful vandalism, has got to be met head-on. I do not agree with the steps by some in the City of Port Phillip to not put the statue back. I think this is a mistake. I think that we have actually got to have legislation that protects this sort of important statue, and that is what I am calling on the Premier to do – introduce legislation but also act quickly in the next 60 days to restore that important statue.

### **Driver education**

**Rikkie-Lee TYRRELL** (Northern Victoria) (18:41): (660) My adjournment matter is addressed to the Minister for Education. Last year Victorian roads saw an increase of 24.1 percent in fatalities, or an extra 58 lives lost. Of those, there was an alarming 47 per cent increase of fatalities in drivers and passengers aged between 21 and 25 years. Even worse, the death toll of those aged between 16 and 25 years was a total figure of 60. That is a 20.06 per cent increase of the overall lives lost on Victorian roads in 2023. The figures for young drivers highlight a lack of education on, understanding of and respect for our Victorian roads. Many of these incidents may have been avoided had our young drivers been exposed to a more thorough and rigorous introduction to our road rules, road safety and the importance of vehicle maintenance. While some parents and carers of youths have outstanding road safety skills and knowledge to pass on to their children, many drivers on Victorian roads capable of having a drivers licence are in no way equipped to educate new drivers. This may be due to a lack

of available time, the inability to calmly teach a new driver or being reckless drivers themselves, as suggested in the 24.1 per cent increase of lives lost just last year alone.

I do not wish to see our young people being lost on the roads because they were denied the time, patience and correct guidance from those who are deemed responsible enough to show them how to be safe drivers. If students in years 10 through to 12 had access to a well-structured educational course dedicated to road safety, driving skills and basic vehicle maintenance, they would be better prepared for their first years on the road than many young drivers are today. Making this course available to all Victorian students through their schooling would enable qualified educators to correctly teach these students this vital and potentially life-saving knowledge. The action that I seek from the minister is to implement a drivers safety skills and basic vehicle maintenance module into the Victorian secondary school curriculum, making it available to all students from years 10 to 12.

### **Cultural heritage management plans**

**Bev McARTHUR** (Western Victoria) (18:43): (661) My adjournment matter is for the Minister for Treaty and First Peoples, and I seek an urgent review of the cultural heritage management plan system administered by registered Aboriginal parties under the Aboriginal Heritage Act 2006. Victorian cultural heritage laws have lost the confidence of many in the farming, development and local government sectors, who believe some registered Aboriginal parties lack oversight and professionalism and can be guilty of obstruction, hostility and even extortion. The consequences are soaring local infrastructure costs, rising house prices and crippled construction. This Labor government has abdicated all responsibility for the process, thus enabling the registered Aboriginal parties to mark their own homework – not even VCAT is allowed to bring sanity to the decisions. This has resulted in a system where the development process is more delayed and less certain and where the cost is more expensive and the projects less viable. In areas where the registered Aboriginal parties are in receivership, the problem is even worse. Several constituents seeking heritage assessment have written to me about the exorbitant costs and delays by registered Aboriginal parties.

Forget about helping young Victorians into their first homes – that just will not happen with this system in place. If Labor wants to address the housing crisis, it must intervene to reduce the uncertainty, delay and cost of the cultural heritage management plan process. This is particularly important on sites where development has already occurred, sometimes multiple times over decades. Even the minister herself conceded that the laws impacted government projects. I also question what purpose the significant fees payable are put towards. Registered Aboriginal parties in Victoria have enormous and growing cash reserves, but there is no direction from government on what their purpose is or how the money should be spent. In my view the system must be regulated, the glut of cash wound down by substantially reduced project fees and more staff employed to expedite applications.

Finally, for a system intended to protect and promote Indigenous heritage, it is failing dismally. There appears to be no plan or direction for what should be done with heritage and archaeological artefacts uncovered. Where does the material uncovered go? Back in the ground sometimes. There appears to be no government requirement for its display or for educational programs to be provided. Instead, the cultural heritage management plan process sees cash end up in bank vaults and Indigenous artefacts end up in storerooms. Development is stunted and no-one benefits. It is a disgrace. The action I seek is for the operation of the act to be immediately and urgently reviewed.

**The PRESIDENT:** Before calling the next adjournment matter, Mr Davis in his adjournment asked for the introduction of legislation. There have been many rulings that members are not permitted to request the introduction of legislation during the adjournment debate, and that is from the rulings of presidents Chamberlain, Gould, Atkinson and another one called Leane. But in saying that, one of the other questions Mr Davis did ask was for funding, so the part of the adjournment requesting funding can be sent on as far as the adjournment goes, but the legislation request cannot be acknowledged as part of the adjournment.

**Police conduct**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (18:47): (662) My adjournment matter this evening is for the Minister for Equality, and the action that I seek is for the minister to engage with the concerned members of the LGBTQIA+ community about police participation in government-sponsored Pride events. Over the weekend we had the Midsumma Pride March, an event described as celebrating solidarity in gender and diversity of sexuality. I attended, as I do every year, as a proud queer man. Some of you may have seen me; I was the twink in pink. Anyway, jokes aside, this is a place for queer people to gather and to march with pride to celebrate us. Part of our celebration also comes with the difficult task of acknowledging the hardships that the queer community have faced and still face. The reality is many queer people who want a safe space to celebrate have been made to feel unsafe by police. That pain is being felt, especially after recent police behaviour towards LGBTQIA+ Victorians, and to be honest with you, the police have not fulfilled their obligations to repair that long-broken relationship. I will remind everyone that Melbourne Activist Legal Support released a statement of concern less than a year ago where they asserted:

... Victoria Police failed to consider or uphold any of its numerous obligations to prevent discriminatory or prejudice-motivated acts towards trans and gender-diverse people in its policing ...

in regard to a rally back in March. And Melbourne Activist Legal Support observed:

... that the policing itself constituted biased and discriminatory actions on the part of Victoria Police.

Another survey by the Victorian Pride Lobby about the queer community and police found that an overwhelming majority of LGBTQIA+ community members do not feel fairly treated or understood by and do not trust Victoria Police. That is not to say that queer people who are police officers are not welcome. However, the visible presence of uniformed police officers causes distress to many members of the community. It is the institution of the police that historically and still to this day has caused immense harm and distress to the queer community. Not only is this distress ignored, but when clashes like these happen, it is the straight police commissioner who is given the first word. And I will make the note that being a cop is not a gender or sexuality.

It was a shame to see the escalation of this tension reach the point that it did over the weekend, but for too long the queer community has been telling you that they feel unsafe, and no-one is listening. We need to actually have these conversations and not ignore them and allow tensions to continue to grow, because a straight police commissioner calling queer people an ugly rabble and commending officers for showing restraint – despite video showing violent interactions, including queer people being punched and choked – is not suddenly going to stop the queer community from protesting in the future.  
(*Time expired*)

**Timber industry**

**Gaelle BROAD** (Northern Victoria) (18:50): (663) My adjournment matter is to the Minister for Agriculture, following the Labor government's decision to close Victoria's sustainable native timber industry and their failure to provide fair compensation to the many businesses and families impacted by this change. Machinery values are capped at \$1 million, which falls well short for many businesses, and the labour of seed collectors is not taken into consideration with the packages. I have met with business owners who have worked in the timber industry for generations, and this industry shutdown has been devastating for thousands of workers across the state, including timber workers, seed collectors and haulage contractors. In Alexandra recently, I heard about the exodus of local families from the region, which also impacts schools and local businesses. At a time when we should be using more timber in environmentally sustainable buildings, the Victorian government has sent our state backwards.

While the government announced an expansion of the compensation to include seed contractors, a local seed collector, Brendon Clark, has shared his frustration. I will quote his article about the Labor government's decision to close the native timber industry. He stated:

The knee-jerk closure – instead of the eight years transition the government had us all planning for – has disrupted small businesses across Victoria. The stress and uncertainty faced by the frontline industry workers and their families are overwhelming, leaving them in limbo. With some of them, myself included, not having been paid for months with no sign of compensation as yet. The future looks uncertain, casting a shadow of doubt over the entire community.

...

The lack of support and inadequate resources provided for a smooth transition only exacerbates the feeling of neglect experienced by rural communities, impacting their financial well-being ...

These timber workers have played a vital role in building homes and livelihoods, contributing billions of dollars to the Victorian economy for generations. Yet, their history of contribution is seemingly disregarded in the government's approach to business and individual redundancies. It's a painful reminder of broken promises and lies from those in power.

He wrote:

On a personal note, I am reaching out to you because I find myself in a dire financial situation, nearing bankruptcy. Unfortunately, I have not received any support from the labor government since the closure of the industry. I am desperate to speak to someone who can understand and address the damages that have been inflicted upon businesses like mine. The situation has become so critical that I am on the verge of losing my home.

I have made numerous attempts to contact the premier's office by phone and email, but I have yet to receive a reply. Instead, I was advised to apply for Centrelink. But Centrelink payments don't cover the thousands of dollars in bills my business still has, which I can no longer afford to pay ...

I have encountered nothing but obstacles in accessing the compensation that our industry rightfully deserves.

I call upon the minister to overturn this decision to shut down the native timber industry and, at the very least, increase the funds allocated to offer fair compensation. I would like to extend an invitation to the minister to visit northern Victoria and meet with Mr Clark and other local businesses directly impacted by the closure of the native timber industry.

### Flood recovery

**Samantha RATNAM** (Northern Metropolitan) (18:53): (664) My adjournment matter tonight is for the Minister for Water, and it concerns requirements of the planning permit application process for victims of the Maribyrnong floods. I am informed that 1500 people in nearly 600 homes were impacted by the 2022 floods in Maribyrnong. Many of these people continue to struggle with the recovery process. Barely 40 per cent of them have returned to their homes. Of those who have returned, many are living in damaged houses with limited access to utilities. As you will have heard during the current parliamentary inquiry into the 2022 flood events, there are several systemic issues which contributed to the flooding and which were beyond the control of any individual, most notably climate change and poor development decisions. The community's ongoing struggle is evidence that our disaster resilience and recovery systems have also failed people.

It is within this context that victims of the Maribyrnong floods are expected to rebuild and to do so in ways which address future flooding risk. This has not been an easy task for anyone. Since the events, residents who are seeking planning permits or who began the process with council even prior to the events are now being required to enter into section 173 agreements with Melbourne Water. These agreements would indefinitely indemnify Melbourne Water from the risks associated with flood damage to the property and its contents. Residents and the council have expressed concerns, as these section 173 agreements will undoubtedly have significant repercussions with respect to the availability of insurance and mortgages and on the prospect of resale. In essence, these residents, who are already shouldering the brunt of planning and climate policy failure, are now being asked to take on all of the risk of future flooding without options for recourse. My question to the minister is whether this is an

intended and appropriate use of section 173 of the Planning and Environment Act 1987, and if not, what she is doing to ensure residents are protected from this sort of improper obligation.

### **Remembrance Parks Central Victoria**

**Wendy LOVELL** (Northern Victoria) (18:55): (665) My adjournment is for the Minister for Health, and it concerns the desecration of a grave at the Sunbury cemetery, a cemetery under the management of Remembrance Parks Central Victoria. The desecration of a grave is a very serious incident, especially if this occurs as part of works undertaken by a cemetery trust. The action that I seek from the minister is to immediately order an investigation into the desecration of the grave of James Ness, and also to examine the competency of the RPCV cemetery trust board and its chair Marg Lewis.

The Sunbury cemetery trust has entered into an arrangement with Remembrance Parks Central Victoria for the management and operations, including maintenance and contracts, of the Sunbury cemetery. On 19 January 2024 Theresa and Dennis Ness of Romsey laid their son James to rest at the Sunbury cemetery. The circumstances of James's death were traumatic enough for the family, as James had taken his own life, but no parent who has buried a child should be subject to what happened to the Nesses just a few days after the burial. Imagine the shock and horror Dennis Ness felt when he returned to visit his son's grave and found the side of the grave looking like an excavation site. James's grave and the grass area surrounding it had been dug up, and deep holes had been drilled into it. The holes had been filled with concrete and steel rods were protruding from them. Mr Ness was convinced that one of the rods had gone straight through the foot of James's coffin, as fragments of wood and metal – that were later confirmed to be from James's coffin – were found in the dirt on the surface of the grave.

At first both the Sunbury and RPCV trusts seemed to dispute that there had been any damage to James's coffin, and a media release was issued stating they would have a contractor dig around the site with hand tools to establish if James's coffin had shifted. It went on to say:

If the coffin has shifted the contractor will lift the coffin with chains... and if this shows any damage at all the coffin will undergo an exhumation process.

However, the family were not informed of this plan. The plan outlined in the media statement is extremely concerning, as it alludes to the desecration of a grave and exhumation, both of which are serious offences under the act and subject to huge fines or imprisonment.

Each of the past three years has started with a scandal that has involved RPCV. In 2022 it was the board's plan to increase the cost of burials. The board blamed the CEO, and he departed the organisation. In 2023 it started with the desecration of graves as memorials were removed from them, and this year we have the desecration of another grave. This board is incompetent and needs to be investigated.

### **Koala management**

**Georgie PURCELL** (Northern Victoria) (18:58): (666) My adjournment matter is for the Minister for Environment, and the action I seek is for him to investigate koala deaths at blue gum plantations across Victoria. I said earlier today that it is clear this government hates wildlife. They hate ducks – that was clear by their decision last week – and they also hate koalas. In 2017 they estimated that there were between 200,000 and 400,000 koalas living in the south-west region of this state, and since then they have done basically nothing to protect them. Blue gum is a natural food source for koalas, and plantations provide a guaranteed supply as well as adequate shade and shelter, something that they are seeing far less of in their natural environments. As the health of Victorian forests struggles, koalas are continuing to move into and depend on these plantations for survival – that is, until they are commercially logged and turned into woodchip.

Despite being well aware of koala numbers inside plantations, there is currently no requirement for harvesters to relocate these koalas before destroying their habitat, and those that listen to wildlife carers and request translocations are being knocked back by the department responsible. Despite implementation of Victoria's koala management strategy in 2022, it is unclear what monitoring, if any, this government has over timber logging operations. Rescuers have documented countless deaths over the last two decades, and they only know about them because they volunteer their time onsite night and day to monitor the welfare of koalas and other native animals. It is not uncommon for them to witness trees falling with koalas still attached. Their desperate efforts to rescue them at this stage are more than often far too late.

Most plantations sit within farmland that has limited surrounding habitat. Koalas have no choice but to cross major roads when the felling begins. Late last year wildlife rescuers desperately campaigned for a two-week speed reduction on major roads adjacent to a plantation in Gordon as the harvest commenced. Their action sought to safeguard koalas as they began to cross the Western Freeway. But ongoing efforts to secure reduced speed limits near Gordon's plantation have encountered roadblocks for over two years now, and this last-ditch plea was no different. Since then, two koalas have lost their lives on this very stretch of busy highway. Six have been killed attempting to cross it in the last 12 months. In fact rescuers have indicated that a least 80 per cent of their call-outs for koalas in the Ballarat region are due to car strike.

Koalas are endangered in New South Wales, Queensland and the ACT. There is only one species in the entire world, and I urge the minister to investigate this issue before they become endangered here as well.

### Taxation

**Georgie CROZIER** (Southern Metropolitan) (19:01): (667) My adjournment matter this evening is for the attention of the Treasurer, and it is regarding increasing business taxes and charges. Greg is a vet with a busy practice in Kyneton providing a vital service in his local community. He contacted me recently in frustration at the increases to business taxes and charges, which are making it harder for him to manage the cost of running his clinic. I want to just turn to his email where he said to me that:

I am writing to express my dismay at receiving the renewal for my Radiation Management Licence for 2024–2027. The amount I am being charged is \$1287.90, which represents about double the previous amount.

He goes on to say he cannot understand the 'justification for the quantum of this licence fee or for the increase' and says:

I can see no value for me or for the community or my clients in this. I have paid these licences for years. Nothing has ever happened as a result of me holding a licence since 1984 ...

This is the point. Businesses – like this vet, who is going about doing tremendous work for the community and for those pets and animals that he cares for – are being slugged by the government's tax grabs and these increases in charges. It goes on to say:

This comes on top of a tripling of my WorkCover premiums (for a business with a very good claims record). When will these exorbitant fee increases end?

I quite agree with him. When is the government going to stop slugging businesses like this that are just doing so much good work in their communities, as I have mentioned? He comes from a small town – Kyneton. He also stated in his email that:

... each individual operator of X-ray equipment is required to hold a radiation operator's licence as well. I dread to think these fees will go up by renewal time.

His concerns are valid because everywhere he is turning he is getting slugged by these increases in taxes and business costs, whether it is WorkCover premiums or these licensing fees. He made the excellent point, as we have seen with the health tax and GPs speaking out today, that:

... fee rises like these can only cause rising prices for our essential services to the public.

So the action I am seeking is, as he said:

I ask that you review these fees and ensure that government fees and charges are adjusted to reflect the value (or lack thereof) of the service provided and to protect small business and consequently the public from unjustified costs.

Hear, hear, Dr Greg McIntyre! And I would ask also for the Treasurer to explain why these vet radiation management licence fees have increased and doubled, as Greg has expressed in his email to me.

### Duck hunting

**Katherine COPSEY** (Southern Metropolitan) (19:04): (668) My adjournment is to the Minister for Outdoor Recreation. The recent captain's call by the Premier to refuse to ban duck shooting will guarantee the horrific deaths of thousands of waterbirds, and their blood will be on Jacinta Allan's hands. This is yet another example of a bad call by the Premier, hard on the heels of the last-minute backflip on child bail, which abandoned vulnerable kids. We will soon see yet another year of shooters going out to murder our native waterbirds. Labor's own inquiry recommended that the duck-shooting season end for good. The inquiry broke the record for submissions. How spineless do you have to be to go against the expert advice provided to an inquiry that you set up? In that inquiry my fellow members across the chamber and I heard graphic testimony from veterinarians and other rescue volunteers on the front line. Given the nature of shotguns, which fire an arc of pellets, very many birds are not killed cleanly or outright; many are wounded fatally, left to die slowly and in pain from horrible injuries. We heard from Dr Walker from the RSPCA, who said that some birds will survive their injuries but noted that there are welfare issues for those that do survive:

Wounded birds can suffer from the pain and disabling effects of injury, from sickness due to wound infection or from thirst or starvation. Injuries to the bill often lead to the inability to drink or eat. Wing fractures are common, and as with other injuries, the wounded bird is at heightened risk of being taken by a predator.

We know so many Victorians will be feeling angry and disheartened by the decision, and the Greens stand with them. To those whose peaceful local wetland is about to be turned into a war zone, I am sorry that the government did not hear your voices. In the midst of an extinction crisis and with thousands of waterbirds already under extreme stress, everyone knows that duck shooting has had its day and needs to be banned for good – everyone, that is, except Labor. These are not the actions of a progressive government. The Greens will continue fighting to end this barbaric practice and recognise it for what it is: glorified animal cruelty. My adjournment is for the minister to follow the advice of the inquiry, which was based on extensive consultation and evidence, stand up for our state's native wildlife and follow the lead of Queensland, Western Australia and New South Wales and ban duck shooting for good.

### School bus program

**Melina BATH** (Eastern Victoria) (19:07): (669) My adjournment matter this evening is for the Minister for Education. What should have been, at the start of a school year, a happy time for parents and students of Toongabbie and Tyers actually became an incredibly stressful period for them when a new Department of Education revamped school bus program failed them dismally. The action I seek is for the minister to reassess this school bus program, have a look at it and overhaul it to make sure it includes local mapping systems and undergoes rigorous testing to ensure that school students are properly allocated a seat on their normal bus route.

As I said, at the end of last year there was a new system put in place by the student transport unit in the education department. Approximately 30 families were impacted; 30 students around Toongabbie

and Tyers were left without a seat on their bus. Now, these students were not necessarily new students, they were returning students, so in the past the whole system had been working. When distressed parents contacted the education department they were told –and I understand many of them have certainly contacted me by email through to my office, and also Danny O’Brien and indeed Martin Cameron – that it is the family’s responsibility to get their child to school and they could think about booking a taxi.

This is clearly an administrative bungle by a new operation that is centred in central Melbourne and does not have any localised context. I will give you an example: students living in the towns of Moe, Churchill and Morwell were allocated seats on the Toongabbie bus. If you know Latrobe Valley, you will know that that is directly separate and in the opposite direction to the Toongabbie bus. It is just a source of frustration that our local parents do not need. I also understand that the local bus coordinators are now manually allocating the students to the correct bus network. What should have been a seamless operation has turned into a headache for parents and the local schools and school bus coordinators. So the action I seek from the minister is to ensure that this school bus program is overhauled to include a mapping system that is tested to stand up to the actual realities of where people, their towns and the schools that they are going to are.

### Local government

**Joe McCracken** (Western Victoria) (19:10): (670) My adjournment matter is for the attention of the Minister for Local Government, and the action that I seek is to conduct a broad-ranging review of the Local Government Act 2020, with a view to defining what local government is actually responsible for. You are probably wondering why I would ask that. Well, in the last day or two we have seen the release of the *Perceptions of Local Government* report, which has been established by Council Watch Victoria, and I want to put it on the record and acknowledge Dean Hurlston, who has done an amazing job going out and surveying a number of people that have been interested in local government and compiling those facts and figures to present in such an easy-to-read report. The report actually garnered a response from 1389 people, which statistically is quite a broad and representative figure. It is interesting to note that one of the questions that was asked in the survey was about what people thought local government should and should not be responsible for – in essence: what are essential services?

Ninety per cent of respondents said roads. Footpaths were 85 per cent; parks and gardens 72 per cent. At the other end of the scale was equality, diversity, LGBTIQ+, 4 per cent. Arts and culture was triple that, on 12 per cent. Environment and climate change was 1 percentage point above, at 13 per cent. In the middle there are other things that are mixed in like planning, family services, local laws – normal sorts of local government matters that come up from time to time – but it is a very clear indication of where people consider their priorities and where they do not consider their priorities. At the moment, the reason why I raise this for the minister is because there are many local governments that are clearly unsure about where their remit rests, and they are neglecting things which people clearly want fixed – roads, footpaths, parks and gardens. We have seen in the past that local governments are very good at talking about Palestine and Israel. They are very good at talking about nuclear treaties. But they are not very good at doing the things that people actually want them to do. The whole purpose of this is to get the minister to actually look at what is going on, conduct a review and ensure that local government focuses on local residents.

### Wonthaggi infrastructure

**Renee Heath** (Eastern Victoria) (19:12): (671) My adjournment matter is for the Minister for Planning, and the action that I seek is that the Victorian government adequately provides the necessary infrastructure for a future population boom in Wonthaggi. I welcome the government’s decision to assist Bass Coast shire in developing the Wonthaggi North East precinct structure plan, which will accommodate 5000 new homes and create 1600 new jobs in the area. But when it comes to population growth, Labor has consistently failed the local communities by overpopulating areas without



delivering the necessary infrastructure. Areas like Pakenham have seen traffic congestion, and key promises like the Pakenham community hospital are yet to be delivered.

Growth area councils continue to be told by the government that their regions will see drastic population increases, but these councils are deprived of extra funding for more town planners. In 2021, seven years after Labor came to office, the government's own chief executive of Infrastructure Victoria admitted social infrastructure has failed to keep pace with population increases in new growth areas. Labor has failed to deliver roads, transport and services infrastructure in growth areas.

Minister, the plan for an additional 5000 homes in Wonthaggi has been estimated to bring an additional 12,000 people to the area. That will more than double the current population. With hospital waiting lists around Victoria skyrocketing and government school classrooms becoming very crowded, the community needs an assurance that there will be the appropriate infrastructure needed to cope with the growth.

### Responses

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (19:14): Mr Luu has raised a matter for the Minister for Public and Active Transport, Mr Galea has raised a matter for the Minister for Multicultural Affairs, Mrs Hermans has raised a matter for the Minister for Police, Dr Mansfield has raised a matter for the Minister for Planning, Mr Davis has raised a matter for the Premier, Mrs Tyrrell has raised a matter for the Minister for Education, Mrs McArthur has raised a matter for the Minister for Treaty and First Peoples, Mr Puglielli has raised a matter for the Minister for Equality, Mrs Broad has raised a matter for the Minister for Agriculture, Dr Ratnam has raised a matter for the Minister for Water, Ms Lovell has raised a matter for the Minister for Health, Ms Purcell has raised a matter for the Minister for Environment, Ms Crozier has raised a matter for the Treasurer, Ms Copsey has raised a matter for the Minister for Outdoor Recreation, Ms Bath has raised a matter for the Minister for Education, Mr McCracken has raised a matter for the Minister for Local Government and Dr Heath has raised a matter for the Minister for Planning, and I will refer them accordingly.

**The PRESIDENT:** The house stands adjourned.

**House adjourned 7:15 pm.**