



Hansard

LEGISLATIVE COUNCIL

60th Parliament

Wednesday 11 September 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 ¹	North-Eastern Metropolitan	Lib	Luu, Trung	Western Metropolitan	Lib
Batchelor, Ryan	Southern Metropolitan	ALP	Mansfield, Sarah	Western Victoria	Greens
Bath, Melina	Eastern Victoria	Nat	McArthur, Bev	Western Victoria	Lib
Berger, John	Southern Metropolitan	ALP	McCracken, Joe	Western Victoria	Lib
Blandthorn, Lizzie	Western Metropolitan	ALP	McGowan, Nick	North-Eastern Metropolitan	Lib
Bourman, Jeff	Eastern Victoria	SFFP	McIntosh, Tom	Eastern Victoria	ALP
Broad, Gaele	Northern Victoria	Nat	Mulholland, Evan	Northern Metropolitan	Lib
Copsey, Katherine	Southern Metropolitan	Greens	Payne, Rachel	South-Eastern Metropolitan	LCV
Crozier, Georgie	Southern Metropolitan	Lib	Puglielli, Aiv	North-Eastern Metropolitan	Greens
Davis, David	Southern Metropolitan	Lib	Purcell, Georgie	Northern Victoria	AJP
Deeming, Moira ²	Western Metropolitan	IndLib	Ratnam, Samantha ⁵	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 ³	Northern Metropolitan	Greens	Tarlamis, Lee	South-Eastern Metropolitan	ALP
Heath, Renee	Eastern Victoria	Lib	Terpstra, Sonja	North-Eastern Metropolitan	ALP
Hermans, Ann-Marie	South-Eastern Metropolitan	Lib	Tierney, Gayle	Western Victoria	ALP
Leane, Shaun	North-Eastern Metropolitan	ALP	Tyrrell, Rikkie-Lee	Northern Victoria	PHON
Limbrick, David ⁴	South-Eastern Metropolitan	LP	Watt, Sheena	Northern Metropolitan	ALP
Lovell, Wendy	Northern Victoria	Lib	Welch, Richard ⁶	North-Eastern Metropolitan	Lib

¹ Resigned 7 December 2023

² Lib until 27 March 2023

³ Appointed 14 November 2024

⁴ LDP until 26 July 2023

⁵ Resigned 8 November 2024

⁶ 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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Wednesday 11 September 2024

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

Petitions

Community safety

Melina BATH (Eastern Victoria) presented a petition bearing 586 signatures:

The petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the community concerns regarding the increase in crime and the lack of police presence in Lang Lang.

The petitioners therefore request that the Legislative Council call on the Government to provide funding for CCTV cameras as a deterrent to increased crime in Lang Lang, and boost police presence in the town through increased patrols and extended opening hours of the town's police station.

Melina BATH: I move:

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

Motion agreed to.

Papers

Papers

Tabled by Clerk:

Liquor Control Reform Act 1998 – Report, 2023–24 by the Chief Commissioner of Victoria Police, under section 148R of the Act.

Subordinate Legislation Act 1994 – Documents under section 15 in relation to Statutory Rule Nos. 80 and 82.

Business of the house

Notices

Notices of motion given.

Motions

Middle East conflict

Sarah MANSFIELD (Western Victoria) (09:38): I move, by leave:

That this house:

- (1) notes that since the Legislative Council's resolution on 17 October 2023 concerning Israel and Gaza, which stated that this house 'stands with Israel', the following have occurred:
 - (a) over 19,000 children have been orphaned;
 - (b) the mental health of Gaza's children has been reported as catastrophic;
 - (c) 1.2 million children living in Gaza – that is all of Gaza's children – are in need of psychological and mental health support according to UNICEF;
 - (d) the mental health impacts on children have been compounded due to the inability to leave and the lack of any safe zones, with no respite from trauma;
 - (e) healthcare and aid workers have experienced deteriorating mental health resulting from lack of personal and family safety, witnessing constant trauma and moral injury due to the lack of resources to provide the care required;
 - (f) most mental health infrastructure has been completely destroyed, with remaining buildings damaged;
- (2) does not support the state of Israel's continued invasion of Gaza;
- (3) supports calls for an immediate and permanent ceasefire; and

- (4) calls on Labor to take action, including severing military trade relationships with the state of Israel.

Leave refused.

Members statements

Claw Money World

Jacinta ERMACORA (Western Victoria) (09:39): Last week I had the great pleasure of welcoming Minister Dimopoulos to Warrnambool and the south-west coast. The mood was very positive, and we were all very excited when the minister announced that the Allan Labor government would provide \$50,000 to bring the exclusive *Claw Money World* exhibition to Warrnambool. Claw Money, also known as Claudia Gold, has a significant following and appeal right across the world. She is a New York graffiti writer, artist and fashion designer – a pioneering artist who has partnered with Nike, Calvin Klein, Converse, Vans, Mountain Dew and My Little Pony. Minister Dimopoulos congratulated Warrnambool Art Gallery director Aaron Bradbrook on engaging with Claw Money. I love that art galleries are all about people, all about the community and all about the interaction between the world and our community. They also stimulate our local economy, and this exhibition will bring a whole new cohort of people to visit Warrnambool in south-west Victoria. I want to thank the Warrnambool Art Gallery for their support of the arts and also the minister for his support of the arts in our regional community.

Moorabbin planning

Georgie CROZIER (Southern Metropolitan) (09:40): Last week I was with the member for Sandringham in Highett at a huge community event that over 300 people attended, expressing their concerns around the government's proposed Suburban Rail Loop and the impacts to that community not only of Sandringham but also of the electorate of Bentleigh and of the Moorabbin activity centre, where the government has just bulldozed in, provided no consultation and really blindsided the community. It is very disingenuous for the government to say that the community have known about this; they have not. They have not known about the taxes that will be applied, about the density and about the issues that are going to be impacting their community, and to say they are concerned is an understatement. We heard from people who were talking about the lack of ability to argue with the government around the taxes that will be applied, the acquisition of their properties, the prices that the government will pay and the mental health impacts that these decisions are having on that community. It is a huge concern, and I think this community and many other communities are being impacted by this ideological push by the government, where they have blindsided councils in terms of their consultation process as well. As many members on this side of the chamber know, we will not stand for this. We will back communities over this push-through approach by the Premier and her government.

Human rights

Sarah MANSFIELD (Western Victoria) (09:42): Throughout our society there is a gross dehumanisation and othering that leads to institutional bias and stigma and distorts political priorities. We see it in the shameful failure of governments in addressing pervasive and deep-rooted racism that results in First Nations people dying in custody, like Veronica Nelson and so many before and after her. What does it take for the people that work in an institution to be able to ignore cries for help from a woman in agony? We see it throughout the medical system – for example, when the pain of women and gender-diverse people is diminished and undertreated. What has happened to healthcare workers for them to be able to dismiss women's pain as unworthy of attention? We see it in public opposition to specialised housing for people experiencing mental health issues or substance dependence. What has happened to a society that says some people are less worthy of housing near them than others? These attitudes and behaviours are the result of a culture that sees some lives as less valuable, with needs that are less than others. It is incumbent upon political leaders to check themselves and challenge

institutional and cultural bias in what they say and the decisions they make to ensure that everyone is recognised and treated as fully human.

Moorabbin Primary School

Ryan BATCHELOR (Southern Metropolitan) (09:43): I think it was the absolute joy on the kids' faces that I will take away most from my recent visit to Moorabbin Primary School, where we just opened 12 brand new classrooms and a first-class science room – state-of-the-art facilities funded by a \$15 million investment from the state Labor government in the 2021–22 budget. I was there at the official opening with my colleague the member for Bentleigh Nick Staikos, who has been an absolute champion for this school, Moorabbin Primary School. The opening of the new classrooms and science rooms marks the completion of stage 1 of the redevelopment project at Moorabbin Primary School, which has enabled the school to offer an additional 300 places to local students. For stage 2, which is underway and going at a rapid clip, an incredible new competition-grade gymnasium is being built on the school grounds. This Labor government is investing in our children's academic future. We are investing in community facilities. For families in Highett, in Hampton East and in Moorabbin, they have access to an even better local school, and for their kids that attend Moorabbin Primary School the future has never been brighter.

Plant Based Treaty

Georgie PURCELL (Northern Victoria) (09:45): The Climate Change Authority has just told the federal government what many of us have been saying for a long time: Australians must cut back on red meat in order to reach net zero by 2050. In fact the future of our planet relies on it. Fighting fossil fuels simply is not enough. We must transform our food system and we must do it urgently. That is why one of my first actions as a member of Parliament was to endorse the Plant Based Treaty. Animal agribusiness is one of the driving forces behind the climate emergency, yet it remains the cow in the room that no other politicians want to talk about. It does not just stop there. Our exploitation of animals is also causing extensive biodiversity loss, deforestation, species extinction, water depletion, soil degradation and ocean dead zones. Just like the Paris agreement, the Plant Based Treaty recognises that no one single country can tackle the ecological impact of animal agriculture by itself. A global solution to a global emergency is essential to avert a climate catastrophe, and while so many focus on corporations and industries to bring about change, we all have the individual power and the responsibility as well. The world is burning, and if we are genuinely serious about ensuring that our planet is inhabitable in the future, I urgently call on my colleagues in the Parliament here and around Australia to add their name to the Plant Based Treaty too.

Aboriginal Health and Wellbeing Partnership Forum

Sheena WATT (Northern Metropolitan) (09:46): Closing the gap requires an all-of-community effort, bringing together experts, leaders and organisations that will fight to fix our state's healthcare system so that First Nations Victorians can access it in a fair and equitable way – something that I am deeply committed to. Last week I headed to Geelong in Wadawurrung country to attend the Aboriginal Health and Wellbeing Partnership Forum, where leaders of the First Nations community came together with departments, experts and others, including the Australian Health Practitioner Regulation Agency, to talk about the issues so that we can make some desperately needed progress. The forum was led by Jill Gallagher, the CEO of the Victorian Aboriginal Community Controlled Health Organisation. Can I just thank them for the invitation to come along and talk a little bit about racism in healthcare settings and what it is that we can do to work together to break that down and smash it for good, including the work that I am leading as part of the Anti-Racism Taskforce. Can I also thank the members of that group that did share with me some of their very heartfelt disappointments on a recent loss in custody, an Aboriginal death in custody that has occurred in this state, and reconfirm to you all that I too take this very seriously. I send my condolences to their families and loved ones and thank them for sharing that with me, and I will continue to fight.

Western suburbs transport infrastructure

David ETTERSHANK (Western Metropolitan) (09:48): The western suburbs of Melbourne are the logistics heart of our state, handling the lion's share of freight and distribution from the port and servicing much of the state's manufacturing capacity. The western suburbs also accommodate some of the fastest growing residential populations in the country. Invariably there are tensions that arise between these alternate uses. Of particular concern has been the impact of trucks and their negative impact in residential and mixed-use areas in terms of noise and air pollution and their hugely negative impact on resident health and amenity. In this context I rise to welcome the decision by the government to convert the old wholesale market site in West Melbourne into a container transport and storage area. The site will have the capacity to store up to 1 million containers a year, which equates to around a third of the containers passing through the ports on an annual basis. For this change to be meaningful it is essential that the new site is operationalised promptly and concrete measures are taken to reduce the number of ad hoc container storage yards scattered across the inner west. I would also be remiss to ignore the decision of Pacific National to abandon the totally inappropriate freight terminal proposal at Little River. My love and respect to the residents of Little River and our allies in the environment movement, who have illustrated incredible determination in fighting off this proposal, saving both the town and an invaluable slice of threatened western grasslands.

LGBTIQA+ community

Michael GALEA (South-Eastern Metropolitan) (09:49): Last week in an adjournment I asked the Minister for Equality Harriet Shing to continue her tireless advocacy to the federal government on properly acknowledging gender and sexually diverse people in the census. I am very pleased to be here today, two weeks later, to see that those questions have now been included in the census, although there is still some gap in regard to intersex people. The collection of data as it relates to people, including vulnerable people – for example, transgender people – accessing critical health care is really important, because without that proper data we cannot work on the solutions that make health care available and accessible to all Victorians. Irrespective of gender, sexuality, race or any other matter, all Victorians deserve rights to those services, and this census data will help with that.

Bushfire preparedness

Michael GALEA (South-Eastern Metropolitan) (09:50): On another matter, I would like to acknowledge some recently announced funding, particularly for schools in regional Victoria but also in my electorate of South-Eastern Metropolitan Region, including Beaconsfield Upper Primary School and Harkaway Primary School, which are both receiving funds for bushfire preparedness and for various maintenance and other vegetation-clearing projects. As we approach the warmer months, it is really critical that we are ensuring that our schools are as safe as they possibly can be, as we continue to support our CFA and other firefighting agencies to protect us in times of need.

Breast screening

Sonja TERPSTRA (North-Eastern Metropolitan) (09:51): I rise to update the house on a very interesting visit that I paid to the BreastScreen clinic in Burgundy Street, Heidelberg, with the Minister for Health Mary-Anne Thomas, to announce our partnership to deliver a mobile women's health clinic. The clinic, operated by BreastScreen Victoria, will deliver free women's health care to regional and remote areas, bringing critical care close to home. The giant bus, lovingly called Nina, will hit the road in late October, and it will offer a variety of women's health information, advice, clinical services and referrals to specialists. The care will be delivered by an experienced nurse, who will build connections with women, their communities and local health services. Last week was Women's Health Week, and of course we are getting on and delivering the services that women need and deserve closer to home. Can I just encourage any women in the chamber or who may be watching this at home to make sure that they get along to their local BreastScreen clinic and ensure that they have their regular mammograms and check-ups when they are needed.

*Bills***Protecting Public Assets and Services Bill 2024***Statement of compatibility*

Samantha RATNAM (Northern Metropolitan) (09:52): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (the Charter), I make this statement of compatibility with respect to the Protecting Public Assets and Services Bill 2024 (the bill).

In my opinion, the bill, as introduced to the Legislative Council, is compatible with, promotes, and strengthens, the human rights protected by the Charter.

I base my opinion on the reasons outlined in this statement.

The main purpose of the bill is to protect several public assets and services from privatisation. This bill vests power in the Parliament to stop the privatisation of Victoria's public housing estates as well as the Registry of Births, Death and Marriages. Parliament would also have the power to stop the sale of public land that is suitable for housing to private interests and return critical assets and services that have already been sold off – housing, VicRoads Licensing and Registration, the Port of Melbourne and the Land Titles Office – back to public ownership and control.

Section 12 – Freedom of movement

Section 12 of the Charter protects Victorians' freedom of movement which includes the right to choose where to live. In my opinion, this Bill strengthens the Charter by protecting this freedom. The Bill would give Parliament the power to stop the demolition of Victoria's public housing towers which would otherwise displace over 10,000 residents from their homes and communities.

Section 13 – Privacy and reputation

Section 13 of the Charter protects people's privacy from unlawfully or arbitrary interference.

The Bill would allow Parliament to protect the Registry of Births, Deaths and Marriages from privatisation. This means it can continue to be run with the primary purpose of serving the public to access their own private and sensitive information, rather than for private profit. In recent years, many major private companies have been breached and people have had their private information stolen, or these companies have outright sold that information for profit. Keeping profit incentives out of the Registry is the best way to protect the sensitive information which is housed there from unlawful and arbitrary interference.

Therefore, in my opinion this Bill strengthens the Charter. For these reasons I consider that the Bill is compatible with the Charter.

Second reading

Samantha RATNAM (Northern Metropolitan) (09:52): I move:

That the bill be now read a second time.

On behalf of the Greens, I'm pleased to introduce the Protecting Public Assets and Services Bill 2024 to this place.

This bill could save public housing in Victoria and stop the demolition and privatisation of Victoria's remaining 44 public housing towers if passed.

The Victorian Labor government's agenda of privatisation is threatening too many public services and the infrastructure that Victorians need to build a good life. Public assets and services keep being sold off and leased in the chase for short-term boosts in cash flow. It is this agenda driving the mass privatisation of Victoria's 44 public housing tower estates which will result in the displacement of over 10,000 residents in the middle of a housing crisis.

When public assets and services are privatised through sale or long-term lease, they are turned into profit-making schemes that end up delivering worse outcomes at higher prices.

They have already privatised VicRoads, the port, the land titles office and now public housing – what’s next?

Labor’s privatisation agenda is akin to what the Liberals did under Kennett. Victoria is being sold off, piece by piece. Even the very core work of government – policy development and advice – is being privatised and handed over to private consulting firms. If this doesn’t stop, we will be left with hollowed-out public services, at the mercy of large private monopolies whose only duty is to private asset managers in investment funds.

Labor’s history of privatisation

Labor should know that privatisation policies are not only harmful but deeply unpopular. Elections are lost by governments who are seen to be selling off the state to the highest bidder. Despite this, Victoria is the most privatised state in the nation. Successive governments have privatised well over 100 assets and services in the last 30 years alone.

In the 1990s the Kennett government privatised \$30 billion worth of state assets. The Andrews–Allan Labor government has continued this legacy, privatising upwards of \$20 billion of state assets and services. A further \$30 billion has been spent on public–private partnerships. This includes multi-billion-dollar toll roads like the West Gate Tunnel and North East Link, and Victoria’s overpriced and unreliable tram and train networks.

To avoid scrutiny, Labor has dressed up all its privatisations using meaningless jargon in order to distort what it is doing: private–public partnerships, joint ventures, asset recycling, commercialisation, the ground lease model. Call it what you want. It’s non-government and private companies, profiteering at the cost of the public and delivering poorer quality services for Victorians in the process.

When you stop and take stock of all these privatisations may they be via sale or lease, it is impossible to deny what the Labor Party has become – a party for big businesses and for private profit at public expense.

What the bill does

This bill would stop the privatisation of key assets and services, including public housing, without the explicit permission of both houses of Parliament. New privatisations would need to be reviewed by the Public Accounts and Estimates Committee and be approved by both houses of Parliament to proceed. Existing public housing sites that have been privatised would be returned to the government to be used as public housing by 2030 and currently privatised services like VicRoads, the Port of Melbourne and the land titles office would return to public operation at the expiry of their current private leases.

Labor has been carrying out its privatisation agenda without a mandate.

The Victorian people have made it clear time and time again that they do not want their public assets and services sold off. And this Parliament has passed several motions about protecting the public housing tower estates. Despite this, Labor has been forging ahead with its plans.

In fact they got an investment bank to look into all the government agencies to figure out how they can be gutted for short-term cash. Labor does not have the mandate to be doing any of this. It’s not just terrible policy, it is an erosion of our democracy.

This bill would vest power in the Parliament to stop the privatisation of Victoria’s public housing estates as well as the Registry of Births, Deaths and Marriages. It would stop the rampant sale of public land. And it would return critical assets and services that have already been sold off, back to public hands.

Public housing and land*The 44 towers*

We already know why this is important. Our country and this state are facing the worst housing crisis in decades. 120,000 people are on the waiting list for public housing here in Victoria, and some 30,000 people are experiencing homelessness on any given night. More and more people are being turfed out of the private rental market. Where are they meant to go when the wait time for public housing is decades long?

Why is the government demolishing and privatising thousands of public homes when so many people need a place to live? When questioned, Labor has refused to release any supporting documents that detail the reasoning and plans behind this policy. They obfuscate and gaslight, leaving the community in the dark.

They are doing this because their plans are unjustifiable. Labor plans to knock down these towers and replace them with predominantly private housing and a smattering of community housing, which we know is more expensive to rent than public housing. Tenants also have fewer rights and are not assured tenure.

The government won't even guarantee that any public housing will be built on the majority of these sites. We have seen the Allan Labor government repeatedly abandon public and community housing projects, opting instead to give public land over to private developers. What confidence can Victorians have that these towers will not be razed to the ground and the land handed to developers, who would never build an iota of public or community housing if the government doesn't make them do it? The only promise that Premier Allan seems willing to keep is the promise to demolish thousands of public homes in the midst of a housing crisis.

If this is allowed to happen, there will be disastrous outcomes for many vulnerable people. If this mass privatisation is allowed to continue, longstanding communities will be torn apart. Vulnerable people will be shipped to outer suburbs where support services and public transport are sparse. From extensive experience and research, we know the devastating effects of this kind of displacement – economic hardship, poor mental health and physical health, social isolation, homelessness and, for some, incarceration.

It is unacceptable that Victoria has spent the least of any state on the maintenance of public housing. Under Labor, our public housing stock has been run into the ground and now this is being used as an excuse to tear it all down and hand it over to the private sector. Mind you, most of these towers are actually in great shape and a strong community movement has been building to advocate for their refurbishment, because this is a cheaper alternative that does not displace thousands.

Ground lease model

The Labor government has tried to hide its privatisation agenda using slick marketing and jargon but nothing can hide its agenda. The ground lease model is a privatisation project via long-term lease of public land where public housing estates are demolished and replaced with some community housing and a majority of private housing.

Community housing has an important role to play in the continuum of affordable housing options; however, it should not be used to replace public housing.

This is what has already happened on the public housing renewal program and ground lease model sites and what is planned for the 44 towers. And that is why this bill is needed so that already privatised sites can be returned to public hands for use as public housing in the year 2030. Any proprietors who have incurred costs will be reimbursed.

There have already been some significant delays in the construction and establishment of the public housing renewal program and ground lease model sites, which means only a small number of sites

have occupants. The return of these sites to public ownership and control that this bill achieves would mean that all of these privatised housing sites would become public housing and result in a net gain of public housing homes. It would also mean that existing residents, particularly in the community and affordable homes, would have the opportunity to convert their tenancies to public housing without the need to move. For those who are residing in market rate housing, the Greens would advocate for these tenants to remain in their homes but as public housing tenants, paying 25 per cent of their household income in rent. We think that public housing should ultimately be for everyone.

Land sales

To stop Labor from continuing down the warpath against public housing, our bill also protects public land that is suitable for housing from sale to private property developers. The Department of Families, Fairness and Housing admits that the biggest barrier to more public and community housing is the availability of land. Yet Labor has been selling off swathes of valuable public land to private developers. No less than 16 hectares of public land worth \$54 million has been sold off by this Labor government in recent years. A further 148 sites of public land, 2500 hectares, are currently being prepared for sale. Not a single public home will be built on any of that land – only private housing that generates enormous revenue for investors. This is simply deplorable.

I would also remind Labor that this is not their land to be selling off. While they might think public land is an asset to be disposed of because they hold the title to it, this land actually belongs to our First Peoples, who have never ceded sovereignty over the lands that were violently taken away from them during colonisation. In the middle of a treaty process in Victoria which recognises the harms of the past and the present and moves towards true self-determination and justice for First Peoples, any attempt to further dispossess First Peoples of their land risks undermining the whole process. To honour the treaty process, public land should be kept in public hands until treaties are completed. Our bill would allow Parliament to protect this land from privatisation.

Registry of Births, Deaths and Marriages

This bill would also protect the Registry of Births, Deaths and Marriages from privatisation, because our private records should not be for sale. Privatisation of our personal records is a terrible idea. Have we learned nothing from all the recent leaks of personal data from private companies which have now left people vulnerable to scammers, not to mention all the private companies who sell off our data for profit?

It's already absurd that we should have to pay anything to access our own personal records. If this privatisation goes ahead, we'll probably end up paying even more in third-party booking fees – all on a dodgy website that has been slapped together hastily, if the state of VicRoads licensing and registration is anything to go by.

Births, deaths and marriages currently brings in \$10 million to the government every year. If it gets sold off or leased commercially, none of this money will be returned to the public. Instead, the new proprietors will be seeking to skim off as much profit as they can manage. And how have they done this historically? By slashing the wages of workers, putting up prices and investing nothing in improving the service.

The ASU are already fighting an ugly battle against the VicRoads privateer to retain workers rights. The CPSU has come out strongly against privatising births, deaths and marriages for fear of the same.

Jaclyn Symes: On a point of order, President, I am reluctant to interrupt second-reading speeches – I do not think I have ever done it – but Dr Ratnam is misleading the house. Yesterday in question time, Ms Payne specifically asked the government a question in relation to the privatisation of births, deaths and marriages, to which I categorically informed the house that that was not something the government was intending to do. She has not had the view –

Members interjecting.

Jaelyn Symes: No, the claims in her second-reading speech – she has not taken the time overnight to update her prepared second-reading speech. I think it is important for me to put it on record that she is misleading the house.

The PRESIDENT: I do not think that is a point of order. Dr Ratnam to continue her speech.

Samantha RATNAM: They are mobilising their members against this anti-worker policy, firmly stating that the registry should remain in public hands as it is in every other state.

This bill supports these efforts by ensuring that already privatised services, such as VicRoads licensing, the Port of Melbourne and the land titles office, will be returned to public hands after the end of their lease.

It is a national shame that the Labor Party has fallen so far from its values. This is a party that once aspired to nationalise the banks, the natural resources sector and health services. But now, any principles once held have eroded away, and Labor is resorting to privatising even the most basic functions of the state.

The truth is none of these privatisations were ever a good idea for Victoria.

The consortium that bought licensing and registration agreed to pay \$7.9 billion up-front, but there was never an understanding of how it would recoup its investments. It's now becoming clearer that the plan for this consortium was always to cut corners, cut costs, raise prices and deliver a substandard service.

The Essential Services Commission found that the privatised Port of Melbourne overstated the revenue it needed to operate by as much as \$650 million and warned consumers could be forced to pay prices that are higher than they should be for imported products, because the private operator has run the port in a way that is not consistent with prudent or efficient service provision.

The rot goes deep in each of these privatisation sell-offs and leases. We probably do not even know the extent of it.

This bill gives the Parliament the power to protect Victorians from Labor's reckless privatisation agenda.

Conclusion

Enough is enough. It's time for the Labor Party to stop riding roughshod over the Victorian people, especially the future generations who will be left to deal with the failures of these policies.

Passing this bill would give the Parliament the power to ensure our public housing estates and other critical assets and services are not lost to private interest. This bill is about stopping the demolition and privatisation of Victoria's public housing estates, its essential public services, and creating oversight to stop Labor's unchecked misuse of power.

The Greens believe that public services should be run by the government in the interest of the people. We know that the neoliberal project, which centres privatisation, has failed across the globe. The community suffers when public services are turned into profit-making ventures.

We see a future where everyone has access to essential services, where everyone who needs a home can access public housing and where secure public sector jobs bolster good working conditions for the labour market. Passing this bill is an important step in that direction.

I commend the bill to the house.

Sonja TERPSTRA (North-Eastern Metropolitan) (10:08): I move:

That the debate be adjourned for two weeks.

Motion agreed to and debate adjourned for two weeks.

Production of documents

Credit assessment

Georgie CROZIER (Southern Metropolitan) (10:09): I move:

That this house:

- (1) notes that the Treasurer commissioned a private credit assessment from Fitch Ratings in 2022;
- (2) further notes that details of the assessment, including the rating and Victoria's financial position and economic outlook, have never been released;
- (3) requires the Leader of the Government, pursuant to standing order 10.01, to table in the Council, within one week of the house agreeing to this resolution:
 - (a) the credit assessment commissioned by the Treasurer in April 2022, produced by Fitch Ratings and provided to the Department of Treasury and Finance; and
 - (b) any documents and/or materials, including but not limited to reports, briefs and advice, provided by the Department of Treasury and Finance or the Treasurer in relation to the assessment referred to in paragraph (3)(a).

I am pleased to be able to rise to speak to this short-form documents motion, because it is an important part of the transparency process that this government fails to provide. The people of Victoria deserve to know the truth about the state of our economy, and today we are demanding that transparency from the Allan Labor government. My motion goes to the point that the Treasurer commissioned a private credit assessment from Fitch Ratings in 2022 and that the details of the assessment, including the rating and Victoria's financial position and economic outlook, have never been released by the government. What this motion asks for is for the government, pursuant to standing order 10.01, to table in the Council, within one week of the house agreeing to this motion, the assessment commissioned by the Treasurer and any documents or materials, including reports and briefs and advice provided to the Department of Treasury and Finance.

I think Victorians are very concerned about Victoria's increasing debt. If we look at our interest repayments today at \$18 million each day and into the future when they are going to \$26 million a day, with debt increasing in just a few years to \$188 billion and rising, we are in real trouble. I think it is absolutely imperative that these documents that have been hidden from Victorians, where Victorians have been kept in the dark, need to be released, and we need to see the state's true financial problems. They are, as I have just highlighted, immense. They are concerning to business, they are concerning to households and they are concerning to those that want to invest in this great state, providing confidence back into a system that has been trashed under the Allan Labor government.

The Allan Labor government's reckless financial mismanagement is, as I said, driving that debt to record levels, and other states are seeing this as a competitive advantage. We cannot have that happen. We need to claw it back and we need to have proper fiscal management in place. To understand what information was provided to the government by the Fitch Ratings agency is incredibly important. We also need to ask the question: why has the government actually hidden this from Victorians? I think that question answers itself, because it is probably very bad news and news that the Treasurer himself does not want to release given that he is at odds with the government and the Premier on spending. Her focus is on the Suburban Rail Loop, and extraordinary amounts of money – billions of dollars – are going into that project when other parts of Victoria are being neglected.

The record debt, the record waste and mismanagement of projects under the management of the Premier, not only as Premier but when she was the responsible Minister for Transport Infrastructure, are issues that are critical to Victorians. They can see the lack of investment in areas where services are failing. They deserve to have access to health care in this state, and that is failing. Our ambulance system, our health system, our education system and our community safety are all at risk here because of the mismanagement of Labor. It is critical that these documents be tabled in the house, so Victorians can see the true extent of the advice provided to the government and the true extent of the financial and economic situation of the state.

The secrecy comes, as I said, off the back of those figures that we know about but also Standard & Poor's damning assessment of the government. That assessment warned the government that the fiscal outlook for our state was on shaky ground, and that cannot be overstated. That is of very huge concern to so many Victorians, as it should be, because they know what is at risk here. Victorians are saying this in many ways, and they are pointing directly to the reckless financial mismanagement of the Allan Labor government.

In conclusion, I want to just say it is a very simple motion. It is asking for the documents commissioned by the Treasurer back in 2022, this report, to be provided in the interests of all Victorians, in the interests of transparency and in the interests of this Parliament understanding what is at risk here and what the true financial situation and the risks are from this credit rating agency. I think that is the decent thing to do. It is the right thing to do, and I urge the government to comply with this and support this motion in the interests of all Victorians.

Ryan BATCHELOR (Southern Metropolitan) (10:14): I rise to speak on Ms Crozier's motion, which notes that the Treasurer commissioned a private credit assessment from Fitch Ratings, one of the private ratings agencies, in 2022; notes that the details of that assessment, including the rating and Victoria's financial position and economic outlook, have not been released; and requires the production of a credit assessment commissioned by the Treasurer and produced by Fitch and any other documents or materials, including the range of reports and recent advice presented to the Treasurer in relation to that document. Many would know, including those opposite, that the government and governments across the board have credit ratings assigned by international credit rating agencies. The two most prominent and well known, Moody's and S&P, have provided credit ratings on the Victorian economy and the state of the Victorian budget for many, many years, and those ratings remain stable and positive. Fitch is another of the international ratings agencies, and further to the two ratings agencies from which we have historically received our ratings assessments, an additional rating was sourced from Fitch to supplement the ratings reports from Moody's and S&P in 2022. The credit environment in 2022 was exceptionally challenging following the global pandemic, and it was important for the state to obtain these further and additional credit rating reports to enable it to undertake the necessary and proper assessments of the credit climate and the economic environment.

I think it is important for the purposes of this debate – these motions generally do succeed in the course of debate, and there will be, I am sure, a response from the government – we understand that Fitch provided a point-in-time rating. It was not an ongoing rating, it was a point-in-time rating for that particular point in time because of the particular circumstances that were faced. Fitch provided that to the government on a non-publication basis, and so the government has legal obligations to not publish the rating at this stage. The government is obviously committed to ensuring that we do whatever we can to make sure that information that is capable of being placed in the public domain is in fact done so. We understand that the Department of Treasury and Finance is in discussions with Fitch to address this issue on an ongoing basis, but we are not in the habit of breaching our contractual obligations – a pretty straightforward position. If there are commercial obligations that we have entered into, the state is not in the habit of breaching those contractual obligations. But I am really happy to talk about the Victorian economy. Unfortunately, because –

David Davis: The motion is not about that, fundamentally. It is about documents.

Ryan BATCHELOR: Well, it is about an assessment. The motion is about an assessment of the Victorian economy, which is exactly what the documents that the opposition seeks go to. So I think it might be relevant to the conduct of this debate to get into a broader discussion about the state of the Victorian economy – one that is creating jobs and one that is investing in our future capability and investing in the productive infrastructure that our state needs to continue to grow.

What is unfortunate I think, though – this is the consequence of the genius that constructed these short-form documents debates – is that we do not have an opportunity, under the terms of the sessional orders, to get into a discussion about those issues, because we do not have time under the sessional

orders because we only get a couple of minutes. We only get 5 minutes in the course of this debate to make contributions. That is not enough.

Sonja TERPSTRA (North-Eastern Metropolitan) (10:19): I also rise to make a contribution on this motion in Ms Crozier's name. I will not go through it again. Mr Batchelor very eloquently did that, but by and large it calls upon the government to release a private credit assessment which we commissioned from Fitch in 2022. I think the important point that Mr Batchelor made and I will make again for those opposite is that the rating –

Georgie Crozier: You are reading from speaking notes.

Sonja TERPSTRA: No. I am making sure that I make my contribution accurate, which is something that you guys do not actually worry about. What I was going to say is that it is something that we commissioned, and it was obtained in 2022. It was a point-in-time –

Georgie Crozier: Well, release it.

Sonja TERPSTRA: Ms Crozier, I will take up your interjection. This is the thing that I struggle with that you do not actually understand. It is now 2024 and Victoria's economy is the powerhouse of Australia's economy. If I can point to so much investment and the jobs that we have created –

A member: People are fleeing the state.

Sonja TERPSTRA: No, they are not.

Members interjecting.

The PRESIDENT: Order! Ms Terpstra, without any interjections.

Sonja TERPSTRA: Thank you, President. Again, they do not want to hear about it because there is good news and plenty of it. When we came to government our economy was around \$400 billion. It is now worth \$600 billion and is projected to be worth nearly three-quarters of a trillion dollars by the end of the estimates. We have created more than 850,000 new jobs since November 2014 through our investments in the economy. If you look in my electorate alone, North-Eastern Metropolitan Region, we have got huge infrastructure projects which are driving investment.

Georgie Crozier: On a point of order, President –

Ryan Batchelor: You don't want to hear about it, do you?

Georgie Crozier: I will take up the member's interjection. The North East Link is well over budget.

The PRESIDENT: Do not take up his interjection. What is the point of order?

Georgie Crozier: The documents motion is very simple. The member is straying from a very simple proposition about the government releasing this Fitch report that was provided to the government, and I would ask you to bring the member back to what it is about, not congratulating herself for a poor project that is absolutely running over budget.

The PRESIDENT: A long point of order. I bring the member to the motion.

Sonja TERPSTRA: I guess what is lost on those opposite is that when our government invests in projects such as North East Link, level crossing removals and the Suburban Rail Loop, which is a fantastic project, it creates jobs. Again, if I look across my region, the jobs that are created mean that we create growth in our economy. What they do not understand is if a credit assessment report was sought in 2022, it is now two years old. Again, it is a point-in-time assessment. I would love to stand here for much longer than I have on the clock, because those opposite sought to change the standing orders to make sure they gagged the government so we cannot actually respond to things in an appropriate way. I would love to talk about all the things that we have done to support the Victorian

economy and the growth that has happened because of our investment in our major infrastructure projects and also our spending in schools and the –

David Davis interjected.

Sonja TERPSTRA: No, no, no, it is not. I am not going to be verballed by those opposite to say that I cannot make the contribution that I want to make in the context of our economy, because again, you do not understand what this actually means. Again, this is a misguided motion asking for a point-in-time credit assessment that is now two years old. I can point to the failings of those opposite and the economy that we inherited. Like I said earlier, our economy is now \$600 billion. The growth is happening because of our investment. And again, as Mr Batchelor said, we often do not oppose these things. Our record on providing documents stands for itself because we have provided lots more documents under these documents motions than you ever did when you were in government. You objected to every single documents motion. You objected to all of them because – talk about secrecy – you had so many things you wanted to keep secret that you did not want the Victorian public to hear. You gaslight us every day in this chamber about these sorts of things, but people remember your record. You did not produce any documents at all. I will conclude my contribution there.

Michael GALEA (South-Eastern Metropolitan) (10:24): I also rise to share a few words on the short-form documents motion that has been put forward by Ms Crozier today, and I acknowledge the contributions of both Mr Batchelor and Ms Terpstra. Indeed, as Mr Batchelor rightly noted, this particular report, the Fitch report, was obtained in 2022 –

David Davis: I think that's what the motion says too, doesn't it?

Michael GALEA: I will give credit to Ms Crozier for getting the year correct then. Yes, she also got the year – it was 2022, very good job. It was a moment in time. It was provided to the government on the condition that it not be released, because it was not a full, comprehensive report. That has already been gone into in detail by Mr Batchelor. I know those opposite did not like listening to that. Obviously they have no respect for such things.

There was no respect for commercial in confidence in the bizarre attack just now by Ms Crozier and no respect even for small business cafe owners – they are attacking coffee and sandwiches now. It is bizarre from the supposedly Liberal Party to now be attacking enterprising Victorians who operate these small businesses right across the state, whether it is the cafes across the road or in my region. We have great cafes, including Mr Grumpy's in Springvale and One Fine Day in Beaconsfield and many, many others as well, and indeed in regional Victoria. Indeed cafes and restaurants like that and many other businesses in metro Melbourne and across regional Victoria are providing these jobs. We have seen the lowest unemployment rate in a generation and indeed the lowest regional unemployment rate in a generation, all of which is helped by the fact that this government has actually reduced the regional payroll tax rate not once but several times so that it is now a quarter of what it was under those opposite, when we saw regional unemployment go up. Under the Liberal–National government regional unemployment in this state went up. It is now lower than it has been for generations. It is now lower statewide, 2 percentage points lower than the rate that those opposite set. It is a very important thing when you are talking about the economy to talk about not the hypothetical in the budget papers but how the economy is impacting everyday Victorians. It is those jobs. Whether it is the start-out jobs in places like hospitality and retail or whether it is the big construction jobs that this government is funding through its major projects, right across the state we have seen business invest in Victoria.

We have seen, as I spoke about yesterday, medical research and innovation. You might find that boring, Mr Welch, but I think a lot of Victorians are actually very excited about the fact that Victoria is one of the three leading centres for medical innovation and research in the world. I know Monash University is excited. It is one of the reasons why they are so keen to see what they see as not just a nice-to-have but a critical-to-have Suburban Rail Loop. Monash University and the precincts around it recognise the importance of governments who invest in these sorts of projects, because they know

that with Labor you have projects that actually help to build the state of Victoria rather than send it backwards, which is exactly what happened with those opposite – they sent Victoria backwards. They did it in the 1990s and they did it in the 2010s. They have got no plans and no vision. They are too obsessed with fighting each other in court, being summoned to court, which we are going to see next week when fearless John Pesutto –

Joe McCracken: On a point of order, President, as much as I was enjoying this rant, it is completely irrelevant and nothing to do with the motion. I ask that you draw the member back to the question.

The PRESIDENT: I understand the member has been talking about the Victorian economy, and I rule that in. But I think the member was straying towards the end there, so I call him back to the motion.

Michael GALEA: Thank you, President. Indeed I note that even many members opposite quietly recognise the importance of delivering a strong economy for Victorians. You would certainly not know it, anyone watching the rabble over there on the other side of the chamber, from their pronouncements in this place, but a strong economy for Victorians is of critical importance. It is even otherwise good members, such as the member for Narracan, who did a bizarre and grubby political attack on the member for Pakenham yesterday. The member for Pakenham today is doing –

David Davis: On a point of order, President, this is a narrow documents motion. An attack on the member for Narracan is well beyond the purview of the motion.

The PRESIDENT: I call the member back to the motion.

Michael GALEA: Anyway, he can explain why he did that.

David Davis: On a new point of order, President, he is heading off on another attack on the same member for Narracan.

The PRESIDENT: It is a new point of order, and the time has expired for the debate.

Motion agreed to.

Motions

Electricity infrastructure

Debate resumed on motion of David Davis:

That this house:

(1) notes:

- (a) the Victoria to New South Wales Interconnector West (VNI West) and West Link transmission lines are proposed to be built in Northern and Western Victoria by Transmission Company Victoria (TCV) and VicGrid;
- (b) the significant community opposition to these high voltage powerlines;
- (c) the powerlines propose to cross valuable agricultural land which plays a significant role in Victoria's agricultural production and agricultural exports;
- (d) the Paris agreement, a legally binding international treaty adopted by 196 parties at the UN Climate Change Conference (COP21) in Paris, France, on 12 December 2015, states at article 2 that the agreement aims to strengthen the global response to the threat of climate change by 'Increasing the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas emissions development, in a manner that does not threaten food production';

(2) is of the view that:

- (a) the consultation process by TCV and VicGrid has been inadequate;
- (b) the impact of the proposed transmission lines on remnant vegetation at certain sensitive locations must be fully and transparently assessed; and

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- (3) supports detailed independent examination and economic assessment of the impact of the proposed transmission lines on agricultural production, including on individual properties, prior to the granting of any permits or the signing of deals with landholders.

David DAVIS (Southern Metropolitan) (10:30): I have spoken briefly on this already, and I only propose to add one or two points to my contribution at this time and then allow others to make a contribution. This is a very straightforward motion. It deals with the facts about the interconnector to the VNI West and the western transmission lines. It points to the significant community opposition. It notes the impact of these lines on significant agricultural production. It points to the Paris agreement and notes its understanding that the attempts to reach net zero and lower levels of carbon dioxide emissions should not be at the expense of food production. It then makes the very clear point that the consultation process by Transmission Company Victoria and VicGrid has been inadequate. It then points to the impact of the transmission lines on remnant vegetation, and then it supports detailed independent examination and economic assessment of the impact of the proposed transmission lines on agricultural production. And in this sense it tries to draw to the fore a number of the key issues that are faced in country Victoria now.

It is one thing to support low-emission generation, and we certainly do. We see a significant role for low-emission generation. But at the same time, that must be implemented in a way that does not damage country Victoria. The consultation process under this government has been appalling. People know that. The demonstrations against the Premier in Bendigo recently made that very clear. The presence of people worried about these powerlines at the summit by the *Herald Sun* and News Corp in Bendigo a few days after that also underlined the point. We have seen repeatedly the state government destroy what is there in terms of any credibility with the approach that they have adopted.

I will just put one case on the record here. Catriona Rowntree spoke out after the government decided they were going to put a battery site near the You Yangs, but that local community discovered that through the media. And I say if you are going to have powerlines or major low-emission technology or storage technology in your local vicinity, you are entitled to be consulted on that. You are entitled to know. You are entitled to put in an objection. You are entitled to have your say. So this is very basic stuff, and the state government has increasingly had an authoritarian turn, a turn that is basically driven by 'We're going to do this, we're going this way and we're going to overrule you no matter what you want, no matter what you say, no matter what arguments you put up.' And I think that is increasingly becoming seen by Victorians, especially country Victorians, as completely and utterly unacceptable.

This motion makes those points, it notes the failure of consultation, and I think it is worthy of support because it does send a signal to government and government can actually listen to this. The Minister for Energy and Resources, the Minister for Planning – the two who are driving a lot of this – and the Premier ought to listen to the community. They ought to listen to the sorts of points that we are making here, and they should go back to basics. If they want to put transmission lines in, they need to do it through a proper process. We had the debate in this chamber about VC261, a planning scheme amendment overriding local communities. It is not right. Communities should have a say. There should be a proper process. Local democracy demands that councils and communities and local groups be able to have some say. This motion draws attention to those points.

Michael GALEA (South-Eastern Metropolitan) (10:34): I am happy to be speaking on this motion –

Bev McArthur: You won't be at the end of it.

Michael GALEA: which has been put forward by the Honourable Mr Davis, and I hope that I will at least speak engagingly enough to keep Mrs McArthur entertained and engaged as well.

Bev McArthur interjected.

Michael GALEA: She has had a coffee. We should be in for a good run. I do want to share a few words on this motion, but in doing so I will note that, as a participating member of the Economy and

Infrastructure Committee, it is my understanding that that particular committee has already agreed to a self-referral motion to discuss topics that are either similarly or indeed wholly overlapping with what we are discussing here today. As a member who participates in that committee, I will wait to see the evidence that comes through that committee process. I will not use my time to unnecessarily predetermine the evidence that we are going to receive. I am not quite sure why the Liberal Party, having had this committee inquiry come into effect, are now doing this motion as well, but perhaps they are not quite talking to each other. I do not know. I am sure that their fearless leader Louise Staley will be able to shed some light on what is going on. Their leader seems to have been otherwise engaged with a few things. I know many colleagues over there are desperately scrambling to find out whether they are going to be called into the witness box next week, so we will see what happens over there.

Tom McIntosh interjected.

Michael GALEA: Electrifying performances I am sure, Mr McIntosh. It is very important, though, when we are discussing these projects, that what we are talking about is the nation-leading transition for Victoria to renewable energy. This is a critical thing for us to be doing. It is a critical thing for us to be doing, obviously for the planet, to be shifting to renewable energy, but it is also critical as our peers in other countries around the world – in North America, in Europe and in Asia – are investing in renewable energy as well. A refusal by Victoria or Australia to engage with those renewable technologies would be derelict from an economic point of view as well. It would be holding us back from being able to have those investments in the newer, greener renewable energy projects that are proven, that are viable, that are already taking place and that are continuing to receive investments. I know many such projects are in Mr McIntosh's region of Eastern Victoria. Right across this state we are seeing a huge increase in the rates of renewable electricity generation. We are seeing that take over those older, conventional coal-fired power stations progressively. It is important that we do so in a measured way that enables that transition to happen, both for the energy grid but also for the jobs, because to get this right means that we will get right the jobs that will stand many Victorians, especially regional Victorians, in good stead for generations to come in the renewable energy sector. That is exactly why projects such as the transmission line projects that we are discussing are so important. We cannot afford to waste time in delaying these projects any more than is reasonably necessary.

David Davis interjected.

Michael GALEA: I will take up your interjection, Mr Davis. I would completely refute the fact that the community has not been spoken to or indeed consulted with. What I will say is that there is always scope for governments to do more and there is always scope for governments to do better. I know that they do not want to hear this, because they do not seem prepared or willing to bring anything constructive into this chamber, but I will give some credit to a crossbench member, Mrs Tyrrell, who actually brought a motion into this place, which received widespread support, for an inquiry for the Environmental and Planning Committee to look at broadscale consultation practices by government and non-government agencies as well, such as power distributors and other grids.

Bev McArthur: It's a shame she had to bring it to the Parliament.

Michael GALEA: I actually welcome that, Mrs McArthur, because unlike a motion which allows people from across the chamber to speak in verbose terms about something that has already been referred to a committee – which is actually going to achieve, quite frankly, nothing today – what we have seen from a crossbench member is actually a referral motion for an inquiry which is actually going to be effective because it is going to give government some support and give some frank advice back to government on how we can do community consultation better. I do think the point is worth making that whilst we may disagree on various aspects of this matter and of many other matters as well, this is a government that recognises that we are not the fount of all wisdom and we need to be engaging with people, and when there are ways to do that better we genuinely want to do that. That is exactly why we have supported that inquiry referral. I am not on that particular committee, but I do look forward to seeing the work that they produce. I am sure it will provide an informative and

educational report for all members of the chamber, but especially for the government. That is indeed the process and one of the many benefits of the committee system that we have.

While some members will use that to drive changes that will benefit everyday Victorians, we see from the Liberals here again yet another motion that is without consequence – in fact without action. It is an excuse, it seems, for the Liberals to ventilate their feelings and distract from what they otherwise might be preoccupied with: getting their statements together and preparing for their cross-examinations next week when they are facing the defamation trial of their leader. It is an extraordinary set of circumstances to find themselves in – again, not caring about everyday Victorians but looking only at themselves. One can only wonder what sensible people think and what the Nationals and indeed, Mrs Broad, what you must think of the circus that goes on in your coalition partner. I do feel for you whilst they continue to be preoccupied with fighting themselves and trying to get the numbers over their leader or for their leader. They are very ambitious for their leaders over there, suffice to say.

Tom McIntosh interjected.

Michael GALEA: A third run for Matty Guy – God help us all, Mr McIntosh, if that were to happen. I am sure some of those colleagues on the opposite side might agree with you. They might be quite horrified by that thought too. Indeed many seem horrified by the current situation as well. I am sure the decent members over on that side are absolutely scratching their heads at what sort of outfit they have got themselves into. We know that Dr Bach saw fit to find his best career prospects on the other side of the world in a school – and a very noble profession it is, teaching – but the fact that he saw going back to his roots of teaching as a better career prospect than remaining as deputy leader of this outfit is perhaps no small wonder.

David Davis: On a point of order, Acting President, this is a motion about powerlines and points about vegetation and landholders. It has got nothing to do with a former member of this place who is now teaching in the UK – nothing at all. It is out of order.

The ACTING PRESIDENT (Jacinta Ermacora): Please stick to the motion.

Michael GALEA: I will return to what is actually important, and that is not facile motions by the opposition that do not even attempt to achieve anything. What is really important is a government that actually listens to Victorians, that delivers for Victorians and that delivers that renewable energy future. I again remind the house that just earlier this year we saw a reduction in wholesale and retail electricity prices through the Victorian default offer, which all Victorians can avail themselves of and which was already lower than the national default offer. Victoria is the only state to go on its own to have that lower default offer, and it has actually gone down even lower again. We do have, through that, the cheapest energy prices in the nation.

I do want to note as well that whilst we are talking about electricity transmission and distribution, we have seen once again some devastating storms across Victoria in the last couple of weeks, although mercifully nowhere near as bad as what we saw in February. I want to acknowledge once again the very hardworking line workers of AusNet in particular but of other distributors as well, who have worked tirelessly to connect people across eastern Victoria but also pockets of my region of South-Eastern Metropolitan back to power. We did see more encouraging signs with mobile phone connectivity as well. We did not see the outages that we saw in February, and I reiterate my enthusiastic support for my colleague the member for Monbulk's campaign to tell the telcos to power the towers. I acknowledge her advocacy on that front. Reliable electricity generation and transmission is a really, really important thing to get right for all Victorians, and this is a government that is certainly delivering that, just as we are delivering a renewable energy future and cheaper power prices for Victorians.

Bev McARTHUR (Western Victoria) (10:45): It is no surprise that those on the other side do not want to talk about transmission lines. It is the bane of their life. They should have had a transmission line built by now, but because of the concern of the communities that they have ridden roughshod

over, there is no way they can get a spade in the ground. For Mr Galea to talk about 'listening and consultation' – they obviously cannot spell the words, because there is no listening or consultation –

David Davis: He's in cloud-cuckoo-land.

Bev McARTHUR: Absolutely. There has been no listening or consultation taking place across the Western Renewables Link – or the interconnector line now – going up to New South Wales at all. The local members of Parliament, let alone the minister, have been AWOL. They are never around. I have seen the vacant chairs with their names on them at public meeting after public meeting for the last five years – nowhere to be seen in the electorates of Ripon or Eureka or anywhere, nowhere to be seen. For Mr Galea to think it is not a good idea to talk about transmission lines, he is delusional. It is the most important issue facing people in country Victoria. Yes, all your friends inside the tram tracks want guilt-free green energy, but you are prepared to do it with brown, out-of-date technology crisscrossing the pristine countryside like a spider web. You are a disgrace for not embracing the idea that we should do transmission –

John Berger interjected.

Bev McARTHUR: for the next hundred years, Mr Berger, not the next election. We ought to do it the best possible way so that we have a format that delivers energy transmission that is world leading, not 40-year-old technology. Get with the modern era, Mr Berger. You are out of date.

One of the very important points in this motion is about the impact of the proposed transmission lines on remnant vegetation. I just want to go to some remnant vegetation. I do not know where the Greens are today; they are AWOL as well. They ought to be totally on this bandwagon, because vegetation is supposed to be their bread and butter, but they are nowhere to be seen. I did raise this issue in the adjournment debate last night. I know not enough people were listening, so I thought I would give it to you again.

I was talking about a green power hub in the Navarre area. It is hard to believe this stuff. This hub covers 18,000 hectares, Mr Galea. I do not know whether you were here last night to listen to my wisdom. But anyway, the second location, directly adjacent to the Kara Kara National Park, Mount Bolangum flora and fauna reserve and the Morri Morri Nature Conservation Reserve, is in close proximity to Stuart Mill and Big Tottington nature reserves and Little Tottington state forest. All of these are internationally – not just locally – recognised key biodiversity areas between which species, particularly birds, travel. Believe it or not, they travel – birds. There is the impact from approximately 100 turbines – this is one of your very important renewable energy proposals – around 280 metres tall, from kilometres overhead, 220-kilovolt transmission lines, a battery energy storage system, two substations and significant construction damage, including onsite quarries.

The following rare and endangered birds face turbine strike and devastating habitat loss. This is going to be exactly the same issue for transmission lines – totally the same issue. The Greens need to know that the swift parrot, the barking owl, the bush stone-curlew and the black falcon are all critically endangered according to the federal Environment Protection and Biodiversity Conservation Act 1999 and Victoria's flora and fauna guarantee listings. The speckled warbler and the hooded robin are considered endangered, and the powerful owl, the brown treecreeper, the diamond firetail and the painted honeyeater are also vulnerable. These migratory birds are threatened, as are other animals – endangered tree goannas, vulnerable pink-tailed worm-lizards, golden sun moths, eastern bent-wing bats and squirrel gliders. Vast swathes of their habitats face destruction. Populations face extinction. Are you worried about that? Are you worried about the extinction of whole –

David Davis interjected.

Bev McARTHUR: They will steamroll over everything, including endangered species. This is unbelievable. You lot do not care about the environment. We have been there.

John Berger interjected.

Bev McARTHUR: You need to get outside the tram tracks, Mr Berger. I know you live in my electorate and outside of yours, but anyway. Plant life too faces social destruction, including endangered orchids, no less. Endangered orchids are going to be threatened by this.

David Davis interjected.

Bev McARTHUR: Native orchids – well, they are endangered, Mr Davis. They are totally endangered. They are going to be wiped out. The whole thing is they are going to be wiped out. There are going to be no more. 135 hectares of them are going to be wiped out, but it also includes 23 hectares of grey box grass and native south-east Australian grasslands, 5 hectares of white box –

Tom McIntosh interjected.

Bev McARTHUR: Are you concerned about this, Mr McIntosh, or not? It includes white box, yellow box and Blakely's red gum grassy woodland. And this is what the proponents are saying; this is not even what the local concerned citizens are saying. This is the proponents saying they are going to wipe out all these species of flora and fauna. So thank goodness I succeeded in getting a self-referenced inquiry up through the Economy and Infrastructure Committee. You are on the committee, Mr McIntosh, so you will look forward to hearing the evidence.

A member interjected.

Bev McARTHUR: We are definitely going to travel. Oh, here are the Greens. Come along. Did you hear that, Aiv? All those endangered species are being threatened by the Labor Party approach to renewable energy, wiping out whole bodies of flora and fauna, Mr Puglielli. You need to get on the bandwagon on this.

The committee is great. I have been trying to get one of these inquiries up. You have thwarted it all of the time – a number of people have. Thank goodness for some crossbenchers – Moira Deeming and the chair Ms Purcell – who supported the motion. This inquiry will be excellent, and it is what the people in the community have been looking for. This is what they have been asking for for years – a robust inquiry that will work out –

The PRESIDENT: Mrs McArthur, I just gently remind you not to discuss internal committee discussions in the chamber.

Bev McARTHUR: No, I will just give the details of the inquiry, which will inquire into – and it is on the public record now – the expansion of Victoria's high-voltage power transmission system as proposed by AEMO, VicGrid and the Transmission Company Victoria, TCV, and the expansion of Victorian transmission connections associated with the Victorian government's proposed renewable energy zones. It will look into the suitability of existing plans for development, the predicted impact on the uptake of Victorian low-emission energy generation and the long-term necessity or otherwise of interconnectors and augmented high-voltage transmission networks. It will investigate the best practice in construction. Let us do it the best possible way. We will use experts from around Australia and internationally to find out how you do transmission the best way. What is not to love about that, Mr Berger? You would have to like energy transmission being done the best possible way, wouldn't you? Isn't that what you would want? You do not want some dodgy bit of transmission. Believe it or not, they blow over as well, these transmission towers. They have blown over in my electorate. A bit of a high wind and they are on the ground. They can start fires, but you cannot fight fires underneath them.

Tom McIntosh: Tell us what you would do, Bev.

Bev McARTHUR: We would have transmission done the very best possible way. And of course you have to investigate how you do it underground as well, Mr McIntosh. Let us look at the best possible way, not the cheapest and nastiest way, Mr McIntosh. You want to impose on your

constituencies out there in Eastern Victoria the most dreadful form of transmission possible. You would surely want the best form of transmission that is likely.

Sheena WATT (Northern Metropolitan) (10:55): It is probably no surprise that I rise to oppose this motion from those opposite. I am disappointed but not even a little bit surprised that a motion like this would be brought forward by members who have filibustered and tried to derail progress at every step of the way towards Victoria's renewable energy future. This government, and I have said it time and time again, has some of the most ambitious emissions targets in the nation and indeed the world. Those opposite appear to have limited their ambition to conducting business as usual, or perhaps their ambitions are little bit more nuclear powered, as I understand it, just like their colleagues in Canberra.

Transmission projects form an integral part of Victoria's energy transmission. We need new transmission lines to bring power from our state's impressive, growing and thriving network of solar and wind farms and into the homes of consumers. The substance of this motion is that Mr Davis wants to suspend Victoria's transmission line installation projects, and I find it galling really that such a motion would be brought forward by a member in metropolitan Melbourne whose constituents will only benefit from these projects, like mine.

I am going to go back and cover ground which has already been covered a number of times in this place, because some of the facts appear to have been forgotten, and I am going to start with the state of transmission lines right now. Our coal-fired power stations are reaching the end of their scheduled life cycles, and when they retire we are replacing them with new renewable forms of energy generation. These renewable projects are crucial to keeping the lights on. They are crucial for keeping energy prices low as Victorians face a cost-of-living crisis. We understand this. Many of these renewable energy projects are in places where we have not had power generation before, and we need to move the power generated through transmission lines into towns, into cities, into businesses and into industry. Projects like these new generation sites are installing transmission lines that form part of our critical plan to generate more than 60,000 jobs in our renewable energy transition. These projects will also bring Victoria closer to the goal of producing 95 per cent of our electricity through renewable energy sources by 2035.

Where there are some pre-existing transmission lines, almost none of them are younger than 50 years old. In fact most of the transmission lines in the Latrobe Valley were built in the 1930s, the 40s, the 50s and the 60s. I know that there are new ways of doing things. Much to the disappointment of those opposite, it is no longer the 40s, it is no longer the 50s and it is no longer the 60s, and we cannot keep using the same infrastructure and hoping for better performance on some ageing infrastructure. We need to meet the needs of Victoria's growing community. I have got to say we are talking about community consultation, and we are absolutely making sure that we do this in the right way.

The Allan Labor government is completely changing the way that renewable energy zones and transmission are planned and developed in our state. We understand that the arm's-length planning arrangements largely put in place by those opposite after privatisation were really not fit for purpose. Under the arrangements that were in place when we came into government, AEMO, the Australian Energy Market Operator, planned an expansion of our transmission network. Once they identified the need for a new line, they conducted an economic test to assess whether it stacked up financially. They then initiated a procurement process to find a private company to build and operate the line. Only then did full environmental assessments begin, and only then was the community fully engaged in the process. That is AEMO, can I just say. That process is completely backwards, and I am happy to say that. I am absolutely going to say that, and it is creating some great uncertainty in our community that host new energy infrastructure and uncertainty for investors. I am going to tell you that AEMO got it wrong, and what we have done is we have established a new government body, VicGrid.

I recall the actual debate on that legislation here in this house. I have got to say we are implementing a new planning program that actually puts community consultation at the very centre and the very

heart of our projects through Engage Victoria and a public engagement framework. I have got to tell you, where communities have in the past felt entirely unheard, we are going back –

Members interjecting.

The ACTING PRESIDENT (Michael Galea): Order! I cannot hear Ms Watt. Can we keep the interjections slightly quieter.

Sheena WATT: I want to talk a little while longer about this, but maybe I will change tack and talk about agriculture. As one of those of us that live inside the tram tracks, it is something that I enormously value, respect and honour. I have got to tell you I do not grow much fruit and vegetables in my apartment, but what I do know is that some of the best fruit and vegetables come from Victoria. I am talking about places up in the north-east. I was very happy to hear about the coexistence of renewable energy technologies with Victoria's agricultural production. In fact the Tatura SmartFarm on their site have solar panels that have been installed over a pear orchard, and yields have not been negatively affected by the installation of renewable energy technology. There is a whole range of farmers getting on board with it across the state. I have just learned that there is a term for it, and that term is 'agrivoltaic farms'. There you go. It is a new one for *Hansard*. It is where farmers continue to produce agricultural goods – whether it is livestock or crops – around renewable energy production infrastructure installed on their property.

I was watching *Landline* the other week, and I have got to tell you –

Members interjecting.

Sheena WATT: Yes, I do watch *Landline*; it is a brilliant show. I have got to tell you that most of the time I am very happy to talk about *Landline* because it is one that I very much like. They were talking about the sheep underneath the solar panels. It was great to hear what the farmers were talking about. Do you know what? I know that more and more landholders are considering this, further incentivised by the fact that – they may have not known, but I am happy to say – we are offering financial compensation to the tune of \$200 000 over 25 years per kilometre of transmission line that is installed. This compensation will be indexed over time to give recipients the long-term financial certainty that they absolutely deserve.

The simple fact of the matter is – and I will say this to you – you can generate all the energy in the world, but without a transmission line it is not going anywhere. We want the transmission lines that will bring the power to the homes and keep the lights on. That is only happening because of our record investment in cheaper, more reliable renewable energy. Victoria has consistently had the lowest wholesale power prices in the country over the last two years, and that is absolutely coming through to retail prices. I have got to tell you that; it is coming through. We will continue to do research, continue to do the work and continue to do what is needed so the state does not take a single step backwards from its transition to this renewable energy future. We are committed to keeping the lights on for all Victorians.

Can I echo the comments made by the previous government speaker Mr Galea and give my thanks to all of the emergency services workers out there supporting the community when we recently did have the lights go off ever so briefly due to the storms. The truth is that there is a new technology coming this way, and we need to have transmission lines and transmission infrastructure ready for the storms of today. I thank the members of the community right across the state who are getting involved and helping out by volunteering, stepping up and doing all that they can do.

This motion before us is yet another attempt to delay what really needs to be done, and that is to make sure that renewable energy and renewable energy projects come online as soon as possible and that it is done in a way that completely values the community and all the various community members around the place. I know that transmission lines are central to keeping the lights on. This state needs them to

be built, and we are going to deliver. On this motion I am calling it out for what it is: it is time wasting by those opposite when we need to get on with the job of supporting working Victorians and this state.

Gaelle BROAD (Northern Victoria) (11:05): I rise to support this motion on behalf of the Nationals. It is a very important motion, and it talks about the VNI West, which is proposed to be built in north-western Victoria by Transmission Company Victoria and VicGrid. The motion talks to the significant community opposition to these high-voltage powerlines – powerlines proposed to cross valuable agricultural land. The motion also talks about the consultation process by TCV and VicGrid, which has been absolutely inadequate. For those who may be tuning in and thinking, ‘What is VNI West?’, the Victoria to New South Wales interconnector west, known as VNI West, is the proposed new 500-kilovolt double-circuit transmission line connecting the high-voltage electricity grids in New South Wales and Victoria. Now, you might be thinking, ‘What’s the fuss about transmission lines?’ Well, these towers are as high as the MCG lights, so that is significant. They are about 70 to 80 metres high, the equivalent to a 24-storey building. The easements are about 75 metres, passing through regional Victoria, including irrigated areas and prime agricultural land. If you are not sure how wide that is, that is about three tennis courts long.

Right now the Labor government are ignoring regional communities, and they have made an absolute mess of this process. They have been removing the rights of communities to appeal, and that has been a major concern to people in the electorate of Northern Victoria that I represent. I have been to the community consultation sessions at Charlton and Wedderburn, and I have spoken in this house previously about how disappointing they were. I asked to go and listen to some discussion that was in a separate room and I was denied that, even though I asked several times. It was certainly a divide-and-conquer type of consultation session. I know Mr Galea in a previous contribution in this debate said that communities had been spoken to. They certainly have been spoken to, but I would say Mr Galea should also acknowledge that the government has a lot of work to do to improve the consultation process. Time and again we hear about consultold rather than consulted.

Transmission Company Victoria was created by the Australian Energy Market Operator to progress the VNI West. The TCV brochure for landowners states:

What if I don’t agree to the easement?

Transgrid is committed to genuine negotiations to reach agreement with you. If we do not reach agreement following the six month period after the initial offer or letter of intent is issued, Transgrid may take steps towards compulsory acquisition under the *Just Terms Act* – however this is typically as a final resort, and would occur in parallel to any ongoing negotiations with you.

This process has been a hard one, a very difficult one for regional communities. I know my federal Nationals colleague Dr Anne Webster has been out visiting, and I will quote from the *Gannawarra Times*, who reported on this. She said:

Just this week visiting Charlton, Donald and St Arnaud I met with one justifiably upset lady whose farm is in the VNI-West pathway and she’s been driven to tears by Transmission Company Victoria’s behaviour. Farmers have had to pursue legal advice or become experts in their non-existent spare time on energy, planning, property and other laws and regulations to know their rights.

I had a parliamentary intern, Henry Nind, who went out and spoke with people and interviewed some of these people that are being directly impacted by these proposed transmission lines. His report states:

Some developers completely avoid consulting with local communities altogether, and instead resort to ‘divide and conquer’ tactics to prevent coordinated community action and compel local landowners into selling their land at discounted prices. These tactics most commonly involve developers ambushing local landowners, arriving at their properties without prior notice and discouraging them from obtaining independent legal counsel, all in an attempt to pressure them into signing a deal on disadvantageous terms.

The report goes on to say:

The forcible expropriation of land to create easements also has the potential to reinforce the widespread perception that the Victorian Government does not care about regional communities and their interests.

Transgrid is now working with landowners and undertaking targeted surveys within the preferred route to identify a 200-metre-wide construction corridor, but I will say that the Labor government yet again is doing it backwards. They have already started identifying the route and we have seen AusNet taking padlocks off farm gates without permission, but now they are just developing the Victorian transmission plan. The Victorian Farmers Federation have been calling for a statewide plan for renewables and transmission lines since 2018, and Labor have been in government for a decade. I know Ms Watt referred to VicGrid and Engage Victoria, but I will just quote something that I read in the VicGrid fact sheet from July 2024. It says:

We will produce a Victorian Transmission Plan in 2025, 2027 and then every 4 years. We are getting ready to prepare the first one, the 2025 Victorian Transmission Plan, which will consider Victoria's energy needs over the next 15 years.

I will say that is a bit late. It goes on to say:

We are committed to implementing a new way of planning energy infrastructure that gives First Peoples, landholders and communities a real voice.

What did they have before? Obviously none. It goes on to say:

We are also inviting feedback on the study area until 30 September 2024. This feedback will be considered during the refinement process to identify draft proposed renewable energy zones, which will be shared for feedback in the draft 2025 Victorian Transmission Plan in early 2025.

...

You'll find the full draft Victorian Transmission Plan Guidelines, study area and more information about how to provide feedback and other engagement opportunities at engage.vic.gov.au/vicgrid

I do share that with you because I think it is really important that people take the opportunity to make a submission to the Victorian transmission plan, which is open until 30 September. I only hope that the government listen to the feedback, because I was in Bendigo at the recent rally where we had nearly 500 people protesting at the All Seasons resort outside where the Premier was in attendance at a Rural Press Club luncheon and yet she failed to go out and listen to the concerns that were being raised by farmers from right across the region. There are so many legitimate questions that remain unanswered. Now, these are people that live, work and raise a family. They volunteer in regional committees. They put food on our tables and clothes on our backs. In some cases families have been there living in those communities for five generations and now they are finding themselves on the path of a transmission line, and they are scared because no-one in this government is listening.

The minister has overridden the process, removed the rights of appeal to VCAT and removed the rights of local councils and is just rolling out with any concerns, and the Premier's response to 'respectfully disagree' with the concerns raised is very disappointing. The government did produce a report that has been conveniently taken down that said 70 per cent of Victorian farmland could be subject to infrastructure development. I think farmers deserve a right to be heard. They make a significant contribution to the agricultural industry, and there are nearly 70,000 jobs in agriculture in our state, but Labor cannot manage money and they have certainly made an absolute mess of Victoria's energy supply. We need secure, reliable and affordable energy that has a balance from different energy resources.

I have spoken with businesses who are worried – manufacturing companies in Bendigo that rely on gas and pay huge amounts for electricity. The cost-of-living crisis and the cost of production is causing a crisis for our manufacturing sector, and these costs are being driven up because of the policies of this government. I was also contacted by a gentleman who raised concerns about the process of consultation, and he said it has not been transparent at all. The Liberals and Nationals proposed an inquiry into the high-voltage powerline transmission system, and I am very pleased that there will be a committee inquiry into this, because this does not just matter for regional Victorians; it matters for the whole of our state.

Tom McINTOSH (Eastern Victoria) (11:15): I have read through this motion a number of times trying to get my head around exactly what the Liberals, it seems with the support of the Nationals, are trying to put forward today. Mr Davis is not here. The fact that the Liberals have only put two speakers on this motion shows how much they really care about it and how important it is. The Liberals have given this critically important portfolio to Mr Davis, yet he treats it with such little regard. He put so little detail into the motion, and we are standing here for 90 minutes debating it, wasting all of our time, when there is no tangible outcome to come out of the words that are put on paper. What is the Liberal Party's plan to power this state? There is no plan. There is opposition, there is negativity, there is fearmongering and that is it. There is nothing viable put on the table by the alternative government in this state. There has been nothing in the contributions we have heard about the critically important task of powering this state and how the opposition would do it.

We talk in this place very frequently about how for 100 years we have had our state powered by the Latrobe Valley, and we have had 6000 kilometres of transmission lines across this state during that time. I grew up on farms near transmission lines, and where were the Liberals in all those decades? Where were the Liberals screaming against transmission lines during that period? You were not. We had to get on and power the state, and that is what we have to keep on doing. For over two decades the Liberals have denied climate change and have delayed action on climate change. It is absolutely important that farmers are consulted on how this transmission is rolled out, where it is rolled out and where compensation is applied. It is the same for communities. That is why we have development funds to ensure that communities are all benefiting. That is why we are ensuring that First Nations communities are benefiting. Probably one of the most disgraceful things I have seen in my 2¼ years in this Parliament was David Davis moving amendments to see that our First Nations communities would not see a dollar out of this.

The important thing about the tens of billions of dollars that are going to flow across this state in the next couple of decades as we repower is the share of that wealth across our communities. When there are new renewable projects there are jobs in local communities that will see workers having families and sending kids to the local schools. It is about seeing money in communities – seeing footy clubs get money and various sports groups and various community groups. That is why these development funds are important – because they identify what is important to the community and where it should be spent. We see great examples of this in towns like Mirboo North where funds are held, managed and distributed by the community for the community. We saw what happened in Mirboo North earlier this year. We have seen the storms across the place. We have seen how they affect particularly regional Victorians and we have seen how they affect farmers, yet we have not heard one word of that today.

Just last week I was at the new energy conference in Gippsland. Hundreds of people assembled, talking about the delivery of new energy. This is, I think, the third conference I have attended. This is work that has been happening over years – setting targets, providing investors with certainty, seeing renewables go up. That is why we have 40 per cent renewable energy generation in this state right now. That is why in 11 years, 95 per cent of this state's energy will come from renewables, because we have set a plan and we have given a course for industry to follow. But you are not interested in giving industry any certainty. All you have given industry in recent decades is uncertainty, and you are at it again. I do not even want to talk about nuclear, because it is a waste of time, but you have flipped on your head. We could stand here and talk for 20 minutes on nuclear and how absurd it is. I do not know what Menzies would think if he looked at all you right now; you are ideologically absurd. There is no connection with economics. There is no connection with outcomes. It is just: how do we wreck, how do we destroy, how do we whip up fear in communities?

What I do not understand is why you are so hell-bent. There is language in here – I need to find it in my notes – basically wanting to put in further barriers to farmers getting income. I thought you were the party of trusting businesspeople, which farmers are, to get on and get income to their farm – because when droughts hit, when severe weather events hit, you know what is pretty handy to a family farm? Having diversified income. But you are so ideologically opposed to it. I was out at a farm two

days ago turning the first sod on a project for 5 megawatts of solar alongside agri. This is absolutely the way of the future, where farmers are diversifying their income and we get energy security. I know you lot would rather see oil get shipped from the other side of the world from some dictatorship, brought past nations that are potentially geopolitically insecure, to be burnt to add to our emissions. No talk about emissions over there.

Bev McArthur interjected.

Tom McINTOSH: Bev, you could have been in the Greens with your contribution. The environmentalist has come out of nowhere. Next you are going to be saying we should get cattle off the ground. Your contribution was environmental extremism, and you know why? It is all because of your ideological opposition to renewables, because you see it as a way, you see it as a political path. That is all you see it as: a political path. And there was no mention about the economic opportunity –

Moir Deeming: On a point of order, Acting President, the member is constantly pointing, and I am terrified.

The ACTING PRESIDENT (Michael Galea): There has been some pointing. I will ask Mr McIntosh to refrain from pointing at the opposition.

Tom McINTOSH: I would like to thank you for the point of order. I will absolutely take that on board. There has been no talk about the fact that power prices have come down in the recent default offer. There is no talk about the fact that renewables are the cheapest form of energy. We are not hearing about that, are we, because there is no plan from those opposite.

David Davis interjected.

Tom McINTOSH: Here we go – Mr Davis is back. I will come back to what I started my debate with: it is breathtaking that a party that presents itself as the opposition government in this state, much like its federal counterpart, has no plan for energy. They have no plan for the economic impacts it has on this state, for our homes, for our businesses, for government. There is no plan; there is just fearmongering and rot, and Victorians see that. They see it is all part of this ideological vent that has driven over 20 years. As I said before –

Bev McArthur: You must hate the community, Mr McIntosh.

Tom McINTOSH: No, Mrs McArthur, I have a deep care and concern for community, which is why I am in this place. I tell you what, it is our entire community that is going to suffer without action on climate change. Every time someone opens up that insurance bill – insurance bills went up 16 per cent last year – every time a farmer gets smashed by a severe weather event there are crocodile tears post these events but no plans and no actions to get in front of what is coming. That is why I stood up here last week for a members statement – to call out you lot. That is what I did and I have not heard a word since, and I am sure that we will not hear a word going forward. All we are going to hear is maniac ideology that does not provide any plan for Victorians.

Sonja TERPSTRA (North-Eastern Metropolitan) (11:25): I also rise to make a contribution on this motion in Mr Davis's name, and by and large it is in regard to the transmission lines. I have had the benefit of listening to Mr McIntosh's contribution, and I am looking at all of them lining up there on the opposition benches ready to have a crack. But Mr Davis skulked away. He skulked away out of the chamber, because he did not want to hear. I will do my best to give voice to this contribution.

I think the important thing to say up-front of course is that the government opposes this motion. The last part of the motion actually talks about calling for:

... examination and economic assessment of the impact of the proposed transmission lines on agricultural production, including on individual properties, prior to the granting of any permits ...

et cetera. What is lost on those opposite is that the cost of doing nothing is actually far greater than doing something, which is proposed as part of this government's agenda in transitioning to renewable energy. Mrs McArthur's interjection earlier was about farmers not being able to get insurance and the like, but the truth of it is that whether you are a farmer or whether you are someone who owns residential property, if we do nothing about climate change, the cost of doing nothing will mean that there will be more frequent serious storm events, like we have seen recently. We have had intense rainfall, as we have seen with the floods in 2022. What we know, and what is predicted with a lot of certainty, is that if we do not act on climate change, we can be absolutely assured that there will be more extreme weather events. Whilst this motion focuses on the proposed transmission lines, the economic assessment and cost, it is misguided, because the facts are that if we do nothing and we do not transition away from fossil fuels, the costs will be a lot greater.

I have spoken to many people in my electorate but also when I have gone out and about on various inquiries that have been undertaken in the past – and I think people on the opposition benches forget that I actually did have a life before I came to this place and I have actually engaged with people from various backgrounds, including farmers – and there are differing views amongst the farming and agricultural community about climate change. Not everyone is on a unity ticket about how it should be handled. The bottom line is that the transmission lines are an integral part of how we are going to get power to people. The point is that just because you are on the opposition benches does not mean that you know what is best for people. What we like to do over here in government is listen to our experts. We listen to experts like engineers, like scientists and like people who actually work in the sector, because Mr Davis, we know what would happen if you lot were ever in government. I mean you could not even put together a motion last sitting week that was coherent, so we can imagine what you lot would do if you were ever in government. It would be a shambles. It would be an utter shambles.

Bev McArthur interjected.

Sonja TERPSTRA: It is going very well in fact. I talked earlier about our economy, how it is growing and all the jobs we are creating. Most Victorians would agree with me when I say this. Many Victorians and certainly our government understand how important the agricultural sector is, particularly our farmers, because Victoria is a really important food bowl. If we continue to have extreme climate and weather events of the like that we have seen in recent years, which put under serious threat Victoria's capacity to produce food, whether it is crops or beef or cattle or sheep or whatever you want to talk about, climate change is a serious threat to that sector. I know that not everybody is on a unity ticket with those opposite when it comes to talking about the western transmission lines, and people want to be assured that when they turn on the lights there will be power. Victoria's ageing coal-fired generators are becoming increasingly unreliable and are retiring. By 2035 the remaining 4.8 gigawatts of coal-fired generators will be gone.

The point is, if we actually do nothing, then the lights will be out, and we cannot afford to do that. We are working to ensure our renewable energy projects, and I am really excited every time I hear about the progress that is being made on including wind in the renewable energy mix, the progress of wind farms that are going ahead and all the other projects that are coming on line. We know that when these coal-fired generators do shut down the mix of renewables is there to support the fact that, when you turn the switch on, the lights on, you will have power, and that is really important. At the same time we are working on reducing carbon emissions and making sure that we meet our renewable energy targets but also on reducing the impacts of climate change. Farmers and other industries are susceptible to extreme weather events, and we want to build resilience into those sectors because they are important contributors to the economy.

Again, this motion, as I said, is misguided. It says we are not consulting and we are not doing this or that. These are the same lines from central casting that get trotted out again and again: we are not consulting, we are not doing this and not doing that. But again, I can say that, in regard to this issue, many Victorians are not on unity ticket with those opposite when it comes to this matter. What Victorians want is reliable energy and power, and we have a plan to keep the lights on and to keep

prices low. When I talked about the GenCost report the other day, I think the estimates were that if we did include nuclear into the power mix, we would have energy bills that would increase by over \$1000 per kilowatt hour. Those opposite, goodness me if they were ever in government. I do not know how I would pay my power bills, and it is a scary proposition to think, if they were ever in government, what would be involved in the energy mix. I think we would have more brownouts and blackouts than we have ever seen in Victoria's history. Again, it is a misguided motion. This motion is another time-wasting episode and an attempt by the coalition to block the renewables rollout.

John Berger interjected.

Sonja TERPSTRA: This is it, Mr Berger: only two speakers. Again, it is about the coalition just wanting to block our attempts at renewables. They want to block our attempts at managing climate change. They are just time-wasters. This project is being thoroughly assessed by the Australian Energy Market Operator through a six-year planning process to date, followed by a two-year environment effects statement process. Honestly, we are consulting. That is what an EES process is designed to do – to talk to people who may be impacted by these things and get their feedback on it. Independent consultants have also done a thorough assessment of plan B and found it wanting, and if we took any advice from those opposite nothing would ever get built. As I said, the lights would go out and Victorian power prices would absolutely go up. Again, it just is negative. I know they try to come up with something, some kind of alternative, but again, it is half-baked or underdone, not cooked and not thought through. I think that the primary objective of those opposite is to simply say: 'No. Anything the government does – bad. Bad government bad, and we oppose.' But what Victorians want is leadership from the government, which they elected with an increased majority I might add. We were elected to govern, and we do that every day because we are working on reducing the impacts of climate change and we are working on rolling out our renewable energy projects, and the western transmission line is an important part of that. I conclude my contribution there, and as I said, we will be opposing this motion.

David DAVIS (Southern Metropolitan) (11:35): This is a very reasonable and moderate motion, a motion that draws attention to the government's failures to consult properly and a motion that actually calls for a better way forward. The government ought to consult properly in the community, the government ought to undertake proper steps to understand the best way forward and the government ought not to do the damage that it is doing in country Victoria now. I make the point that it is quite possible to accept that there needs to be a transition to lower emission technologies and lower emission generation and to point out that there are problems with the government's approach with its long-distance, high-voltage powerlines and the arrogant approach that it has adopted. We heard from Ms Terpstra that the government was here to help and the government was going to do the right thing. I am far from convinced. Everyone I have talked to in country Victoria says that in fact the government has steamrolled communities arrogantly. It is a long-term government, 10 years old, well out of touch and doing considerable damage to our country communities.

Council divided on motion:

Ayes (17): Melina Bath, Jeff Bourman, Gaele Broad, Georgie Crozier, David Davis, Moira Deeming, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Rikkie-Lee Tyrrell, Richard Welch

Noes (22): 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, Georgie Purcell, Samantha Ratnam, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Motion negatived.

Housing

Evan MULHOLLAND (Northern Metropolitan) (11:43): I move:

That this house notes that:

- (1) Melbourne and all of Victoria is in a housing crisis;
- (2) the cost of building a new home is set to rise with the introduction of new minimum efficiency standards which will increase costs for volume builders by 8 to 10 per cent;
- (3) these new standards will not be offset by decreased energy bills, with around a 208-year return on investment for home owners;
- (4) up to 42 per cent of the cost of a new home in Victoria consists of taxes, fees, and charges;
- (5) Victoria raises the highest combined property tax revenue per person out of all the states;
- (6) Labor introduced the vacant home tax, the affordable housing tax, the holiday tax and the vacant residential land tax and the rent tax and increased the fire services property levy, increased land tax and stamp duty, and has now floated another tax, a homeowner tax on every single home statewide; and
- (7) Labor has no plan for housing affordability, just a plan to tax Victorians.

I rise to speak on my motion today because I think it is important to note for this house that we are in a housing crisis but also the contributing factors to that housing crisis and the effect and impact that this government – this decade-old, tired, exhausted Labor government – has had on the housing crisis. I want to particularly point out the impact of taxes in regard to the housing crisis. I want to point to research from the Urban Development Institute of Australia Victoria that came out recently. They note that in Victoria 42 per cent of every home built is made up of taxes, levies and charges from this state government. When you go to buy a new home, it is this state government that is making the housing affordability crisis worse. It is this state government that has introduced and jacked up windfall gains tax. It is this state government that has introduced new land tax and new regulations and red tape that are impacting on young people's ability to find a new home and that are impacting on migrant families and their ability to find and buy a new home. More and more taxes will only damage the housing affordability crisis. Even the Treasurer has admitted recently that the property sector has reached its limit on new taxes, in a plea of desperation to the Premier to stop spending money. Actually he seemed like he was opposed to the government's attempt to bail out hospitals.

We see crisis after crisis, particularly in the housing sector. In 2012 property taxes were responsible for less than 18 per cent of all state government tax income. Over the past decade this has risen relentlessly to over half of the state's tax revenue and is forecast to remain high in the 40 per cent range for the next four years, showing a broken system. The Urban Development Institute of Australia's research shows that 42 per cent of a new home is made up of taxes, fees, levies and charges. On an average Melbourne home, over \$420,000 of that cost goes to various levels of government. There is no doubting the direct link between development taxes and charges and house prices. And Victorian families are forced to borrow to pay for these charges, meaning that 42 per cent of every mortgage repayment goes to paying the government. I do not think the government is spending that taxpayer money very well – money that could otherwise be spent supporting local businesses and creating jobs, money that could get more young people into the housing market.

We see new energy efficiency standards, which experts have said will add around \$35,000 to the cost of a new home in the middle of a housing crisis. We all want more energy-efficient homes. We already have a 6-star energy efficiency standard, and there comes a point where efficiency standards are not worth the cost. In fact the government will say that these efficiency standards and the extra cost involved – and they do acknowledge that there are extra costs involved, of course there are – will be returned to them in the cost of their power bills. But we know from the Real Estate Institute of Victoria that these new standards will not be offset by decreased energy bills, with around a 208-year return on investment for home owners. A 208-year return on investment – 'Don't worry, Mum and Dad from Donnybrook, we're going to put in these standards, we're going to add \$35,000 to the cost of your new home, and you'll have to wait 208 years to get a return on investment.' These are ridiculous rules.

We saw what the Premier would like to call a backflip. We know there was briefing in the lead-up to that *Herald Sun* article on gas that the Premier was going to take the Minister for Energy and Resources, Ms D'Ambrosio, for a walk. She was the next minister after Pallas and then after Symes on crime, and it was briefed out, probably by the Premier's private office, that the minister for energy would be next to be taken for a walk. Obviously the Premier has confronted reality. We saw a splash on the front page of the *Herald Sun* saying gas stovetops are safe. There is a problem with that, though, with their *Gas Substitution Roadmap* – because they still want to tax the bejesus out of you for replacing your gas heating and replacing your gas hot water – that you will have to change, and it will cost tens of thousands of dollars to do so, but you can keep your gas stovetop. It does not make sense. It will actually add more cost to consumers.

Also what this government is doing is discriminating against people living in growth areas – living in places like Donnybrook, places like Woodstock, places like Greenvale, places like Beveridge, places like Wallan, places like Wyndham Vale and places like Melton. They are discriminating against people living in growth areas by saying to them, 'You can't have gas in your home,' denying them the energy choices we all need. The Premier now says energy choices are really, really important, but clearly not enough for people doing a knockdown rebuild, for people moving into a new apartment building, for people renovating their home, to be able to still keep cooking with gas. The Premier says that you can keep your gas stovetops. You cannot keep anything else that is gas related. In fact the minister for energy has said some ridiculous things about gas, calling it fossil gas and quoting so-called health experts about the risk of having a gas stovetop in your home. The Premier seems to think that is all right now, so that shows the dysfunction on that side of the chamber. I know they are all very concerned about the front page of the *Age* today, and so they should be, because the Premier has backed down on crime, now on gas and on duck hunting thankfully. Despite their backdowns on a number of issues, annoying their left-wing backbench, they have not recovered their position at all. What they are doing is adding to the cost of new homes, making it harder for people to have energy choices, adding \$35,000 to the cost of a new home.

But I want to go to their so-called housing statement. We are big on anniversaries on this side of the chamber. I am actually coming up to my two-year anniversary of being in this place. But an anniversary we are coming up to is the anniversary of the so-called housing statement. Remember that? The government spent months preparing it and months briefing out about how fantastic this housing statement was going to be. They came out and they said, 'We're going to build 80,000 homes each and every year for the next 10 years in an 800,000-over-10-year target' only to have in the last round of estimates hearings the secretary Jeremi Moule having to clean up after this government and state that it is not a commitment to 80,000 homes a year but actually 800,000 over 10 years. Well, I actually kept the receipts. I often keep receipts – you know, tax time comes around and you have got to collect them all and put them in, so I enjoy keeping receipts. The housing statement website until recently actually said that *Victoria's Housing Statement: The Decade Ahead 2024–2034* focuses on five key areas to tackle housing supply and affordability in Victoria and that it aims to deliver 80,000 homes each and every year across the state. Many government websites specifically stated this. I note the Premier herself said on 3 October in the Parliament:

... as part of that effort to build 80,000 homes a year, each and every year, for the next 10 years ...

On 3 October 2023 the Premier said that in Parliament.

We had Ms Shing saying it on multiple occasions – five I believe: 30 November, 16 November, 2 November, 4 October and 3 October 2023. All were specifically stating in *Hansard* from that place '80,000 homes a year – that is the plan.' Well, they have actually gone backwards since last year, only delivering in the low 50,000s. So we are meant to believe that the government can hit that target but also get to 800,000 over the next 10 years, which is what they have committed to – they believe that they can somehow make up for that and get to 800,000. Well, I have got a harbour bridge to sell them!

But we know that many other members have specifically talked about the 80,000-homes-a-year target. Gary Maas specifically mentioned it – it is in *Hansard* on 2 November 2023 – and Tim Richardson. We are talking about all outgoing members here, because they will be gone by 2026. Anthony Cianflone on 19 October 2023 – and if Dr Ratnam does not get up in Wills, you can bet she will be the candidate for Pascoe Vale at the next election – mentioned 80,000 homes a year, each and every year. But of course our good friend Mr McIntosh on 2 May this year – not too long ago – said:

That is why 80,000 homes a year will be built over the next 10 years in addition to significant reforms to renting ...

Mr McIntosh has clearly misled the Parliament. Jeremi Moule disagrees with him. The government now disagrees with him. Every government website has been wiped of the ‘80,000 a year’. Perhaps Mr McIntosh will send an email to *Hansard* correcting the record – that he did not mean to say that in his speaking notes.

Bev McArthur interjected.

Evan MULHOLLAND: That is right. So you have got a load of members that have clearly misled the house. Now they want to clear all their websites and clear the cache of all the ‘80,000 homes a year’ mentions, but they still appear on the premier.vic.gov.au website and their media releases – which cannot really be deleted, can they? There they mention the 80,000 homes a year target. This government cannot be trusted on its promises.

There was a good example of that recently. It took them about five or six months to prepare for the housing statement, the anniversary of which is coming up, and that was supposedly done with wide industry consultation. They signed an affordability partnership with the significant stakeholders in the sector as part of the housing statement to bring everyone into the tent. That fell apart about a few days after the state budget when they decided to massively jack up land tax. They are meant to be working with the sector to deliver these homes, but then they massively jacked up land tax, impacting on the entire sector.

We saw recently that they were wanting to clean up after that, so they pulled together a round of stakeholders for a bit of a love-in, a housing summit. They have clearly got someone from Kevin Rudd’s old Prime Minister’s office working in the Premier’s private office to come up with an idea like that. We saw that Jacinta Allan convened this with the property sector but that Labor members and ministers walked out before the sector had even spoken. They were supposed to be gathering everyone in to talk about how they can alleviate the housing crisis that is impacting on all Victorians, but all they have done is fail to deliver 80,000 homes each and every year and then have their ministers that are responsible for housing literally walk out before the property sector got the chance to be listened to. They would have told you the impact of the land tax on the property sector, they would have told you of the impact of regulations and red tape on the property sector and they would have told you that there is no way you can meet 80,000 homes a year. In fact there is no way you can meet 800 homes each and every year. So the Allan government convened a meeting to listen but walked out on the sector before they even had a chance to speak. They have broken their promise on 80,000 homes a year. Only Labor could hold a meeting in aid of trying to fix a problem and walk out before trying to solve it. It is this government that is making the housing crisis worse.

But what is really at the bottom of this I think is the fact that this government is now desperately putting out media releases and saying they are consulting with the community, trying to clean up after their failed, eight-year Minister for Planning Richard Wynne. They have completely distanced themselves from him, after going around town talking about protecting neighbourhood character and putting mandatory height limits in places like Brunswick. For whichever member wanted a mandatory height limit, you bet Richard Wynne wanted it. They now speak to us about protecting development in our seats, yet Richard Wynne went all around town in Labor seats protecting Labor seats and introducing mandatory height limits, stopping developments and lining up – including when he was in opposition –

with some grey-haired locals for the *Age* to talk about overdevelopment in our community and how terrible the Liberals are.

Well, I will give you some facts. The Liberals approved more homes in our four years in government than Labor have approved in 10 years. We are the party that approved more homes in four years of our time in government than Labor has in 10 years. That massively reduced and alleviated pressures in regard to housing affordability and rents. I know Mr Galea and Mr McIntosh are desperately trying to distance themselves from Richard Wynne, but he went around blocking developments wherever he could, even in places like Brunswick. We know that he sided with the old City of Moreland, which many on that side of the chamber will be familiar with – I think Dr Ratnam was even mayor – against our plans to actually boost development in the area. Now they want to go around saying they are the kings of development. Now they want to go around saying that they are on the side of young people with their changes.

Business interrupted pursuant to sessional orders.

Questions without notice and ministers statements

Construction, Forestry and Maritime Employees Union

Georgie CROZIER (Southern Metropolitan) (12:00): (661) My question is to the Attorney-General. Attorney, the interim report by the Premier's hand-picked adviser, Greg Wilson, found that Victorian integrity agencies:

... cannot investigate the sub-contractual arrangements in place between private sector providers on major government construction and infrastructure projects.

Attorney, were you aware that Victorian integrity agencies cannot investigate corruption on Labor's CFMEU-controlled worksites?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:00): I thank Ms Crozier for her question. You have answered your question in the way you have asked it. There are things within the remit of IBAC and the Ombudsman that they are responsible for investigating, and there are things that are not. In relation to Mr Wilson's final report or any conversations with integrity bodies over their jurisdiction, there are conversations that are always ongoing.

Georgie CROZIER (Southern Metropolitan) (12:01): Attorney, given that you were aware, why has the government failed to act upon the systemic corruption that has gone on for years?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:01): I thank Ms Crozier for her question. Again, the answer is in the question that you asked, because you just outlined the report and the work that the government has undertaken in response to allegations. I think you are also aware that the Premier is on the public record as having referred matters to police when they involve criminal allegations, and I would absolutely urge anybody with information to report it to the appropriate authorities.

Community safety

David LIMBRICK (South-Eastern Metropolitan) (12:02): (662) My question is for the minister responsible for the Control of Weapons Act, which is the Minister for Police in the other place. There has been a sharp increase in violent crimes across Melbourne over the past year. For example, in recent weeks the residents of Cranbourne have suffered incidents of stabbings, shootings, being followed home and carjackings at knifepoint. It is the role of police to keep the public safe, and they are doing the best they can in the face of staff shortages, but they cannot be everywhere at once and cannot be there to protect people as they are being assaulted. Given that the government continues to withhold the public's right to defend themselves with pepper spray, what does the government propose citizens do in the face of being assaulted before the police arrive?

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:02): I thank Mr Limbrick for raising these issues about community safety. I am sure the Minister for Police will happily respond, and I will make sure I get a response in line with the standing orders.

Ministers statements: suicide prevention

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:03): Today I rise to acknowledge that yesterday was World Suicide Prevention Day. On this very significant day I was very proud to join the Parliament, my government colleagues, lived experience advocates and sector representatives, including the Parliamentary Secretary for Mental Health and Suicide Prevention Tim Richardson, to officially launch Victoria's new suicide prevention and response strategy. Each death by suicide is one too many. We know that for every suicide there are many more people who are deeply affected, and the impact on family, friends and the community can be devastating. We also know that suicide is not just a health issue; the causes are complex and can include social and economic pressures faced by individuals. That is why our new strategy outlines a shared vision: all Victorians working together to reduce suicide, which commits us all to working across government to target the drivers of stresses and distress that sit outside our health and mental health systems. A key recommendation of the royal commission, this new strategy forms a crucial part of the ongoing transformation of Victoria's mental health and wellbeing system, and this strategy will complement the important reforms already underway to implement its suicide prevention and response related recommendations.

We have already expanded the hospital outreach post-suicidal engagement, or HOPE, initiative statewide to 33 sites across Victoria, a life-saving aftercare service for people who attend a hospital emergency following a suicide attempt, including establishing four additional HOPE services for children and young people. We have also established a dedicated suicide prevention and response office within the Department of Health to strengthen Victoria's suicide prevention and response efforts and deliver a system-based, whole-of-government and community-wide approach to suicide prevention and response. The Allan Labor government is committed to building a stronger mental health and wellbeing outcome for all Victorians, and this suicide prevention strategy provides us with that opportunity.

Police conduct

Katherine COPSEY (Southern Metropolitan) (12:05): (663) My question is to the Attorney-General with regard to police oversight. When upholding the fundamental civil right to protest, police are required to not use force, except when it is strictly necessary and proportionate to do so. This has not happened at the protests currently taking place outside the Land Forces arms fair. Independent legal observers have today witnessed police deploy weapons in very dangerous circumstances, including throwing flash grenades and firing rubber bullets into large crowds and charging horses into crowds of people who do not have room to move away. Independent legal observers wearing vests clearly marking themselves as legal observers have themselves been assaulted and pepper sprayed by police. Minister, this is clearly excessive use of force. What will the government do to stop this use of violence and excessive force by the police?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:06): Ms Copsey, you have put allegations on the record, observations about an event that you do not seem to be at, but I understand that perhaps you have got a line of sight, given one of your colleagues has made reference to the fact that they are using today as an opportunity to make their own protest. I have been on the record and many people in this chamber also support the right to a peaceful protest. When Victoria Police are present at protests, they have got a responsibility and powers to keep people safe. I would confirm that this applies to not just people attending an event that other people are protesting against but that they have got a right to protect people that are there protesting – whether it is members of Parliament, whether it is members of the media or whether it is people that are there to voice an

opposition to something. We do not have a problem with that. But anyone looking to cause issues – block traffic, threaten community safety, hurt animals – should be dealt with swiftly by Victoria Police. As you are aware, Victoria Police have been granted special powers for this event, and the community does not expect them to hesitate in using their powers to keep people safe.

In relation to any allegations of excessive force, there are appropriate mechanisms to make complaints about any such conduct. I reaffirm my thanks to Victoria Police for their role in attempting to ensure that at an event that generates at least \$70 million for the Victorian economy and that has many international and interstate visitors attending as well as people standing there to voice their opposition to a range of matters people can go about their business safely, for whichever side or views that they hold.

Katherine COPSEY (Southern Metropolitan) (12:08): Thank you, Attorney, for that answer, and as the first law officer of this state I am sure you will pay keen attention to the observations of independent legal observers who have been at today's protests. Excessive use of force by Victoria Police is not new. In April this year an IBAC thematic review of 15 separate investigations into Victoria Police's use of OC spray found that:

the decisions and actions of police escalated incidents or increased the risk of safety of those involved

Attorney, will you support an inquiry by IBAC into police tactics and excessive use of force at the Land Forces protests in Melbourne this week?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:09): Ms Copsey, I am often drawn into this expectation that as the Attorney-General I have the right – but also there is the expectation from this chamber – to direct IBAC. I find it really dangerous and inappropriate. It is a misuse of my power, and it is something that I do not engage in.

Housing

Evan MULHOLLAND (Northern Metropolitan) (12:10): (664) My question is to the Minister for Housing. Minister, in a deeply cynical move the Allan Labor government has removed nearly 10,000 vulnerable families from the official public housing waitlist, hiding them deep in Homes Victoria spreadsheets. Why are you deliberately misleading Victorians about the true scale of your government's failure to deliver homes to vulnerable families?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:10): Thanks, Mr Mulholland. I am going to actually start by outlining the way in which the housing register works and the way in which it is distinguished by those people who are looking to enter the social housing system and to secure a home that is fit for their needs within the social housing system on the one hand and those people who are already in the social housing system on the other. The latter category relates to applications for transfer – that is, people within the system already who are looking to transfer to another social home within the system. This is something which again splits the list into two distinct categories. I do not accept the assertion that you have made that the latter category is in any way concealed. It is clearly outlined; it is publicly available data. I do want to be very clear that when we address the challenges of shortages in availability and affordability, not just in Victoria but around Australia, we need to understand what need it is that we are addressing, because the needs of people who are wishing to transfer are often very distinctly different from the needs of people who are in transitional housing, in crisis accommodation or indeed who are coming from homelessness.

One of the things that I have been very clear about is the interlinked nature of the housing system. At the moment we are seeing just under 40 per cent of people who are accessing homelessness services for the first time coming from private rentals. This is where when we have that measure of pressure on the system, we know that it takes all parts of the system to come together. When I talk about the Australian challenges being faced and the way in which data needs to be reported to reflect what that need looks like, I just want to perhaps provide you with a measure of comfort, Mr Mulholland, that

goes directly to the tenor of your question. In New South Wales, its website reports the numbers of social housing applicant households excluding transfer applications. In Queensland –

Evan Mulholland: On a point of order, President, the question was quite clearly about Victoria and narrowly focused on Victoria.

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

Harriet SHING: Queensland, Mr Mulholland, reports individual social housing applications rather than summary information excluding transfer applications. The ACT reports the number of new applications and transfer list applications in separate tables. In Western Australia, the annual report publishes numbers of total rental –

David Davis: On a point of order, President, this is not merely a contextual matter, this is going around the states in different ways, giving an answer to a question about Victorian housing. It is not about housing all around Australia. It is clearly an abuse.

The PRESIDENT: Mr Davis, the minister answered the question early on in the 3-minute time span that she has. She has got 2 seconds left. I think we will just go to the supplementary now.

Evan MULHOLLAND (Northern Metropolitan) (12:14): Minister, public housing towers are being demolished and there are 446 fewer public homes available compared to this time last year. Given the Allan Labor government's demolition of over 600 public housing units and its decision to remove nearly 10,000 families from the public housing waitlist, will the minister finally admit that the Big Housing Build is a complete sham?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:14): When we talk about the Big Housing Build, we will just go to the separate reporting and to the data that you have referred to. What we are doing here in Victoria is bringing our data into line with other parts of Australia around understanding what that need looks like. Since the Big Housing Build commenced we have seen 4800 additional homes come online and 9000 additional properties in total being added to the inventory. And if you look at the last 15 years, we have seen about 22 per cent more homes delivered here in Victoria than in New South Wales, and that is by far higher than other states when we talk about reference points. We have got about 3.4 million homes that have been delivered here in Victoria over the last 15 years, as distinct from about 2.8 million across New South Wales. The CoreLogic data that was released a couple of weeks ago, Mr Mulholland, is a useful starting point to get accurate data around that. You may wish to familiarise yourself with it.

Ministers statements: Victorian Training Awards

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:16): I was proud to attend the 70th – that is right, the 70th – annual Victorian Training Awards night, and what a night it was. The Victorian Training Awards recognise the outstanding achievements of apprentices, students, teachers, employers and training providers in Victoria's vocational education and training system. This year's winners reflect the variety of skills, talent and determination that thrive in the sector. This year I had the privilege of showcasing a beautiful clutch purse made by Box Hill TAFE graphic design and fashion students Carlyn, Matthew and Megan. As always the awards were filled with many inspirational stories of hard work, determination and the transformational impact of high-quality skills and training, from Teacher/Trainer of the Year Dr Adam Bignold, who is teaching cybersecurity and IT at Federation TAFE and whose work demonstrates that TAFE is always at the cutting edge of innovation, to the Koorie Student of the Year Taylor Hampton from Bendigo Kangan Institute, whose certificate IV in leadership and management is helping him in his role as a senior facilitator at the Victorian Aboriginal Child Care Agency. Melbourne Polytechnic was recognised as the Large Training Provider of the Year, and South West TAFE took home the Industry Collaboration Award for their work on mobile skills labs, enabling

training to take place in rural and regional Victoria. Many of the winners will go on to represent Victoria at the Australian Training Awards in Canberra later this year, and we wish them all the very best. I would also like to congratulate every winner and finalist and thank all of the trainers, teachers and supporters for their amazing work over the past 12 months.

Dhurringile Prison

Rikkie-Lee TYRRELL (Northern Victoria) (12:17): (665) My question today is for the Minister for Corrections. Now that the Dhurringile Prison has closed, my constituents still have many questions about the decommissioning process. Can the minister please explain what the decommissioning process entails for this site?

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:18): I thank Mrs Tyrrell for her question and her interest in my corrections portfolio. As Minister for Corrections, in June earlier this year I made a major announcement about the reconfiguration of our adult correctional system. It was about making sure that we make the best use of our best facilities, and that meant we had the opportunity to use our modern facilities at Western Plains, which will be opening by the middle of next year. It also meant the closure of the almost 60-year-old Dhurringile Prison and also the privately operated Port Phillip Prison by the end of next year. I do want to take this opportunity to thank the staff at Dhurringile, who have worked tremendously to keep our community safe. But as part of that I know from the community feedback we have had and through your representations and those of other members in this place that there is a great interest in what decommissioning work means, because that is what we have had communicated, so I do want to clarify that.

What I will say is that in terms of decommissioning that means removing the equipment and corrections-specific tools we have on site. It means removing those fixtures and equipment so that we can repurpose them and reuse them, possibly at other facilities. A good comparison for this – I learned this when talking to the department about decommissioning, because as minister I was obviously interested myself in what that would entail – is it is like moving house, so we are packing up and removing the stuff that we can use elsewhere and taking that. But I want to be very clear that there will be no demolition of buildings. I know a matter that is of great interest is the heritage mansion on site, the homestead, and that will be protected.

Rikkie-Lee TYRRELL (Northern Victoria) (12:19): I thank the minister for his answer. My constituents have voiced their desire to visit the site and see the historical mansion at Dhurringile for themselves. Can the minister commit to working with the community for an open day once the decommissioning work is complete?

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:20): I thank Mrs Tyrrell for her supplementary question.

A member interjected.

Enver ERDOGAN: It does sound like a great idea; I will take the interjection. At the moment the work is on the decommissioning and removing of our equipment and fixtures to repurpose as required. Obviously we know that the best ideas do come from local communities and we are taking the opportunity, and I was clear when we made the announcement that we will be consulting the community. I was clear when we made the announcements in June, so the department is undertaking that work. But I think a community open day is a good opportunity for the community to see firsthand the potential for the site. What I will make sure is that the department works towards that when the decommissioning takes place within that timeframe and that at the end of that you are informed of that as well as other local members.

Housing

Evan MULHOLLAND (Northern Metropolitan) (12:20): (666) My question is to the Minister for Housing. Yesterday it was revealed that the Premier has asked the Victorian Infrastructure Delivery Authority to make ‘absolutely clear the government’s expectations around unauthorised access by any individual on our government Big Build worksites’. Can you guarantee that Mr Setka will not be able to access any Victorian government housing construction sites?

Members interjecting.

The PRESIDENT: I am taking up the interjections that suggest that maybe this is the same question. For the life of me I cannot remember the question yesterday. There are rulings from previous presidents that a question can be similar and be put to a minister. I think it is similar. I will put the question to the minister.

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:22): Rather than table the answer that I gave yesterday in response to a couple of your questions and indeed questions from previous weeks, Mr Mulholland, what I am going to do is take you, for the benefit of you and your colleagues, through the way in which rights of entry can be exercised. Rights of entry, as regulated by the representation of registered employee organisations, are regulated by the act from 2009, and that sits immediately adjacent to the terms of the Fair Work Act 2009. In order to access a site you need to have standing as a representative of a registered employee organisation. It is not permitted for any member of the public who does not have the relevant acquittal of obligations and standing to enter – for example, as a registered employee organisation representative, to be on a site where safety is of utmost importance.

Mr Mulholland, it is my expectation that there is no attendance on sites by any member of the public. I do not want to see you on a building site unless you are a registered employee organisation permit-holder. I can almost guarantee, if you are looking for a guarantee, Mr Mulholland, that you will never be there on a worksite to represent workers safety.

Georgie Crozier: On a point of order, President, the minister is really struggling to answer a very simple question, and I would ask you to bring her back to what we asked in the interests of all Victorians. It is very simple, and I ask you to bring her back rather than debating the question.

The PRESIDENT: The minister is being relevant to the question insofar as regulations and laws apply to everyone.

Georgie Crozier: I could go into a hospital worksite if I am invited on.

Harriet SHING: I will take that interjection up, Ms Crozier. As I recall, when there was industrial action you had no compunction whatsoever about crossing various lines in order to attend a worksite that you called your base. What I would say is that I do not want and nobody on this side of the chamber wants any member of the public to be attending a site where safety is of utmost importance – not you, not Ms Crozier, not Mr Davis, no member of the public.

Georgie Crozier: On a point of order, President, I say again this is a very simple question and Victorians have a right to know whether the minister will guarantee that Mr Setka will not be able to access any Victorian government housing construction sites. It is a yes or no. It is not a debate; it is a yes or no.

The PRESIDENT: The minister is being relevant to the question. There are a number of rulings from previous presiding officers as well. It is not up to a presiding officer to force a minister to answer in a way that completely satisfies the person answering the question.

Harriet SHING: Thank you, President. If you are not an authorised, registered representative of an employee organisation – if you are a member of the public seeking to enter any building site – then you should not be there. There is no exception to this.

Members interjecting.

Nick McGowan: On a point of order, President, the standing orders –

Harriet SHING: Do you want your toilet or not, Nick?

Nick McGowan: I would like to talk about the toilet, but I will keep that for later. On a point of order, President, the requirement is that answers be factual. As the minister well knows, the right of entry is an entitlement, and it does not cover instances where the individual is invited onto the site. They do not need to have a right of entry in order to access the site. They can be invited to a site.

The PRESIDENT: That is not a point of order.

Harriet SHING: Again, I will take up Mr McGowan's substantive interjection. A right of entry – if you think that that is a right rather than something which is bound by the terms of workplace safety, the Fair Work Act 2009 and the registered employee organisations act of 2009, you have missed the point of industrial relations and the way in which it is regulated in Australia, not just in Victoria but in Australia. So I will finish where I started: if you are a member of the public, you should not be on a building site, and I do not care who you are.

David Davis: On a point of order, President, the point was specific to one individual, and the member did not answer about that individual once. She did not mention the word 'Setka' once.

The PRESIDENT: There is no point of order. From my previous ruling, there are many precedents from previous presiding officers and presidents that it is not up to a presiding officer to force a minister to answer in a particular way that satisfies the people asking the questions.

Evan MULHOLLAND (Northern Metropolitan) (12:28): The minister seems to be quite confused about industrial relations law given that anyone can legally enter a construction site if they have permission from the occupier or owner. So given that, will you write to all contractors making it clear that Mr Setka is not authorised to access any Victorian government housing worksites?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:28): Thanks, Mr Mulholland. Again, are you actually seeking that the government should come in over the top of industry and enterprise to prescribe the way in which private matters of building and construction are undertaken? Because, Mr Mulholland, as I recall, your background at the institute of freedom and fetters would seem to indicate –

David Davis: On a point of order, President, question time is an opportunity for government ministers to answer questions, not to attack the opposition, and that is clearly an attack on the opposition and not an answer to a question.

Members interjecting.

The PRESIDENT: Order! I uphold that point of order.

Harriet SHING: I would not imagine, Mr Mulholland, that you think an organisation that you referred to in your inaugural speech very proudly, namely the IPA, would want to see intervention into the way in which business is conducted.

Georgie Crozier: On a point of order, President, I know the minister is struggling to even utter the words 'Mr Setka' in any response; however, this is very important to the Victorian public, around the corruption that Labor has overseen, and this question goes to the heart of how this government is administered. Please bring her back to answering the question.

The PRESIDENT: That was a point of debate; it was not a point of order.

Members interjecting.

Harriet SHING: Yes, I have almost forgotten the question as well, perhaps more due to its forgettable delivery than anything else. Mr Mulholland, if you have any concerns or allegations to make, please make them, whether it is here –

Evan Mulholland: On a point of order, President, it was a narrow question about whether the minister will write to all contractors making it clear Mr Setka would not be authorised to access Victorian government housing sites. The minister has not come close to that.

The PRESIDENT: The minister at the start of her answer was relevant to the question. It is just that in the recent ping-pong, which I have kind of lost track of, she may have strayed from being relevant.

Harriet SHING: Your interjections show that you are not actually interested in the answer. My expectations are that workplace safety is front and centre of all that happens in building and construction. I would hope that it is yours as well.

Georgie CROZIER (Southern Metropolitan) (12:31): I move:

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

Motion agreed to.

Ministers statements: LGBTIQA+ community

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:31): I rise today in my capacity as Minister for Equality, and I refer to the federal government's recent announcement that questions on sexual orientation and gender identity will now be included in the 2026 census. This is welcome news, but intersex communities will not be included in the census, and here in Victoria I have been very clear, as has this government, that we will continue to advocate for the recognition and protection of intersex people and people with innate sex variation in characteristics. Inclusive data enables us to fund, deliver and adapt services and systems in ways that make a really positive and often life-saving difference to LGBTIQA+ people. This data also helps us to make decisions about public spaces, communities and resources that provide opportunities for connection and celebration.

In fact on Wear It Purple Day I was really, really proud to launch alongside hundreds of our wonderful librarians the rainbow libraries toolkit, which supports libraries across the state to provide more inclusive places to gather for our LGBTIQA+ communities. This toolkit was developed and co-designed with our libraries and rainbow families to ensure that all Victorians, regardless of their identity, have a place that is safe and inclusive in our public libraries. This was created in response to a rise in vilification of LGBTIQA+ communities and targeting of LGBTIQA+ inclusive events, including story time events for rainbow young people held at libraries.

I also want to highlight that September is Bi Visibility Month, with Bi Visibility Day celebrated each year on 23 September. Bisexuality simply means experiencing attraction to more than one gender. It is often misunderstood, under-represented and minimised both within and beyond LGBTIQA+ communities. About 11.1 per cent of the Victorian population identifies as LGBTIQA+, and many people are not aware that bisexual and multigender-attracted people make up the largest part of LGBTIQA+ communities. I look forward to continuing to work with this government around education, celebration, recognition and respect.

Drug harm reduction

David ETTERSHANK (Western Metropolitan) (12:34): (667) My question is to the Minister for Emergency Services. Accidental drug overdose deaths claim close to 2000 lives each year in Australia, with opioids the most commonly involved. With potent novel synthetic opioids like nitazenes reaching our shores, that number will increase exponentially. Naloxone is a life-saving medication that can rapidly reverse the effects of opioid overdose. Queensland has become the latest state to train and

equip its police officers to administer naloxone. The move follows a similar statewide trial in Western Australia, which saw naloxone added to the Western Australia Police Force toolkit. We hope to see Victorian police similarly equipped with this life-saving treatment in due course. However, as emergency workers are increasingly being called out to drug overdoses, I ask the minister: will the government consider equipping all frontline emergency workers with naloxone?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:35): I thank Mr Ettershank for his question. Look, it is a really important issue, and obviously you would be well aware of the work that Minister Stitt is doing in this space, with significant announcements this week and including legislation that will facilitate naloxone being available in vending machines for community use and the like. Your specific question is about frontline emergency workers. You have reflected on other jurisdictions and Victoria Police, but in relation to my role as Minister for Emergency Services, frontline workers would be confined to firefighters. FRV's 85 current stations are emergency EMR units – emergency medical response units. There are so many acronyms in ES. So they are already trained to deliver first aid and CPR and respond to instances where they may hear that somebody is unconscious and the like.

They are not currently permitted to administer any form of medication, and that extends to EpiPens et cetera. The restrictions or the protocols that inform FRV firefighters' ability to conduct activities under EMR are a matter for AV, and there is an advisory committee that looks at these issues. The issue you raised is an important issue, it is a contemporary issue, and I know that there are these types of conversations going on, but it is AV that sets those protocols. It would be a matter for the Minister for Ambulance Services to directly respond to the specifics of your question, but I hope that my explanation of how it all fits in gives you some guidance in relation to how it works and some comfort in the fact that, given the government's commitment to addressing drug-related harm, these are matters that many people are having conversations about. It is not directly within the remit of the Minister for Emergency Services, although in my role I would welcome conversations along the lines that you have presented.

David ETTERS Hank (Western Metropolitan) (12:37): I thank the minister for her response. My supplementary question may be better addressed to a different minister, but I will be guided by the Attorney on this one. Under Victoria's good Samaritan legislation, naloxone can be legally administered by a bystander to treat a potentially fatal overdose. However, there are inconsistencies in the Victorian Managed Insurance Authority's indemnity advice to harm-reduction organisations as to whether the administration of this overdose-reversal drug is part of their core business. Organisations are advised that non-clinical workers administering naloxone may not be covered by professional indemnity in the event of an adverse outcome unless they have called 000 first and spoken to an emergency services operator. Now, this is often not viable. With novel synthetic opioids, even a 30-second delay can lead to death or permanent injury. So I ask: what is the government doing or what can it do to ensure that non-clinical harm reduction workers are indemnified when administering naloxone?

The PRESIDENT: Before I call the minister, you may be right, Mr Ettershank, that your question could be better directed to a different minister, but I will let the minister respond and maybe offer information outside the standing orders.

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:38): I appreciate that, President. That is where I was going to go. I think for your first question, although it did not necessarily fit within the remit of the Minister for Emergency Services, hopefully I gave you enough of an answer to acquit that even though it would have been for the Minister for Ambulance Services. In relation to your supplementary, that is, in my view – and I think the President agrees – more appropriately directed to Minister Stitt. Given I answered your first one, I cannot refer it to her, so outside the standing orders I am pretty sure Minister Stitt would be happy to have a chat to you.

Regional infrastructure

Melina BATH (Eastern Victoria) (12:39): (668) My question is to the Minister for Regional Development. Twenty-five per cent of Victoria's population lives in regional Victoria. However, the PBO has identified that over a number of budget years the regions received only a little more than 10 per cent of the infrastructure build from the Allan Labor government. Why has the Minister for Regional Development been so ineffective in achieving a fair share of infrastructure spend for regional Victoria?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:39): Goodness me. \$45 billion has been allocated to regional Victoria since 2014. There are absolutely no grounds for those opposite to claim that there has not been significant investment in regional Victoria. Our contributions have been absolutely significantly more than what you did when you were in government for four years, a time when it could be testified you did nothing for regional Victoria, let alone Victoria.

Members interjecting.

David Davis: On a point of order, President, the opportunity in question time is for ministers to answer questions, not to attack the opposition. She is heading down that road.

Harriet Shing: On the point of order, President, the nature of the question itself was an attack on government. When the minister got to her feet to begin the answer, the interjections came thick and fast in a way that invited response, and reasonably so.

The PRESIDENT: The minister has only been addressing the answer for a bit over 30 seconds. It was actually difficult to hear her too with the interjections.

Gayle TIERNEY: Thank you, President. I also remind the house that I think that I have been minister for around 12 months, so to actually make the claim in the question that the member put to the chamber is somewhat ridiculous, to be quite frank.

What I do need to do is to remind the house again what I did in the chamber at Echuca, which was to remind the house of all of the investment that this government has made in terms of regional Victoria. We have created over 180,000 jobs in regional Victoria since 2014. There is an all-time high of regional Victorians now in work – 840,000 regional Victorians in work. Regional unemployment has remained at a historic low, at around 4.1 per cent. We also know that we have facilitated more than \$600 million in exports from regional businesses, and we are on track to secure more than \$1 billion in private sector investment in our regions between 2022 and June 2024. We have also cut regional payroll tax by 75 per cent to just 1.2 per cent, the lowest in the nation, a quarter of what it was under the opposition when they were in government.

This government has done a lot in regional Victoria, and indeed I also refer those opposite to an opinion piece, an op-ed, I had in the *Geelong Advertiser* on Monday, which again exemplifies what this government has done in the Geelong regional area as well, in the G21 catchment area, as just one example. But also of course we have in the most recent budget allocated \$2 billion in services and projects that really matter to regional Victorians. When we look at the Tiny Towns Fund, a fantastic, well-received fund, even those opposite, their local members of Parliament, have been in their local papers trumpeting – *(Time expired)*

Melina BATH (Eastern Victoria) (12:44): I note the minister's response. The CEO of G21 Geelong Region Alliance Giulia Baggio identified the \$200 billion price tag for the Suburban Rail Loop as taking valuable funds away from regional Victoria. Why, Minister, are you supporting the Suburban Rail Loop at the expense of regional Victorian communities?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:44): This government has on average invested over \$4.5 billion annually, and that

is significantly more than what those opposite did. I listed a whole range of investments in that op-ed on Monday that deal with the claims that Ms Baggio made in her contribution. What I also did not mention is the history of what has occurred, and of course no-one in this chamber could forget what those opposite did in terms of the car industry and what the impact was in terms of the Geelong industry. I remember that day because there were people in your party on this side that laughed that Geelong was no longer going to have Ford. Then the leaders of Geelong – I was there – went to Kardinia Park, and we had a conversation. We were absorbing the shock – *(Time expired)*

Ministers statements: severe weather event

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:46): I do not think anyone in the chamber or anyone in the state missed the fact that we had some pretty significant weather over the past week, forcing our emergency services into action again to keep the community safe. At the outset, sadly, three lives were lost during this period, and I of course extend my deepest sympathies to family and loved ones.

The storms caused widespread damage, but it was parts of Gippsland and southern metro that were hit the hardest. Our Victorian state emergency services received and responded to more than 10,000 requests for assistance, and it was yet another example of the quality of VICSES, who put their own lives on hold to lend a hand. This was particularly so last weekend because it was all through the night and it then meant that many were away from loved ones during Father's Day. I would like to offer them and their families a special thankyou from all of us for their commitment to our communities. Such a coordinated response in recent weeks has been amazing, and it would not have been possible without the collaboration across agencies of CFA, FRV, Ambulance Victoria, VicPol and Forest Fire Management Victoria.

Together we also had visitors from our neighbouring states, who sent more than 25 members to support crews that obviously had been working for over a week, so being able to provide that support to them – we were immensely grateful for that. Thank you to Tim Wiebusch, chief operating officer of VICSES, and to Rick Nugent, our emergency management commissioner, who did leave his holiday early to return to the state. It just goes to show that there is never a quiet period in Victoria. But also there is Kevin Parkin from the Bureau of Meteorology and everyone at the State Control Centre and all their teams – thank you for preparing and responding to this event. Of course in approaching the high-risk weather season I thank them in advance for the work that they will do.

Written responses

The PRESIDENT (12:48): That ends questions and ministers statements. I thank Minister Erdogan, who is chasing up an answer for Mr Limbrick on police.

Evan Mulholland: On a point of order, President, I want to note that the Minister for Public and Active Transport has not answered my question 913 asked on 30 May and the Minister for Transport Infrastructure has not answered my question 925 asked on 18 June. They are both overdue. I have written to them both, and I am just wondering if there could be a follow-up.

The PRESIDENT: Can I get one of the ministers at the table to follow up Mr Mulholland's outstanding questions on notice?

Harriet Shing: Yes, I am very happy to follow that up.

Rulings from the Chair

Production of documents

The PRESIDENT (12:48): Before we go to constituency questions, Mr Davis moved a point of order yesterday around production of documents time in relation to the Commonwealth Games documents, I believe. At the time I did not think it was a point of order, and I stand by that on reviewing it. The obvious advice for Mr Davis, who would know as well as me, if not better, is that he has got

recourse via a substantive motion. I understand he has got a substantive motion on that today, so hopefully that will acquit that. The look on your face says it does not, but you can talk to me later or bring another point of order.

David Davis interjected.

The PRESIDENT: There was no breach in the standing orders. A point of order is a breach in the standing orders and there was no breach, but you know that you have recourse and are going to do it today.

Constituency questions

South-Eastern Metropolitan Region

Michael GALEA (South-Eastern Metropolitan) (12:50): (1108) My constituency question is for the Deputy Premier in his role as the Minister for Education. Last week the three new schools being built in Clyde North had their new names revealed. Clyde North primary school will be named Turrum Primary School, meaning ‘she-oak’ in the Bunurong language; Thompsons West primary school will be named Mirniyan Primary School, meaning ‘moon’; and Clyde North secondary school will be named Wulerrp Secondary College, meaning ‘tea-tree’. This comes on top of Topirum Primary School already opening earlier this year and a further two primary schools opening in the suburb of Clyde North just in the last few years alone. These schools will be opening their doors to students from term 1 of next year, and it is part of this government’s commitment being fulfilled to deliver 100 new government schools across Victoria. Minister, how will families in Clyde North and the South-Eastern Metro Region benefit from Turrum Primary School, Wulerrp Secondary College and Mirniyan Primary School?

Western Victoria Region

Bev McARTHUR (Western Victoria) (12:51): (1109) My question for the Minister for Local Government concerns the avoidable damage done to democracy by Labor’s Local Government Act 2020. The act ended the automatic enrolment of all rate-paying property owners like businesses. It broke the fundamental historic, democratic link between taxation and representation. There was no need for this, technical or financial. It was purely a political decision to disenfranchise businesses and non-resident property owners. This matters. Local businesses pay rates; they suffer from council decisions on bike lanes and on zoning, yet it has been made harder for them to have a say. I warned against this four years ago. The numbers are now in, and I feel vindicated. The recent Borough of Queenscliffe’s 2024 electoral roll, the first under the new system, has fallen by around 800 voters, a 19 per cent drop. Minister, when will you correct this mistake and restore automatic enrolment to businesses – *(Time expired)*

Southern Metropolitan Region

Katherine COPSEY (Southern Metropolitan) (12:52): (1110) My question is to the Minister for Children. In my electorate we are seeing childcare centre after childcare centre under threat of involuntary closure. The future of Windsor Community Children’s Centre is under threat after the government gave Swinburne University permission to sell the land the childcare centre occupies. In Glen Iris the land on which the Gardiner Preschool operates is owned by the Uniting Church and is now being sold to private developers. Minister, these are services that have enough staff but are having their premises sold out from under them. What is the government doing to ensure that both the Windsor Community Children’s Centre and Gardiner Preschool can continue to operate?

Southern Metropolitan Region

Ryan BATCHELOR (Southern Metropolitan) (12:53): (1111) My question is to the Minister for Transport Infrastructure. How is the state Labor government transforming transport networks in the Southern Metropolitan Region? Well, this week another milestone was achieved in the Labor government’s visionary upgrades of Melbourne’s transport network. The Metro Tunnel’s Anzac

station on St Kilda Road became the third of the Metro station tunnels to be completed – just two more to finish ahead of the landmark opening of the tunnel in 2025, which is a year ahead of schedule. The Metro Tunnel is going to change the way Melburnians navigate our city from the northern suburbs to the south-east for years to come. Anzac station is going to relieve pressure on the world’s busiest tram corridor, and the new station will help get Melburnians to important events, including Anzac Day services at the shrine. Whether it is the Metro Tunnel or level crossing removals, this Labor government has a vision to improve the daily lives of Melburnians.

South-Eastern Metropolitan Region

Ann-Marie HERMANS (South-Eastern Metropolitan) (12:54): (1112) My question is to the Minister for Planning, and I ask: why have rents for Little India traders in Dandenong hiked, and almost doubled in some cases, well before the alleged \$600 million redevelopment of the 30-year-old shopping strip has even started? In light of the current cost-of-living crisis and the government’s indolent claims about COVID’s effect on our state’s economy, how is it fair to double rents for traders at this time, particularly when the shopping strip will be remodelled shortly anyway? Although the addition of housing in Dandenong is welcome, my local Indian traders have been left wondering whether any of their businesses will be able to be aligned with the new build, arguing that the government has not provided any details on whether Little India businesses will be preserved or supported.

Western Victoria Region

Sarah MANSFIELD (Western Victoria) (12:55): (1113) Last month was the warmest August on record. In my electorate of Western Victoria farmers are experiencing what is known as a green drought: very low levels of rainfall masked in the landscape by the continued appearance of green pastures and foliage. But what they are experiencing cannot be masked. They are facing a grim summer with low yields, dry pastures and limited feed for stock, not to mention the increased concern of bushfire risk as fuel loads become increasingly dry and volatile. People living on the land will do what they can to prevent risks to land, property, livestock and their families, but individual preparedness only goes so far, especially in a time of more erratic and severe weather. So I ask the Minister for Emergency Services: what is the government doing to ensure prevention and preparedness in what will inevitably be a challenging and potentially devastating summer in western Victoria?

North-Eastern Metropolitan Region

Richard WELCH (North-Eastern Metropolitan) (12:55): (1114) My constituency matter is for the Minister for the Suburban Rail Loop. It has been revealed that the estimated travel time in the Metro Tunnel has more than doubled between Parkville and the new Arden precinct, with significant impact on the radiology equipment above it. Further, the West Gate Tunnel ran into contaminated soil, a mess that added delay and billions in cost. Constituents in my electorates of Glen Waverley and Box Hill are concerned that the local infrastructure could be similarly compromised by the Suburban Rail Loop trains running beneath their homes, with an extension of the disruption and a delay of the delivery of these projects. Can the minister confirm that the surveys of the Box Hill to Heatherton SRL route have adequately assessed the impact on buildings, the number and types of contaminated sites it will run through, the impacts on development and particularly the impact on medical equipment in the precincts it flows through, and that the project will run on time and to cost?

Northern Metropolitan Region

Sheena WATT (Northern Metropolitan) (12:57): (1115) North Melbourne is already one of the best places to live in Melbourne, and I will tell you why: it is close to transport services, shops and schools and it has got a footy club that is pretty open to the community. That is why it is so loved. It is also one of the Allan Labor government’s planned activity hubs. I had a visitor who is currently renting in North Melbourne come to my electorate office to inquire about the precinct and how many

homes will be built in the area. While they are renters now, they want to become home owners there in North Melbourne, in particular around the new Arden Metro Tunnel station, which they are so very excited about. My question on behalf of my constituents is for the Minister for Precincts in the other place, Colin Brooks: how many new homes are we expecting in the new Arden precinct?

North-Eastern Metropolitan Region

Nick McGOWAN (North-Eastern Metropolitan) (12:58): (1116) I am very happy that the Attorney-General is with us today, because that gives me the opportunity also to invite her to perhaps give some advice to the Minister for Planning, for whom this is a constituency question. In particular, in my electorate of Ringwood, as you know, President, the government has proposed at the moment a draft Ringwood activity centre plan. This plan has its various stages. The government claim that they have consulted the council, although I know, having met the council just recently with a number of colleagues, that the council takes some umbrage at that consultation claim. Nonetheless, I will overlook that for the moment. Specifically, what I am keen to understand on behalf of my constituents is whether in fact with this planning scheme amendment, which is going to go through presumably by December of this year, the residents and the homeowners of Ringwood will be subject to the windfall gains tax. It is a whopping tax. It is 62.5 per cent, which would be taxed on the so-called uplift, and that would affect those in the vicinity of Ringwood, Mitcham, Heatherdale and so forth. It would be an enormous impost, and we certainly would like an answer to that question.

Sitting suspended 12:59 pm until 2:02 pm.

Northern Victoria Region

Wendy LOVELL (Northern Victoria) (14:02): (1117) My question is for the Minister for Emergency Services. Can the minister please provide the asset condition report and replacement schedule for all CFA and FRV vehicles in stations within Northern Victoria? On Thursday 29 August an ageing fire truck broke down while crews were responding to a shop fire in Bendigo. The truck's ladder platform had lifted a firefighter above the shop when the mechanical controls for the platform failed and the firefighter had to scramble to safety. This truck should have been removed from operations four years ago but was instead used to replace an even older truck. The Shepparton aerial pumper has also broken down twice in the past week, and firefighters are concerned that the new pumper platform that was to arrive in Shepparton any day now will be directed to Sunshine, leaving them with an unreliable and inferior truck. Firefighters speak of a fire truck crisis, and reports say almost half of FRV's fleet is out of date. The state's ageing truck fleet is putting firefighters and the community at risk, and I call on the minister to report on the condition of all vehicle assets and publicise their replacement schedule.

Northern Metropolitan Region

Evan MULHOLLAND (Northern Metropolitan) (14:03): (1118) My constituency question is to the Minister for Planning. I ask the minister to investigate design flaws in new planned precinct structure plans to ensure there is adequate road space on our streets, particularly the planned Greenvale North and Craigieburn West PSPs. Many new estates in the north have such narrow streets that residents are forced to park on nature strips to avoid blocking the road. This obviously attracts council fines and has led to countless residents contacting me about accidents and fines on narrow streets. I note that Hume City councillor Sam Misho has had a motion passed at council so that residents who live on those streets can avoid paying the fines for parking on nature strips. Obviously that is a good thing, but we want to avoid these kinds of issues in the future, so I ask the minister to investigate the width of streets and roads in the planning phase so that these issues can be avoided in the future.

Eastern Victoria Region

Renee HEATH (Eastern Victoria) (02:04): (1119) My question is for the Premier. Premier, it is now almost one year since you took over the role as leader of our state, and in that time you have backflipped on gas appliances and you have backflipped on increasing the age of criminal

responsibility to 14, banning duck hunting, a second injecting room and now cuts to regional and rural hospitals. However, for the time being you continue to press on with the Suburban Rail Loop, which the most recent Parliamentary Budget Office report states now is going to cost \$216 billion, and that is just for two sections. Meanwhile, people in my electorate continue to wait for facilities and services that they were promised by the government, like the Pakenham hospital, which was promised 2145 days ago; the San Remo Primary School; the Lang Lang bypass, which is still languishing with no certainty; and there is still no funding for stages 2 or 3 of the Wonthaggi Hospital – and the list goes on. Premier, you have had 12 months in the big chair. When will you finally deliver the projects that were promised by the government to the Eastern Victoria Region?

Motions

Housing

Debate resumed.

Lee TARLAMIS (South-Eastern Metropolitan) (14:06): I move:

That debate be adjourned until later this day.

Motion agreed to and debate adjourned until later this day.

Production of documents

Commonwealth Games

David DAVIS (Southern Metropolitan) (14:06): I move:

That this house:

(1) notes:

- (a) the motion proposed by Mr David Limbrick MLC and resolved by the house on 1 May 2024 requiring the Leader of the Government to produce documents specifically outlined in appendix D of the select committee's interim report on the 2026 Commonwealth Games bid;
- (b) the government's response by way of a letter from the Attorney-General dated 30 May 2024, tabled in the house on 31 May 2024, making a claim of executive privilege over 350 documents in full and three documents in part;
- (c) that the Leader of the Government has not complied with standing order 10.03 that requires, like is the practice in the New South Wales Legislative Council, the documents to be lodged with the Clerk to permit:
 - (i) Mr Limbrick to examine the documents over which a claim of executive privilege has been made and, if appropriate, Mr Limbrick to write to the Clerk disputing the validity of that claim;
 - (ii) the President to appoint an independent legal arbiter to evaluate and report within seven calendar days as to the validity of the claim;
 - (iii) the Clerk to release the disputed documents to that independent legal arbiter;
- (2) further notes that the Leader of the Government has not complied with the requirements of the standing orders and may be guilty of a contempt;
- (3) requires the Leader of the Government to comply with the standing orders and lodge the documents with the Clerk by 12:00 noon on 15 October 2024;
- (4) permits that if the Leader of the Government has not complied with standing orders 10.01 to 10.03 in relation to all the documents requested in the resolution of the Council on 1 May 2024 relating to the 2026 Commonwealth Games bid by the date and time specified in paragraph (3), the Council will, at the conclusion of formal business on Tuesday 15 October 2024 (or if formal business does not occur that day, at the conclusion of formal business on the next sitting day):
 - (a) give precedence for a non-government member to move, without leave, 'That this house notes the failure of the Leader of the Government to comply with standing orders in relation to the resolution of the Council on 1 May 2024 for the request for documents relating to the 2026 Commonwealth Games bid'; and

PRODUCTION OF DOCUMENTS

3370

Legislative Council

Wednesday 11 September 2024

- (b) the time limits for debate on a motion moved under paragraph (4)(a) will be 8 minutes for each member and a total overall time limit of 50 minutes.

I am pleased to move motion 585 that this house notes (a) the motion proposed by Mr David Limbrick MLC and resolved by the house on 1 May 2024 requiring the Leader of the Government to produce documents specifically outlined in appendix D of the select committee's interim report on the 2026 Commonwealth Games bid; (b) the government's response by way of a letter from the Attorney-General in May – I should say on that response that there were 350 documents in full that were redacted and three documents supplied in part, so three out of 353 in part were provided; and (c) that the Leader of the Government has not complied with standing order 10.03 that requires, like is the practice in the New South Wales Legislative Council, that the documents be lodged with the Clerk to permit Mr Limbrick to examine the documents over which executive privilege has been claimed and if appropriate Mr Limbrick to write to the Clerk disputing the validity of the claim, the President to appoint an independent legal arbiter to evaluate and report within seven calendar days as to the validity of the claim and that the Clerk under that standing order be able to release the disputed documents to the independent legal arbiter.

I should just say as I move through this motion that in New South Wales this procedure is routine and accepted, and the arbiters have been respected jurists or former judges – people of great and impeccable quality whose independence and judgement have been respected by all sides of the house. I should say that this standing order was written with the lessons from New South Wales in mind; it was directly lifted in its substance from New South Wales. So I just think it is important that especially those newer in the house actually understand that that is the history.

Point (2) in the motion further notes that the Leader of the Government has not complied with the requirements of the standing orders and may be guilty of a contempt. That phrase comes directly from the interim report that was tabled yesterday of the Select Committee on the 2026 Commonwealth Games Bid, and I will come to that in due course.

Point (3) requires the Leader of the Government to comply with the standing orders and lodge the documents with the Clerk by 12 noon on 15 October 2024 – that is the next sitting Tuesday. There is plenty of time. These documents were already identified by the relevant departments. They were identified and their existence was communicated to the select committee that Mr Limbrick very ably chairs. The select committee said, 'Look, we want those documents. Despite you telling us we can't have them, we want them.' Mr Limbrick then moved the relevant motion in this chamber, understanding that the government might have legitimate claims over some documents and that that would be entirely in order but that there is a procedure in the standing orders to test those claims and to do that with great fairness and responsibility, in this case on Mr Limbrick, to behave honourably in that process and responsibility where the Clerk in effect has control of the documents in a way that protects them and that there is the capacity under the standing order to appoint that independent arbiter who could adjudicate fairly and impartially without rancour in any way on the matters from a legal perspective.

Point (4) permits that if the government has not complied with standing orders 10.01 to 10.03 in relation to all the documents requested in the resolution of the Council on 1 May 2024 by the date and time specified, which is 15 October at noon, the Council will at the conclusion of formal business on Tuesday 15 October 2024 – or if formal business does not occur that day, at the conclusion of formal business on the next sitting day – give precedence to a debate. The debate would be on the topic:

That this house notes the failure of the Leader of the Government to comply with standing orders in relation to the resolution of the Council on 1 May 2024 for the request for documents relating to the 2026 Commonwealth Games bid.

There would be time limits on that: 8 minutes per person, up to 50 minutes. It is actually a modest debate. It is not terribly intrusive. But it is an opportunity for members, if the government has not complied, to make their points.

I am foreshadowing that Ms Bath will move an amendment that instead of doing that debate on the Tuesday, if the government has not provided the information, it would occur on the Wednesday, so that would be 16 October at the commencement of government business. I understand Mr Galea may have similar thoughts on that too. I know Ms Bath will move it – I cannot move an amendment on my own motion – and she has proposed a different way forward. I am aware of that, and indeed I can foreshadow that she will make a contribution in that regard, if members debate that with that in mind.

We think the way the government is responding to this is wrong. The committee looked at this closely. The committee brought the report forward and thinks that this is wrong too, and we have communicated that very clearly through the report. Mr Limbrick obviously tabled that report on behalf of the committee yesterday, and he made some very straightforward points. The committee's findings were that:

The Government has not complied with the process for claiming executive privilege under Legislative Council Standing Orders 10.03 to 10.05 for documents that were ordered for production by the Legislative Council on 1 May 2024. These documents are relevant to the Committee's Inquiry and the Government's failure to engage with the process for claiming executive privilege, including the process for disputing the validity of a claim of executive privilege, may impede the Committee's ability to properly carry out its functions as set out in its Terms of Reference.

The select committee has got terms of reference to look at the Commonwealth Games, to get evidence, to take various submissions, to do whatever research it believes is appropriate and to come back with reports to the Parliament in a timely way, as outlined by the terms of reference.

In the Committee's view, the Government's own self-assessment of Executive privilege without independent review is not only a contravention of the Standing Orders but a direct impediment on the Committee's ability to conduct a thorough and transparent inquiry.

This is very clear. The committee has taken a strong and clear view, and it has done that because what the government is doing is quite wrong:

The Committee noted in its previous interim report that it does not accept the Government's wide definition of what is covered by the scope of executive privilege. Although the Committee acknowledges that the Government has a different view, there is a prescribed process to resolve such disputes and the Government has not complied with this.

What we are trying to do here is to be as reasonable and sensible as we can, but there must come a point when it is just not acceptable for the government to thumb its nose at the committee, at the chamber and ultimately thereby at the Victorian community. The committee's report, at page 3, says:

Since the Attorney-General's response was tabled, the Government has not provided the documents with a claim of Executive privilege to the Clerk for inspection by Mr Limbrick as required under the Standing Orders.

The non-provision of these documents has impeded Mr Limbrick as mover of the motion from progressing the process to resolve claims of Executive privilege through an independent legal arbiter.

The committee goes on, and this is where the words in the motion come from:

The Committee also notes that failure to properly comply with orders of Parliament or its committees to provide documents may be considered a contempt.

And that is correct. That is not quite what we are saying at this point, but the government does need to begin complying with these motions.

The position for Victoria with the Commonwealth Games was a travesty. At least \$600 million, according to the auditor, has been squandered. It is a huge amount of money, and we have nothing at all to show for it other than serious and significant reputational damage. That is the sad story of the Commonwealth Games. Nothing could highlight that more than what occurred in the recent period, when we saw the Scottish government, Glasgow, step forward to say, 'No, we're going to do the games, and we're going to be able to run them for the amount of money that Victoria paid for breach of contract.'

A member: The full games?

David DAVIS: Well, a fair bit of them, it seems. It seems, a large part of them.

Members interjecting.

David DAVIS: Largely it seems that they are going to be able to do the games with very little in the way of additional supplementation.

The point here is that the committee's legitimate task of examining what went wrong with the Commonwealth Games is very related to this. If Scotland can run them for maybe \$400 million – I do not know the exact figure; we will soon know, in due course, but it will not be \$7 billion. That is what the Premier here claimed it was going to cost – \$6 billion to \$7 billion. The auditor has thrown cold water on that. He said that is not right; he said a lesser figure, but it is still many, many, many billions away from what Scotland is proposing to run the games for.

I am a supporter of the games. I went to the games headquarters in London when I was over there last year. But it is pretty clear that damage has been done to Victoria's reputation, and that was communicated to me very clearly by a number of regional authorities in Europe at the time when I was there. I was over there at the time when the terrible news came through that the Commonwealth Games were going to be cancelled, and indeed I think Victorians should be very clearly aware that the damage is actually pretty substantial to Victoria's reputation. That is going to linger for a long, long period into the future. But there are questions here about why Scotland and Glasgow can run the games at a vastly cheaper price than the Victorian government.

The Victorian government may have had problems with its models, and I can concede that the model may not have been one that worked, but the point here is that the government should have examined that before it headed off on this frolic, made the decision to head off into this territory; it should have done the proper work. One of the tasks of our committee, as Mr Limbrick well understands, is to actually examine that process and make sure it never happens again, make sure that those errors are prevented from happening again, and put in place proper checks and balances to stop it happening again. But we need to get to the documents. We actually need to see those documents rather than have the documents hidden as the government tries to sweep all of this embarrassing stuff under the carpet. That is what it is doing.

It is a cover-up, pure and simple: 'There are 353 documents, of which you can have part of three. For the other 350 documents you can whistle Dixie, and we're not going to comply with the process in the chamber. We're not going to comply with that process; we're just going to tell you to whistle Dixie.' Well, I think that is wrong. There is a process, and that is what my motion seeks to get to. It seeks to say 'Let's be fair. Let's be very direct with the Leader of the Government' and to say 'Actually, under that standing order, you do have to produce the documents to the Clerk so that Mr Limbrick can examine them.' Maybe he will agree with the government. I do not know because I have not seen the documents. Nobody has seen them other than the government. But there is a process for them to be examined and, if Mr Limbrick disputes some of them, to get the independent arbiter in and to look at it that way. That seems to me to be an entirely fair process. It works in New South Wales.

Some say no government has complied with this standing order, and strictly that is true, but let me just say this standing order has only applied since 2014. So this government, the previous one and the one before that were meant to be bound by this standing order and these provisions. No government before then had this standing order in place. So I want to squash the natural thing of the Labor Party to say, 'They're all as bad as everyone else.' Actually, no, the truth is that that standing order was brought in to come into effect with the new Parliament after November 2014.

Members interjecting.

David DAVIS: Well, that standing order was not there then.

Michael Galea: Why didn't you bring it in?

David DAVIS: It is a matter for the house, but actually the process of documents motions was commenced in the Parliament even before that. The formalised standing order that we are talking about now only came into operation after the 2014 election. People should understand that that is actually the history, and they should understand that it was agreed by all parties at the end of 2014 as the Parliament drew to a close. There were some changes made to the standing orders – agreed changes – and this was one of them. That is the history of that standing order, and I think it is important for people to know that history very, very clearly.

This is a sensible motion. It is a clear motion. It is about an important topic. We want to see those documents. Mr Limbrick is the one who brought the motion. He has a right under the standing orders of the chamber to have this processed properly, and I call on the chamber to support this motion and the Leader of the Government to ultimately comply with the direction of the chamber.

Michael GALEA (South-Eastern Metropolitan) (14:23): I rise to speak on the motion put forward by Mr Davis today in relation to documents as they relate to the Select Committee on the 2026 Commonwealth Games Bid. At the outset there are a few procedural, technical things to go through and to cover off. Firstly, whilst this inquiry was instigated as something of a political witch-hunt by those opposite – and indeed we have seen the best efforts of Mr Davis and others to turn it into such a political circus – what we have also had is a very good and thorough inquiry, as led by our chair, Mr Limbrick, and I will take a moment to acknowledge that. Despite the best efforts of Mr Davis, as can be seen in various records of public hearings, to perhaps infer and conflate and draw all sorts of conclusions that are not entirely there, it has actually been a very well run inquiry.

I will refer to a few different aspects of what we talked about in the inquiry in the first place, but I think I will start with the procedural, technical aspects of that. Firstly, in terms of –

Members interjecting.

Michael GALEA: Yes, I appreciate at least that Mr Davis acknowledges that the standing orders to which he refers came into effect immediately after the last Liberal government left office. Despite the fact that he had been a member of Parliament by that time for about 18 years and had been in fact a member of the previous government, he had not seen fit to propose the imposition of those accountability measures which he claims to hold dear to him. He did not see fit to raise them when he had perhaps a bit more of a say in order to bring them in. As a minister in this place he would have had certainly a fair bit of weight to carry in that. So it is interesting that apparently what is critical now is not so critical when those opposite are in power. I actually was not intending to go into an exhaustive list of all the many documents motions that were ignored by the previous government, but I note Mr Davis himself acknowledged that. He anticipated that that would be debated, because he knows, again, as a minister of that government, that it was actually the case that documents motions were frequently ignored by his government – perhaps even by him as a minister, I do not know, but certainly by his government. So I will take issue with that.

But while he is absolutely determined to fixate and make out that this standing order procedure is as crystal clear as can be, it is also worth noting as well that the constitutional powers on this are not nearly as clear-cut as he would like to make them out to be. Mr Greg Taylor, who has written extensively, perhaps more than anyone else, on the Victorian constitution, actually points to the genesis of executive privilege being claimed in Victoria as being derived from those powers afforded to the Parliament, as was the case for the House of Commons of England, Wales, Scotland and, as it was then, Ireland, back in the 1850s, which do have an explicit carve-out for what was then called Crown privilege, better today known of course as executive privilege. There are certain documents for which the government has claimed executive privilege. There are many more documents which have been provided to the committee in full or redacted form, and as a member of the committee I have had the chance to look at those documents. Though I cannot talk about internal discussions, what I can

certainly say is that the committee website has published a vast number of documents, so members of the public can draw from that what they will. I will not talk about measures we went to to get there, but it is pretty self-evident that there have been a number of documents already published and already looked at by this committee.

Again, I do not think I should have to really explain this to Mr Davis because, as I say, he was indeed a minister under the previous government, where he refused to countenance such measures that he is trying to exploit today, but the role of executive privilege covers several very important privileges that are actually important to protect. The first amongst them is of course cabinet-in-confidence deliberations. It is very important for the effective governance of any level of government to have relevant documents when they go to cabinet level be able to be discussed freely and frankly and openly, and any advice sought from officials and any advice given from officials to decision-makers should also be given in a manner which is free and frank. If you start to impose too far against those privileges, what you will then see is that that advice will not actually be able to be provided in such a frank and open manner, which would have chilling effects indeed on the governance of the state.

The other very important consideration of course is that there are certain documents where executive privilege covers various commercial-in-confidence arrangements, the disclosure of which could actually pose a significant risk to the state's finances or otherwise the state's standing, and it is really important. I know that this morning in the short-form documents motion put by Ms Crozier we saw that the Liberals lately have disregard for such privileges, such confidentiality clauses, because we saw them try and publish a document that was provided to the government on the condition that it was not to be published, and this is very much in the form of that. But again, further there is also scope for potential legal advice to the executive government or any other material that may otherwise jeopardise the interests of the state of Victoria, and these areas and these facets have all been stipulated by the Attorney-General in her response to these motions, to which Mr Davis has referred already, and Mr Davis is well aware of that.

I will make one other slight detour into the procedural side of this. As we confirmed I believe from interjections across the chamber during Mr Davis's remarks, Ms Bath will be moving an amendment to change the –

Melina Bath interjected.

Michael GALEA: Foreshadowed, yes; we will stick with foreshadowed. We do appear to all be of the same mind on at least one thing today, because I had indeed intended to move such an amendment myself. But I am very pleased that Ms Bath will be instead moving such an amendment, and not to foreshadow too deeply, but I understand from Mr Davis's assurances in his contribution that rather than interfering with government time on the Tuesday of the October sitting week we will now indeed be taking advantage of the government business time on the Wednesday, which is a sensible thing.

I think the most important thing as well to reflect on is that this is a government that has been elected by Victorians to deliver an agenda and a legislative agenda and indeed a mandate, and I will be cautious, given that we have already had one motion take up government business time on a Tuesday of a sitting week, that we not make a habit of interfering with those two significant days, Tuesdays and Thursdays, notwithstanding the fact that the government is in a position to support an amendment which would give up even more of its time, which it is not required to do. It is not ordinarily required to use government business time to debate such matters, but it is indeed prepared to support if need be that debate now happening on the Wednesday of government business time, so I look forward to seeing the amendment put forward by Ms Bath shortly.

There are several other things, and I could go into great detail as to their substance, noting that it was a wideranging contribution by Mr Davis on the nature of the Commonwealth Games themselves. He was at great pains to talk about the supposed reputational damage to the state of Victoria, but what he did not say was that we had convincing evidence put to us at the inquiry that there has not actually

been that reputational damage. The reason, in my view, that he did not say that is because he knows all too well that the stakeholders that came before us, including at our most recent hearing academics who had done a paper specifically on this issue, found actually that there was no major reputational damage to Victoria – none that they could find at all in fact. Indeed Mr Davis was there and Ms Ermacora was there, and she knows all too well as well.

So whilst the Liberals will continue to clutch at straws and do whatever they can – and I would like to have more time to discuss this – the final thing worth bearing in mind is that whilst we were not prepared to throw an inordinate amount of money into the Commonwealth Games the reason Victoria put its hand up in the first place was to drive regional development, and through the \$2 billion regional package we are continuing to do that. As the latter half of our inquiry continues I am very much looking forward to seeing the progress of the \$2 billion regional package.

David LIMBRICK (South-Eastern Metropolitan) (14:33): Effectively, what this motion is calling for is simply really for the government to follow the rules of the standing orders of Parliament. Since I was elected chair of this committee I have taken the role very seriously and tried to undertake it to the best of my ability in a professional way. The committee resolved that there were a number of documents that it requested from the government, and the government came back and said, ‘There are 353 documents, and we’re going to give you partial versions of three and claim privilege over the 350 remaining documents.’ The committee clearly did not agree that all of those documents must necessarily contain privilege. I agree with Mr Galea and Mr Davis that executive privilege is an important function and it is a real thing, and sometimes it is not in the public interest, for various reasons, for things to be put into the public domain, but that is exactly why this Parliament has a process for resolving these sorts of issues.

It is actually quite an ingenious process because it inserts a tension into the process. How it is meant to work under standing orders 10.03 and 10.05 is that the Leader of the Government hands over these documents to the Clerk and the mover of the motion, which in this case was me. I would also point out that, even though I requested these documents using my general business slot, of which we only get two per year, these are not documents that are requested by me personally. They are not requested by the Libertarian Party. They are requested by the committee. As I understand from consulting with the committee staff, who I thank for their advice, there are no mechanisms through committee powers to test executive privilege, but there are in this chamber. Therefore I used my general business slot to move forward this motion to be able to test executive privilege.

The mechanism itself inserts a tension into the process. If I examine these documents, it may well be the case – as Mr Davis points out – that I actually agree with the government on their claims that 350 documents are covered by executive privilege. In fact I would find it very odd if all of the claims were not covered by executive privilege. But it inserts a tension. If I challenge those claims, I need to be reasonably certain, because otherwise it will go to the arbiter and then the arbiter will come back and say that I do not know what I am talking about. There is a tension in that process, and if the government does comply with this and I do find that maybe some of these documents should not be subject to executive privilege – I think that anyone in that position would be very careful before referring that to the arbiter, because it would be quite embarrassing for the arbiter to come back and say, ‘You are wrong.’

Nevertheless, it is the role of this committee to firstly get to the bottom of what has happened with the decision-making processes, and a lot of that involves looking at documents by government and also through public hearings, submissions and this sort of thing. But I also share the view, and I hope all the other committee members share the view, that we can ultimately form recommendations in the final report that will prevent this sort of thing happening again. I hope that the government and the opposition agree with that. We have wasted a vast amount of taxpayers money here on what has happened, and there has clearly been a failure. It is my sincere view that if this committee can provide useful and actionable recommendations that the government could follow which would help prevent something like this ever happening again in the future, then I think the committee will have done some

good work. That is exactly what I intend to do. But in order to do that good work, we need to see some of these documents. So that is why I will be supporting this motion.

It is my understanding, as it is pointed out in the motion here, that almost exactly the same process exists in the New South Wales Legislative Council, and it is used routinely and without too much drama, as far as I am aware. So we have this process, and I think it is quite an ingenious process. I think there are sufficient tensions in the process to prevent it being abused either by government through over-claiming executive privilege or by challenges to executive privilege claims, because you would not want to call in the arbiter only to be told that this should be covered by executive privilege and that the government was right.

Nevertheless, the committee has formed the view, and I am of the view, that not all of those documents should be subject or probably are subject to those claims – although we do not know, as has been pointed out, because none of us has seen them. We can go through that process, and it is entirely possible, as Mr Davis has pointed out, that I may agree with the government. I do not know yet; I have not seen them. We do know that they exist. In fact they have been identified in the report. Judging by the descriptions of some of these documents, some of them are clearly covered – you would imagine – by privilege, and some of them you would question why they would be covered by privilege. Some of them are obviously cabinet briefings and stuff like that, which clearly would be covered by privilege. For some of the other ones it is less clear why privilege would apply in those cases. Obviously I am not an expert on what is and is not covered by privilege, which is why I would be relying on the advice of the Clerk, and I hope everyone in this chamber also has faith in their ability to be able to assist me in coming to some sort of judgement on whether or not a dispute should be lodged with an independent arbiter. With that, I will be supporting this motion, and I hope that everyone supports this motion.

I would say that this particular mechanism of Parliament has never been used since it has been instituted. If the government has problems with this and does not like this mechanism, I cannot speak on behalf of the rest of the chamber, but I am certainly open to talking about, ‘Well, let’s come up with a different mechanism or something that works.’ I can see that maybe handing over cabinet briefings to movers of motions and trusting that they will remain confidential might be problematic. Maybe things could –

David Davis interjected.

David LIMBRICK: Not in New South Wales. One option might be to have documents go to an arbiter as a first port of call. I do not know. There are various other mechanisms that could happen, but what is not acceptable is just simply ignoring the standing orders. I do not think that is acceptable, and that is basically what this motion is calling for – to stick with the standing orders and hand over the documents so we can then go through that process of trying to find out which of those documents executive privilege should pertain to.

Melina BATH (Eastern Victoria) (14:42): I am pleased to rise to make a contribution today on motion 585 standing in Mr Davis’s name. I concur certainly with Mr Limbrick’s comments and Mr Davis’s before. I will not reiterate the entirety of the motion – it is standing there on the notice paper for all to see – but I will move an amendment, which the Liberals and Nationals foreshadowed would occur. It is a very simple motion. I think it has – not with the Greens, who I have spoken with just now – potentially caused a bit of consternation in the government, but it is a very simple motion, which I will read into *Hansard*. I move:

That in paragraph (4), omit the words and expressions ‘at the conclusion of formal business on Tuesday 15 October 2024 (or if formal business does not occur that day, at the conclusion of formal business on the next sitting day)’ and replace them with ‘at the start of government business on Wednesday, 16 October 2024’.

The entirety of the motion stands as it is. All that is doing is moving the debate from one day to Wednesday the 16th, during government business at that time. I have been in this place for quite some years, and I note that regularly that time slot is not used by the government. Often we just finish and

go on to the conclusion of the day, so this is a very appropriate time slot and will not interfere with the government business program on a Tuesday or a Thursday. I certainly ask the house to support that amendment.

I am on the Commonwealth Games committee, and we have certainly spent a lot of time listening to I think a very compelling case in relation to, basically, the incredible muck-up and con and disappointment and disbelief for many, particularly in regional Victoria, that this came to this eventuality. We also have spent a lot of time I think doing an arm wrestle with government bureaucracy and government ministers about the production of documents. Indeed Mr Limbrick in his time slot on behalf of the Commonwealth Games committee actually requested certain documents. We were given three out of 353 – that is not a very high quota. That is what this is about – for the government to provide those documents to Mr Limbrick as the head examiner, we will call it, in this particular space, for him to have a look and where appropriate then to check and see whether they actually, in his opinion, have executive privilege. If not, go to an independent arbiter. We have heard that this very formal and positive arrangement occurs in the New South Wales upper house.

In looking at some of the executive privileges called on some of the 350 documents outstanding – I have actually just contacted the secretariat of our committee to ensure that these document names are tabled, so it is out there in the public domain, and I am not saying anything that is in confidence of the committee – I fail to understand, and therefore the process needs to go ahead. The process needs to be seen, assessed, arbitrated on and then delivered, where that privilege is not upheld. There is the *Commonwealth Games Village Morwell Stormwater Management Plan* report. There is the *Commonwealth Games Village Morwell Phase 1 of the Geotechnical Investigation Interim Report* and the *Commonwealth Games Village Morwell Bushfire Impact Assessment Statement*. I would have thought that those sorts of documents should not capture the government's excitement about executive privilege and should pass through the house and the committee and be seen by the public. I could go on, with the *Bendigo Stormwater Management Plan* et cetera, Mrs Broad. The non-government members, we will say, of the committee certainly feel that they have been frustrated by this situation, as do many in the community in relation to the whole Commonwealth Games debacle.

I was thinking about this the other day in terms of an analogy. I was really thinking that at the time that this all came out we had – if we use a card-playing analogy, and this government is certainly pressing those cards close to its chest at the minute – we had the then Premier as the joker. I am not saying he is a joke, but I am saying as an analogy he held all the cards. He stood up there; he ordained this vision. We had the now Premier as the right bower. She was games delivery, and she knew all along what was happening. We have seen that in some of the dates that we had presented to our committee and in the various meetings that have been had. We saw the Honourable Shaun Leane as the left bower, and then it turned into Minister Shing, and some of the vision that is there that has not been realised. Of course for some of the trump cards we also had the bureaucrats. Visit Victoria came and said there was nothing to see here, and it wasn't a bad influence on broader Victoria.

However, when we drill down into some of the comments from people in my electorate it is just astounding. These are the people that we are actually trying to protect next time. These are the people who were significantly hurt and distressed. Their expectations were built, the community's expectations were built, and then they were torn asunder. I have Mr Garry Silvester from the Latrobe Valley Badminton Association. I will not go on, but I will read a couple of lines:

... I have been around for quite some time and have experienced many highs in the badminton field – and a very big low with the cancellation of the Commonwealth Games in my backyard ... the cancellation of the Commonwealth Games personally hurt very deeply. I am still not over it ...

Then he goes on to say:

A strategic plan?

Where is the strategic plan?

... we are fighting for lines ...
on the courts.

These are some of the impacts. We can go on with Katie Reardon of Farnham Court and her heightened embarrassment when the Commonwealth Games were cancelled on 18 July 2023 by said Premier at the time. She said she was the laughing-stock of the English team, because they were going to come over and be Team England in Morwell in her venue, and she was going to support them. They said they could never trust an Aussie again.

Going to the point of the lead speaker Mr Davis, certainly our reputation is tarnished, and from that we need to understand what went wrong and to not repeat it, and that means getting to the in-depth part of some of these documents. As I said, some of them I cannot believe the government is claiming executive privilege over. Also, I looked up some of the 10 fields, so it is a reduced field, but there are still some considerable activities and events potentially that Scotland will be putting on for the Commonwealth Games in 2026, and there still will be that excitement and that flowthrough and the quality of our athletes going there. Of course along the way we know the Auditor-General has come out saying it was \$589 million or round it up to \$590 million, because some of that money was also – what was it? – \$1.27 million for the government to fight in legal cases for documents not to come through.

I ask this house to support this motion. It is a very reasonable motion. It is about procedural fairness in this Parliament. I hope that we can get to the bottom of the whole experience, learn the lessons and direct government, future and current, never to do this again so that people like Katie, Gary and multiple others do not have to sit in front of an inquiry and put their heart on the line and their sadness and loss and civic pride loss for their community.

Sarah MANSFIELD (Western Victoria) (14:52): I thank the opposition for bringing forward this motion today. Can I indicate at the outset that the Greens will be supporting this motion. We will support the original motion but are very happy to support the amendment that has been put forward by Ms Bath as well. While this debate relates to issues encountered in the Commonwealth Games select committee inquiry, it also relates to a broader challenge that this Parliament is repeatedly facing when it comes to the production of documents by this government. We once again find ourselves – we have had several debates now on this subject – debating the Labor government’s blatant disregard for the rules of this Parliament, rules that have been established to ensure fair and transparent processes that underpin good governance that is vital for our democracy.

When requests for documents are made by this Parliament, the government has routinely failed to comply with those requests. While in recent times they have made more effort to provide at least a response to those requests, we are seeing an extraordinarily high number of those documents being withheld under the guise of executive privilege. The Commonwealth Games documents, which are the subject of this motion, are an excellent case in point. As has been stated, of the 353 relevant documents, the government has claimed executive privilege over all but three. It may well be, as others have said, that these are indeed very sensitive documents that would be very likely to compromise, say, cabinet deliberations or significant commercial arrangements were they to be released to the Parliament, but we have no way of knowing this, and the very little we do know about these documents raises serious doubts about the validity of these claims. I think Ms Bath has outlined multiple examples of documents where it is certainly questionable that executive privilege applies. A cursory look at the description of the Commonwealth Games documents being withheld would I think raise suspicions by many members of the public.

I have got a few examples to add to those that Ms Bath outlined. There is a final draft noise assessment report for the Commonwealth Games village in Ballarat. Apparently releasing that would:

Reveal high-level confidential deliberative processes of the Executive Government that would otherwise genuinely prejudice the necessary relationship of trust and confidence between a Minister and public officials.

There is also a final draft dust risk assessment report – same thing; that would also reveal high-level confidential deliberative processes – or a draft odour risk assessment report, which is also far too sensitive to be released. Now, they are top secret. Perhaps these documents do in fact contain important and sensitive information, but any ordinary person would be forgiven for being at least a little bit suspicious.

I confess that I actually do not have a lot of interest in these particular documents. I do not think they are going to make much of a difference to our deliberations. I do not think an odour risk assessment report is going to change the findings of the Commonwealth Games inquiry. But I raise them to demonstrate the absurdly broad application of executive privilege claims by this Labor government. We have many other examples that have come up through different documents motions this term where executive privilege claims have been made, and I believe in some of these instances it is much more likely that some of the documents being withheld are in the public interest. We only have to look at the request for documents relating to the demolition of the 44 public housing towers: 158 relevant documents were identified. 146 of these were not released, because of claims of executive privilege. The government has created their own very wideranging definition of executive privilege. It covers off so many things and it would take so long to read out their definition that I am not going to use my time to do so, but if anyone is interested they can find the full definition in the first interim report of the Commonwealth Games select committee.

By contrast, in New South Wales the government there can only claim executive privilege in relatively narrow circumstances: where those documents directly or indirectly reveal the deliberations of cabinet – simple. This is to ensure the ability of the Parliament and the executive – both of them – to function as they are supposed to. It beggars belief that all of the documents that are being claimed to have executive privilege are such sensitive documents that the Parliament cannot be privy to them. The government may not want to release these documents, but executive privilege is not a licence to avoid scrutiny just because the government does not want it.

Let us put aside the appropriateness of the definition of executive privilege used by this government. The government does indeed have every right to make claims of executive privilege, and I think that has been acknowledged by all members who have spoken today. However, if they stand by these claims they would naturally have no qualms about following the rules of the Parliament if and when claims of privilege are made. This Parliament has standing orders, which were established in 2014, that clearly set out steps that must be followed when claims of executive privilege are made. Standing order 10.03 requires that when the government makes a claim of executive privilege they must deliver the documents to the Clerk by the time required under the resolution, they must make them available to the mover of the motion only and those documents cannot be published or copied without an order of the Council. The mover of the motion can then make an assessment, as Mr Limbrick has pointed out, as to whether or not they agree with this claim of executive privilege, and if they do not agree, they can notify the Clerk to raise a dispute. In the event of such a dispute, standing orders 10.04 and 10.05 outline a process by which an independent legal arbiter can be appointed to review the claim and report back to the Council. This is a very robust process; I actually think it is a pretty good one, and as we have heard, it works in other jurisdictions. This is the exact same process that applies in the Parliament in New South Wales. It applies federally. They have exactly the same rules.

However, in Victoria not once since these standing orders were established has the government ever, ever followed these steps. They have indicated on multiple occasions that they simply do not intend to ever comply with these standing orders. Labor refuse to follow them, and that is consistent with their repeatedly demonstrated desperation to avoid transparency and oversight. It begs the question: what are they trying to hide? What are they so afraid of people knowing? In New South Wales, governments abide by their rules and the sky does not fall in. Governments do not collapse. The Parliament does not descend into chaos, at least not any more chaos than is usual for a place like this. It is an affront to transparency, it is an affront to the Parliament and it is an affront to the Victorian public. Integrity experts have repeatedly raised concerns about the Victorian government's failure to

comply with a simple but important integrity measure. They have actually suggested a range of significant actions that this Parliament should be taking, many of which are far more consequential than taking up a tiny portion of government business time for a debate.

I think what has been put before us is a very modest and reasonable motion. The consequences for the government are for not complying with the request. They have requested moving the time of the debate. I will note the debate is a consequence of not complying with the order. The fact that they want to move the time suggests that they do not intend to comply with this motion, but we will give them the opportunity.

David Davis interjected.

Sarah MANSFIELD: Yes, we will give them the benefit of the doubt. We never know. They might take this as an opportunity to change their tune.

David Davis: Change the habits of a lifetime.

Sarah MANSFIELD: We will see. I look forward to that. We are giving the government every opportunity to do the right thing, to comply with the standing orders. We have done it before. We are giving them further opportunities. They cannot turn around and say this Parliament was unreasonable. But should the government continue to flout the standing orders, I do think it is completely reasonable for this Parliament to consider what further actions we should be taking. As we have said, this is about transparency. It is about integrity, and it is incredibly important that this Parliament can do its work on behalf of the Victorian public without information being kept from us. This government needs to be held to account, and it is in the government's own interest for that to occur. These sorts of things, hiding information and avoiding scrutiny, always have a way of coming back to bite governments, so I would really encourage them to take this opportunity. You have got a month with no sitting weeks. You have got plenty of time to comply with the standing orders. It is very, very simple. The Greens, as I said, will be supporting this motion as amended. I commend the motion to the house.

Jacinta ERMACORA (Western Victoria) (15:02): This motion is really the next instalment in what we can only describe as the opposition's crusade not just on the Commonwealth Games but on contesting the notion of executive privilege. Before I go on I do want to validate my colleague Mr Galea's comments about the committee as a whole. I have enjoyed the process, actually, being on the committee. Also I have enjoyed Mr Limbrick's chairing of the committee. It has been very organised and efficient and very fair as well, which I have really valued. I have also enjoyed meeting and listening to a very wide range of people and entities during the select committee process – the people that have appeared before us. I also want to thank at this point too the secretariat, because being fairly new on these sorts of committees I noticed that part of the service that they provide is a kind of methodological rigour. They provide the structure and the framework around the work that we do, which gives balance and accountability to the work of the committee, as well as the secretariat support.

Just to finish my introductory remarks, I have enjoyed listening to the ministers, the departmental heads, the sports industry experts, the sports administrators, the Commonwealth Games staff, the events experts and lots of local sporting representatives across the state. It has been really terrific. There has been an incredible diversity of views expressed on all of the key issues that the committee has been investigating. It has been, in a sense, one of my first committees, and I have enjoyed observing how they go about the process.

The most telling statement for me is the Auditor-General's report into the Commonwealth Games, and that confirmed that \$6 billion is too much for a 12-day sporting event and the government's decision to not proceed was the right one. The only sensible and responsible action to take was to not go ahead with those games given the circumstances, and the decision was particularly sensible and responsible for regional Victoria. I do struggle with this particular request around executive privilege. When those opposite were in government, there was a very strange story as well. In fact those opposite look quite disingenuous in bringing before us this motion when we reflect on their record in a similar situation.

This motion seeks to set up a further debate for 50 minutes on a government business day – I acknowledge there is an amendment, and I will get to that in a minute – with the purpose of disrupting the government and distracting this chamber from getting on with the business that Victorians expect us to do, and that is to debate and scrutinise legislation. That is what my constituents expect. What they do not expect is to have this Parliament sidetracked from getting on with the vital work of the chamber just to satisfy the opposition’s ongoing obsession on this matter. That is what the Victorian community care about – delivering real and tangible infrastructure that supports and builds up our state. I note that there is an amendment. There seems to be an outbreak of unanimity in relation to this amendment, because it seems to be the same amendment across the chamber no matter where you look, and that I think is a very good thing. The amendment will minimise the impact on a government business day to a certain extent, which is a positive thing, and I appreciate that.

Just to go on with, say, the Baillieu–Napthine governments, the previous time those opposite were in government only six documents motions were passed. When the government provided information, there was none at all for about 50 per cent of them and only partial information for the rest. In terms of health performance data, the coalition denied Labor leave to debate a bill that would require the quarterly release of hospital, paramedic and firefighter performance data. David Davis was the health minister at the time, and at one point the health performance data was held back for 18 months. It is pretty hypocritical to be lectured in this place by Mr Davis on documents motions. It really is an abysmal record. I appreciate those opposite might have forgotten their record when last in government, seeing as it was so long ago.

It is disappointing to see this kind of obsession and time wasting being the focus of the opposition. I understand that you all have a lot on your plate. I understand there are a lot of legal issues flying amongst you at the moment, and I understand that that will be taking up a lot of your focus and energy.

Joe McCracken: They are preparing witness statements.

Jacinta ERMACORA: Exactly. But it really truly would be better for democracy if there was a greater focus on what your constituents need rather than looking inward and playing out a big time-wasting and expensive internal conflict in a public court system.

Before I finish up, I really want to return to that notion of what was sensible and responsible at the time. As I said, the Auditor-General’s report confirmed that \$6 billion was too much to spend on a 12-day sporting event and that the government’s decision to not proceed was the right one. I really do think that is worth reiterating. Instead of playing games – pardon the pun – we are getting on with delivering a \$2 billion package as an alternative to the games, which goes straight into regional Victoria, not just those five hubs that were originally going to receive funding support. They are guaranteed. This \$2 billion will be spread across the entirety of the state, so it really does enhance the benefits to regional Victoria, particularly outer regional Victoria, which of course is one of this government’s strength areas. The Big Housing Build, for instance, has \$1.25 billion to develop social and affordable housing in rural and regional Victoria. This is one of the real benefits of the \$2 billion fund. The commitment includes 500 new affordable dwellings in regional Victoria.

We have committed \$1.1 billion through the Big Housing Build to regional Victoria to date, which is creating 10,000 jobs across regional Victoria. The Koroit worker housing initiative undertaken by the Moyne shire, as I have mentioned in previous speeches, is a great example. In the Koroit caravan park, workers can be housed that have got employment in the Moyne shire area. Previously there was evidence that people were not taking up jobs, because they could not get accommodation in those communities. I congratulate the Moyne shire for their initiative in this space and notice that there are a number of other local councils who are now looking at doing a similar initiative.

Just before I finish up, I would like to mention the high-level investments that are happening in regional Victoria, because I think the Allan Labor government has a lot to be proud of – \$38 million for an extension of the Regional Events Fund, \$62 million for the Regional Tourism Investment Fund

and \$21.8 million for the Visit Victoria boost promotion. I will leave it at that point. Twenty-nine recipients recently shared in \$8 million through the Enabling Tourism Fund. I think that the \$2 billion fund is being spread much more evenly throughout regional Victoria as a result.

Joe McCracken (Western Victoria) (15:12): When the Victorian community found out about the cancellation of the Commonwealth Games, there was broad shock across Victoria. Small businesses, tourist operators, athletes, sporting clubs and local governments, all of whom we have had as witnesses to the inquiry, revealed how they were only informed via either the media or a cursory text message or phone call a couple of minutes before the announcement. It was incredibly poor form. Naturally, like many in the community, they were seeking answers, which is why this Parliament acted to establish an inquiry into the cancellation of the Commonwealth Games. So far we have discovered that almost \$600 million has been wasted to not host the Commonwealth Games in 2026. Far be it from the views of previous speakers, that is not a good outcome.

We have seen a business case that barely deserves the name, due to severe restrictions placed on it, and a lack of oversight and due diligence in many key decisions that have ultimately resulted in disappointed Victorians, frustrated businesses and the world laughing at Victoria. Even now Glasgow must be thanking the Victorian taxpayer for funding their games, which is in effect short-changing the taxpayers of Victoria. Thank you to those opposite for letting that happen.

But the quest for information continues, and it has been routinely frustrated along the way. Seemingly simple information is often taken on notice and executive privilege has been claimed on a multitude of documents on a multitude of occasions in an exercise which I think is designed to ensure that the government is protected, shielding decision-makers from scrutiny and accountability. The Premier, who was the minister responsible at the time for Commonwealth Games delivery, has refused to appear before the select committee. There is no doubt that she has many questions to answer, but again she has refused to acknowledge the role that she played in this sorry saga. Likewise, the former Premier Mr Andrews has refused to appear before the inquiry along with a string of former government ministers that are no longer in Parliament.

This motion seeks one thing: information. It seeks documents that the government has failed to provide even despite the fact that this chamber has agreed that that should occur. The government has seemingly disregarded the standing orders of this chamber in order to avoid scrutiny and accountability. So much for integrity in this government. If this is any action to judge the government by, you would have to conclude that integrity is virtually non-existent. We need to remember that we are representatives of people, real people, people that have been significantly and negatively impacted by the cancellation of the Commonwealth Games. Constituents of mine, indeed those in Ballarat and surrounds, were given a set of commitments and promises prior to the 2022 state election. Those promises were reneged on – they were cancelled – and they deserve to know why. These people deserve honest answers, straightforward answers and just some common decency.

I commend this motion to the house, and it is my hope that this process is not continually frustrated and stalled by those opposite just to protect their own interests. The people of Victoria are who their real interest should be, but it is clear that that is not the case

Gaelle Broad (Northern Victoria) (15:17): The cancellation of the Commonwealth Games over 12 months ago was a significant blow to Bendigo and regional Victoria. 10,500 tourists a day were expected, which would have given the region a significant economic boost. Right from the start the Premier, who was the Minister for Commonwealth Games Delivery at the time, has not been transparent with the public. In April 2023 – this was prior to the state budget – Nationals Senator Bridget McKenzie and I were in Bendigo and raised concerns about the Commonwealth Games budget and how projects were being funded. To quote the *Bendigo Times* on 28 April 2023, and the title of the article is ‘Nats claim issue with Comms Games planning’:

Deputy Premier and Minister for Commonwealth Games Delivery, Jacinta Allan, said there was no truth of budget concerns or timeframe issues.

“We are making great progress with regional communities on the delivery of the 2026 Commonwealth Games,” she said.

“The Andrews Labor Government has grabbed with both hands the opportunity to have regional Victoria be the home of the Games, unlike the Liberal and Nationals.

...

Ms Allan said the Government is working with communities to produce a Commonwealth Games legacy that will last.

...

“This will leave a lasting legacy with \$3 billion of ongoing investment into the regional communities to go along with the job opportunities and the chance to showcase regional Vic on the international stage.”

These words were said by the Premier just weeks before cancelling the Commonwealth Games – not just reducing the budget allocated to the games but actually cancelling the whole event. This was a major decision and another example of how Labor cannot manage money and certainly cannot manage projects.

This motion highlights the government’s failure to produce the documents requested by the parliamentary committee. Requesting documents to provide further background about the cancellation of the Commonwealth Games Labor called a ‘witch-hunt’. Today it has been called a crusade. It has been called an obsession. Well, that is what I call transparency in government. They claim executive privilege with these documents, but what privilege? The government are put in office by the Victorian public; that is the privilege they seem to forget. The state government do not make money; they take money from people through fees and taxes and choose how to spend it. In doing so they should be answerable to the Victorian public. The privilege of holding office is to be transparent about how taxpayer funds are being spent.

It is a repeating pattern by this government to avoid scrutiny, to avoid accountability, to evade parliamentary process, to withhold information and to practice the art of distraction, hoping people will forget and move on. Glasgow will run the games at a fraction of the cost when compared to Victoria’s \$7 billion, they claim. Yet now we are going to have Victorian taxpayers helping to pay for those games. This government has spent \$600 million on nothing – just cancelling the Commonwealth Games. The legacy projects that were meant to be finished by 2026 in time for the games have not even started. If the cost was too high, why would the state government not have looked at other options? No, they simply cancelled the whole event – an event they promoted for months in the lead-up to the 2022 state election.

I do appreciate the work of the parliamentary committee who are looking into the cancellation of the Commonwealth Games. My colleagues Melina Bath, Joe McCracken and others have been across the state holding public hearings, including in Bendigo, and we know that the cancellation of the Commonwealth Games has been very damaging to Victoria’s international reputation. The Paris Olympics reminded us of the value of sport and the lift it can give us all. Australia had our most successful games ever, and how unfortunate it is that we will not be able to back that up with the Commonwealth Games in Victoria in 2026.

Ms Ermacora mentioned that the government is not trying to play games. Well, I would suggest that they do stop playing games and provide these documents, in line with the standing orders.

Rikkie-Lee TYRRELL (Northern Victoria) (15:21): I am rising to speak to motion 585. As a member of the select committee responsible for this report, I have found the process to be incredibly frustrating. The committee has been stonewalled left, right and centre when seeking information and evidence from our Victorian state government. As elected representatives of our constituents it is our responsibility to provide transparency and accountability. These responsibilities also apply to members on the select committee. Unfortunately, the government are failing to enable a fair and just process to investigate and deliver the required information in order to justify the cancellation of the 2026 Commonwealth Games. The government is required to adhere to the standing orders.

This Commonwealth Games bid has cost our Victorian taxpayers \$589 million – that is a \$90 bill for every living Victorian, because of the government’s failed election promise. The people I represent deserve far better than this. They deserve the transparency and accountability our government claims to provide but has not delivered.

Ryan BATCHELOR (Southern Metropolitan) (15:23): I am pleased to rise to speak on motion 585 moved by Mr Davis, which is a rather extensive motion where volume is probably substituting a little bit for substance, but it is important nonetheless. It obviously seeks to obtain a range of documents that were sought in the interim report of the Select Committee on the 2026 Commonwealth Games Bid, reflects on the government’s response and the claim of executive privilege that has been made over 350 documents that were sought by that process and seeks to utilise the provisions of the standing orders to require that certain actions take place. In doing so it provides, I think we should say, that there be a further debate, and the timing of that further debate is the subject of Ms Bath’s amendment to have that debate at the start of government business on Wednesday 16 October.

David Davis: We hope not. We hope the documents are provided.

Ryan BATCHELOR: I am saying it provides for; it does not require it. I think if we were listening, we would understand what was being said.

The motion that Mr Davis is moving is an attempt to get hands on documents that the government, in responding to a legitimate request that has been made by the Parliament, has responded to in a legitimate way, which is to say that these documents have a claim of executive privilege that covers them. Therefore they are consistent with the rules and practices of this chamber and the chambers of the UK House of Commons, from which they were inherited many eons ago. When we inherited these powers to request and compel the production of documents, a rider came attached with respect to assertions of Crown privilege. Obviously in today’s parlance that is a kind of executive privilege. It is important that we understand what that entails, because it is not just matters that pertain to executive privilege as it is understood. I know that others in the debate did not want to go through and read the list of what these factors were, because they for some reason felt like it was not important for the chamber to hear them, but I think it is, because when you hear the term ‘executive privilege’ you may think that it only relates to certain types of documents – perhaps that this potentially would be in the context of just dealing with the deliberative processes of cabinet. But the claims of executive privilege, because they have a broader scope than would exist for example under freedom-of-information legislation, where different types of exemptions that can be legitimately claimed from that –

David Davis interjected.

Ryan BATCHELOR: I know it is not a freedom-of-information request. Mr Davis, if you actually listened to my contribution, then you might learn something. What I am saying is that the title of executive privilege and the concepts of executive privilege that are used in this context are broader than the way that cabinet documents exemptions would exist under the Freedom of Information Act 1982, because under that act – as I am sure some who are familiar with it do understand – there are other categories of exemptions that do apply beyond the cabinet exemption, which in this context are captured in the broader term of executive privilege. They are not only that it would reveal, directly or indirectly, the deliberative processes of the cabinet but also that it would reveal high-level confidential deliberative processes of executive government or otherwise genuinely jeopardise the necessary relationship of trust and confidence between the minister and public officials. Privilege may be claimed when it may reveal information obtained by the executive government on the basis that it would be kept confidential, because documents are subject to other statutory confidentiality provisions that apply to the Parliament. It may be that these documents could reveal confidential legal advice to executive government. It may well be that the documents could otherwise jeopardise the public interest on an established basis, in particular where disclosure would prejudice national security or public safety; prejudice law enforcement investigations; materially damage the state’s financial or

commercial interests, such as an ongoing tender process or changes in taxation policy; prejudice intergovernmental or diplomatic relations; or prejudice legal proceedings.

Obviously my comments here do not assert any relationship between any of these factors and the documents in question. Rather they are an attempt to explain that the concept of executive privilege that applies in this context encompasses these matters, not simply as it would if we were to take an analogous provision in the Freedom of Information Act where a document was refused release because it would reveal the deliberative processes of the cabinet. That is but one of the many other elements of the Freedom of Information Act that would apply. You cannot just draw one simple analogy to the other without looking at the wide range of factors that could be taken into account. I think anyone who is considering whether executive privilege should exist over certain documents – I have missed a little bit of the debate, but I have not heard anyone in the debate so far assert that we should not have this concept in the consideration of this chamber's powers to require the production of documents. No-one has got up here and said they do not believe in executive privilege and they do not think it is a concept that should apply in this debate. No-one has said that, as best I can tell. It is incumbent upon us, when we have that discussion, to actually have a fulsome understanding and airing of exactly what the breadth of that term and that claim mean in this context. Otherwise people might – I will not say 'be misled' – misunderstand the claims that are being made, and of course we would not want that to happen.

What we are seeing today is I think a very simple proposition that is being put on behalf of the government that this Council, through the chamber or through its committees, has sought to exercise its powers, its right, to request the production of documents. The government has responded using the mechanisms that are in place and has asserted a claim of executive privilege, which on any reading of the powers of this chamber, as they were passed to it on separation from the mothership, contain this concept of executive privilege at their heart. That concept of executive privilege, as I have enunciated in the context of this contribution, encompasses a range of matters. That hopefully is my attempt to clarify some matters in the debate.

David DAVIS (Southern Metropolitan) (15:31): I am pleased to sum up in this debate and I thank all members for their contribution. I think there are a few key points to clear up. First of all, picking up Mr Batchelor's point here, we all agree that there is a legitimate case of executive privilege, but what he did not say is that the chamber through its standing orders, in common with New South Wales, has a standing order that enables that to be tested independently. But he did not actually say why the government has decided to thumb its nose at that basic principle that is in the standing orders. That is the key point.

In response to other points that were made, the coalition's record on this is very good. Some tried to say earlier that we had not responded to the standing order. Well, the standing order was not there when we were in government. It actually was not there. You cannot respond to a standing order that is not there. Indeed overwhelmingly we responded positively to requests for documents. Where we believed there was a legitimate case of executive privilege, we asked the house not to insist, and it never insisted. I am just telling you that. I wrote some of the documents that went through. So I will just be quite clear.

Then we get to the substance of the motion here, which is about a huge waste of government money, and the inquiry, led ably by Mr Limbrick, is seeking to get to the bottom of a number of these points. It has been asked to do so by the house, and we have actually got active obstruction by the government, by the ministers. They refuse to submit the documents for arbitration or examination as understood, promulgated and laid out in detail by the standing orders. This makes it clear: please deliver the documents as per the standing orders and allow the process to operate. If you have got legitimate executive privilege claims – I agree with Mr Batchelor that there are legitimate claims for executive privilege; nobody has disputed that – submit them and get them tested. If need be, an arbiter would be appointed – a respected person, a respected jurist – and they can then give an independent assessment. It works in New South Wales; why shouldn't it work here? The only reason is that the government is

defiant and does not want to use the standing order. They want to block the use of the standing order, although they are bound by it. This makes that clear.

I accept and I think the house accepts in general the amendment by Ms Bath, which will see, if they do not deliver the documents, a debate on the next sitting Wednesday in government business. But the preferable thing is that the government does deliver the documents, and the documents can then be examined under the Clerk's guidance with Mr Limbrick and then, if there is a dispute, a process of independent arbitration. What could be fairer?

Amendment agreed to.

Council divided on amended motion:

Ayes (24): Melina Bath, Jeff Bourman, Gaelle Broad, Katherine Copsey, Georgie Crozier, David Davis, Moira Deeming, David Ettershank, Renee Heath, Ann-Marie Hermans, David Limbrick, Wendy Lovell, Trung Luu, Sarah Mansfield, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Rikkie-Lee Tyrrell, Richard Welch

Noes (15): Ryan Batchelor, John Berger, Lizzie Blandthorn, Enver Erdogan, Jacinta Ermacora, Michael Galea, Shaun Leane, Tom McIntosh, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Amended motion agreed to.

The ACTING PRESIDENT (Bev McArthur): Before I call Ms Payne with her Legal and Social Issues Committee motion, I acknowledge Ms Patten in the gallery. It is wonderful to have you with us, Ms Patten.

Committees

Legal and Social Issues Committee

Reference

Rachel PAYNE (South-Eastern Metropolitan) (15:43): I move:

That this house:

- (1) notes that the continued prohibition of cannabis forces thousands of Victorians through the criminal justice system, wastes immense police resources, empowers the illicit market and is at odds with public sentiment, with 80 per cent of Australians believing that the possession of cannabis should not be a criminal offence;
- (2) requires the Legal and Social Issues Committee to inquire into, consider and report, no later than 18 March 2025, on the Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023, including consideration of the impacts of the Australian Capital Territory's decriminalisation of the personal use of cannabis; and
- (3) defers the second reading of this bill until the final report of the committee is presented to the house in accordance with the terms of this resolution.

To understand why we are here today, I think it is useful that I begin by taking you back to November last year, when we first debated this bill. During debate the Minister for Mental Health, Minister Stitt, stated that:

... the government is amenable to ongoing discussions with the Legalise Cannabis Victoria Party on this topic and a process that would take the advice of experts and engage with the community.

We also heard from the opposition that:

... we need more data to come in on this.

Following this debate we continued to work with the government to understand what a process for reform could look like. While this work was underway it was important to us that the many Victorians calling for change continued to be heard. That is why earlier this year we presented a petition signed by almost 3000 people to allow for the consumption and possession of small quantities of cannabis. It only took us a handful of days to collect these signatures, a testament to how many people are sick and tired of the continued prohibition of cannabis. This government responded to our petition in July this year. In their response they cited the need for evidence-based action and that health-led policies towards drug use yield positive social and economic outcomes. So a pattern begins to emerge – a bipartisan appetite for advice, community engagement and evidence-based action. This is why today we seek to debate this motion and ensure that this government walks the talk. Taking our bill through the committee process will allow us to hear from experts, consult with the community and review the evidence, including by considering the experience of the ACT.

Debates around the impacts of cannabis prohibition are not new. In fact former Premier Jeff Kennett has stated on several occasions that one of his greatest regrets is that he did not get his party over the line to decriminalise cannabis when it was considered in 1996. Interestingly, when I review some of the newspaper clippings from this time I can see that all of the arguments put forward back then, nearly 30 years ago, are the same arguments I am putting forward today. I would like to refer to one pearler I found from 14 March 1996 in the *Herald Sun* from ‘Regular smoker, country Victoria’:

My husband and I are smokers (over 20 years) ... We do not take other drugs. We are not mindless, crazed junkies, nor are we thieves.

We both have responsible jobs and we have two beautiful, well-looked after and intelligent children. About 90 per cent of our friends are smokers and most are successful professionals.

We used to grow a couple of plants for our own use but since we got busted a couple of years ago (three plants, \$450 fine and a criminal conviction), we now buy from dealers. By keeping marijuana laws as they are we are making dealers rich (\$400 an oz, \$30 a gram).

Not much has changed in the conversation, nor has the price of illicit cannabis.

Turning now to the first part of our motion, this outlines just some of the consequences of the continued criminalisation of cannabis. This is not an exhaustive list. Such a list would keep us here for days, and fortunately for you all I only have a limited amount of time in this debate. What this list does show is why we will not stop pushing for changes to cannabis laws. Thanks to the latest national drug strategy household survey we now know that 80 per cent of Australians believe that possession of cannabis should not be a criminal offence. By our calculations that is roughly 4.5 million Victorians that are ready for change. Victorians are increasingly seeing places overseas and domestically reform their cannabis laws without the sky falling in. One in three of them has firsthand experience with cannabis. It is no wonder that they are asking themselves why we continue to criminalise cannabis.

Attitudes towards cannabis are clearly changing, and we must change with them. Existing laws have created a disconnect. There is a rightfully relaxed attitude towards cannabis, and most people assume that it is really no big deal. But what people often forget about is the harm that current laws cause to thousands of Victorians, particularly our most vulnerable. In 2021 there were almost 9000 people charged with personal cannabis use and possession in Victoria. First Nations people are grossly over-represented in this group. Aboriginal and Torres Strait Islander people are eight times more likely to be arrested for possession of cannabis. The criminalisation of cannabis does not protect; it simply hurts people.

Last month we stood in this place and debated the Youth Justice Bill 2024 well into the night. Most here recognise the importance of ensuring young people are diverted away from the criminal justice system wherever possible. We recognise this because there is a mountain of data to back up the fact that once a young person enters the criminal justice system they are much more likely to keep going back. When a young person has a criminal record, organisations designed to assist them with things like housing and employment often have their hands tied. People do not want to employ or house

someone with a criminal record. It is already difficult for someone to reach out to a service provider and say, 'I need help', let alone when doors are being shut in their face. Even just the stigma surrounding cannabis continues to cause such unnecessary harm.

Legalise Cannabis Victoria has done a lot of work since being elected to help reduce this stigma. This extends to our work with medicinal cannabis patients and the barriers they face in Victorian workplaces and on the roads. These are people consuming cannabis medicinally, something that is very much legal in Victoria. Yet because of the surrounding stigma, in part thanks to the continued criminalisation of cannabis, patients are trapped in a constant cycle of judgement and having to justify themselves. Existing laws prevent patients from driving, even when they take their medication as prescribed and are not impaired. Victoria's roadside drug-testing checks for the presence of only three substances: THC, methamphetamine and MDMA – not impairment. Medicinal cannabis is being treated differently to every other prescription medication.

One of the consequences of this is that many medicinal cannabis patients instead opt for public transport, but here in Victoria we love sniffer dogs and we love a police train station operation, many of which are often in my region in the south-east. These patients are sniffed out and then they are pulled aside like a criminal and must prove to the police that they are a patient and hope that they will be treated with dignity and respect. In the workplace, medicinal cannabis patients are disclosing their prescriptions to their employer, and for no clear reason apart from stigma they are being let go or placed on lesser duties. It is deeply troubling to us that someone can be fired from their job purely because they are taking a medicine prescribed to them by their doctor. These people are taking their medicine as prescribed, they are not impaired at work and yet they are being treated like they have something wrong.

Pleasantly, recommendation 3 of the report from the inquiry into workplace drug testing in Victoria seeks to address this by enshrining prescription medication and treatment into the Equal Opportunity Act 2010. We hope that this government will respond positively to the recommendation but also recognise the opportunity to go further and address the continued criminalisation of cannabis to reduce stigma. If the human element is not enough to persuade a change in laws, you can look at the bottom line in the budget. Let us not sugar-coat it – Victoria's financial position is not great. In every budget since I have been elected, I have let this government know that they are missing out on an opportunity here by regulating personal use cannabis. Victoria spends millions of dollars every year on its continued criminalisation, wasting taxpayer money on policing and the criminal justice system. It also reduces employment opportunities thanks to the criminal record it leaves people with. We know from estimates from the Parliamentary Budget Office that the 2022 illicit cannabis market in Victoria was likely worth over a whopping \$1 billion. Instead of this going towards the Victorian economy, existing laws position criminal organisations to reap the rewards. Lawful cannabis could create thousands of secure jobs, cut law enforcement costs and inject hundreds of millions of much-needed dollars into our state. The need for change could not be clearer.

As a significant number of countries and states legalise and decriminalise cannabis, we have an increasing amount of data to draw from to reassure those in this place that the end of prohibition will not be the end of our sanity. One of the best examples we can draw from is close to home. That is why our motion ensures the committee will consider the impacts of the ACT's decriminalisation of the personal use of cannabis. Almost next door we have an Australian jurisdiction that has decriminalised cannabis. We have a lot we can learn from their experience. In recent weeks the ACT government published a review of the four-year impact of their bill that decriminalised cannabis. Some of the major findings of this review are that cannabis use has not increased and remains below national averages, charges laid for cannabis offences and diversions have continued to decline to very low levels, there have been no changes in cannabis-related presentations to ambulances and hospital admissions, and there were no evident changes in the availability of cannabis.

When tabling the review the minister stated that:

Some feared an increase in harms related to cannabis use, including an increased burden on our health system and an increase in organised crime. I stand before you today with clear evidence that many of the fears raised have not been realised.

Stakeholder responses to the review were overwhelmingly positive, noting reduced stigma and discrimination and improved relationships between cannabis consumers and the police. Our motion would allow us to dig further into the review's findings and how we can best achieve reform. Beyond looking at the outcomes of decriminalisation in the ACT, this will give us the opportunity to compare and contrast their approach to legalisation.

I turn to our proposal. For those in need of a refresher on our Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis Bill) 2023, it would allow adult personal possession of small quantities of cannabis, allow adults to grow up to six plants of cannabis at home, allow adult consumption of cannabis but not in a public place, allow adults to gift a small quantity of cannabis and prevent children under the age of 18 from accessing cannabis. Issues like the gifting of cannabis, the possession of seeds and restrictions around where growing is allowed can be examined. It is our hope that a more detailed look at the data coming out of the ACT will help mitigate some of the fears that people in this place have.

The original inquiry into the use of cannabis in Victoria occurred at a time when changes to the law in the ACT were in their infancy. We had a different Parliament, a different Premier and a different minister. It is here that I would like to formally acknowledge the mountain of work to progress this issue done by those who came before us. Specifically, special thanks must be given to Fiona Patten, a former member in this chamber who in 2021 initiated the inquiry into the use of cannabis in Victoria as well as chairing the committee. The report is extensive and invaluable and continues to assist us in the work that we do. Now more than ever we understand the need for commonsense laws that are focused on harm reduction rather than the endlessly unhelpful approach that is the war on drugs. It is our hope that a new inquiry focused specifically on our proposed model for reform will allow this government to take an informed position on cannabis. This bill inquiry is a process that would take the advice of experts and engage the community. It would enable evidence-based action and health-led policies. This is a step forward that the government has asked for, and it is time to walk the talk. We encourage this government to support our motion and to use this inquiry to free themselves from the fears they have when it comes to ending cannabis prohibition. There is a better way forward for cannabis in Victoria.

Michael GALEA (South-Eastern Metropolitan) (15:58): I also rise to speak on the motion put forward by my colleague from the South-Eastern Metropolitan Region, Ms Payne, today. I acknowledge her and Mr Ettershank for their advocacy and work on this matter and indeed Ms Patten as well, who has joined us in the gallery today, who did some considerable work on this matter in previous parliaments. It is an important topic for us to be discussing. As a member of the Legal and Social Issues Committee, I am very much looking forward to seeing this inquiry come through onto our already busy schedule, but it is an important inquiry because it is at its heart a very simple legal issue. It is important as we look towards the legislation that has been introduced by Ms Payne – that is, the Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis Bill) 2023. As indeed Ms Payne said in her opening remarks, it was said by some in government at the time that more work needed to be done and more data needed to be collected, and this strikes me as being a very appropriate way for us to do that, so I am happy to be speaking today in support of this motion and in support of this referral. I am looking forward, subject to the will of the house today, to taking part in this inquiry and seeing exactly what such regulation of personal use would look like in a meaningful sense. What are the challenges that we have facing us, what are the best ways to overcome those and what are the most straightforward ways to address this issue?

It is quite pertinent that Ms Payne has included a specific reference to the Australian Capital Territory in her referral motion, because that is the one jurisdiction to have already embarked down this path. A Labor colleague of mine Michael Pettersson did a significant amount of work in the ACT on this subject. I think it is particularly relevant for us to be looking at that jurisdiction and seeing – though there are some natural and apparent differences between us – that it is by far the most relevant and the most similar jurisdiction to Victoria that we could be comparing ourselves to. So doing that work and looking from that perspective as well – to see what particular challenges and what opportunities indeed came through the ACT's deregulation of cannabis and whether they may or may not be applicable to Victoria as well – I imagine would be a reasonably significant part of the inquiry. From what I understand, it would be a relatively straightforward inquiry as well and one that would very much seek to get to the heart of the issue, on the back of previous reports and inquiries. I believe in the previous Parliament there was one as well.

The issue of legalisation of cannabis is one that I am particularly interested in engaging with, largely because it is an area of public policy where my views have been challenged and have evolved over a space of time. I think for me personally, and as a legislator in this place, I am very, very keen to look at the real data and see the push behind it but also perhaps what some of those challenges and barriers may be. For me personally, as someone who did grow up quite opposed to what we are discussing here today, I have had the chance to read lots of reports, hear lots of evidence and talk to lots of engaged and interesting people as well, and that really challenged some of those views and preconceptions that I had. I am particularly looking forward to being able to fully devote the time to looking at this issue with an open mind and to see what the best way forward is – not the best way to serve my preconceived views or the preconceived views of anyone else, but the best approach for Victorians and the best way to frankly not be criminalising people that do not need to be criminalised and provide people with the rights and freedoms to engage in appropriate behaviour that they wish to engage in, without putting people at any sort of risk to themselves or others. I am quite optimistic to see what we might find in that, and I look forward to, as I say, very much engaging and challenging what views I might have once had but also engaging and embracing various points of view in the process.

This government of course does have a long track record when it comes to this policy area and different perspectives. We saw the nation-first – initially a trial, now implemented – program of medicinal cannabis available to Victorians. We have seen quite a big take-up of that. I believe somewhere close to 400,000 people have taken medicinal cannabis in Victoria over the almost 10 years now in which we have had it – a significant thing which was quite controversial at the time when it was first announced but is now widely accepted. Ultimately if there is a way to treat people that is more effective than other alternatives and options, it is one that we should be embracing. Many Victorians have embraced exactly that.

We are also currently looking at ways in which we can provide better access to transport for people who are taking up medicinal cannabis, and we have the road trials for medicinal cannabis, for people taking that while driving, coming into place as well. I know that that is an area that Melissa Horne, the Minister for Roads and Roads Safety, is particularly engaged in as well. It is in many ways what will be a world-first trial in real-life road conditions, to make sure that any such reforms are being done in a very sensible way that does not mean that people who are taking medicinal cannabis are unduly impacted and prevented from driving. It may well be the case, though I know that is not part of this trial specifically, that any lessons may also then lead to what we might be able to glean for situations, if there is then a changing of the rules and regulations, around the use of recreational cannabis too.

Indeed with the medically safe supervised injecting rooms in North Richmond we have seen this government be prepared to look out for people when they need it the most, and we have seen the countless – not countless in fact but I think somewhere around 60 to 70 – lives that have been saved just from that centre and the opportunities it affords people. I know some in this place like to make out that all these issues in North Richmond arose when the medically supervised injecting rooms went in, but I can very much assure those people, as someone that did spend some time in that area as a child,

that those issues have been prevalent there for a very long time. Putting that service at the heart of where it is needed the most has been a really important thing. Indeed I commend Minister Stitt for her continuing work with the recent announcements and the improved access to support services for people dealing with issues with drugs. It has been a very significant step as well because, irrespective of legal questions, ultimately these things should be treated as a public health issue, because that is the way we can most effectively treat them and support people, not to stigmatise them nor criminalise them when they need help. I am very excited to see the continuing work that Minister Stitt will do in that space as well.

Coming back to the motion before us today though, we are talking about a step towards legalisation of cannabis for people in Victoria. As I said at the outset, it is a very important thing for us to get right. If we are to consider this legislation, it is something that the Legal and Social Issues Committee is well placed to look into to give that more in-depth analysis into some of the things that, as I say, will be opportunities for the state of Victoria, be they through taxation or other opportunities, and indeed into some of those challenges and risks as well. For any such approach, we need to be really, really cognisant that we are doing so in a way that is measured and considered.

I very much want to take a moment to acknowledge in particular Ms Payne for the way in which she has gone about this in a very diligent, very determined but also very respectful and reasonable way, and indeed her colleagues as well. Having just noticed the tie that Mr Ettershank is wearing, the very appropriate tie for today, I will pay a quick acknowledgement to that as well. I am very much looking forward to seeing some of the other contributions in this debate. Indeed, as I say, not to predetermine the outcome of this motion, but should it be endorsed and put through by the house I am very much looking forward to working with Ms Payne and all colleagues on the Legal and Social Issues Committee to examine this issue in proper detail before responding to the house by mid-March next year.

Georgie CROZIER (Southern Metropolitan) (16:08): I rise to speak to the motion before the house in Ms Payne's name. She rang and spoke with me last week, and I thank her for that and for going through the issues. I am not going to go through my second-reading speech in the debate that we had – I do not know when it was actually, but some months ago – regarding the issue at hand. I just make the point that I do stand by the comments that I made in that contribution. I am sympathetic to the reasons why she is bringing this forward, but I stand by those comments in relation to sending the wrong message to the public.

We have a significant drug problem in this state, and as we have seen, far too many instances of issues that have arisen out of drug use, the illegal use of drugs and harm to the community. Whilst everyone might not be affected that way, there is data coming out of other countries around the world – I know it is a contentious debate, about what is happening in some of those jurisdictions – and I stand by those comments that I made too after going and seeing and speaking to experts in the field at the time and who are still in contact with me about the decline – all well intentioned – around the legal use of cannabis. However, it is concerning – the impacts on the community and especially the impacts on vulnerable people within the community – and that I think is a very sad situation that we are seeing in parts of the US where cannabis has been legalised.

I make a note too that there have been lots of inquiries into this, and the government is moving towards legalising cannabis. That is clear. They have obviously done a deal with the minor parties. That is also clear. On the Senate Standing Committees on Legal and Constitutional Affairs, Greens Senator David Shoebridge introduced the Legalising Cannabis Bill 2023 and sent it off to a committee, and they thrashed it out and had it all out there. The government keeps referring to the advice of experts. I heard the Minister for Energy and Resources in her contribution in question time today, an extraordinary contribution around gas and the government's plans to ban gas. She was talking about medical experts around gas. Well, I will just take up that point. If you look at the medical experts that contributed to

the Senate inquiry into legalising cannabis – and I will read this into *Hansard* because I think it is important:

Physical and mental health risks

Other submitters and witnesses maintained that cannabis use can pose significant physical and mental health risks. The Australian Medical Association (AMA), for example, highlighted the following short and long-term health impacts:

People can experience immediate impacts to mental health such as reduced brain function, anxiety or panic attacks, paranoia, or memory loss. Cannabis users are more likely to develop psychoses or schizophrenia. Physical impacts can include impaired reaction time, balance, and information processing. Cannabis can be addictive and cause withdrawal symptoms. Long-term use can impair brain function, damage the person's throat and lungs and cause bronchitis or cancer, cause cardiovascular system damage, and mental health conditions such as depression. Using cannabis while pregnant is associated with a lower birthweight of babies. Using cannabis is associated with alcohol, tobacco, and other drug use.

Professor Robyn Langham, Chief Medical Adviser in the Health Products Regulatory Group of the Department of Health and Aged Care (the Department), agreed:

... there are known issues with cardiovascular problems of the heart and pulmonary effects of the lungs; and also issues regarding acute use, chronic use and neuropsychiatric or mental disorders as well. There have been increasing reports of overdose and toxicity by minors with increasing use ... [T]here's the other perhaps less easy to measure aspect of use, which is the risks on driving and impaired driving.

They are the experts providing that evidence to a Senate inquiry on this very issue in recent months. The Legal and Social Issues Committee in this Parliament is undertaking significant work around a number of very important issues, and these include finishing off their inquiry into the state education system in Victoria – which we know is in decline. They will be handing their report to the house fairly soon. There is the inquiry into food security in Victoria and an inquiry into the management and functions of Ambulance Victoria – and let me tell you that inquiry cannot start soon enough given the massive issues that are going on within Ambulance Victoria as I speak at this time. There are many issues impacting the community that are significant to the entire Victorian community, not just niche areas that, with all due respect, a one-issue party is focused on. There is an inquiry into the redevelopment of Melbourne's public housing towers – again, another significant issue into which this committee is looking and should be putting its efforts. I should also say: if they were serious, they would put a motion for an inquiry looking at the failures of the government in mental health rehab and support for those using drugs and the impacts of cannabis use, as I have explained and as the AMA has explained to the Senate inquiry.

Finally, I will say in relation to the possession of an illegal drug here in Victoria, quantities of cannabis are defined as a small quantity, up to 50 grams; a trafficable quantity, 250 grams to 10 plants; a commercial quantity, 25 kilograms or 100 plants; and a large commercial quantity, 250 kilograms or more or 1000 plants. The police caution that – and I think everybody agrees this is completely reasonable – if you are caught with a small quantity of cannabis or heroin and it is your first offence, you will usually get a warning, a caution, instead of being charged with the offence. I do not think anyone thinks that that is overly problematic at all.

David Ettershank: There were 4500 arrests last year.

Georgie CROZIER: Mr Ettershank, you interject, but I can tell you I will take the police on this any day of the week. I commend the police for their actions today and, while I am on it, I note the disgraceful behaviour by those activists that have attacked Victorian police – 24 police have been injured and police horses have been injured. I am digressing, I know, but in terms of what the police do and what they are subjected to, I think it has been an absolute disgrace. Those people should all be ashamed that they have even put the police in that situation. I have got to say they have my full support, and I wish they would throw the book harder at those activists that went out there and caused disruption and disgrace and further trashed Melbourne and Victoria's reputation. As I say, I digress from this important motion that we are debating today, but I want to put that on the record, given today is a

shameful day in the state's history when so many police have been attacked by these ideological activists. They are anarchists. They do not even care for the state. They do not care for our country. Frankly they should just take a good hard look at themselves. I want to say that I am very supportive of the police and the actions they took today. As for the Greens motion looking into the police actions of today, that demonstrates just how nutty they are too.

Anyway, back to this motion, I think there are far more important issues that the Legal and Social Issues Committee should be looking at – as I said, the failure of drug rehabilitation in this state and the lack of mental health beds to deal with this significant problem. It is a huge problem in our community, and the government has done little to nothing, especially in regional areas, to really support people to get off these terrible drugs that they are addicted to, driving them into other areas that I have highlighted, which the experts have said occurs with cannabis use and which should not be ignored. When the government talks about the experts, I hope they look at the information provided by the AMA and other experts from their federal colleagues at that federal inquiry. With those words – I can see my time is running out – the opposition will not be supporting this referral to the Legal and Social Issues Committee. They need to be getting on with the work that the community deserves to see happen, including the inquiry into Ambulance Victoria, which is in an absolute mess.

Aiv PUGLIELLI (North-Eastern Metropolitan) (16:17): I am pleased to rise today to support this motion and its referral of the Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023 to the Legislative Council's Legal and Social Issues Committee. An inquiry into this bill is an important step towards sensible evidence-based cannabis laws in this state that allow for personal use and that acknowledge the reality that the vast majority of Australians do not think that the possession of cannabis should be a crime. This inquiry really is an opportunity for me and all members of the Legal and Social Issues Committee to hear potentially from a range of voices that come from right across this state on this issue. I would expect we may hear from health and legal experts and alcohol and other drugs specialists. We could hear from individuals and community groups, who would all be able to share their perspective, their research, their experience and their expertise. We have heard in contributions on this issue on numerous occasions calls for the data and calls for the evidence to be put forward on this matter – from all sides, really. Let us hear it. Let us have it out in this committee process, because that is an important part of ensuring we get to evidence-based reform. If it has been put that your position will be vindicated based on the evidence that exists, then bring it on. There should be no reason for concern. I look forward to this chamber supporting the motion.

Members of the committee would have the opportunity to hear from experts on cannabis reform and truly get to understand the evidence that supports this bill and the regulation of personal use of this plant. So many countries around the world have already acknowledged the benefits of allowing personal possession of cannabis, and so it is time that Victoria did the same. We already know that the current tough-on-drugs approach, as it is called, is not working. It is criminalising individual cannabis users. It is disproportionately affecting often vulnerable communities. Far too many people are being dragged through the criminal justice system for minor drug offences, which is putting the legal system under stress. It is leaving people with a criminal record that can follow them for many years.

As has been noted, the Greens have long been advocating for legalised cannabis in a system that taxes and regulates its sale and its use while providing much-needed funds for drug and alcohol services, such as detox and treatment facilities. We need evidence-based reform that recognises the injustices that the current system in this state is perpetuating. As a state we have already acknowledged the benefits of medicinal cannabis for many patients and have allowed its legal use. It is time now to take the next step and further reform and modernise our drug laws. I commend the work of Legalise Cannabis Victoria in bringing this bill to the chamber and then subsequently this referral for an inquiry into the bill to progress this issue through the Parliament – power to the progressive crossbench. I hope to see the successful passage of this motion, and I look forward to actively personally participating in this inquiry. I commend the motion to the house.

Jacinta ERMACORA (Western Victoria) (16:20): I thank Ms Payne and Mr Ettershank for this motion to require the Legal and Social Issues Committee to inquire into, consider and report on the Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023. I sincerely acknowledge Ms Payne's hard work and that of Mr Ettershank in bringing this motion to the chamber. I am pleased we are taking the time today to respectfully debate the motion and to take a considered approach to these proposals. I cannot emphasise enough the level of regard that I hold for a party that works hard to advocate in this place for exactly the policies that you stood for at the election, and I respect you and your party for that.

It is a refreshing contrast to the behaviour of the Greens, highlighted today by the member for Richmond in the other place and her absence this morning from her parliamentary duties. It breaks my heart that there is only one Liberal Party member in here right now, but I do quote deputy Liberal leader David Southwick, and I agree with him, as expressed in the *Herald Sun* this morning, about Ms De Vietri:

... using her taxpayer-funded salary to pull cheap stunts, incite hate, and potentially compromise safety.

He went on to say:

The Member for Richmond's embarrassing actions have made it clear: she's an overpaid protester, not a politician.

I guess what I want to do is round out the point that I made about campaigning and advocating for what you say. I know most Greens voters do so because they care about the environment, and I feel for them at the moment. They must be so disappointed in the Greens now that they have veered off from what is their primary focus – the environment and global warming. That is what they stood for, but they have veered off to a protest movement focused on division and hate rather than what they used to stand for. I do not really know what the Greens are about anymore – other than Wills. In contrast, working in this chamber today I do appreciate the thoughtfulness of Ms Payne and Mr Ettershank and this motion, which includes asking the Legal and Social Issues Committee to look into experiences covered by this bill. Advocating in Parliament on the issue you were elected to advocate on – I cannot respect anything more than that.

It is always a good thing to analyse successes and also potential pitfalls when contemplating changes to policy. The decriminalisation of the possession of cannabis for personal use in the ACT provides an active guide, and when it comes to drug policy and reform the Allan Labor government proudly takes a harm minimisation approach. We have a record of reducing drug harms and have invested over \$2 billion in this area to support Victorians since 2014. We were the first jurisdiction in Australia to legalise the use of medicinal cannabis, in 2016. This reform means that no Victorian needs to face the difficult choice of breaking the law or watching their loved ones suffer.

It is important to note in light of this motion today that the government then took a respectful and thoughtful approach when it considered this groundbreaking legislation. We needed to ensure that the legislation achieved its desired outcomes. We consulted with the Victorian Law Reform Commission and asked how to appropriately amend the law and sought advice on key issues – in particular, on cultivation, manufacture and supply, patient eligibility, clinical oversight, appropriate clinical governance and a range of other issues; the commission provided over 40 recommendations to the government – and established an independent medical advisory committee on medicinal cannabis to advise on expanding eligibility, resulting in a staged and safe expansion.

Today medicinal cannabis is most often prescribed for the treatment of chronic pain and used to treat anxiety, cancer-related symptoms, epilepsy, insomnia and multiple sclerosis, to name a few. I think the referral to this committee is going to include the same range of voices, as has been mentioned earlier. Let us hear from a range of voices. Let us hear from a range of technical experts. Let us hear from law enforcement. Let us hear from departmental expertise. And let us hear from communities –

what communities want in this space. It is any government's job to ensure that it weaves the best possible outcome, taking into account all of that information.

Our record is a strong record on harm minimisation, and I think we have very much to be proud of, as I mentioned, just even in referring to that process of coming to the legalisation of medicinal cannabis. We have got much to be proud of in the harm minimisation space as well. Since 2014 our government has invested over \$2 million to support Victorians to access drug and alcohol treatment and deliver harm minimisation strategies. We have also continued to introduce considered legislative reforms to deliver new services and reduce harms associated with alcohol and drug use across our community. Victoria was the first jurisdiction in the country to legalise the use of medicinal cannabis, as I already referred to.

In 2018 we established the life-saving supervised injecting service in North Richmond, which has saved 63 lives and safely managed more than 8700 overdoses, something to be enormously proud of – and we did that under enormous political pressure, but I really strongly believe it was the right thing to do. And we have decriminalised the offence of public drunkenness so that we can focus on the health impacts of public drunkenness and the safety impacts of public drunkenness rather than locking up vulnerable people – in many cases Aboriginal people – and putting them in custody. We know just how vulnerable our First Nations people are when they are locked up.

In closing, I just want to say how proud I am of our record and how open-minded I am in respect of taking this journey through that committee. I do not sit on the Legal and Social Issues Committee, but I would be very intrigued to see the process that they do go through. The government is not afraid to make impactful decisions for the health of Victorians while also considering their safety and making sure their safety is guaranteed. We must take into account the risks and different cohorts who can be negatively affected. It is extremely important that we do not underestimate or oversimplify the potential health consequences of cannabis use, and that is why this referral will be absolutely fascinating. We need to look at how addictive cannabis can be, how much is safe to consume, how it affects different people differently and also of course pregnancy and other medical conditions and its impact. The Legal and Social Issues Standing Committee is the right place to consider this motion, and I look forward to continuing this conversation. I thank the members of the Legalise Cannabis Victoria party for their willingness to respectfully engage in constructive debate on this issue.

Ann-Marie HERMANS (South-Eastern Metropolitan) (16:30): I rise to speak on the Drugs, Poisons and Controlled Substances Amendment (Regulation of Personal Adult Use of Cannabis) Bill 2023. I am a little bit disadvantaged because I have come into the chamber without my glasses, so some of the fine print will be difficult for me to read. However, having said that, I want to acknowledge that the interest of people in wanting to understand this better and to pursue research and further understanding in itself is a good thing. However, I do think there is a lot we can already learn from research that has taken place around the world.

As a person who has had injuries and used other forms of medication, I have never even attempted to drive when I have been on medication, because I think that that is a serious commitment to make and could endanger the lives of other people. I do think that understanding what it is to be under the influence of any form of medication – and we know that many medications say, 'Do not consume alcohol while you are taking this because your judgement may be impaired.' Obviously, response times can be impaired, and that is a genuine consideration. Any form of drugs that can impair judgement actually needs to be investigated further, and I for one would hate to be putting employers in a situation where their employees are at greater risk. I think that is a genuine consideration because we already have a huge number of people with workplace injuries, and we seriously cannot be increasing that by impairing the judgements that we make in the decisions that we make here in this house.

I want to quote some of the things that I am aware have come up in committee. It is going to be hard without my glasses. But I heard that:

... the current legislative and regulatory frameworks around workplace safety and testing practices may discriminate against employees who have been legally prescribed medicinal cannabis. While the Committee fully understands the concerns raised by employees and their advocates, it had to balance these with employers' legal responsibility –

as I have said –

to keep workplaces safe.

The challenge comes down to –

not just –

how to test for impairment rather than the mere presence of a drug.

I think that we need to consider this. I do not really think that we have the right measures in place at this point in time to be able to understand the level of impairment that can take place when one is consuming legalised cannabis. I think that is a genuine consideration. I think that we need to look at the data as has been raised by a number of people. There are a number of studies that have shown the effects of cannabis and I find some of them really distressing and disturbing. I clearly do not want to see, for instance, an increase in depression and in schizophrenia. I do not want to see an increase in people wanting to take their lives, and I do not want to see anything that is actually going to facilitate that being released into our community. So I think that the understandings we need to take in this consideration are very real.

We do not feel under the circumstances at this present time that this is even worth considering in this place because there are so many things of greater importance that we could be looking at. I for one got a little bit uptight when I noticed that two areas in my region, Dandenong and Casey, have been used in this report. It would really bother me if the area of the south-east was being used as a testing ground for any changes, because this is a family area. Many people that live in this area have young families and are from other countries and aspiring to build a home in a new country, and the last thing that we need to do is start introducing things that are going to make family life more difficult or more unsafe. I have great concerns about not just the risk of injury and impairment for adults that are older but also so many other things that bother me. It can cause sleep disturbances and increase other risks. I wish I could read them all – honestly, I cannot without my glasses – but risk of violence is one of the ones that really bothers me. In the area of Casey and around the south-east we have very high rates of family violence and abuse, and in fact throughout the south-east crime is a huge issue. We do not want to add any more burdens to the lives of the people of the south-east than already exist.

I can say quite categorically that I am completely against people in the workplace being under the influence of medications that could cause harm to themselves or others. I am completely against anything that would allow more people to be injured and on WorkCover and would put them at risk. I am completely against situations that can cause more harm to businesses, because our businesses are already suffering. In fact, as we have mentioned many times in this house, people are fleeing this state to go and live in other states because they do not feel safe in Victoria, their businesses cannot thrive in Victoria and they are struggling to make ends meet. I personally do not feel that this is the right time. I do feel there is a lot of data around the world that we can look at. I was really concerned to see that in areas of conflict where cannabis has been used there has actually been a higher risk of suicide. I find that data incredibly disturbing. I think that you do need to consider the data that already exists in the United States and already exists in Canada. There are a number of countries that have done a great deal of research on the effects. I do appreciate that we have a minor party in the house that have made this their mission and that they feel strongly about it. They have the right in a democratic country to be able to pursue this, but I can say that the coalition will not be supporting this.

The ACTING PRESIDENT (Jacinta Ermacora): I acknowledge the former member Jaala Pulford in the gallery.

David ETTERS HANK (Western Metropolitan) (16:38): I rise to make a contribution to motion 527 moved by my colleague Ms Payne. I would also like to acknowledge the presence of Ms Pulford and the presence of Ms Patten, a long-serving member of this chamber and also hopefully soon a senator in the federal Parliament. I would also like to thank Mr Galea and Ms Ermacora for their very supportive contributions.

Back in 1971 Richard Nixon commenced his calamitous war on drugs. Over 50 years later I think it is safe to say that the war has been lost. The interminable, ineffective and exorbitant war on drugs is over and – I am sad to break the news – Nixon is dead. Maybe someone should tell those opposite.

Members interjecting.

David ETTERS HANK: You did know that – good. As my colleague Ms Payne noted, 80 per cent of respondents to the Australian Institute of Health and Welfare’s 2022–23 national drug strategy household survey either opposed or strongly opposed the proposition that personal possession be a criminal offence. That is around 4.5 million Victorians in favour of decriminalisation. Those opposite, I suspect, could only dream of having a policy that enjoyed that level of support. 4.5 million Victorians support an end to the criminalisation of personal use of cannabis, and that is because cannabis use transcends age, ethnicity, level of education, labour force status, socio-economic position, marital status, household composition, sexual orientation or gender experience and postcode.

Cannabis is the most consumed illicit drug in Australia by a wide margin. It is everywhere, and its level of consumption has largely remained consistent for the last 20 years – impermeable to both prohibition and pandemics alike. That is why it is such a good earner for organised crime in Victoria. According to our own Parliamentary Budget Office, illicit cannabis pulls in around \$1.25 billion a year in Victoria alone. Nationally the figure is closer to \$5 billion. That is an estimated \$5 billion a year in cannabis sales pocketed by organised crime. To put that in some perspective, the illicit cannabis market is worth almost as much as the entire Australian complementary medicines market, which comes in at \$5.6 billion and includes vitamins, supplements and other non-prescription medicines. Nationally we spend around \$3.5 billion a year on law enforcement and justice in the war on drugs. That is a lot of money. The financial burden on the state – the huge cost of policing, detention and court resources spent on cannabis-related offences – is reason enough to end this insane prohibition.

But it is the human suffering caused by our current drug policies that makes reform so urgent. Every year we expose thousands of Victorians to the very real harms of the justice system for simply possessing and using cannabis – not supplying cannabis, not trafficking cannabis. We know these are generally young people and that they are mainly from marginalised backgrounds. Anyone paying attention in this place recently would have learned that contact with the criminal justice system can be very harmful indeed, and those harms are felt most profoundly by those from marginalised and lower socio-economic backgrounds. The most recent data from the Sentencing Advisory Council for 2022–23 shows 5080 people were charged for possession alone. Of those charged, 4156 were sentenced and 10 per cent served actual jail time for personal possession. So to hear suggestions that this is a victimless law, for want of a better term, is rubbish. I remind members that these are consumers of cannabis, not suppliers. From 2020 to 2023 police charged nearly 14,000 people with simple possession. Over 1500 of those people were jailed and over 80 per cent had a criminal record because of it. A criminal record can have the most devastating effect on a person’s life, affecting employment prospects, education, relationships, parenting and even access to housing and finance. That is why every community legal centre in the state supports the decriminalisation of cannabis. I might also add that whilst Ms Crozier was keen to quote the AMA’s submission to the inquiry in Canberra, the AMA supports the decriminalisation of cannabis.

I would like to share a case study from the drug outreach program at Fitzroy Legal Service – an outstanding program, offering support to some of the most vulnerable people in the state. It really should get more funding. Peter, which is not his real name:

... is attended by police on a welfare check. He is searched ... by police. He is subsequently charged with possession of a small quantity of cannabis.

Peter also:

... has an acquired brain injury, significant mental health challenges, and has had a stroke ... has a child and is engaged with AOD services to support access to supervised visits with his child.

Peter was making progress on his journey of rehabilitation. Sadly, however, Peter is not eligible for diversion, because he has priors, and may now have a criminal record for the next 10 years because of that simple possession charge. As a result of the welfare check and cannabis charge his rehabilitation has been severely damaged and his progress set back for years.

We could prevent so much needless harm by just decriminalising cannabis. We are not talking about regulating a commercial cannabis market here. I will admit I am very excited to see regulated cannabis markets emerging across the globe, but that is not what this motion is about; nor is this a stealthy entree to the creation of a regulated commercial market, as has been suggested; nor is this motion about medicinal cannabis in the workplace; nor is it about medicinal cannabis and driving. It is rather a motion, a very small step, towards the consideration of a legal framework to stop arresting or otherwise legally interfering with thousands of Victorians on an annual basis whose only crime has been to have a bit of cannabis on their person or a couple of plants in their backyard.

The review will give consideration to the adoption and marginal enhancement of the provisions of the ACT decriminalisation legislation that has been in force for four years and has only had beneficial results. Indeed the benefits were confirmed by the recent statutory review of the ACT cannabis act which was tabled last month. Members may be surprised to learn that far from the anticipated surge in hospital presentations, rampant drug use by young people and unbridled criminal activity, the review found that since decriminalisation in the ACT, rates of cannabis use have largely remained stable. It also found that ACT residents continued to be less likely to have recently used cannabis than the national average. There has been no substantial increase or decrease in cannabis-related presentations to health services. And most importantly, charges for cannabis offences have declined steeply, reducing that nexus with the criminal justice system. In other words, the sky did not fall in and meaningful social reform has been achieved.

We do want to enhance the ACT legislation and address some of the anomalies in the legislation, such as the fact that you can grow a few plants in your backyard but it is still an offence to have a cannabis seed – a sort of interesting philosophical problem as well as a practical one – or the fact that it is legal to grow in your backyard but not to have that plant in a \$20 Bunnings frost shelter. These anomalies exist in the ACT legislation; we are keen to see those resolved – and I would point out that those anomalies were recognised in the statutory review.

The bill we are seeking to have reviewed provides for a very simple and basic reform as described by my colleague Ms Payne. We know the government has been considering reform in this area for some time. Indeed in the second-reading debate for our bill Minister Stitt stated that the government wanted ‘to take an approach to implement thoughtful and effective policies that improve the health of and social outcomes for Victorians’, and happily our bill does just that. The bill inquiry would get the advice of experts, as has been discussed, and make recommendations. We need to do something different. Cannabis consumption is not going to reduce, but we can reduce harm and we can reduce the financial costs. Drug reform is taking place all over the world as jurisdictions accept the futility of the war on drugs and recognise that the spoils of that war are being reaped by organised criminals while the real casualties are their own citizens.

Ryan BATCHELOR (Southern Metropolitan) (16:48): I am pleased to rise to speak on Ms Payne's motion seeking to refer a private members bill on the regulation of personal adult use of cannabis to the Legal and Social Issues Committee, with particular consideration of the impacts of the ACT's decriminalisation, for inquiry and report by March next year. It is very clear that both Ms Payne and Mr Ettershank are passionate and well-informed advocates for their cause, and we obviously thank them for that and acknowledge that. As a member of the Legal and Social Issues Committee I look forward, should the chamber agree to this referral, to the work, because I think there are a lot of interesting matters that we will need to consider in examining the range of evidence that is available to us, and we will need to do that in a thoughtful and balanced way.

I think what you can see from the Allan Labor government's approach to drug policy and reform is that we do take a thoughtful and balanced approach to these issues and much of the action that we are seeking to achieve in this area has harm minimisation principles at its core. What I think we want to see is consideration of these issues that are complex and do have multifaceted elements to think of and consequences that we need to examine. We are keen to have that investigation done in an evidence-based way, an evidence-informed way, that is focused on health and social outcomes and sort of puts to one side the opportunity for the use of divisive rhetoric in the course of these types of debates.

We have since 2014 invested more than \$2 billion to help Victorians access drug and alcohol treatment and deliver harm minimisation measures. We were the first jurisdiction in the country to legalise medicinal cannabis, in 2016, which paved the way for other states and territories to introduce their own legislation. In fact the recent inquiry that the Legal and Social Issues Committee undertook into workplace drug testing was able to – and I think this gives a little bit of an indication of the value that we can get out of these types of parliamentary inquiries – for the first time get some accurate data out of the Department of Health on the number of Victorians who are dispensed medicinal cannabis in the state, through data that was sourced from the SafeScript database. That is really interesting. Whilst not strictly relevant to the considerations of the debate on decriminalisation of personal use, it is interesting to look at the way in which medicinal cannabis has become an increasingly accepted form of treatment for a range of medical conditions. There were around 24,000 Victorians in May this year who had been dispensed medicinal cannabis under the laws that we introduced, not quite but effectively double what it was a year ago and around five times what it was two years prior to that. There is I think a shift that you are seeing in the community in terms of treatment options available to them as a result of the Labor government's changes back in 2016.

Obviously in 2018 we established the life-saving supervised injecting facility in North Richmond, which has saved more than 63 lives and managed more than 8000 overdoses, and we have obviously recently decriminalised the offence of public drunkenness, which was a long overdue harm reduction measure.

I think what we look forward to in particular is having a look at exactly what the experience has been in the ACT. Obviously in the ACT, for those over the age of 18, possession of up to 50 grams of dried cannabis or 150 grams of fresh cannabis is decriminalised. The law facilitates people growing up to two cannabis plants per person, with a maximum of four plants per household, and allows personal use in your own home. In the ACT regime, which we are going to investigate should this motion be agreed to by the committee, it does remain an offence to smoke cannabis or use cannabis in a public place, to expose a child or young person to cannabis smoke, to store cannabis where children can reach it, to grow cannabis using hydroponics or artificial cultivation techniques or to grow plants in places that can be accessed by the public. There is in the ACT system – a system that was introduced by a private members bill of a Labor backbencher back in 2018 – a space that is allowing personal cultivation and use, but it retains prohibitions, particularly where there are negative externalities that you would see arising from consumption in public, or if danger or risk is made to children in the community or from making these decriminalised products accessible to others.

It also remains illegal to sell to, share with or give cannabis to another person and for minors to grow or possess cannabis, and it remains an offence in the ACT to drive with cannabis in your system. What

I think is interesting, and it is probably a professional lifetime habit of trying to look for evidence and data and being interested in policy questions –

Harriet Shing interjected.

Ryan BATCHELOR: I know – Minister Shing is surprised. I did take my time while I was sitting here in the chamber just to have a little bit of a look at some data that has been made available. I had a quick read of the Australian Institute of Health and Welfare’s results from the 2022 national drug strategy household survey on cannabis usage. What is interesting is that the personal usage of cannabis across the community, the broader Australian community, has basically held static for people who have ever used the drug. Twenty years ago it was around 11, 12, 13 per cent, and it remains that today. What is interesting, though, particularly – and I am sure the committee will get into this – is that the survey looked at whether decriminalisation in the ACT had an impact on cannabis usage, and despite the changes that were made in 2020, in the last 12 months the survey looked at, cannabis use in the ACT was stable. In 2022–23 around 8.7 per cent of people reported using cannabis in the previous 12 months, which is consistent with where it was in 2007, many years before decriminalisation, where it ranged between about 8.5 and 10.5 per cent over that time period. What is interesting is that cannabis use in the ACT following the decriminalisation laws remains lower than it is in other parts of the country as surveyed by the Australian Institute of Health and Welfare. I am sure we might be able to explore the reasons why this is. It is probably because Canberra is just a super-exciting place to be and people do not want to be stuck in their own homes where they need to be to undertake the personal consumption of cannabis that they have personally cultivated. I am absolutely sure that is the reason, and maybe the committee will need to probe that a little bit further.

What is interesting, though, is that the survey reveals that in the ACT people are much less likely to obtain cannabis from their friends compared to prior to the introduction of decriminalisation, and there has been no increase in people sourcing cannabis from dealers – people who would sell – although that figure and other figures about people growing their own cannabis get into small sample sizes, so we do need to be a little bit careful in looking at that.

The only other thing I will say is that there are obviously some studies underway. One by the University of New South Wales funded by the National Health and Medical Research Council found that the policy change in the ACT had resulted in the creation of regulatory grey areas that were the site of confusion and perceived contradictions, and the ability to navigate these grey areas and experiences of legislation was dependent on life circumstance, including various privileges and the perceived risk of police interference. And the study says:

Put simply: the same legislative change was felt differently by different people.

There is a lot, I think, that the committee, should this motion be successful, is going to have to investigate, and I am sure that all members of the committee will take that task seriously and examine the changes proposed by this bill and what the experience has been in the ACT and will report back to the Parliament with a thoughtful report in March next year.

Nick McGOWAN (North-Eastern Metropolitan) (16:59): We need only look to this government’s handling of the medically supervised injecting room to know how spectacularly well they have failed time and again the drug users of the state of Victoria – spectacular. I know that because every time the Minister for Mental Health gets up and spruiks the figure of 63 lives saved – and I have heard it today in the chamber by other speakers, and it varies, because sometimes that figure changes depending on which person says it, which minister says it – it is the usual diatribe that comes and no-one knows where it comes from. But it almost in many ways typifies the debate we have time and again, sadly, in this chamber, which is so ill informed or uses the facts and twists them such that everyone’s point of view can become somehow reasonable or accurate or scientific.

If you had cared to look at the Hamilton report, and not many have, the first thing you would have noticed when the Hamilton report was released was it did not even include the appendix. Pages and

pages – they did not even include the appendix. You actually had to request it from the department. And in terms of lives saved, what it actually found was that there was actually no coronial data to support the contention, certainly not in the first 15 months. In fact in the first 15 months one extra person died outside the injecting room in a certain perimeter than had died previously. So in the first 15 months it was an abject failure. I think it was, in all seven of the objects – that is what they were called in the legislation – that this Parliament set for itself, an abject failure.

The Hamilton review talked to a calculation – ‘modelling’ is what they said. They talked to modelling to come up with this figure of lives saved. What a disastrous, craven, twisted calculus, because there is no calculus in the report itself. To this day the minister sits opposite here and continues to quote that figure now, morphed and morphed and morphed – it is variously changing – and this is the basis on which decisions are made. It was drug overdose awareness day recently, and in this chamber the minister got up and spoke about how proud they were about reducing overdoses and all this sort of stuff. That is just complete nonsense.

I need to go back and look at the latest data, but it is sometimes hard to collect, so forgive me, everyone at home watching this. I tell you what, in the first 12 months there were 1232 overdoses in the medically supervised injecting room – that is a ratio of about 3.6. In the first 18 months that was up to 2657 – that is a ratio of 5.2, for those who can count. In the first 24 months, and that was the last time I checked the data and could decipher the information that was publicly available, it was up to 3200 – that is a rate of 5.4. I heard those opposite just speak of 8000 overdoses recently. So what we know empirically, what we know according to the facts, is that the overdose rate inside the medically supervised injecting room, the place that those opposite continually point to as a success, has skyrocketed. That is how much you care for the drug users of this state: you have actually created a centre where people can go and inject at a great rate, much greater than New South Wales. New South Wales is no success to look at either. It is an abject failure as well. If you actually care about drug users in this state, if you care about rehabilitating, not just simply giving them a place where they continue to overdose and then have very, very harmful overdoses – and we can talk about that later – then you will actually want to pay attention to the detail here.

We talk about cannabis. I love how there was some reference before to the AMA. The AMA, in their press release of 16 November 2023, said:

We also know there are already many Australians suffering detrimental health outcomes caused by recreational cannabis use. We see poor mental health outcomes from cannabis use including anxiety, panic attacks, paranoia, memory loss and an increased incidence of schizophrenia.

Cannabis use can lead to physical ill-health conditions such as bronchitis or cancer, cardiovascular system damage, and impaired reaction time and brain function.

My colleague Ms Crozier referred to these before.

You can just keep digging, boys and girls. You only need to put in a simple word search in Google to find one study after the other. Then you look at studies into the correlation between recreational marijuana laws and intimate partner violence. We are banging on in this state – those on the other side, that is – about protecting women, and they are about to legalise it. What does that do? It sends the rate of incidence of violence against women through the roof. Yet again, to set up another committee when there is so much data already before us –

Members interjecting.

Nick McGOWAN: I am not a fan of any committee, Minister. Committee, inquiry, review – you call it what you want, but the public does not care. All the public knows is that you are using taxpayers time with members of Parliament getting together having another talkfest to satisfy themselves that their arguments are right or wrong or this or that or the other. What a complete nonsense. Even the CDC, from memory – google it, I am sure we can fact-check this – say one in 10 people will become addicted to cannabis. So we are assigning tens of thousands if not millions of Australians who may be

enticed by legal cannabis, recreational cannabis, in the future, to actually just roll the dice. The irony is that those who are against retaining the illegality around cannabis are the same people who also argue against gambling. Well, there is no better gambling in this state than trying drugs. ‘Go on, give it a go’ – is that what they are trying to say? You cannot gamble with your money, but you can gamble with your health. That is sensational. That is it. You have only got a one in 10 chance of being addicted. Well, that is not good odds by my language. I am a little bit old fashioned, so forgive me, Minister, but I just do not think –

Members interjecting.

Nick McGOWAN: Forgive me, but I do not have time because I know my colleague wants to speak. I will wrap myself up in cottonwool and just sit here quietly for the rest of the time. I apologise for taking too much time from my colleague, but I think my position is clear. If we are serious about helping those affected by drug misuse and abuse, if we are serious about actually getting people off all sorts of drugs, and we do not even need to talk about the ones that are legal – I mean, that is the elephant in the room, and we could go down that path because that is the elephant in the room. If you were serious about it, you would not be supporting this motion; you would not be supporting the government’s nonsense with the medically supervised injecting room, which just does nothing but harm and has not saved lives.

David LIMBRICK (South-Eastern Metropolitan) (17:05): In the short time I have, firstly, I would just like to say that I will be supporting this inquiry. I was involved in the last inquiry into cannabis in this state, and I think it is well known that I was very disappointed with the outcome of that inquiry. In fact I was so disappointed, I expressed premature disappointment, got into trouble over that and had to apologise to the house.

Members interjecting.

David LIMBRICK: Yes, yes. I will be supporting this, but I will not take part in the inquiry lest I make the same mistake of being disappointed again. But I will say this: as Mr Batchelor pointed out, what has happened in the ACT is that cannabis use has not gone up. And to anyone who knows anything about prohibition, that should be no surprise, because the idea that there are hordes of people who want cannabis in Victoria or in the ACT and cannot get it is absolutely laughable. But my problem with the ACT model and the bill, which would be well known, is that it does not go far enough. I think that decriminalisation, as they have done in the ACT, does not solve one of the very, very big problems with the drug market, and that is the supply issue around organised crime. Nonetheless it does solve the issue around criminalising people for using a flower that the government does not approve of, which is patently ridiculous.

Nick McGowan interjected.

David LIMBRICK: So is opium, but that is another matter.

Nick McGowan: Well, let us legalise that too.

David LIMBRICK: That is another matter. Nonetheless I will be supporting this, and I hope some of these issues around how we deal with having decriminalisation of a market but also dealing with organised crime. I personally agree with Mr Ettershank: I would like to see a free market, basically, as free as possible, so that organised crime is out of the market and it is a legal, regulated market.

Nick McGowan interjected.

David LIMBRICK: Thank you for those interjections. Nevertheless, this is merely a referral to a committee. I eagerly look forward to the results of that committee, and hopefully I will not be as disappointed with those results as I was with the last committee.

Rachel PAYNE (South-Eastern Metropolitan) (17:08): I want to thank everyone first and foremost for making a contribution today, and I just want to bring it back to the issue here, because what the

motion actually is seeking to do is to investigate this bill, to have a bill review before the Legal and Social Issues Committee. It is about parliamentary process. It is about the levers that we have available to us to look at the validity of this bill and see if it is fit for purpose, see if more information is needed. I appreciate that many of you have raised concerns around health and wellbeing, around mental health, around the impacts on vulnerable communities, around resourcing of police and the impacts on the judicial system, the police and prison systems and the costs associated. This is why we are seeking to have a look at this bill and see if it is fit for purpose.

For those that have been against the principle of moving forward with cannabis reform, my question to you is: what do you want to do? Do you want the status quo to remain? Because it is not working. It is nearly 100 years of failed public policy, 100 years of failed legislation. Now, if this were any other form of legislation, it would have been scrapped by now. To continue to perpetuate arguments that are outdated, unfounded and, frankly, stigmatising, is really quite inappropriate.

To take you up on some of your points, Ms Crozier, you say that we are sending the wrong message to the public, I would argue that you are sending the wrong message to the public. To your concerns raised about the most vulnerable in our community and the impacts on them: what has the criminalisation of cannabis done and who has it impacted the most – our vulnerable communities.

Interestingly, I work quite closely with the AMA. We have done a lot of work around access to cannabis and medicinal cannabis in the hospital system, and we are working quite closely on making sure that medicinal cannabis patients have access to their medication and vaporisers to ensure that their healthcare approach is particularly led by the hospital system. But in regard to the AMA, how many lives have been destroyed by the overprescribing of benzodiazepines? Is this something that the AMA is taking up, and is this something that is at the forefront of their questioning?

I would also like to talk about Mrs Hermans's contribution; in particular you raised the issue around the south-east. As a member for the South-East, as well as my colleague Mr Limbrick, we know very well how much cannabis is something the people of the south-east really do care about. The latest Penington data shows that in the local council areas of Casey, Greater Dandenong and Knox, 10,977 people were arrested for minor cannabis charges between 2018 and 2023. Now, are you saying that you do not care about those people? Is that what you are saying? Because to indicate that you think that this would cause major issues in the south-east is just untrue. We also have to remember that I got elected under the Legalise Cannabis banner in the south-east for this particular issue – 5.15 per cent. That was my first preference primary vote.

Wendy Lovell: What about the 95 per cent of people who didn't vote for it?

Rachel PAYNE: It was the highest vote out of any of the regions for Legalise Cannabis, so I do argue with you that it is a really important issue for the people of the south-east. I will not continue, because I am just going to get more fired up. But I do thank everyone for their contributions today, and I commend the motion to the house.

Council divided on motion:

Ayes (23): Ryan Batchelor, John Berger, Lizzie Blandthorn, Katherine Copsey, Enver Erdogan, Jacinta Ermacora, David Ettershank, Michael Galea, Shaun Leane, David Limbrick, Sarah Mansfield, Tom McIntosh, Rachel Payne, Aiv Puglielli, Georgie Purcell, Samantha Ratnam, Harriet Shing, Ingrid Stitt, Jaclyn Symes, Lee Tarlamis, Sonja Terpstra, Gayle Tierney, Sheena Watt

Noes (13): Melina Bath, Gaelle Broad, Georgie Crozier, David Davis, Renee Heath, Ann-Marie Hermans, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Richard Welch

Motion agreed to.

Business interrupted pursuant to sessional orders.

*Statements on tabled papers and petitions***Electoral Matters Committee***Inquiry into the Conduct of the 2022 Victorian State Election*

Ryan BATCHELOR (Southern Metropolitan) (17:19): I rise to make a statement on the report of the Electoral Matters Committee into the conduct of the 2022 Victorian state election, tabled on 30 July. The committee's report found that:

Trust is a critical part of a healthy democracy.

But misinformation and disinformation continue to proliferate in our political system, with false information and polarising campaigns serving to undermine our democratic principles and rupture social cohesion in our communities. Young people are digesting a digital news cycle that must be constantly viewed critically to distinguish fact from fiction. As a result, many young Australians are finding themselves overwhelmed and disillusioned, leading them to avoid news altogether. The University of Canberra found that 69 per cent of those who distrust news are more likely to disengage altogether. A functioning democracy is dependent upon two things: participation and legitimacy. Both are thrown into uncertainty when disinformation and misinformation are consistently perpetuated by community leaders. The Electoral Matters Committee's report found this to be true in Victoria too. The findings state that mis- and disinformation campaigns that arose in the 2022 state election were from broader societal trends that cannot be directly reversed.

We have seen the consequences of misinformation from our friends in the US, where ordinary citizens resort to violence in the pursuit of lies and deceit originating from their leaders. The storming of the Capitol on January 6 was a public demonstration of the lies told by far-right leaders, and since 2016 the majority of Americans – about 64 per cent – found defining basic facts difficult as a result of having to constantly wade through fabricated news and information. It is no coincidence that 64 per cent of people in the US also believe that democracy is in crisis and at risk of falling, and such sentiment comes from a political and information ecosystem which distrusts facts, instils falsehoods and leverages division.

And yet when leaders of our community in our state continue to pepper our communities with misinformation on matters of interest to them, it does nothing more than to instil fear and distrust in our democracy. We have already witnessed that today. Fortunately, since last night I have been able to update my speech to include these changes. During Dr Ratnam's inaccuracy-laden speech earlier this morning, she managed to mislead the house on the future of the Victorian Registry of Births, Deaths and Marriages, which the day prior was confirmed by the Leader of the Government as not being privatised. That did not stop Dr Ratnam making those claims in her contribution today. It is not the first time that they have done it and it is not the only time that they have done it.

Through the continual perpetuation of inaccurate information, such as their claims that Labor was arming Israel – we do not – they are seeking to divide our communities for electoral gain. This misinformation is prevalent in other petitions that they have brought forward, one of which speaks to the 'wholesale destruction and privatisation' of Victoria's 44 remaining public housing towers – which is plainly inaccurate, because we know that there is public housing being rebuilt at some of these sites. The first two towers to be announced for redevelopment will have public housing built on that land.

Press releases that they released recently said that Labor has an agenda to sell off public land to developers – again, factually inaccurate. Let us take a look at what is happening at Barak Beacon, where a 46 per cent increase in social housing is being built on land that remains in public ownership. This misinformation is the Greens party's version of politics done differently. And it is different, because while Labor is getting on with the job of improving public services and building social homes in this state, the Greens are stoking fear and division and they are trying to stop our plans to build more social housing. I think what is worse is that we have responsible elected officials who are seeking to exploit divisions for political gain.

At the end of the day it does not matter who tells the lie; the only difference is where they identify on the ideological spectrum. We as elected officials have a duty to strengthen our democratic system by ensuring facts are clearly distinguished from fiction. We must recognise the power our offices hold. For the future of the state and our democracy, we must do better.

Department of Treasury and Finance

Budget papers 2023–24

Wendy LOVELL (Northern Victoria) (17:24): I rise to speak on the state budget 2023–24, which raises the money to fund our fire services in Victoria, and particularly I want to talk about the crisis that we have in fire services, in fire trucks, in this state. We know that this week Shepparton has been told they are not getting their new pumper platform because it is going to Sunshine – actually it was last week they were told that, but it is going to be diverted to Sunshine. This is an absolute disgrace, and this is because this government has underfunded the fire services. I actually passed an ambulance the other day that had some very clever graffiti on the back of it. It said: ‘In an emergency, dial 000. Dial 1 for an overworked paramedic, dial 2 for an underpaid policeman and dial 3 for a fireman with a garden hose, due to underfunding of equipment for the fire services.’ That summed up exactly what is going on in our emergency services in this state. This government have mishandled the state finances and they have created –

David Davis interjected.

Wendy LOVELL: As Labor governments always do, Mr Davis – that is right. They have created a crisis in the budget and a crisis in the funding of all of our services. This state is in a dreadful financial position, thanks to Labor’s incompetence and mismanagement.

But what we know is that we have an ageing fleet of fire trucks, both throughout the CFA and throughout Fire Rescue Victoria. I remember that during the CFA inquiry one of the assistant chief officers told the inquiry that we were asking young volunteers to drive trucks that were older than they were, because some of the trucks were 30 years old, and that is true. These trucks were in operation before the firefighters were even born. These vehicles are now well and truly at the end of their life span and not exactly safe or fit for operation.

We recently had the ladder platform in Bendigo break down, on 29 August. It only came back online last Friday. It broke down while the firefighters were fighting a fire above a shop. It had lifted a firefighter up on its platform, and the firefighter had to scramble to safety because the mechanics that operated the platform failed, so he was stuck up in the air fighting the fire but he had to get down somehow. He had to risk his safety to scramble down from the platform because the truck could not lower the platform.

The ladder platform that was to come to Shepparton was to replace an old aerial appliance in Shepparton, which is just basically a truck that has an extendable arm with a hose on the end of it – a stick with a hose on the end of it – on top of the truck. There was a risk assessment done by the CFA, prior to the fire services reform, that deemed Shepparton to be the highest risk area in the state, due to the large metreage we have at our food processors – for which there needs to be fighting from a height – the number of coolstores and hydroponics in the agricultural sector there but also because we have multistorey buildings like our hospital, our school, our law courts and our art gallery. If there needs to be rescue at height, they cannot do it with a hose on a stick, they need a ladder platform. So Shepparton was deemed to be the highest risk in the state.

The CFA ordered three of these new trucks. It takes some time for these trucks to come online by the time they are designed and they are ordered, and it is a couple of years before they are delivered, and then people need to be trained. The highest risk was Shepparton. That was followed by Warnambool, and the third was to be advised, but it ended up being nominated as Mildura. When the Shepparton firefighters met with FRV last week, they were told that the platforms were still going to Mildura and

to Warrnambool because of their remote locations – not because of their risks, their remote locations, so that is a new criterion – and that Shepparton would miss out. This is an absolute disgrace. Every single firefighter in Shepparton has been trained to work on this truck. It could be put into operation today. None of the firefighters at the Sunshine fire station have been trained to work on this truck. I believe that very few of them, if any, would have the prerequisite for training anyway because they do not have the Mills-Tui 2017 accreditation. They need that before they can even be accredited to fight on the pumper platform. Without that accreditation and without the pumper platform accreditation, that pumper platform will sit in the fire station at Sunshine unused.

Corella control

Petition

Georgie PURCELL (Northern Victoria) (17:29): I rise to speak on the petition titled ‘Resolve corella issue in Bridgewater’, tabled by Mrs Broad on 27 August. I really did not think that I would have to rise to speak on the definition of a plague, but apparently some in this chamber could benefit from it. The plague is an infectious disease caused by bacteria that can be life threatening. What the plague is not is a sweet white-and-pink bird that is native to our state. I was surprised to learn from Mrs Broad that we have mutant corellas pulling apart houses in this state. The logistics of that I do not even know how one could even form and say with a straight face. Instead of applauding the government’s decision to not perform lethal control, for once, on our wildlife, this member of Parliament has criticised a humane approach, something that very, very rarely happens for our wildlife. It is not difficult to see through this and understand that what this petition wants is to secure the go-ahead for an open-fire attack on corellas. We must recognise our part in corella populations. We have created the perfect conditions for them, with food and rubbish littering the streets and parks. Corellas, being a super-intelligent species, are simply responding to this abundance. The words that we choose have such a devastating impact on the way we view a species. If enough people say they do not belong here, it is soon forgotten that corellas are in fact a native and protected species here in Australia.

I do, however, hear the calls of the local community wanting support from the government on the corella population. Fortunately, the answer is already willing and able to be deployed. Cherrp is an innovative technology developed by scientists and engineers with the purpose of overcoming challenges in the coexistence of birds and humans. It has a 95 per cent success rate across farms and commercial and public areas. Cherrp works by designing communication in the language of corellas to communicate that the area is unsafe and uninhabitable. A new location is identified to relocate the corellas, and a device is then set up to draw the corellas to the new location using sounds in their own language. The communication is automatically modified through real-time data to ensure long-term effectiveness and the ability to respond to varying responses by the birds. Eventually the devices are removed and the birds remain in their chosen location. This has been effectively deployed in other states around Australia with a huge success rate.

Culling, however, has been proven to be an ineffective strategy for birds. It cannot and will not provide a long-term solution, nor can traditional solutions such as blast noises, netting and laser deterrents work in long-term spurts, as corellas are habitual. Specifically, the intelligence of corellas means that they can easily adapt and become neutral to the deterrents. Cherrp actually met with the minister for industry and innovation and the Minister for Environment, as well as my office, to offer their services. I would encourage the local community of Bridgewater to advocate to the government to employ Cherrp so that they can have a lasting and humane solution – something that everyone wants.

Trust for Nature

Report 2022–23

Sheena WATT (Northern Metropolitan) (17:33): I rise today to speak on the Trust for Nature’s 2022–23 annual report, which was released in June. This report was of particular interest to me given Trust for Nature’s work certainly complements our work to tackle climate change. Trust for Nature

are pretty well loved in my office, and I always look forward to meeting with the trust's CEO Corinne Proske. I need to highlight that my good friend and fellow AFL SportsReady alumna Nina Braid is the trust's deputy chair. In the next few weeks I am looking forward to meeting Ash Bartley, who enjoys the role of the trust's First Peoples partnership manager. She is leading some incredibly important collaborative work with the Warreen Beek rangers. Ash and her team are helping to empower traditional owners and Aboriginal and Torres Strait Islander people to learn skills to work on country by providing accredited training in skills such as pest and plant control, revegetation, construction, chainsaw use, occupational health and safety and cultural studies. I wish Ash and all the participants in the Warreen Beek rangers program the very best and look forward to their graduation, which I have enjoyed for the last couple of years. I will just share very quickly that one of the graduates of the ranger course recently participated in the Olympics in Paris in boxing, so I was especially interested – probably for the first time in my life – in watching boxing and seeing Marissa Williamson go for gold. The trust has just celebrated its 50th anniversary, and I am sure everyone here would agree that this is an outstanding achievement.

The trust was established by an act of Parliament in 1972 and since then has been charged with preserving ecological and culturally significant land, conserving wildlife and native plants and educating the public on conservation science. One of the powers given to the trust by the establishing act is that they may enter into conservation covenants with landholders, and these voluntary legal agreements between the trust and landholders place permanent protection on private land. Landholders are exempted from land tax and may receive a council rebate or concession if they agree to restrict activities on their land that may damage the native habitat, such as clearing, intensive farming or indeed subdivision. The conservation covenant system is a wonderful complement to our existing state and national parks in Victoria which allows landholders to continue to work the land without exposing it to long-term damage.

The report shows that there were 51 new conservation covenants covering 2416 hectares of land which were agreed to in 2022–23. This is a 25 per cent increase in the number of covenants signed in the two preceding years and brings the total area of Victoria covered by conservation covenants to 78,342 hectares. They are certainly taking advantage of the government's targeted investments in environmental restoration. This government has put forward \$77 million as part of the BushBank program to support organisations like the Trust for Nature to plant native trees and shrubs to encourage the repopulation of species which are threatened by overdevelopment, such as the southern brown bandicoot and the greater glider, which have all benefited from the BushBank, as well as protecting native species. The re-greening of Victoria will contribute to our efforts to reach net zero emissions in the state by 2045. Trust for Nature has taken advantage of BushBank funding and used it to restore 260 hectares of degraded land at Stuart Mill between Bendigo and Horsham. Based on the lessons learned from the regeneration and restoration at Stuart Mill, the trust hopes to expand their BushBank-assisted work to restore 5000 hectares of land in Victoria.

This report was particularly interesting to me given some work that they do around reducing the effects of human-induced climate change, which are becoming more extreme year on year. Our first responders in the CFA and the state emergency services are working with Trust for Nature, providing some really life-saving responses. The trust is taking some of the pressure off emergency responders by helping bushfire-affected communities build back stronger from tragedy in a way that makes land bushfire resilient into the future without compromising on conservation. Finally, can I just say that I am happy to report that this trust remains in a strong financial position thanks to our government's continued funding efforts. I look forward to reading their report and celebrating, at the graduation, the Trust for Nature's incredible work.

Department of Treasury and Finance*Budget papers 2024–25*

David DAVIS (Southern Metropolitan) (17:38): Tonight I want to talk about the state budget and specifically the Department of Transport and Planning outputs. I want to draw the community's attention to the government's proposals for 10 large development zones in our suburbs, three of them in my electorate of Southern Metropolitan – one at Moorabbin, one at Chadstone and one at Boroondara in Camberwell. But these descriptions and these names are not accurate. The Moorabbin one sprawls out much further than that, taking in chunks of Bayside, chunks of Glen Eira and chunks of Kingston. It crosses three council areas. It is a massive area, and people should understand what this means. I will talk about that in a moment.

The one in Chadstone is a similar example. It takes in a chunk of Glen Eira, a large chunk of Monash and a massive chunk of the Stonnington municipality. It crosses different electorates. These are huge areas. The one in Camberwell is not really Camberwell; it takes in Hawthorn, Hawthorn East, Canterbury and Camberwell as well, and parts of East Camberwell around the station there. These are huge swathes, huge distances, that are being talked about. In the case of Ringwood it is an area that spreads across two municipalities, into the City of Whitehorse and a large area of the City of Manningham. But each of these councils was surprised by the state government. There was no consultation whatsoever about these large zones around the central activity districts. The central activity districts have some history to them. There was some consultation earlier, and some of them would be supported in large measure by certain councils. But in the so-called catchment zones – what an Orwellian term, catchment zones – where there is as-of-right six-storey development, you can go nuts if you are a developer there; you can go off your tree. I was talking to someone about Kintore Street in Camberwell the other day. That is a beautiful street and well looked after in terms of street vegetation and large vegetation – canopy trees and so forth. They will all be knocked over. Make no mistake: they will all go. And there are heritage areas in these streets. I am talking about Camberwell here, but the same could be said of areas of East Malvern and the same could be said of areas of Bayside. There is massive development – no consultation. The government is determined to do this and is pushing forward.

People need to understand that we are actually fighting now for the future of our city. Do we want a city that has pleasant streets with proper canopies, streets with proper trees and streets that protect heritage? In the case of the Boroondara area nearly 50 per cent of that area is actually heritage listed, heritage recognised, either by the council or statewide. All of that will go. The neighbourhood residential zones that Matthew Guy put in place to protect suburbs – saying 'You can do dense development here, but you need to protect large areas of the suburb' – will go, with the proposed code assessment that is associated with this. That will be all gone. The neighbourhood protections, the canopy protections, the heritage protections – all that is being swept aside by the government, and there will be dense development. People will wake up, and they will discover that there is a six-storey building being built next to what is a one- or two-storey current construction. That is what is going to happen. It is an absolute outrage. It is an arrogant government that has been there for 10 years. It is so far out of touch with the community and what the community wants.

In the Ringwood case – think about that – there is an area there that is understood and agreed to by the council. But there is one area of density that the council had pushed for that was not agreed to by the government, but other areas further along were added to the 12-storey as-of-right approach. Then a massive area spreading out all the way down along the railway line – down to Heatherdale, up to East Ringwood, all of that – is in the six-storey as-of-right catchment zone. These are massive swathes of territory. Thousands and thousands and thousands of Melburnians are going to be impacted by these zones, and it is wrong. It is just flat wrong. It is going to do damage to the feeling of our city – (*Time expired*)

Department of the Legislative Council*Report 2022–23*

Michael GALEA (South-Eastern Metropolitan) (17:43): I rise to speak on the Department of the Legislative Council's annual report 2022–23 and specifically the work of the Commonwealth Parliamentary Association. Of the many programs the CPA runs, one of the largest and most successful is the Commonwealth Youth Parliament, which brings together young people aged 18 to 29 from right across the Commonwealth in a mock Parliament setting. Last week saw the 12th CYP, which took place in Wellington, New Zealand. Along with the member for Warrandyte in the other place, I had the privilege of attending as a mentor for the participants.

Set in the fictional jurisdiction of Okifenua – pronunciation debatable – the more than 60 participants were randomly allocated into four parties, which included two parties in a coalition government, an opposition party and a minor party. They debated a bill which provided for the resettlement of people affected by the adverse effects of climate change. It included second-reading debates, committee meetings, an amendment-stage debate and speeches by party leaders. The week also included a question time, which proved to be quite robust. My advice on how to use points of order as a parliamentary tactic seemed to be taken up rather too well, and I was strangely proud as well to see that the Australian delegation were responsible for most of the troublemaking and the interjections throughout the week. We also saw a unique political culture develop in a very short space of time. Rather than shouts of 'Hear, hear!', members indicated their agreement by loudly slapping the tops of their desks. It was very effective, although I suspect you might not be too pleased to see it come in here, President.

The participants were from all corners of the Commonwealth, from jurisdictions big and small, and to say that we as the mentors were impressed by them would be an extreme understatement. If I had the time, I would love to name each and every one of the participants that I got to meet and support. In every session I was resoundingly impressed by the intellect, wit, spontaneity and good humour which was displayed. I will, however, give a very brief shout-out to Torin, who very kindly gifted me this blended tie, representing his home of the Falkland Islands.

One of the most impressive things about the Youth Parliament was just how realistically it reflected a genuine parliament, so much so in fact that the major governing party even had a leadership spill on the final day. I am not exactly sure why they came to the mentor from the Australian Labor Party to ask how to execute that spill, but I am sure that there is a reason. I also understand that when the parliamentary staff were discussing the spill in the office, some of their colleagues overheard and did not immediately realise that the prime minister they were talking about was the youth PM and not the real-life New Zealand Prime Minister. Fortunately all was cleared up before word got out, but amidst all the drama, both the outgoing and incoming prime ministers handled themselves with a dignity and a grace that is a credit to the both of them. It became an all-too-real lesson in parliamentary democracy for the young members. I understand that the participants walked away from the experience having learned lots, having made new friendships and inspired to use what they learned in the week to go out and make a positive impact on their communities and indeed our Commonwealth, be it inside or outside of the political arena.

None of this could have happened without the support of Avhni and her team from the CPA, and most of all from the incredible staff of the New Zealand Parliament, who made the event such a big success, including Amber, Rose and AJ, to name just a few. I would like to thank them for their generous hospitality to me, Nicole, the New South Wales Legislative Council President Ben Franklin and all of the young members. I am very excited to see the impact that these very bright people will have on the world.

*Petitions***Housing**

Samantha RATNAM (Northern Metropolitan) (17:47): I am honoured to move this petition debate on behalf of Elena, a public housing resident, and thousands of others that signed this very, very important petition. Each signature represents a story of a person for whom public housing may mean their home, their community, their friends or their values. I move:

That the petition be taken into consideration.

Last month the Victorian Labor government signed a contract to demolish five of Victoria's public housing estates, granting the government authority to evict tenants at will. These estates are home to hundreds of families and beautiful communities from all around the world. The towers have been safe havens for those struggling to find homes in a broken system that prioritises profits over people. The community has strongly opposed the destruction of these and the other 39 public housing estates. Over 2300 people signed this petition, the majority of whom are residents themselves. Elena deserves commendation for her bravery in speaking out. It is not easy to oppose this government, which pressures and punishes those who hold it accountable. Elena is here today, and she summed up how residents are feeling:

This petition was signed by thousands of people, who demanded the government tell us the truth about its decision to demolish our homes and destroy our communities. We, the public housing residents, will not give up the fight for our rights to security of tenure and freedom from arbitrary eviction.

This Parliament has also passed many motions making it abundantly clear that the destruction of these homes and the displacement of these families cannot go ahead. Labor simply does not have a mandate to go ahead with its plans. Almost a year ago then Premier Andrews announced the destruction of these homes, leaving residents shocked and searching for answers. What will happen to those evicted? How will it affect the 100,000 people already on the public housing waiting list? How much longer will they have to wait for a safe and secure roof over their heads? We have no answers a year on. We do not even know if the government considered alternatives to demolition, like refurbishment. This option is cheaper and keeps communities together. Labor has also been evasive about what will be rebuilt at these estates, with no commitment to rebuild any public housing at the North Melbourne and Flemington estates, despite imminent demolition.

The minister has also said only 440 new social homes will be built across the remaining sites over the 28 years. That means a measly 15 homes a year. Thanks to pressure from the community and funding secured by the Greens federally from the Housing Australian Future Fund, the government did commit to public housing at the Elgin and Nicholson Street sites, but they were a separate announcement prior to Premier Andrews announcing what was going to happen to the remaining sites, which are going to be privatised and demolished.

In the worst rental crisis in a generation, destroying existing housing makes no sense. Residents, housing advocates, architects, policy specialists, community members and so many people have questioned the logic of this plan. The only ones who stand to profit will be private property developers who will get to build a majority of private market rent housing in some of the most prime locations across the city, while current residents will be shipped off to faraway suburbs where services and public transport are sparse. Labor is in the pocket of their property developer mates. Sadly, we know from extensive experience and research the devastating impact that evictions and relocations have on public housing residents – economic hardship, deteriorating health, social isolation, homelessness and for some incarceration.

This plan cannot go ahead, but do not take it from me. The Greens have doorknocked a majority of the 44 towers over the past few months, and we have heard what residents had to say. The community has spoken, and they detest this plan. And it is important to acknowledge how important these voices of protest are. They have won before, and they can win again.

Just under a decade ago an almost identical plan to demolish and privatise public housing in Fitzroy, Richmond and Prahran – the same towers – was proposed by the then Liberal government. It was met with opposition from Labor, the unions and First Nations who were distressed about the destruction of their meeting sites. Then opposition housing spokesperson and Labor MP for Richmond Richard Wynne said in an *Age* article titled ‘Fear and loathing as residents wonder what their future will be’ from 2013, that:

... it was financially and socially irresponsible to canvass the idea of pulling down the towers.

Another quote from Mr Wynne:

This government is going to consign poor people out to the furthest reaches of our community.

Then Trades Hall secretary Brian Boyd rallied against the Liberal government’s plans and asked the state government to use alternative unused land for private developments, not the public land at these estates. He said:

We feel there is merit in saving all of public space for the lower-income members of the community. The last thing they need is to be built in.

How far Labor has retreated from the values that once guided it. To the Labor MPs still supporting this plan, you will be written into the history books as the government that brought down public housing. Let us build thousands more public homes, not tear down the ones that we have. As a resident remarked just recently:

They are not just bringing down the buildings, they are bringing down the public housing system.

Labor, do not be the authors of the end of public housing in Victoria.

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (17:53): I rise to speak on this petition today, and I want to begin by making it very, very clear that we are under no illusions about the importance of respecting the views, histories and familial connections and the very identities of people who have called the towers home, often for many generations – that in fact every life experience that we could possibly imagine has occurred within and around those very particular buildings, which were built between the 1950s and the 1970s.

One of the issues that arises around these buildings is the fact that they are no longer fit for purpose. They have reached the end of their operational lives. This morning Dr Ratnam stood out the front of this building to tell the media that the towers are in great shape. Well, the communities are in wonderful shape for all of the reasons that I have just outlined, but the places that they call home are not. The towers themselves fail against contemporary standards for light, for ventilation, for insulation, for room depth to doorway width, for disability access and the way in which people can enter and exit those buildings. The underlying construction methodology of these towers means that it is not possible to modify them without an investment of many, many billions of dollars, and even then it is not possible to adjust them to meet modern disability and accessibility standards.

Dr Ratnam has talked about why it is that refurbishment is not able to occur. One of the things that I have been very clear about, and that the Premier and others have been very clear about, is that refurbishment has been costed at billions of dollars. But even if that were to occur, we would still need to relocate everybody in those buildings for the purposes of that refurbishment. When Dr Ratnam talks about the worst rental crisis in a generation, this speaks to the challenges and the lack of affordability and availability within our system. These are the competing tensions of population growth and indeed of a system that has not kept pace with the needs of communities, and this is why we need to make sensible, considered use of the spaces we have available to us. That is the work that grounds our housing statement and propels us, across a number of portfolios, to work around reforms to the planning system, around what we are doing to make use of those inner-city and urban spaces, to make sure that when and as we build new housing we are doing it in a way that reflects the needs and the aspirations of communities, not just now but for our kids and for our grandkids and for their grandkids.

The Greens would like people to believe that community housing organisations, part of the fabric of delivering social housing, do not do a good job. Community housing is comprised of charitable organisations. They are not-for-profit organisations that work for social purposes to provide housing and support. They include housing organisations for First Peoples, for young people, for women and for people with often very, very complex needs. They are strictly regulated to ensure that our significant public investment, the government funding that goes to these organisations, is protected for the benefit of residents, of future generations and of the community. I have stood up in this place many, many times to invite Dr Ratnam to a briefing on social housing. Dr Ratnam has not once – not once – taken me up on that offer. Not once has the former Leader of the Greens asked for a briefing on the detail of social housing policy. So what I will do today is be very, very clear about the matters which have been raised in this petition as Dr Ratnam has sought to characterise them in her contribution.

Regulation around community housing providers ensures that homes and assets remain within the sector as affordable rental housing in perpetuity. Where government has provided funding for a registered organisation, an interest recorded on the title to the land prevents that organisation from selling or using the property as security without the consent of government. Registered organisations are also required to include in their constitution both objects and a wind-up clause that commit their organisation to providing affordable housing. We need to address the challenges of a shortage of supply in partnership with community housing providers, developers, builders, councils and, most importantly, communities. We have engaged, through Homes Victoria, in thousands of discussions to make sure that people have accurate information and that work will continue in good faith and to give people autonomy, accurate information and the sense of security and certainty that they deserve as this work continues.

Evan MULHOLLAND (Northern Metropolitan) (17:58): Can I firstly start off by thanking the 3200 people who signed this petition. Bringing petitions forward to this chamber or to the other place is a really important part of our democratic process, and I am pleased that this petition indeed has qualified for debate in this chamber again so that we can bring it here and talk out these issues on behalf of our constituents.

Like Dr Ratnam, I represent the Northern Metropolitan Region, and to suggest that this is not a huge issue would be an understatement, because I do consult with members of my community, I do consult with residents in particular at Flemington and North Melbourne. In fact I was recently at a Somali day celebration with a few of my colleagues, and it is safe to say that many members of the community spoke to me about it, but they also spoke about things like the lack of consultation, fear of the unknown and people not knowing where they are going to go, and so you can really empathise with that, particularly hearing that firsthand. I think that we ought to listen to the community on this and make sure that they are heard in this process.

Dr Ratnam does raise some good points. If it was a Liberal government proposing this exact policy, you can bet Trades Hall would have already whipped up a protest with protesters as far as the eye can see down Burke Road. The CFMEU would have already proposed a green ban on the rebuild, and you can bet that side of the chamber would be in absolute opposition to this plan. But here we are, with the government proposing this, and it is just the latest in a long line of failures when it comes to the public and social housing space. We know even today the Allan government has been hiding the true extent of its housing crisis and has now removed almost 10,000 families from the Victorian Housing Register, reclassifying them deep in Homes Victoria spreadsheets to try to hide the true reality of what has gone on. It follows contracts being finalised for the demolition of over 600 public housing units across towers in Flemington and North Melbourne, exacerbating the crisis as the government reveals a stock decline of 446 homes in the six months to December.

Hiding nearly 10,000 homeless people from public view is a disgrace and seems the only way the Allan government can combat Victoria's out-of-control housing crisis. Desperate families are languishing on Victoria's ballooning public housing waiting list because ultimately Labor cannot

manage money and it cannot manage housing, and it is vulnerable Victorians that are paying the price. I thank Dr Ratnam for bringing forward this important motion.

Aiv PUGLIELLI (North-Eastern Metropolitan) (18:02): I will begin my contribution today by quoting one of the community members who have taken part in today's petition that has been brought to our Parliament. The quote reads:

Why did the government decide to demolish the high-rises and only talk to residents after they have already made this decision?

People have lived at these towers for 20, 30, 40 years. They have built a community. We are a family.

We saw what happened with the Flemington walk-up flats. The government told us that people could come back. But they are not public housing anymore.

I want to remind everyone in this chamber that this petition debate today is about the community. We are here because so many people have signed on to support the idea that our public housing estates are valued communities which should be respected. Over 2000 – thousands of people here today – have called on this government to stop the wholesale destruction of the 44 public housing towers, to stop the privatisation of public housing and to truly invest in maintaining our current public housing while building much, much more. That is why we are having this debate, because it is an important issue to our communities and we owe it to them to consider their requests and their opinions thoroughly.

We have heard things from the government today like the towers being no longer fit for purpose. We have heard a lot about what is not possible. But really what we ought to be doing here today is talking about what is possible – a government with vision that would build new public homes, expand en masse public housing in this state to bring down the waitlist to make sure that public housing is available to all. That is not what we are currently hearing from this government, and it is truly shameful.

We all know in this place that we are in a housing crisis. No-one here is trying to argue that we are not, but the fact that Labor is trying to knock down every single one of the 44 public housing towers at this point in time just feels unbelievable. There does not seem to have been any consideration of what other options might be available and then the publication of this work. Work needs to be done to consider what is possible and what is not. Knocking them all down and then eventually rebuilding them with, frankly, a minuscule increase in social homes is unacceptable. We are so desperately in need of so, so many more public homes in Victoria. Now is most certainly the time to invest in this, not a mass build of market rate private apartments with a smattering of additional social homes. That is not it. We need tens of thousands of new additional public homes. We need to address the increasing public housing waiting list. The numbers are eye-watering. But it is underpinned by thousands of people – individual people, their own lives, their experiences – people who need affordable, safe, secure housing. So many in our community care deeply about public housing communities. I thank you all for signing this petition, and I urge this Labor government to listen to you. I commend this petition to the house.

Samantha RATNAM (Northern Metropolitan) (18:05): Thank you to everyone who has contributed to this petition debate, and once again, most of all to everyone who took the time to sign this petition and talk to the community about why this message was so important to bring to this Parliament today. We have heard some arguments repeatedly from the government for months on end that claim that somehow the public housing towers that are set to be demolished fail to meet contemporary standards, in their words, without any proof that backs up these claims. We have repeatedly, for over a year now, asked the government for documents through motions in this Parliament, and we have been denied these documents – basic information – about the rationale, any feasibility work and any engineering reports that could rationalise this very shocking decision. You have treated us in this place with contempt and, by virtue of this, treated the community with absolute contempt – many of them still in the dark about why this plan has been developed and what will happen to their lives.

The minister talked about the values of community housing, and as I spoke to this morning, we believe that community housing has an important place in the continuum of affordable housing options in this state. But it was never designed to replace public housing, and it is actually really disappointing that this government has pitted community housing against public housing and created an imagery around community housing that is the fault of the government retreating from public housing. Essentially, this government is confirming that it has plans to outsource the provision of public housing to non-government providers. Yes, community housing provides an important service, but it is not meant to replace public housing. Despite all the dressing up, the ground lease model and the long-term commercial leases are a form of privatisation. They are not public housing, and we have repeatedly made this point. I urge the government to listen to the thousands upon thousands of residents who are asking them and pleading with them to remain in their homes and to be guaranteed to remain in public housing.

Motion agreed to.

Business of the house

Notices of motion

Lee TARLAMIS (South-Eastern Metropolitan) (18:08): I move:

That the consideration of notices of motion, government business, 278 to 562, be postponed until later this day.

Motion agreed to.

Bills

State Civil Liability (Police Informants) Bill 2024

Statement of compatibility

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (18:09): In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 I table a statement of compatibility for the State Civil Liability (Police Informants) Bill 2024:

Opening paragraphs

In accordance with section 28 of the *Charter of Human Rights and Responsibilities Act 2006*, (the Charter), I make this Statement of Compatibility with respect to the State Civil Liability (Police Informants) Bill 2024.

In my opinion, the State Civil Liability (Police Informants) Bill 2024, as introduced to the Legislative Council, may be partially incompatible with human rights as set out in the Charter. I base my opinion on the reasons outlined in this statement.

Overview

Following the High Court's decision in *AB v CD; EF v CD* [2018] HCA 58, the Victorian Government established the Royal Commission into the Management of Police Informants (Royal Commission) in December 2018 to inquire into Victoria Police's use of Ms Nicola Gobbo, a former criminal barrister, as a human source.

The Royal Commission's final report was published on 30 November 2020 and made 111 recommendations. The report identifies that 1,011 persons may have been affected by the conduct of Ms Gobbo as a human source, with 124 people potentially affected in a more direct way.

Since the Royal Commission delivered its findings, a number of individuals whose criminal convictions were affected by Victoria Police's use of Ms Gobbo as a human source have commenced civil proceedings against the State of Victoria seeking compensation following successful appeals to overturn their criminal convictions.

The costs incurred by the State to deliver the Royal Commission, and implement its recommendations, have been significant, with over \$200 million spent to date. The State also continues to commit considerable resources toward ongoing legal matters arising from the Royal Commission.

In the context of this significant financial expenditure and public concern about ongoing public costs, the objectives of the Bill are to:

- limit the extent to which the State is required to devote further human and financial resources to responding to the matters that were the subject of the Royal Commission, and
- promote finality in relation to those matters.

Clause 5 of the Bill will extinguish all causes of action a person may have otherwise pursued against the State, relating to the provision of information or other assistance by Ms Gobbo or Mr Joseph Acquaro, a solicitor, to Victoria Police.

Specifically, clause 5 provides that any cause of action against the State (which will include current and former members of Victoria Police and the Office of Public Prosecutions) relating to the provision of information or other assistance to Victoria Police by Ms Gobbo or Mr Acquaro is extinguished.

This provision will apply to all legal claims seeking damages or other monetary compensation, whether in tort, in contract, in equity, under statute or common law or otherwise.

The effect of clause 5 is to extinguish legal claims which are currently before the court but have not yet been determined, and future court proceedings that have not yet been initiated. However, the provision will not affect claims that have already been finally determined by a court.

Importantly, the Bill does not apply to any criminal proceedings nor to any person's right to appeal a criminal conviction or sentence. Nothing in the Bill affects a person's right to appeal a criminal conviction on a basis related to Victoria Police's use of Ms Gobbo, or Mr Acquaro as a human source.

Human Rights Issues

The following rights are relevant to the Bill:

- right to a fair hearing (section 24)
- right not to be tried or punished more than once (section 26)
- protection from cruel, inhuman or degrading treatment (section 10(b)), and
- right not to be deprived of property (section 20).

Human rights protected by the Charter that are relevant but not engaged by this Bill

The right to a fair hearing (section 24)

Section 24(1) of the Charter provides that a party to a civil proceeding has the right to have that proceeding decided by a 'competent, independent and impartial court or tribunal after a fair and public hearing'.

It is well recognised that judicial determination of a person's civil rights and liabilities is a crucial element of the fair hearing right. This right will be engaged where a person is prevented from having their civil rights or liabilities in a proceeding considered by a court. However, this right does not prevent the State from amending the substantive law to alter the *content* of those civil rights.

The Bill extinguishes legal claims for damages and other monetary compensation in specified circumstances. It affects the *substance* of relevant civil claims by extinguishing the underlying cause of action, meaning there remains no civil right over which a court may exercise jurisdiction.

As such, I consider that the Bill does not engage or limit the right to a fair hearing in section 24 of the Charter.

The right not to be tried or punished more than once (section 26)

Section 26 of the Charter provides that a person must not be tried or punished more than once for an offence in respect of which that person has already been finally convicted or acquitted in accordance with the law.

This right enshrines the fundamental common law principle of 'double jeopardy' and promotes fairness to persons acquitted or convicted of an offence by ensuring they are not subjected to multiple prosecutions. Section 26 of the Charter therefore guarantees a person finality and certainty in the criminal justice system, by protecting them from being the subject of further prosecutions.

I do not consider that the Bill engages the right not to be tried or punished more than once.

This Bill does not operate to punish a person. While the Bill's operation will necessarily result in a detriment to affected persons, not all detriment, hardship or distress which may be inflicted on a person by operation of legislation will constitute punishment. Here, the criteria by reference to which the detriment is imposed is not the fact that a person has been finally convicted or acquitted of an offence. Instead, the operation of the Bill will be triggered where a person's cause of action has accrued in connection with the provision of information or assistance by Ms Gobbo or Mr Acquaro to Victoria Police.

Further, the nature of the detriment is not one ordinarily associated with criminal sanction or punishment, as there is no imposition of any personal liability on a person of any sort. The Bill does not impose a penalty or sanction for breach of provisions which prescribe a rule of conduct and is instead concerned with the extinguishment of civil rights and liabilities. In this sense, it more closely resembles laws with respect to the acquisition of property (considered under the property right below) rather than traditional notions of criminal punishment. The High Court in *Palmer v Western Australia* (2021) 274 CLR 286 found that laws abrogating causes of action were not concerned either with criminal guilt or punishment.

That this Bill is not punitive is reinforced by reference to the purpose of the Bill which is to limit the extent to which the State is required to devote further resources to responding to the matters that were subject to the Royal Commission, and to promote finality in relation to those matters, rather than being enacted to punish individuals.

Finally, for this right to be engaged, the Bill must punish a person for an offence for which they have been finally acquitted or convicted. In contrast, where a person has had their conviction for an offence set aside on the basis of Victoria Police's use of Ms Gobbo or Mr Acquaro as a human source they will not have been 'finally convicted or acquitted' for the relevant offence. In those circumstances, the principle of double jeopardy could not be engaged in any event.

Human rights protected by the Charter that are engaged but not limited by the Bill

Protection from cruel, inhuman or degrading treatment (section 10(b))

Section 10(b) of the Charter provides that a person must not be 'treated or punished in a cruel, inhuman or degrading way'.

The law recognises that the protection from cruel, inhuman or degrading treatment or punishment is not confined to physical pain, but also protects against acts that cause mental suffering. This extends to treatment or punishment that humiliates or debases a person, or is capable of breaking moral or physical resistance. The pain and suffering caused by such treatment must, however, meet a minimum threshold of severity before this right will be engaged.

While there has been limited judicial consideration of section 10(b), this right has predominantly been found to apply in situations where severe suffering has been deliberately inflicted, or where a victim has been intentionally harmed, humiliated or debased. The majority of cases have focused on conditions of custody and/or physical harm inflicted on a person. There is no comparative case law that suggests that amending the content of civil rights in this manner engages this right.

I acknowledge that it may be argued that the Bill engages this right by causing distress to a person who has had a civil cause of action extinguished where they have suffered a loss relating to the provision of information or other assistance to Victoria Police by Ms Gobbo or Mr Acquaro (in the context of a wrongful conviction or imprisonment).

However, even if this right is engaged, I do not consider that the minimum threshold of severity is met in order to constitute a limitation on the section 10(b) right. This is because while the Bill may raise concerns of unfairness, it is not directed at intentionally causing any acute or intense harm to an individual. Further, while the Bill extinguishes civil causes of action in certain circumstances, the underlying ability for individuals to challenge their criminal convictions remains unaffected. This suggests it does not attract the necessary qualities of severe suffering or constituting affront to human dignity required to meet this minimum threshold.

Human rights protected by the Charter that may be limited by the Bill

The right not to be deprived of property other than in accordance with law (section 20)

Section 20 of the Charter provides that a person must not be deprived of their property, other than in accordance with law.

In considering whether this right has been limited, a court will consider whether (a) the relevant law 'deprives' a person of 'property', and (b) that deprivation is not 'in accordance with law'.

There is no Victorian authority considering whether an accrued cause of action against the State constitutes 'property' for the purposes of the Charter. Whilst this term is not defined in the Charter, the Supreme Court of Victoria indicated in *PJB v Melbourne Health* (2011) 39 VR 373 that it should be 'interpreted liberally and beneficially to encompass economic interests'. Accordingly, it is likely that a court would find that an accrued right to bring a claim against the State would constitute 'property' under the Charter.

Further, it may be argued that the Bill 'deprives' a person of this property by preventing that person from obtaining damages or monetary compensation that they may have otherwise been able to obtain against the State.

While such deprivation of property is likely to be considered ‘in accordance with law’ insofar as the Bill is ‘publicly accessible, clear and certain’, existing case law (*PJB v Melbourne Health*) also requires that it be shown that the Bill does not operate arbitrarily. The Court of Appeal, in *WMB v Chief Commissioner of Police* (2012) 43 VR 446 in the context of discussing the meaning of ‘arbitrary’ in section 13(a) of the Charter, has stated that a law is arbitrary where it is capricious, unjust, unpredictable or unreasonable in the sense of not being proportionate to a legitimate purpose.

Extinguishing a cause of action that has already accrued, and depriving people of compensation to which they may otherwise be entitled against the State, could be considered to be ‘capricious’ or ‘unjust’. Further, removing a specific cohort’s ability to seek compensation after having been imprisoned for serious criminal offences, and subsequently having their convictions overturned, may also be considered ‘unjust’ and ‘unpredictable’. Therefore, an argument might be made that the deprivation of property under the Bill is arbitrary, so that the right not to be deprived of property otherwise than in accordance with the law is limited.

The limitation on the right to property is reasonably justifiable

Section 7(2) of the Charter provides that a human right may only be subject to ‘such reasonable limits as can be demonstrably justified in a free and democratic society’ in light of all relevant factors including:

- the nature of the right
- the importance of the purpose of the limitation
- the nature and extent of the limitation
- the relationship between the limitation and its purpose, and
- any less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve.

I will discuss each of these factors in turn.

The right to property and a person’s right to commence a claim where there is an accrued cause of action to remedy wrongs are fundamental long standing legal principles.

It is necessary to consider the importance of the purpose of the relevant limitation. As noted above, the Bill’s objective is to limit the extent to which the State is required to devote further human and financial resources to responding to the matters that were subject to the Royal Commission, and to promote finality in relation to those matters. This is in light of the significant human and financial resources the State has already devoted to the Royal Commission.

The Government has incurred significant financial costs to ensure that the events that gave rise to the Royal Commission do not occur again, with \$200 million invested in establishing the Royal Commission and the delivering of its recommendations. This includes \$110 million to deliver 93 of the Commission’s recommendations for legislative, policy and operational reform and capability development, and for further investigations to establish whether any criminal and disciplinary offences arose from Victoria Police’s use of Nicola Gobbo as a human source.

Of this \$110 million, Government has invested \$47 million for Victoria Police to support reforms to its human source management and disclosure frameworks. Other significant investments include \$5 million for the Independent Broad-based Anti-corruption Commission to plan, implement and embed the new functions recommended by the Royal Commission, \$2.03 million to support the appointment of the Police Informants Royal Commission Implementation Monitor, and \$20 million to establish and fund the Office of the Special Investigator to investigate possible criminal or disciplinary offences arising from Victoria Police’s use of Nicola Gobbo as a human source. No charges were laid following the work of the Office of the Special Investigator, which was formally decommissioned on 2 February 2024.

With this significant expenditure in mind, and in light of the pressures on the State budget in the post-COVID environment, particularly on the criminal justice system, the critical importance of the Bill’s objectives cannot be understated. As noted above, the Royal Commission identified 1,011 cases impacted by Victoria Police’s use of Ms Gobbo as a human source, 124 of which were more directly affected. Some of these individuals have already commenced civil action against the State, and many other claims may follow. The cost to the State in defending these claims, and if the claim is successful, any subsequent orders for damages or other monetary compensation, is likely to be substantial. The effect of the Bill will allow these funds to instead be directed to fund services that benefit the Victorian community and ensure the efficient and effective operation of the Victorian criminal justice system.

In assessing the nature and extent of the limitation, and its relationship with the Bill’s purpose, it is significant that the Bill has been designed to have limited operation. In particular, it does not broadly extinguish all causes

of action against the State, but only operates to extinguish causes of actions related to the particular circumstances set out in clause 5. More specifically, it does not limit the State's liability in relation to:

- Victoria Police's use of other human sources, and
- any claims for injury sustained in prison or on remand (where there is no causal connection between the injury and use of Ms Gobbo or Mr Acquaro as a human source).

Further, the Bill does not exclude any claims against Ms Gobbo or Mr Acquaro themselves.

In addition to the Bill being intentionally limited in its scope, the Government has carefully considered all other potential options. For example, Government considered whether the objective of the Bill could be achieved by placing a statutory limit on the amount of damages recoverable or providing a discretion to reduce the amount of damages in accordance with statutory criteria. These options are ultimately inconsistent with the Bill's objectives, given that they do not give rise to a sufficient level of finality and certainty of human and financial resources to be devoted. Accordingly, I do not consider that there is any less restrictive means of achieving the Bill's critical purposes.

I therefore consider that any limitation on the right to property can be justified pursuant to the factors in section 7(2) if the Charter and conclude the Bill is compatible with the rights set out in the Charter.

Override declaration

However, despite the conclusion I have reached above, it may be open to argue that the Bill limits the property rights of persons with an accrued cause of action and that limitation is not justifiable under section 7(2). Accordingly, a court may find that the Bill is incompatible with human rights. In this exceptional case, the Bill contains an override declaration expressly providing that the Charter does not apply. It has the further effect that the override provisions do not need to be re-enacted every five years. Consequently, the Charter will have no application to the Bill in perpetuity. This is to ensure that the Bill operates according to its terms and that its purpose of achieving finality in relation to causes of action related to the Royal Commission and protect Victorian taxpayers and the State from further Royal Commission related expenditure is met. I also propose to make a statement further explaining the exceptional circumstances which justify the inclusion of the override declaration.

Hon Jaclyn Symes MP
Attorney-General
Minister for Emergency Services

Second reading

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (18:09):
I move:

That the bill be now read a second time.

In *AB v CD*; *EF v CD* [2018] HCA 58, the High Court upheld the Victorian Court of Appeal's decision permitting the Director of Public Prosecutions to disclose to potentially affected persons that Victoria Police had used former criminal barrister Ms Nicola Gobbo as a human source.

Following the publication of the High Court's decision, the Victorian government established the Royal Commission into the Management of Police Informants (royal commission) to inquire into Victoria Police's use of human sources.

The royal commission's final report was handed down on 30 November 2020 and made 111 recommendations. The final report identifies that 1011 persons may have been affected by the conduct of Ms Gobbo as a human source, with 124 people potentially affected in a more direct way.

The state has devoted substantial human and financial resources, exceeding \$200 million, to establish the royal commission and deliver its recommendations. Of the 111 recommendations made, 93 have been delivered including 49 of the 55 recommendations directed towards the Victorian government. In delivering these recommendations, significant funds have been devoted to reforming Victoria Police's human source management and disclosure frameworks, establishing new oversight functions for the Independent Broad-based Anti-corruption Commission and appointing an independent implementation monitor to oversee the implementation of the royal commission's recommendations.

Whilst this expenditure has been significant, it has been critical to restore the confidence of the Victorian community in our criminal justice system.

However, royal commission related expenditure should not burden our community more than necessary and government has a responsibility to ensure taxpayer money is channelled towards critical services for the Victorian community.

Considerable financial and human resources continue to be committed by the state toward legal matters relating to the royal commission. Since the royal commission delivered its findings, a number of individuals who were impacted by Ms Gobbo's provision of information or other assistance to Victoria Police have commenced civil proceedings against the state of Victoria seeking compensation following successful appeals to overturn their criminal convictions.

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

I wish to bring to the house's attention the proposed override declaration in accordance with section 31 of the Charter of Human Rights and Responsibilities Act 2006.

The bill limits the extent to which the state is required to devote further human and financial resources to responding to the matters that were the subject of the Royal Commission into the Management of Police Informants (royal commission) and promotes finality in relation to those matters. The bill thereby protects Victorian taxpayers against further royal commission related spending.

The way in which the bill limits the financial liability of the state is by extinguishing causes of action that relate to the provision of information or other assistance to Victoria Police by specified human sources, expressly named as Ms Gobbo or Mr Joseph Acquaro. Mr Acquaro, a solicitor now deceased, is also captured within the scope of the bill as the matter of *Madafferi v The Queen* [2021] VSCA 1 revealed he too provided information to Victoria Police pertaining to a former client.

The government considers that any limitation on the right to property can be justified pursuant to the factors in section 7(2) of the charter and therefore considers that the bill is compatible with the rights set out in the charter.

However, despite the conclusion above, the government accepts that it may be open to argue that the bill limits the property rights of persons with an accrued cause of action and that limitation is not justifiable under section 7(2) of the charter. Accordingly, a court may find that the bill is incompatible with human rights.

In this exceptional case, the bill therefore includes a provision which makes clear that the charter does not apply to the bill, and that this override provision does not need to be re-enacted every five years. Consequently, the charter will have no application to this section in perpetuity.

The charter only permits Parliament to override the application of the charter in exceptional circumstances.

The exceptional circumstance warranting a charter override is the need to promote finality in relation to causes of action related to the royal commission and protect Victorian taxpayers and the state from further royal commission related expenditure.

In the wake of significant financial expenditure of over \$200 million to deliver the royal commission and implement its recommendations, it is imperative that there is a mechanism to limit the devotion of further resources and bring finality to matters relating to the royal commission so that funds can be directed to support the Victorian community.

I commend the bill to the house.

David Davis: On a point of order, President, there is a problem with the second-reading speech. The second-reading speech in the view of many does not deal with section 85 issues. The bill clearly

limits the jurisdiction of the Supreme Court, and there does not seem to be a proper and fulsome section 85 statement that would deal with these matters.

Jaclyn SYMES: We can do it in the debate.

David Davis: You are required to have such a statement. You do not have a statement.

Jaclyn SYMES: You say I am required to. The solicitor-general has advised otherwise.

David Davis: Well, I do, and so does the Scrutiny of Acts and Regulations Committee.

The PRESIDENT: Mr Davis, that is not for me to determine. It can be determined in the debate, it can be argued in the debate, but it is not for me to determine the fullness of that.

David Davis: President, just further to the point of order, there is a requirement that section 85 statements are made.

Jaclyn SYMES: Which standing order are you relying on right now?

David Davis: I am relying on standing practice of the chamber over many, many years.

Jaclyn SYMES: We can discuss this at another time, not during the second-reading speech.

David Davis: Maybe the minister would like, President, to explain –

Jaclyn SYMES: I have got 40 CFA volunteers waiting for me to return to a meeting.

The PRESIDENT: I do not think we need to have a discussion across the chamber. It is my understanding, Mr Davis, it is not for me to determine. I am happy to review that overnight, but I cannot –

David Davis: It is the appropriate time to raise it because the bill has just been second read.

The PRESIDENT: I am not discarding that. Once again, I am always happy to admit that sometimes I am not aware of everything, so I will take it into consideration overnight.

Georgie CROZIER (Southern Metropolitan) (18:16): 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

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (18:16): I move:

That the house do now adjourn.

Providence, Greenvale

Evan MULHOLLAND (Northern Metropolitan) (18:16): (1133) My adjournment is for the Minister for Planning, and the action I seek is for the minister to provide a supermarket and shopping centre to the long-forgotten residents of Providence estate in Greenvale. For almost 10 years the proposed site at 1090 Mickleham Road, Greenvale, has remained vacant, with various factors denying a promised supermarket to the good people of Greenvale. For the last nine years Pask, the developer, has worked closely with Hume City Council, the Department of Transport and Planning, Major Road Projects Victoria and the Greenvale Residents Association to bring this project to fruition. Pask has now produced precommitments from several key tenants, including a supermarket, pharmacy, beautician, cafe, physiotherapist and various takeaway outlets. The businesses have clearly stated that their commitment to the site is dependent on the installation of a signalised intersection at Garibaldi Road and Mickleham Road. Without this, the project's viability will be compromised, leading to the loss of these tenants and associated benefits to the community.

Enver Erdogan interjected.

Evan MULHOLLAND: Pask has demonstrated a strong commitment to this process by actually agreeing, Mr Erdogan, to cover the full cost of the construction of the proposed signalisation. This significant investment underscores the importance of the intersection and success of the Providence town centre and the broader Greenvale community. An intersection at Garibaldi Road and Mickleham Road is currently not in the state government's plans for Mickleham Road. We have now heard that Major Road Projects Victoria's Mickleham roadworks will introduce a centre median divider opposite Garibaldi Road. The consequence of this would be to remove the existing right turn in-out movements on Garibaldi Road at the intersection of Mickleham Road. If this occurs, the anchor supermarket tenant has advised it can no longer commit to this site and it will be all over.

Previously the Department of Transport and Planning had indicated to Hume City Council that they are not prepared to create another set of traffic lights along Mickleham Road and would prefer an entry at Garibaldi to be left-in, left-out only. This puts the prospect further in jeopardy. Further, it would make Dellamore Boulevard and Provati Drive the main entry point. The modelling that Pask has undertaken has shown it would actually knock out several roundabouts, cause noise pollution and obstruct several streets, but these would be moot points because the construction would not even happen because the tenants would withdraw. The action I seek is for the minister to support an urban design framework submitted by Pask and approve a signalised intersection at Garibaldi Road and Mickleham Road. I know the Greenvale Residents Association recently had a meeting where they unanimously voted in favour of the intersection.

South-Eastern Metropolitan Region multicultural communities

Michael GALEA (South-Eastern Metropolitan) (18:20): (1134) My adjournment matter this evening is for the Minister for Multicultural Affairs, Minister Stitt. The action that I am seeking is that the minister provides an update on the supports being provided for the diverse communities of the south-east of Melbourne. The South-Eastern Metropolitan Region in particular is the most diverse part of our state, possibly the nation, and it is home to many, many fantastic multicultural communities. I was very excited to see numerous local community organisations benefit from a share of \$9.7 million in funding from the latest round of Multicultural Community Infrastructure Fund funding.

Nine organisations indeed in my electorate were successful, including the Australian Indian Community Centre, which is at Kingsley Close in Rowville. It is a terrific centre. I have had the opportunity of attending several events there, including a recent Samagam festival with lots of great performances of music and other cultural events just a few weeks ago, and I would like to thank Vasan and the whole team there for putting that on. Indeed it was a terrific celebration, made all the more better by the fact we had some new floors paid for by this funding, which made the whole place look very schmick and tidy and up to standard.

Nick McGowan interjected.

Michael GALEA: Indeed I was very disappointed not to see you there, Mr McGowan, at that event, because I believe at one point –

Nick McGowan: Where was my invitation?

Michael GALEA: You were meant to be there. You were on the list. I think you were waylaid somewhere else, but I was very disappointed that we did not get to touch base at that centre. But there will be many more opportunities because that is a terrific centre in the Rowville area, not just indeed for the Indian community but for many other cultural groups as well who they host on that site. We have also seen other community groups such as Digamber Jain Sansthan Melbourne Incorporated, which is receiving funding to renovate and upgrade their centre, which is also in Rowville.

I am very proud to see that this fund has supported all manner of wonderful multicultural communities, including Indian, Sri Lankan, Tamil, Afghan, Fijian, Bosnian, Albanian, Arab, Turkish, Hazara,

Iranian, Iraqi, Pakistani, Jordanian, Lebanese, Syrian and Telugu groups, indeed as well as across the Hindu, Islamic, Sikh, Jain, Temple and Druze faiths. It adds to the vast amounts of funding that have been invested by this government since 2014, and to reiterate, the action that I am seeking is that the minister updates the house on supports being provided for our many fantastic multicultural community groups like the ones I have mentioned.

Social media age limits

Aiv PUGLIELLI (North-Eastern Metropolitan) (18:22): (1135) My adjournment matter is to the Premier, and the action that I seek is for the Labor government to stop pursuing social media age bans and instead focus on evidence-based and effective measures such as social media education for kids and for parents. I think it is quite odd that a room of people who have to hire people, often young people, to send their emails, to manage their websites and to make their social media posts think that they can out-tech a teenager. I am the youngest member of this Parliament. I have lived experience of being in school as social media began taking over our lives, and I can tell you –

Nick McGowan: And which school was that?

Aiv PUGLIELLI: Go, Eltham High! I can tell you that the experts also will tell you that banning kids from social media will not be effective at keeping them off social media and will also not improve social media literacy or safety, but it is instead just going to push the problem out of sight to grow in the shadows. What we actually need is to get our fingers out of our ears and accept that we are living in a new era and do the work to roll out social media education for young people and for parents and crack down on hate speech and bullying by making social media platforms responsible for keeping their platforms safe.

Schools have been trying for years to ban social media sites with no success. Kids have new ways to bypass bans within hours of any new restrictions, so I am quite concerned about how the Labor government would even implement and enforce this. Social media is a tool. It is something that almost every person will use in their lifetime. A ban is frankly just a smokescreen and will not actually do anything to improve online safety. In fact for many marginalised people it is the removal of safety. Many queer kids who are ostracised or who may not have accepting parents and peers use social media to find fellow young people in their communities, which can end up being an essential lifeline for them. I want young people to be as safe as possible online, and that means we need policy for the modern era. It means understanding how social media works and the role that it plays in society and then acting accordingly to equip people with the education and tools to navigate it. I cannot help but note that this Labor government is currently telling kids that they are old enough to go to prison but not old enough to send their nan a Facebook message – quite bizarre.

Ringwood East train station

Nick McGOWAN (North-Eastern Metropolitan) (18:25): (1136) We have come to that time in the day or night. I am losing track, because in here we do not have windows that would expose us to sunlight in this place, because that might feed our brains and therefore we might think a little bit more. It has been one of those days.

Mr Erdogan, my matter is for you, and I know you are paying close attention to this, so take notes. Perhaps I will take notes for you, because I can see you are deep in conversation. That is fine. Minister, I am sure you have guessed what time it is. No response – he is very busy in conversation. It is toilet time. Yes, that is right, Mr Erdogan, it is toilet time, and my question is for you as the minister. That is okay; you do not have to give me your undivided attention. Just the smallest amount would suffice – probably the amount that constitutes that of a toilet roll, potentially. Through you, President, of course, really what I am interested in is for the poor people of – and I say ‘poor’ in the sense that they do not have a toilet. I know in your many roles and ministerial responsibilities you probably deal with toilets on a frequent occasion.

Enver Erdogan interjected.

Nick McGOWAN: Well, I am coming to which portfolio it is. It could be a number of portfolios, but I actually think it is probably close to youth justice given what your dear colleague Minister Pearson said in his letter. He cited the reason for there not being a toilet at a Ringwood East train station as of course the propensity for antisocial behaviour. I would hate for any of those people to find their way into your corrections system or much less be a part of the youth justice system; that would be a travesty. I think I am duty bound to raise this with you directly, so I have done that tonight. I would urge you – of course the action is – to confront your colleague in the nicest possible human way. Do that at the cabinet table and explain it to Minister Pearson. I think he has got an assortment of portfolios really, like liquorice. He loves these things. He loves the layers of complexity. It is fed by his department I figure sometimes, to be honest with you. The risk when you are a minister is when the tail wags the dog, but anyway, I am putting that aside for a second. I will just take that out of my mind.

What we really need is a toilet, a loo. At the moment I have got a train station that is not classified as premium, whatever the hell that means. It is classified as local. In my parlance, local is great. Unfortunately, the toilet we have got at the moment is some 190 metres away up two dark laneways. That is another youth justice potential hotspot and a problem for the future, so I am preventing you from having more clients here –

David Davis interjected.

Nick McGOWAN: Absolutely – the problems this could create. But I, with you, Minister, will join forces, or join hands if that is what is required, and we will ask Minister Pearson to see clear through the haze of bureaucracy, which clearly he is dealing with, to actually anoint Ringwood East train station as – if you are watching at home – a premium station, which means we are entitled to a toilet.

A member interjected.

Nick McGOWAN: It might be in a purple area; we will come to that. But through you, President – Minister, I do not think we ask too much. A simple toilet – if you could arrange that for us, I would be most grateful and the people of Ringwood East would be most grateful too.

The PRESIDENT: Which minister was that directed to?

Nick McGOWAN: Minister Erdogan.

The PRESIDENT: No.

Nick McGOWAN: Yes. In his capacity as youth justice and corrections minister.

The PRESIDENT: No, this is making a mockery of the adjournment debate.

A member interjected.

The PRESIDENT: No, I asked him who it was directed to.

Nick McGOWAN: Mr Erdogan. I said that in the 3-minute speech.

The PRESIDENT: In his role as what?

Nick McGOWAN: In his capacity as Minister for Youth Justice.

The PRESIDENT: No.

Nick McGOWAN: Yes, it is. Undoubtedly it is.

The PRESIDENT: No. You are making a mockery of the adjournment debate.

Nick McGOWAN: It is for the minister. He is the Minister for Youth Justice. In the letter that was given to me by Minister Pearson, Minister Pearson specifically referenced –

The PRESIDENT: No.

Nick McGOWAN: President, I have every right to ask this minister –

The PRESIDENT: No. Sit down. I am striking it out.

Drug harm reduction

Rachel PAYNE (South-Eastern Metropolitan) (18:29): (1137) My adjournment matter is for the Minister for Mental Health. This year there have been multiple reports in Victoria and across Australia of people consuming synthetic opioids, at times without their knowledge and with dangerous consequences. In one case a patient overdosed when vaping THC contaminated with nitazenes. These synthetic opioids are 100 times more potent than heroin. Nitazenes can cause unconsciousness and overdose within an incredibly short time and in small doses, making the risk of overdose extremely high. It goes without saying that a regulated cannabis market in Victoria would help reduce the harms associated with synthetic opioids in cases where people are using contaminated THC vapes. A regulated market assures consumers that they know what is in the product they are purchasing and what the expected effects will be. The result is access to safer products that are not contaminated with things like pesticides and opioids.

These cases of contaminated THC vapes are part of a wider disturbing trend of synthetic opioids entering the illicit drug market in Australia. There is a clear need for government intervention, and one such intervention that can be used is drug testing. Thankfully this government has taken action in this area. They have committed to drug checking at festivals and other wraparound services. However, gaps in the system remain. We need a proactive surveillance system to deliver rapid responses to drug detection in the community. This is where an overdose event is identified and drug testing is conducted immediately, with real-time alerts given to the community. Rapid responses save lives. They inform people of any particularly dangerous synthetic opioids in circulation and reduce harm. Currently when this kind of testing does happen in Victoria the process can take some time. In the end people often only learn of a dangerous substance circulating in the community through the news, often weeks later or not at all. In these cases time is not on our side. The longer it takes to identify these substances the more lives are at risk. I ask the minister: what is she doing to ensure that Victoria has a strong rapid response system for dangerous synthetic opioids?

Privacy and data protection

Gaelle BROAD (Northern Victoria) (18:31): (1138) My adjournment matter is to Gabrielle Williams, Minister for Government Services, regarding the Victorian government's commitment to digital privacy, considering advances in artificial intelligence and their application in the public sector. Earlier this year I hosted a forum in Bendigo along with my federal Nationals colleague Senator Bridget McKenzie about the potential of AI to benefit our regions. But with opportunities come risks, and it is important that governments lead the way, set the standards and provide business and industry with appropriate guardrails to harness the opportunities that AI presents. I note the minister attended a Commonwealth meeting of data and digital ministers in June this year which endorsed a national framework for artificial intelligence in government to ensure an ethical approach, and all ministers committed to continued collaboration.

With the rapid increases in complexity and refinement of artificial intelligence systems in recent years, we have seen an explosion in the implementation of AI applications used by public sector organisations. These range from machine learning systems providing email spam filtering to computer vision used for medical imaging analysis or facial recognition and systems used to assist applicants with building planning submissions. These artificial intelligence systems require an enormous amount of data to train and function as intended. This presents a major shift in the quantity and use of

individuals' personal data and poses challenges to our current digital privacy infrastructure. For example, the complexity of AI systems can make it challenging for individuals to understand how their data is being used openly and to access and correct their data managed by an AI system. AI systems can involve transborder data flow and may process personal data in ways that make it difficult to maintain anonymity. The Privacy and Data Protection Act 2014 is focused on providing a framework for the handling of personal data in Victorian public sector organisations and contracted service providers. Within this legislation are 10 information privacy principles that outline the correct collection, storage and use of personal information.

The action I seek is for the minister to outline what action the Victorian government is taking to ensure the ethical adoption of AI within the Victorian public sector and, with the rapid progression of AI and the collection and creation of data, how the government will ensure that the Victorian public sector services uphold the information privacy principles outlined in the Privacy and Data Protection Act 2014.

Housing

Sarah MANSFIELD (Western Victoria) (18:34): (1139) My adjournment is for the Minister for Housing, and the action I am seeking is for her to meet with Jade Hamilton from the Power in You Project to discuss state government supported options for basic physical shelter, including the possibility of 2A Settlement Road in Geelong for those sleeping rough in the Barwon region. Homelessness has been growing rapidly in the Barwon region, with figures in Geelong doubling between 2016 and 2021 and more than quadrupling in South Barwon, which has the highest rate of homelessness in Victoria's regions.

Over 7000 households are on the priority housing waiting list. More and more people are sleeping rough yet finding it more difficult to do so. While there are some services and public places where people can find shelter and respite during the day, after hours there is nowhere in Geelong for people without housing to go, so people are forced to camp in alleys or parks or find an alcove somewhere, anywhere. Recently the City of Greater Geelong together with the police reportedly removed all belongings and tents of people sleeping rough throughout the city. In the past six weeks at least five people sleeping rough known to local services have died. Meanwhile, we have public housing on Ormond Road that was cleared out over 18 months ago, has been sitting empty and has no signs of construction of new promised social housing in sight, yet a multimillion-dollar convention centre is well underway. This picture raises serious concerns about the priorities of this government.

Recently I met with Jade, who is a tireless local advocate for people who are unhoused. While fully acknowledging the need for longer term housing solutions, she has been advocating for, at the very least, some form of shelter that can be used by people sleeping rough to protect them from the worst of the weather and to ensure they will not be moved on or have their belongings confiscated. This is not a revolutionary idea; it has been successfully done in other jurisdictions, including Queensland and in fact the City of Melbourne. We know that there are government-owned properties that are sitting empty in Geelong, like 2A Settlement Road. This is a property that is apparently owned by Homes Victoria, and we understand that the government may be looking to sell this off. We are in the midst of a housing crisis, and as the number of people affected swells, so too do the number of rough sleepers. We desperately need a huge amount of genuinely public housing, and we will continue to push for that at every opportunity in this place. But at the very least, the government could assist with giving people the dignity of some basic shelter and a place to rest overnight.

Rainbow libraries toolkit

Joe McCracken (Western Victoria) (18:37): (1140) My adjournment matter is for the Minister for Equality. Minister, I love books and I love libraries, and many Victorians love them too, whether they borrow a picture book out for their children or whether it is to get the latest mystery novel. And like a mystery novel, earlier this month I saw the launch of the Public Libraries Victoria rainbow toolkit implemented under the guise of inclusivity, visibility and safety. It is a mystery because there

seems to be no logical or rational reason to encourage sexuality and gender conversations to happen in, of all places, a library. Sexuality, gender and conversations around these topics are sensitive and deeply personal, particularly for people who are confused or might be going through puberty, mental health challenges or other ordeals. Those conversations are for families to have. They are for medical professionals to advise on. According to media reporting the rainbow toolkit includes advice on drag queen story time, books on gender diversity and avoiding gendered language. I am an openly gay man, and I call this out as inappropriate and absolute garbage.

This government does not own gay people. It does not own transgender people. It does not own the lesbian community or the gender-diverse community or anyone else included in the LBGTIQA+ acronym that they are doing absolutely no service to, because all the labels that they attach to those people are just that, labels. By grouping people together you attach characteristics to those groups and then seek favourable comments from an individual that purports to represent those groups, and then you claim that as some sort of endorsement of your views. Individuals can be gay. I am one. They can be lesbian or transgender. The gender-diverse community, as you label it, is diverse. Respect everyone. Recognise that we are individuals with diverse characteristics far beyond sexuality, gender identity and sexual preference. The worst thing about the rainbow toolkit is that the victims are none other than the most vulnerable in our community, young children, many of whom are primary school aged and attend public libraries. Families are up in arms about the right to have conversations in their own homes, in their own way and in their own culturally appropriate way. It is not up to the state via libraries to kickstart these conversations. Minister, end the rainbow toolkit and show some respect to the Victorian families that deserve it.

Great forest national park

Rikkie-Lee TYRRELL (Northern Victoria) (18:40): (1141) My adjournment matter is directed to the Premier. On Sunday I took the scenic drive to Woods Point, a tiny mining village with a population of just 33 at the 2021 census, to stand in solidarity with over 1000 people opposing the Allan Labor government's plan to create the great forest national park. They voiced their concerns to me and sent a message to the state government in no uncertain terms. Victorians do not want to be locked out of their forests. They want to continue to enjoy our beautiful wilderness the same way generations have before them. They want to hunt and fish and ride and camp and hike. They do not believe there should be government-imposed restrictions on activities that have previously been enjoyed for many years. Townships located near our beautiful bushland such as Woods Point rely on visitors to our state parks. They count on the revenue generated from tourists to keep local businesses viable and operating. The Woods Point event is the second such rally I have attended in my electorate, proving the plan to create the great national park is extremely unpopular with many Victorians. In addressing the *Herald Sun* bush summit in Bendigo last month, the Premier indicated that many activities slated to be banned will still be allowed in state parks. The action I seek is for the Premier to accept my invitation to accompany me to the upcoming Forests for the People rally in Kinglake West on 21 September so that she can clarify to those there in person her government's position on the creation of the great national park.

Residential planning zones

David DAVIS (Southern Metropolitan) (18:41): (1142) My adjournment item tonight is for the attention of the Minister for Planning but is also of interest to the Treasurer. They can sort it out between themselves – but let me explain. The government has announced a series of 10 zones that will see high-density, high-rise developments. The zones are split into two parts. There is a central activity part and then a so-called catchment of thousands of houses around each one. Three of them are in my electorate, in the former Boroondara and Stonnington–Monash and then in the south around Moorabbin but actually going across the municipalities of Bayside, Kingston and Glen Eira. Other areas that I have talked about in the chamber today include Ringwood, which crosses between Whitehorse and Maroondah. And Frankston is, it seems, all within the zone – the City of Frankston itself. This will see the rezoning of these areas, and they will see a massive uplift in value. So the issue here is how this will operate, with the minister giving orders through planning amendments that will

see some uplift potentially in value on certain properties, potentially triggering the windfall gains tax. Has the minister looked at the windfall gains tax on this? She has clearly done all of this without talking to the councils. The councils were completely and utterly surprised by this.

My question is: will the minister release the modelling and work behind this as to how much additional revenue will be hooked in through the application of the windfall gains tax to these zones? It might be that the Minister for Planning has not done that work but the Treasurer has. If the Treasurer has that modelling, I would ask him to release it. But the fact is there is clearly potentially a solution for the government's problems, from its own view, where it has got massive debt and problems financially. It seems to me this is an attempt to scoop in more and more revenue by a wholesale rezoning, in effect, of large swathes of our suburbs in Melbourne. So please release the modelling. If you do not have modelling, tell us that, and tell us whether the windfall gains tax applies.

The PRESIDENT: That will go to planning, and next sitting maybe, because it is tax, you could ask it of the Treasurer if you are not happy.

David DAVIS: The tax is triggered on planning changes but the Treasurer actually takes the money, so they have both got a finger in the pie.

The PRESIDENT: I think we are boring everyone, Mr Davis, so we will move on.

Animal welfare

Georgie PURCELL (Northern Victoria) (18:45): (1143) My adjournment matter is for the Minister for Environment, and the action I seek is for the minister to define the separate responsibilities and roles of the Department of Energy, Environment and Climate Action (DEECA), the conservation regulator, the RSPCA, Agriculture Victoria and Victoria Police in responding to and recording animal cruelty complaints, because we cannot work it out and plenty of others cannot work it out either. Last week I was contacted by a constituent about a rainbow lorikeet being kept in a tiny cage inside a garage on their neighbour's property. Since March last year they have been trying to understand exactly who is responsible for investigating what is clearly an animal cruelty concern. The RSPCA claim the bird is wildlife and say to refer the matter to DEECA, who can handball it right back under the bird's dual companion animal status. Not even evidence proving that the bird was taken from the wild was enough to make the body act. When DEECA officers finally attended the property, they did not ask the residents where the bird came from and left without any action at all. Had they asked this question or viewed the evidence, they would have been responsible, but instead they were able to walk away with the matter unresolved and the bird still in a cage in the garage.

Time and time again we see these entities shrouding their responsibilities due to a lack of clearly defined obligations and functions in responding to complaints of cruelty. How long animals are left suffering while these disputes go on is entirely unknown. What we do know is that each body, seemingly completely unsure of its role, hands it to the next, to the next, to the next, until the ball is completely dropped altogether. It is impossible for the public and even for my own office, with the contacts that we have, to understand who the right authority is to act in cases of animal cruelty. The government must establish a better framework for avenues for animal cruelty complaints to go to. It must be clear what complaints are within their ambit and what matters they must respond to. Reporting crime should be easy. Concerned members of the public should not be having to inform the bodies that it is in fact their legislative responsibility to hear and act on a complaint.

The department have a trend of policing those with actual shelter permits doing round-the-clock volunteer work to rehabilitate and release native animals but throw their hands in the air when native animals are being displayed in zoo-like settings or are stolen from the wild to be kept as pets in garages. We have unregulated petting zoos and the breeding of dingoes for display in Victoria, but the department is actively working to penalise local shelters for enclosure fencing being a few millimetres out. I sincerely hope the minister can heed the call of Victorians and provide a list of the separate roles

and responsibilities of the department, the RSPCA, Agriculture Victoria and Victoria Police in responding to these ongoing complaints.

Community food relief

Wendy LOVELL (Northern Victoria) (18:48): (1144) My adjournment matter is for the Minister for Carers and Volunteers. The action I seek is for the minister to commit additional funding directly to rural and regional food shares to enable them to source chilled products. Foodshare and similar food relief organisations provide an incredibly valuable service to Victorians. They distribute food that might otherwise go to waste to families facing financial distress, where mum and dad or even the kids might be skipping meals because there is not enough money left at the end of the week. We are lucky to live in one of the most prosperous countries in the world, and no child in Victoria should ever be going to bed on an empty stomach. However, the Victorian Council of Social Service's poverty maps show that food insecurity is particularly bad in regional Victoria, where over 80 per cent of rural and regional local government areas have poverty rates above 10 per cent.

When families find that the cupboard is bare, they need to be able to seek food relief from places like their local food share, and it is crucial that such vital services are supported by government funding. So you can imagine how disappointed I was to hear from Moira FoodShare, who have outlets in Cobram and Yarrawonga, that they had received a letter from Foodbank saying the state Labor government has ceased the chilled funding allocation for the regional delivery of chilled products, effective June 2024. This means that Foodbank will no longer deliver critical food like milk, yoghurt, cheese, fresh juice and other chilled products to regional food shares.

We know that dairy is an important source of calcium and a crucial part of a child's diet. It is desperately needed at food shares. Families who face financial distress will often cut more expensive grocery items like dairy first. It is therefore very important that food relief services are able to meet this nutritional need in a child's diet by supplying chilled dairy products like milk and yoghurt. But due to the state government's funding cut, food shares in regional Victoria will no longer be supplied with the chilled products that they used to get and will now struggle to make dairy foods available to the children and families they assist. Moira FoodShare have tried to source chilled products directly from local food processors, only to be told that all food seconds are given directly to Foodbank, who will now only distribute these in Melbourne. Northern Victoria is the food bowl of our state and our nation, and yet food shares in rural towns are unable to get their hands on food rescued from local producers. I therefore urge the minister to make funds directly available to regional food shares to cover the cost of collecting, storing and transporting chilled food that needs to be kept cold.

Cyclist safety

Katherine COPSEY (Southern Metropolitan) (18:51): (1145) My adjournment is to the Minister for Roads and Road Safety. CrowdSpot recently released their *BikeSpot 2023* report, the culmination of 10,000 individuals across Australia making 73,000 submissions about the places they feel safe or unsafe when riding their bikes. The key findings echo what road safety advocates have been saying for years: greater separation of cars from bikes is the key to safer riding. Seventy-eight per cent of spots marked safe relate to having more space from motor vehicle traffic, while 76 per cent of spots marked unsafe relate to insufficient or inadequate bike infrastructure. Chapel Street in my electorate is a good example of a whole corridor lacking safe infrastructure. In other cases, like the Upfield shared path, good linear infrastructure is undermined by dangerous intersections.

Research from Monash University has shown that 79 per cent of Melburnians want to ride their bikes more but they do not feel safe doing so. One dangerous intersection can mean a potential cyclist leaves their bike at home. If they get in a car instead, this increases traffic congestion and carbon pollution. To get more people onto their bikes, bike routes need to be complete and they need to be well connected. Whether it is traffic-calming measures or infrastructure that effectively separates cars and trucks from people riding bikes, we know how to make our roads safe for people. The *BikeSpot 2023* report also celebrates a number of these success stories, including Canning Street in Carlton, with its

filters that separate cars from other road users, and the separated bike lanes along St Kilda Road. The solutions are so clear. What we need is for the government to make safe bike infrastructure a real priority. The action I seek is for the minister to commit to increasing funding for safe cycling infrastructure across Melbourne and across regional Victoria.

Small business support

Renee HEATH (Eastern Victoria) (18:53): (1146) My adjournment is for the Minister for Jobs and Industry. Minister, Victoria is the red tape capital of Australia. Regulations imposed by this state government have had a huge and negative impact on Victorian businesses, as was shown in the National Australia Bank's regulatory impact analysis that the government tried to keep hidden. This report shows that in almost every industry in Victoria it has become more difficult for them to do business because of the government's compliance requirements. When requirements change, less than half of the businesses say that they are informed about the changes that will affect them. Small businesses are most affected, and the situation is getting worse. In 2022 the NAB's index of regulatory impacts for Victorian businesses was negative 19. Now it is negative 49, which tells us that Victorian businesses are facing the worst regulations in the country.

Over the past year Melbourne's outer east has seen the loss of jobs in manufacturing and construction, while Gippsland has lost jobs in mining and retail. These job losses are in the very industries that the NAB report identified as the most negatively affected by the state government's regulations. Meanwhile, the government have been sitting on another secret report, which shows that they could reduce the number of business licences, registrations and other approvals and deliver a \$1 million boost to the Victorian economy. Minister, the action that I seek is for you to cut red tape and simplify the regulations so that small businesses can spend less time on paperwork and more time actually doing business.

Illicit tobacco

Ann-Marie HERMANS (South-Eastern Metropolitan) (18:55): (1147) My adjournment is for the Premier, and the action I seek is for the Premier to immediately address the concerns of all Victorians in dealing with the current violent illegal tobacco trade in force in this state. People want laws and actions with outcomes that help Victorian businesses and families to feel safe, and businesses want to be able to stay in Victoria. According to Victoria Police, there have been more than 70 attacks on tobacco stores and other businesses believed to be involved in selling illicit tobacco since March 2023. Criminal gangs are believed to place illicit tobacco in stores, demanding that the shop owners pay the gangs a tax each week to operate. Police have searched more than 100 tobacco stores and arrested more than 60 people alleged to be involved in the sale of illicit tobacco since the taskforce was established in October.

In March this year the Premier revealed that Victoria would adopt the recommendation of a report by Better Regulation Victoria stating that tobaccoists must have a licence to operate, as is the case with the rest of Australia. Police believe that one notorious Melbourne crime family based in the city's north is earning millions of dollars each week in profit in the black market. But according to the Premier earlier this year, new regulations will be brought before the Victorian Parliament in the second half of this year. We do need to deal with this because it is impacting businesses and it is impacting families in Victoria. The Premier said:

The key reason why we are pursuing this pathway is [that] smoking is harmful, and it can kill people and so that is why we've been taking that health-focused approach ...

But it is more than that, Premier; it is also about the safety of Victorians. According to the Premier herself, the commissioner's report recommended that the state-based agency undertakes an enforcement of the new responsibilities, but that was disregarded when the Premier said that there are already a number of different agencies who have different enforcement responsibilities across different sectors in our community and that she was signalling that there would be further consideration and

also some advice. That was in March, Premier, and we have had firebombings and we are still having people feeling unsafe, so we need to know what action is being taken. According to the *Age*:

That confidential document, completed in 2022 and never publicly released, was obtained ...

last October. Further:

... In it, the then commissioner for better regulation, Anna Cronin, recommended sweeping changes to tackle organised crime and reduce the consumption of illegal tobacco and nicotine vapes.

It was also noted in the *Age*:

The illicit tobacco industry is estimated to be worth tens of millions of dollars ...

A Victoria Police taskforce, Taskforce Lunar, saw detectives seize a further 3 tonnes of illicit tobacco, more than \$170,000 in cash and 11 firearms in a joint operation with the Australian Taxation Office earlier in July. The government needs to stop talking and address this very real and very concerning problem affecting our state.

Construction industry

Bev McARTHUR (Western Victoria) (18:58): (1148) My adjournment matter is for the Minister for WorkSafe and the TAC and concerns the total contempt that John Setka and his CFMEU cronies are showing Premier Jacinta Allan and Victoria's Labor government. We all know why Labor are beholden to union comrades, but the extent to which Setka is riding roughshod over Victoria's government is worthy of a banana republic. Despite the Commonwealth placing the CFMEU's construction arm into administration, John Setka has been waltzing onto worksites – government worksites – and revving up his union mob with apparent impunity. The Premier and all her ministers seem unable to respond to the humiliation. Hundreds of workers – well, they are supposed to be working anyway – paid by the Victorian taxpayer, were chanting 'Johnny Setka, here to stay.' Just who is governing here? Setka is baiting the government, and his very expletive-laden rant exposes their impotence further.

If we are being entirely honest, any opposition would enjoy this on one level. But it is actually a serious issue, because Setka is not just disrespecting his former friend Jacinta Allan or humiliating the Victorian Labor Party, he is disrespecting the office of Premier, the elected government and the Victorian people. Remarkably, the government does not even understand this is all quite legal. Multiplex did not approve Setka's appearance, and the Premier thinks unauthorised access can be referred to the police. Minister Pearson went further, saying:

John Setka is not an elected official ... he's not an authorised person to be there ...

...

If you don't have a lawful purpose ... on a Big Build site, the police will be called.

But the minister is wrong, embarrassingly wrong, as a result of legislation he administers, according to the most recent general order, specifically section 58 of the Occupational Health and Safety Act 2004. It states that any site, health and safety rep can at any time invite anyone they like onsite to assist them, so long as that person has knowledge of occupational health and safety. Former CFMEU official Setka would have done a related course so would need no permit to enter whatsoever, just the invitation of the health and safety rep. Section 70 states the employer must allow them, unless they can show the invitee has insufficient knowledge of occupational health and safety.

The action I seek from the minister is an amendment which closes the loophole and allows Setka's embarrassing antics to be condemned to the history books. We need it. Elsewhere across Victoria other less high-profile banned CFMEU officials are already exploiting this loophole and boasting about it. The chaos of Setka's rebellion is not just caused by Labor's debt to the unions, it is caused by their incompetence in governing too.

State Emergency Service funding

Melina BATH (Eastern Victoria) (19:01): (1149) My adjournment matter this evening is for the Minister for Emergency Services, and the action I seek from the minister is to adequately fund Victoria's volunteer SES units and fast-track the sentiments contained within recommendations 54 and 55 of the Environment and Planning Committee's July report into the 2022 flood event in Victoria. The critical lack of government support for the Victorian State Emergency Service is remarkable, astonishing and devastating for the volunteers, who I have been speaking with in recent times. VICSES has almost 5000 volunteers and is vital for our state's emergency response. From July 2022 to June 2023 volunteers contributed over 285,000 hours, valued at almost half a billion dollars in terms of work. Dedication absolutely underpins the importance of VICSES to our communities. Their services are invaluable, and I have had dozens of people write to me in recent weeks, including eight from my local SES units, expressing their concern.

This year's state budget is an insult to volunteers, providing nothing to sustain or improve this critical service. Units depend heavily on volunteer-led fundraising for vital equipment and maintenance. I note in the *Weekly Times* today an example, where the Colac SES unit controller said:

When I first started, after major weather events resupply for oils, chainsaws, fuel, we'd be reimbursed within four to six weeks. Now it's six to eight months.

That is unacceptable. We also see that in the next four years – so by 2028 – 50 per cent of the fleet will be at its end of life, or its end of time on the road, and escalating to 88 per cent by 2036. The two recommendations that I am alluding to are recommendation 54, which calls for the VICSES to conduct a strategic review into its resources, leadership and personnel, and focus on improving communication systems, resource availability and volunteer management; and recommendation 55, which urges the Victorian government, the minister, to increase VICSES funding to upgrade emergency communication technologies, ensure adequate critical resources and enhance volunteer programs, thereby improving overall emergency response capabilities. I might add that all of the EPC members actually agreed to this, both government and non-government. So I reiterate: fund this fantastic organisation adequately and fast-track the implementation of those recommendations 54 and 55 as a priority for this community.

Short-stay accommodation

Richard WELCH (North-Eastern Metropolitan) (19:04): (1150) My adjournment matter is for the Treasurer. The Allan government's proposal to impose a new tax on short-stay accommodation, such as Airbnbs, will further financially burden Victorians, depress investment in residential stock and dampen demand in this state's tourism sector. The government's tourism tax will apply to all bookings on short-term accommodation from 1 January 2025, effectively raising the cost of every short-stay accommodation booking across Victoria.

This is not just an attack on tourism, it is a punitive measure on everyday home owners and small business operators who have turned to platforms like Airbnb to make a living, generate income and make ends meet. It is also a tax on workers and the disabled. Thirty per cent of short-term rentals are not for holidays, they are for those travelling for work and those with disabilities whose care and mobility needs are not met in traditional hotel accommodation. Further, hardworking families in suburbs like Mill Park, Bundoora, Box Hill and Glen Waverley in my electorate are already slammed by cost-of-living increases across every aspect of family life. With this new property tax they are being asked to pay even more if they want to take their family on a well-deserved, probably long-overdue holiday to regional Victoria. Guess what, accommodation in New South Wales and Queensland just became cheaper than Victoria. How does that help anyone's bottom line?

The message to Victorian families is clear: do not dare own your own holiday home, because we will land tax it out of your reach; do not dare rent it out either, because the government's hand will be there in your pocket taking a chunk of your income; and do not dare build a house, because we will add

40 per cent to the cost of building and deny your area any matching infrastructure. This is yet another dead hand tax that will not solve but exacerbate the housing crisis, harm our tourism industry and the many Victorians who depend on short-stay accommodation for their livelihoods, work and care.

The action I seek is to listen to the community, listen to the tourism industry, listen to disability groups, listen to the regions, listen to economists, give Victorians a break from endless new tax assaults on their cost of living and abandon this regressive, destructive tax before it becomes law.

Teacher workforce

Trung LUU (Western Metropolitan) (19:07): (1151) My adjournment matter is for the Minister for Education, and it is regarding the increase in abuse and harassment towards teachers in our schools. The action I seek is for the minister to review school policies on student behaviour and expectations. WorkSafe data shows a recent rise in compensation claims for aggressive students and staff bullies. From 2022 to 2023 there was a 22 per cent increase in claims from teachers, mainly due to psychological distress, concussion, fracture from assault and even deafness. The head of personal injuries from a private law firm that manages personal injury cases states there has been an explosion of WorkSafe claims at schools. They also noted that teacher and support staff are under fire from aggressive school students and gangs, encountering harassment and bullying, causing psychological impairment. Statistics show that teachers are facing a surge in common assault by students aged between 10 and 16, with these incidents increasing by 61 per cent in the year 2023.

There needs to be a guideline to assist schools to address this rise in violence. Teachers have voiced their concern about the sharp increase in assault in school, stating they feel unsafe in their workplace due to abuse and gang activities, and that their lives have been turned upside down after injuries sustained from school incidents. In any work environment employees must be able to feel safe and not be subject to abuse and harassment. Why are our teachers being subjected to this type of violence and abuse? Reviewing the guidelines and behaviour policy for school students could help prevent further incidents. Therefore I request that the minister review the guidelines and behaviour policies for students in school to ensure the safety of teachers in their workplace.

Responses

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (19:09): There were 18 matters raised today: Mr Mulholland to the Minister for Planning, Mr Galea to the Minister for Multicultural Affairs, Mr Puglielli to the Premier, Ms Payne to the Minister for Mental Health, Mrs Broad to the Minister for Government Services, Dr Mansfield to the Minister for Housing, Mr McCracken to the Minister for Equality, Mrs Tyrrell to the Premier, Mr Davis to the Minister for Planning – thank you, President, for that adjudication – Ms Purcell to the Minister for Environment, Ms Lovell to the Minister for Carers and Volunteers, Ms Copsey to the Minister for Roads and Road Safety, Dr Heath to the Minister for Jobs and Industry, Mrs Hermans to the Premier, Mrs McArthur to the Minister for WorkSafe and the TAC, Ms Bath to the Minister for Emergency Services, Mr Welch to the Treasurer and Mr Luu to the Minister for Education. I will make sure all those matters are passed on and a response in accordance with standing orders is received.

The PRESIDENT: The house stands adjourned.

House adjourned 7:10 pm.