



Hansard

LEGISLATIVE COUNCIL

60th Parliament

Tuesday 30 April 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, Gaëlle	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	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
Heath, Renee	Eastern Victoria	Lib	Tarlamis, Lee	South-Eastern Metropolitan	ALP
Hermans, Ann-Marie	South-Eastern Metropolitan	Lib	Terpstra, Sonja	North-Eastern Metropolitan	ALP
Leane, Shaun	North-Eastern Metropolitan	ALP	Tierney, Gayle	Western Victoria	ALP
Limbrick, David ³	South-Eastern Metropolitan	LP	Tyrrell, Rikkie-Lee	Northern Victoria	PHON
Lovell, Wendy	Northern Victoria	Lib	Watt, Sheena	Northern Metropolitan	ALP
			Welch, Richard ⁴	North-Eastern Metropolitan	Lib

¹ Resigned 7 December 2023

² Lib until 27 March 2023

³ LDP until 26 July 2023

⁴ Appointed 7 February 2024

Party abbreviations

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

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

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

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

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Tuesday 30 April 2024

The PRESIDENT (Shaun Leane) took the chair at 12:03 pm, read the prayer and made an acknowledgement of country.

Bills

Statute Law Revision Bill 2024

Royal assent

The PRESIDENT (12:04): I have received a message from the Governor, dated 23 April:

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

13/2024 Statute Law Revision Act 2024

Joint sitting of Parliament

Senate vacancy

The PRESIDENT (12:05): I also would like to alert the chamber that I have received a letter from the Governor informing me that she has received a letter from the President of the Senate advising her of a vacancy in the representation of the state of Victoria in the Senate following the resignation of Senator Janet Rice.

Members

Greens leadership

Sarah MANSFIELD (Western Victoria) (12:05): I am pleased to advise the house that Ellen Sandell in the other place has been elected as parliamentary leader of the Victorian Greens, with Sam Hibbins in the other place and me as co-deputy leaders. I will manage the parliamentary business of the Legislative Council for the Greens, with Aiv Puglielli remaining as the whip. Sam Hibbins will take on the roles of manager of parliamentary business and whip in the other place. A complete list of the Victorian Greens leadership positions and portfolios has been provided to the clerks.

The PRESIDENT: I alert the chamber that former member of this house Mr Rod Barton is in the gallery.

Questions without notice and ministers statements

Family violence

Georgie CROZIER (Southern Metropolitan) (12:06): (493) My question is to the Attorney-General. Attorney, the Victorian victims of crime commissioner Fiona McCormack conducted a scathing report, *Silenced and Sidelined: Systemic Inquiry into Victim Participation in the Justice System*, which was finalised in November 2023. The report calls for an urgent overhaul of a system that is causing further trauma for victims of crime, including many victims of family violence. Attorney, given the Premier's recent statement:

As a government, we do have a responsibility to both lead and act ...

in relation to domestic violence, when will you act on the commissioner's report?

Jaclyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:07): I thank Ms Crozier for her question. Indeed at the outset I thank the many victims whose voices contributed to the work of the commissioner. They shared their stories and their experiences and in some respects, unfortunately, told us a lot of what we already know. The justice system is incredibly challenging for victims, and it is incumbent upon the courts and government to continue to respond to those concerns. I want to make a commitment that those contributions are not in vain – they do not

fall on deaf ears. These are parts of conversations that I have regularly in my work as Attorney-General and across other portfolios in how we support victims. We have a standalone portfolio for victim support, held by the minister at the end of the table, so there is a lot of collaboration across government in upholding and supporting the rights of victims.

It is a challenge when you are balancing victims' views with the rights of the accused and ensuring fair process and access to justice. It is incredibly difficult, but it is something that we continue to strive for. There are a range of recommendations in that report that contribute to the work that is part of our work plan and also some ideas that we are exploring. That is work that is always ongoing. I think the first question I ever got asked in this place as Attorney-General was 'What are your priorities?' Victim support and listening and responding to the views of victims are certainly well up there.

Georgie CROZIER (Southern Metropolitan) (12:08): Thank you for your response, Attorney. This report had 189 references to family violence. Given Victoria has had a royal commission into family violence and that far too many women continue to be victims, will you commit to an immediate review into family violence related bail laws – given you just said that you were looking at your work plan – like your New South Wales counterpart, which will protect more women from the scourge of family violence?

Jaelyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:09): I thank Ms Crozier for her question. As has been reported, the Premier has asked me, the Minister for Prevention of Family Violence and the Minister for Women, along with other interested colleagues – which is practically the whole cabinet – to continue the work that we are already doing, frankly. Family violence is a priority for our government. We have invested \$3.7 billion in the last 10 years. We had the royal commission. We have a 10-year plan that is not yet implemented. But that does not stop us having the opportunity to reflect and reinvigorate and see what is working, what can change and what is doing better, and that is the work that is underway.

I would point out that the announcement in New South Wales is in response to a specific case. The Premier has asked for a review of that case and in relation to what happened for that particular individual's bail conditions. As far as I am aware, it is not a broad-scale review of bail. However, I am very interested in what other jurisdictions do, and I will keep an eye on that.

In relation to the work that I undertake, a lot of things are on the table. In terms of a formal review of bail in relation to family violence, there are a range of matters but that is not a specific recommendation that has been provided to me.

Medically supervised injecting facilities

Sarah MANSFIELD (Western Victoria) (12:10): (494) My question is for the Minister for Mental Health. Ken Lay's report details an extraordinarily thorough, nuanced and robust investigation regarding a second medically supervised injecting room in Melbourne's CBD. Balancing the various views and concerns, Ken Lay found:

... there is a continuing and clear need to establish a supervised injecting service trial in the City of Melbourne.

His primary recommendation was to establish another medically supervised injecting facility trial. Why did your government choose to ignore the key recommendation of the Lay report by completely ruling out a second medically supervised injecting room?

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:11): I thank Dr Mansfield for her question. Of course these are difficult and complex issues, and I do want at the outset to thank Ken Lay for the important work that he did over a period of time. We know that it was needed – we needed to actually extend the work that Ken Lay did as a result of some of the impacts on our CBD that the pandemic had and what that was doing in terms of some of the patterns of drug use and needs in the CBD. There is absolutely no question and the government completely accepts that there are significant needs in the CBD when it comes to

supporting some of the most vulnerable people in our community. But the reality is that over a significant period of time the government looked at a number of different locations to possibly house a second injecting service in the city and was unable to find a location that fitted the needs of those who use drugs in the CBD, particularly heroin and ice, and the broader CBD community. That was certainly outlined in Ken Lay's report. He called out that there was significant division within the CBD community around these issues.

The government has announced – I announced it with the Premier last week – a significant package of supports, a statewide plan to tackle some of the AOD harms in our community. We know that the CBD has got particular needs, and that is why we have announced a significant package to go to those issues. We will be establishing a dedicated CBD community health hub that will provide wraparound services for those who are struggling with opioid addiction so they can get the support they need and they can actually access appropriate treatment options and break that cycle of addiction but also to connect them into other vital services that they need. We know that in many cases those who are struggling with opioid addiction have also got other issues going on in their lives that require that wraparound support.

Importantly, we have also given a commitment to significantly enhancing our outreach services in the CBD, delivered through a very trusted partner in this space, Cohealth, who will be significantly boosting the number of outreach services so that 365 days of the year there will be teams working with some of the most vulnerable in our community. I am proud that our government has announced that we will establish Victoria's first hydromorphone trial at that hub.

Sarah MANSFIELD (Western Victoria) (12:14): I thank the minister for her response. You are telling us about all these other things you are doing, and that is great – they are well overdue – but the key recommendation was for a supervised injecting facility. In 2018 the government showed real leadership in establishing the North Richmond site, despite very similar criticisms from some quarters, because the potential to save lives was seen as more important. To quote the then Premier:

There can be no rehabilitation if you are dead ...

... if you can get, in the event you need, the urgent health care that saves lives ... that surely, on any measure, is a better outcome than seeing that death toll go up and up.

Minister, if you stand by the North Richmond site as a life-saving service, how high does the overdose death toll have to get in the CBD for the government to establish a service there?

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:15): I thank Dr Mansfield for her supplementary question. I want to make it really clear that the government absolutely stands by the decision to have the North Richmond MSIR facility. We backed that in then and we are going to back it in now because it is a life-saving service. It has saved over 63 lives and it has prevented over 8000 overdoses in the time that it has been operating.

The reality is that the other great powerful initiative of this service is the number of referrals to other services to help people turn their lives around. What I announced with the Premier last week is a comprehensive statewide action plan which incorporates the North Richmond medically supervised injecting room at its heart.

Ministers statements: drug harm reduction

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:16): I will take the opportunity to further outline the Allan Labor government's commitment to addressing and reducing drug harms in our community. Last week I was really pleased to join the Premier and announce the government's response to the Lay report alongside a \$95 million statewide action plan to expand access to care and support to people who use drugs.

With around 90 per cent of all heroin-involved overdoses occurring outside of the City of Melbourne, it is clear that drug harms are a statewide –

Members interjecting.

The PRESIDENT: Order! I have said to the chamber that when it comes to ministers statements and members statements where the minister or member is not being provocative, if there are continual interjections, I will ask the member or minister to start from the start and I will expect people to be quiet. So I will ask for the clock to be reset and ask the minister to start from the start, and I expect people to be quiet.

Ingrid STITT: Thank you very much, President. Today I rise to update the house on the Allan Labor government’s commitment to addressing and reducing drug harms in our community. Last week I joined the Premier to announce the government’s response to the Lay report alongside a \$95 million statewide action plan to expand access to care and support for people who use drugs.

With around 90 per cent of all heroin-involved overdoses occurring outside the City of Melbourne, it is clear that drug harms are a statewide challenge requiring a statewide solution, and that is exactly what this plan sets out. To expand access to care in our suburbs and regions, this plan will expand access to Victoria’s public pharmacotherapy system. It will trial an Australian-first statewide overdose prevention and response helpline and establish 20 naloxone dispensing units in key locations of high overdose harm.

The Lay report also told us that more needs to be done to support the most vulnerable in our CBD. That is why we will establish a dedicated community health hub in the CBD, with additional services offered from the Salvation Army site on Bourke Street and expanded outreach teams. This new hub will host a range of services, including Victoria’s first hydromorphone treatment trial. And to help us better respond to current and emerging challenges we will also appoint the state’s first chief addiction advisor and deliver a statewide alcohol and other drugs strategy. The Allan Labor government is committed to ensuring that Victorians impacted by drug use can get the care and the support they need, and this plan will help us do just that.

Medically supervised injecting facilities

Evan MULHOLLAND (Northern Metropolitan) (12:19): (495) My question is for the Minister for Mental Health. Minister, the government’s media release dated 23 April stated that the government has been unable to identify a suitable site that balances the needs of people who use drugs with the needs of the broader CBD community so a second supervised injecting service will not proceed. Given the government consulted with the CBD community, why did the government choose to ignore the needs of the North Richmond community by placing a supervised injecting facility in a residential area next to a primary school?

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:20): I thank Mr Mulholland for that question. I think you can see where this is all heading. I want to be really, really clear: the North Richmond MSIR was the subject of much debate in this place. It was the subject of multiple reviews, including the John Ryan review. Last week the government released its response to John Ryan’s work. It is absolutely abundantly clear through the review that John Ryan did that this supervised injecting service in North Richmond is saving lives, it is avoiding overdoses and it is helping that community, who have struggled with drug overdoses on their streets for decades – the sirens, the overdoses, the drug harm for all to see.

What we have announced in relation to the North Richmond medically supervised injecting room in response to John Ryan’s review is important. We have enhanced the model of care. In recommissioning that service we have added St Vincent’s Hospital’s expertise to make sure that that model of care is providing support to some of the most vulnerable people in our community. We know that many of them suffer from mental health issues that have never been treated, let alone diagnosed.

The model of care that we have in the North Richmond service has been significantly enhanced. We have provided an additional \$2.4 million to make sure that outreach teams are available in that precinct. We have also stood up an IDC, which means that the concerns of any community members are dealt with in an appropriate and whole-of-government way. This is a –

Members interjecting.

The PRESIDENT: Order! The opposition member asked the minister a question, then the opposition all shouted and the person who asked the question cannot not hear the answer.

Ingrid STITT: What I can make very clear to the house is the government’s ongoing commitment to that vital service. It plays a significant role in our AOD support services statewide, and it particularly serves a very important purpose for those in the North Richmond community. We will continue to support the life-saving treatment that occurs at that facility, and we will continue to support the people who need that facility in that area. Those opposite would prefer to stigmatise and demonise those people. We are about making sure they get the support they need to turn their lives around.

Evan MULHOLLAND (Northern Metropolitan) (12:23): Minister, the Ryan review was tasked with reviewing the trial of the North Richmond facility. However, as you failed to mention in your previous answer, the terms of reference did not extend to determining the suitability of location. As the government has now demonstrated a willingness to consider the needs of the broader CBD community as to site location, will you commit to reviewing the location of the North Richmond facility?

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:23): No.

Duck hunting

Georgie PURCELL (Northern Victoria) (12:23): (496) My question is for the Minister for Outdoor Recreation in the other place. On the opening weekend of the duck-shooting season, numerous protected and threatened species were shot, including blue-winged shovelers, hardheads, grebes, coots and even an ibis. Despite the blatant inaccuracy and carelessness demonstrated by current shooters this season and in every past season, the government’s commitment to proficiency and accuracy testing in 2025 is only for new duck shooters, meaning the people who shot these birds will not have to meet this benchmark. Can the minister explain how he will prevent existing duck shooters from illegally shooting threatened species?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:24): I thank the member for her question, and I obviously will refer that matter to the Minister for Outdoor Recreation for his response to you.

Georgie PURCELL (Northern Victoria) (12:24): Thank you, Minister, for referring that on. On the day that this government betrayed our native wildlife and ignored the key recommendations from their own parliamentary inquiry, which is becoming a bit of a trend, they announced that \$10 million would be allocated for the implementation of 2025 reforms. Since then they have been completely silent about where and what this money is going towards. When will we hear about this so-called multimillion-dollar plan for this government to reform duck shooting?

Gayle TIERNEY (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:25): I thank the member for her supplementary question. Like with the substantive one, I will refer that to the Minister for Outdoor Recreation for a response to you.

Ministers statements: emergency services

Jaelyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:25): I wish to update the house on our nation-leading investment in fire prevention and firefighter safety. Last week I visited Huntly with the CFA chief officer Jason Heffernan, CFA volunteers and others

from other emergency services, including Victoria Police, ambulance and FRV, to officially launch the \$3.4 million purpose-built fire investigation training facility. It is the first of its kind in Australia and provides volunteers and staff with state-of-the-art training to better understand fire patterns and behaviours, including where and how they get started. I was shown around the facility by Nicole and Frank, who run the centre. They showed us four rooms and a carport that had been specifically designed to be burnt and restored every few months and told us how the facility is designed to put volunteers at the forefront of fire investigation training.

I have known about the importance of fire investigations in this work. I had the honour of joining some of the investigators on the ground straight after the January fires, and it is just amazing what they are equipped to do. The facility will help us better understand the causes of fire, whether it is structural or wildfire, how it started, whether it is deliberate et cetera. The facility helps develop better prevention measures and suppression tactics to build safer, educated and more resilient communities. Last year there were 500 fire scenes that investigators responded to, so this is a real critical-need area. For reasons like this, the facility is an asset for not only our hardworking firefighters and volunteers but also the community at large. I am proud to keep delivering for our growing emergency services volunteer base, with over 2100 volunteer applications submitted to the CFA between January and March, bringing the total number of volunteers to over 51,000.

While I was in Echuca for the regional sitting I announced the opening of this year's \$15 million volunteer emergency services equipment program grants. This popular grant program allows brigades to purchase new trucks or equipment or make upgrades to their stations so they can continue this essential work. Both VESEP and the Huntly training facility are great investments from the government in support of our emergency services.

Child protection

Georgie CROZIER (Southern Metropolitan) (12:27): (497) My question is to the Minister for Children. Minister, you would be aware of the shocking revelations that five young Victorian children died from malnutrition in 17 months, including two children reported to child protection. At least one more child known to child protection has died in similar circumstances since that time. Minister, why has the government failed to prevent child deaths from malnutrition and neglect, especially when those children are known to child protection services?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:28): I thank the member for her question. Malnutrition and the protection of any child in care are obviously very serious issues, and unfortunately, like so many of the issues in my portfolio, those opposite seek to politicise them. But can I –

Georgie CROZIER: On a point of order, President, this is not an opportunity for the minister to attack the opposition when we are asking legitimate questions around her portfolio responsibility. I ask you to ask the minister to –

The PRESIDENT: I call the minister back to the answer.

Lizzie BLANDTHORN: Thank you, President, and thank you, Ms Crozier. I guess the point I am trying to make to those opposite is the death of any young infant is obviously extremely tragic, but to be clear, the cause of death of any young infant or any child is a matter for the coroner and not for those opposite. I want to be very clear that this government takes very seriously the neglect of children and the maltreatment of children, which can include malnutrition, but in relation to the proposition that has been put by those opposite, it should not be politicised. Where there are children who are known to child protection and who have been the subject of a substantiated child protection report, then the child protection services come into effect. What should not be done by those opposite is making decisions or accusations in the absence of the coroner's findings to the contrary.

Georgie CROZIER (Southern Metropolitan) (12:29): What a pathetic answer, Minister. You are responsible for these vulnerable children. They are under your watch and they are dying under your watch. You should step down.

Minister, the independent report on the review of the increase in deaths of children from malnutrition and neglect recommends urgently strengthening ‘systems to detect, monitor and treat malnutrition’. Minister, will the government implement this recommendation?

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:30): Again I call out the opposition for politicising the issue and saying that correlation and causation are indeed the same thing.

Georgie Crozier: On a point of order, President, this is not an opportunity to attack the opposition in relation to questions that we are asking in relation to the ministerial responsibility that she holds. I would ask you to ask the minister to stop attacking the opposition and just answer the question.

The PRESIDENT: Order! There have been many rulings from previous presidents about ministers not using an answer to attack the opposition. Getting back to what I was saying about statements that do not provoke a response, sometimes a question might provoke a response, but I still uphold the point of order and I call the minister back to the question.

Lizzie BLANDTHORN: Again I would just point out that those opposite, while seeking to politicise the issue more broadly, are not –

David Davis: On a point of order, President, the minister is defying your ruling. She immediately went back into attacking the opposition. It is not her job.

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

Lizzie BLANDTHORN: The point I am trying to make is that those opposite are making very broad –

David Davis: On a point of order, President, everything the minister is saying is directed at the opposition; it is not directed at answering the actual question.

The PRESIDENT: Mr Davis, the minister had about 3 seconds, and I do not know if it was –

A member interjected.

The PRESIDENT: I think she was taking a different position. I call the minister.

Lizzie BLANDTHORN: Again, if I can finish my sentence, those opposite are putting broad accusations without actually specifically putting questions. I am going to hazard a guess that perhaps they are referring to the reports that were in the weekend *Herald Sun*. If they want to go specifically to that case in question, I suggest that those opposite access the publicly available coroner’s report, which says:

... I find that the investigations and interventions by Child Protection were appropriate, and culturally appropriate, in the circumstances, and that Baby B’s tragic outcome could not have been reasonably foreseen.

If it would assist those opposite, I am happy to provide them with the relevant links after question time. It is publicly available information. But as I say, I am hazarding a guess as to what those opposite are inferring.

Water treatment

Moira DEEMING (Western Metropolitan) (12:33): (498) Again I think that my question is for the Minister for Water, but I am happy to take direction. PFAS substances in the environment are a reality that all governments need to deal with. The Victorian government has known of the dangers of PFAS since at least 2017 and that PFOA was reclassified as definitively carcinogenic to human health just

last year. It has been reported that earlier this month the US implemented the first legally enforceable drinking water standards for five PFAS compounds and two PFAS mixtures. My question is: can the minister direct me to anything specific in Victorian legislation or EPA guidance documents or anything specific in existence at all as of today that says that our water suppliers test specifically for PFAS compounds in our drinking water, and are they commensurate with the US standards?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:34): Thank you very much, Mrs Deeming, for your question, which is indeed a follow-up to earlier questions you have put to me in the water portfolio but which, as I think you know from a response that I have provided to you, is also something that crosses over pretty significantly with the environment portfolio. The regulation, as you know, of PFOS and PFAS in water and in soil is a matter for the environment portfolio.

We know, as you know all too well and as is referred to in various reports from not just around Australia but around the world, that PFAS can enter wastewater by a range of different processes. It can be included in chemicals in wastewater from medicines and the products that we use, which can travel downstream –

Moira Deeming: On a point of order, President, my first question was about our drinking water, not the recycled water.

The PRESIDENT: I think the minister was being responsive to the question that you asked.

Harriet SHING: Again, PFOS and PFAS do not actually care what kind of water is the subject of their occupation. Again, it travels across any different type of water treatment or other groundwater or surface water occurrence. It is not just in Victoria but around Australia and the world, and that is indeed what the US report has gone to. We have really stringent processes for the testing and for the treatment of drinking water in Victoria. I am sure that the USA's new rules, as flagged in your question and as referred to in earlier correspondence and questions that you have put in this place as they relate to PFAS, will be of great importance in the review that is being undertaken between Victoria and the Commonwealth government.

Again, water does not care about which boundaries it traverses as far as states and territories are concerned, and Australian environmental regulators are working on a national approach to PFAS, including contributing to a current review of the PFAS national environmental plan. There is also guidance that has been developed by the EPA for water corporations around the way in which assessment and management of risks can take place. The EPA is developing a guidance document, which again I am very happy to make sure that you are apprised of updates on as they occur, to assist with the assessment and management of risks and contaminants as we may better come to understand them.

It is also about prevention and the way in which we prevent heavy metals and chemicals from entering any type of water supply around the state. We know that historically the use of PFOS and PFAS in firefighting activities was the subject of an inquiry in this Parliament two parliaments ago and that that led to a series of reforms and recommendations proposed around safety not just for natural resource management but also for people exposed to PFAS in water. We have got a range of research that is continuing to be undertaken. Again, there is a study on the uptake of emerging contaminants, and that relates to crops that are irrigated as well. This is not just about drinking water, and I am very happy to make sure that you are continuously updated on those matters as they evolve.

Moira DEEMING (Western Metropolitan) (12:37): I have also been reading all those documents you have been talking about and am very pleased about lots of the research that is being done, but there is also science that is already settled on these specific issues and lots of other countries already have standards and upper limits for PFAS. So my supplementary question is again related to the recycled water issue. Is there anything specifically related to PFAS testing in any EPA guidance

document or in any legislation that already requires our recycled water to specifically be tested for PFAS compounds?

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:38): Thank you, Mrs Deeming. I think your first question related to drinking water, and now we have moved into recycled water. Again, as it relates to the way in which water is tested, the EPA conducts tests on a regular basis across wastewater, recycled water and drinking water. Drinking water, just to be really clear, is regulated under the Safe Drinking Water Act 2003, and recycled water, including as it relates to crop irrigation and to the use of water as we deploy it across a range of purposes to meet increase in demand, is something which is rigorously regulated at a national level and is also being fed into by the EPA's work. We do need to make sure that the Department of Health is working alongside the EPA and water corporations around the deployment of resources for testing and for management and for risk mitigation, including the identification of sources of PFOS and PFAS and around the management of resources. Again, that is something which it is important to deliver transparency on. I am really happy to continue that discussion with you.

Ministers statements: Melbourne City Football Club

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:39): I rise today to update the house about a new program we have in our corrections system but also to congratulate the Melbourne City Football Club for successfully delivering the twinning project at the Melbourne Remand Centre (MRC) in partnership with Corrections Victoria. I know the President is an honorary supporter of Melbourne City Football Club, and it is fantastic that they are the first football club in the country to be running this twinning program.

The Australian-first program twins a professional football club with a correctional facility. The club then provides leadership, development, resilience training and reintegration programs to people in custody for an eight-week football coaching program. The program commenced in the United Kingdom under the leadership of Manchester City Football Club and is now in over 70 correctional facilities around the world, with MRC proudly hosting the first Australian program. I understand it is also being rolled out in New York and in South Africa shortly.

Earlier this month I had the honour of attending the graduation of the most recent cohort of participants. It was a pleasure to be joined by Sunil Menon, head of community at Melbourne City, and Nick Selisky, general manager of MRC and a stalwart of the corrections system, as well as a number of players, coaches and of course our hardworking corrections staff. The value of the program is clear, with the participants developing skills which are transferable in the real world, such as teamwork, leadership, resilience and confidence building, which will help them lead crime-free lives when they are back out in the community. The twinning project is just one example of many in the corrections system that are helping people turn their lives around and prevent the risk of reoffending.

A modern corrections system is about keeping the community safe in the short and long term. It is about doing what works to prevent reoffending and make the community safer well into the future. Whether it be through employment and training, medical care or addressing substance abuse issues, the Allan Labor government is doing what matters to break the cycle of reoffending. I want to again thank the Melbourne City Football Club for partnering with Corrections Victoria and doing their bit to keep our whole community safe.

Corrections system

David DAVIS (Southern Metropolitan) (12:41): (499) My question is to the Minister for Corrections. Minister, the Western Plains prison has signed a \$36 million contract for another 12 months of security. Sources have advised the Shadow Minister for Corrections in the other place that the union was consulted about moving prisoners from Beechworth, Dhurringile and another prison to Western Plains. Minister, are you making plans to move prisoners to Western Plains, or will it remain empty?

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:42): I thank Mr Davis for his question and his interest in our corrections system, in particular our corrections system infrastructure. As a government we make no apologies for investing in modern, new facilities that can accommodate prisoners and keep the community safe but also give these prisoners the opportunity to turn their lives around, because we know that will make us all safer in the long term. We will continue to invest in Western Plains as well as our other facilities. In terms of the configuration of our prison system, on a bright note, the number of people in our corrections system is down by over 20 per cent since March 2020, and that is a good outcome. But of course in terms of the future system configuration of our facilities, like we did at Malmesbury, no doubt in the future we will have to decommission older facilities and utilise newer facilities – that happens – or new units within prisons. Today I do not have an announcement to make, but it is great to see that we are a government that do not just talk about investing in our corrections system, we are actually investing in it.

David DAVIS (Southern Metropolitan) (12:43): I am not sure the minister actually answered a very simple question: are you making plans to move prisoners, or will it remain empty? We do not actually have an answer to that question. But nonetheless I ask a supplementary. Last year the corrections commissioner advised the Public Accounts and Estimates Committee that Western Plains prison had no operational funding and was never likely to get any. Why are you spending, therefore, \$36 million a year to keep Western Plains prison empty?

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (12:43): Thank you, Mr Davis, for that supplementary question. I think it is very clear that Western Plains is being utilised as a high-quality training facility to onboard new corrections staff. Most recently I talked about how it was utilised during the Beaufort fires. It served a fantastic purpose, where prisoners from Langi Kal Kal were successfully evacuated from the fire zone into Western Plains and transferred back. It is an important part of the future of our system. It is an important part of our system, and we will have further announcements to make down the track.

David DAVIS (Southern Metropolitan) (12:44): I move:

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

Motion agreed to.

Yoorook Justice Commission

Samantha RATNAM (Northern Metropolitan) (12:44): (500) My question is for the Leader of the Government. I firstly want to acknowledge the historic Yoorook Justice Commission and the most recent land, sky and waters hearings. We commend the Premier and other ministers, including you, for appearing before the commission and giving evidence.

In September 2023 Yoorook handed down its second interim report, with 48 recommendations on the child protection and criminal justice systems. On 3 April your government announced that it would only accept four recommendations in full, and three recommendations were rejected outright, including raising the age of criminal responsibility, bail reform and pursuing human rights abuses through VCAT. Yoorook expressed disappointment, saying these reforms are crucial given the alarming overincarceration of First Peoples adults and children and ongoing deaths in custody. VALS CEO Nerita Waight said:

The Victorian Government's response to the Yoorook ... report does not give our people any confidence that they are ready to commit to the transformational change treaty requires when they can't even lay the groundwork in the child protection and criminal justice systems ...

Given the Allan Labor government is already rejecting key recommendations, how can First Nations and the broader Victorian community have confidence that your government is committed to hearing the truths being told at this historic commission?

The PRESIDENT: I think this is asking for an opinion. The minister can answer as she sees fit.

Jaelyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:46): Dr Ratnam, you have reflected on a range of matters, and you ended with ‘How can our First Nations Victorians be confident in our commitment?’ I think the attendance of the Premier yesterday is a testament to the commitment to walking alongside Indigenous Victorians on a path to treaty. We are in the middle of a truth and justice process. I think that we are walking the walk and talking the talk and have demonstrated that. Having non-Indigenous commentators undermine that process seems at odds with the commitment that we are demonstrating, and I would ask you to join us in our strong commitment to understanding, acknowledging and responding to the needs of Aboriginal Victorians so that we can close the gap and respond to a number of issues that are important to Aboriginal Victorians. It is part of our everyday work.

Samantha RATNAM (Northern Metropolitan) (12:47): Thank you, Attorney. In response, I disagree with your assertion that the Yoorrook commission, the First Peoples’ Assembly and the Victorian Aboriginal Legal Service can be considered commentators. They are significant voices in this conversation, and they expressed –

Members interjecting.

Samantha RATNAM: I was paraphrasing and quoting their response. The truth-telling process, Attorney, will only be as effective as how willing governments and the community are to hear and accept the uncomfortable truths that are being revealed. To the last question my colleague Ms Copsey raised about your government’s commitment to raising the age of criminal responsibility, a key recommendation by Yoorrook, you suggested that a commitment to raising the age to 14, even by 2027, is now an aim, not a certainty. To be clear – because we have heard a lot of equivocations – is your government confirming that it is walking away from raising the age of criminal responsibility to 14 without exception, despite it being called for by the UN, legal experts, human rights organisations, First Nations and the Yoorrook Justice Commission?

The PRESIDENT: I am not sure how that is supplementary to the substantive question. The issue with these supplementary questions is that the minister only has 1 minute to respond to quite a substantive question. Once again I will let the minister answer as she sees fit.

Jaelyn SYMES (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:48): We will continue to work with the First Peoples’ Assembly. I have a deep personal commitment to the Aboriginal Justice Forum. The justice ministers sit down and consult with people in the field – people representing Aboriginal organisations and Aboriginal community – and that commitment remains, regardless of your audition for your next role.

Ministers statements: Bendigo and District Aboriginal Co-operative

Lizzie BLANDTHORN (Western Metropolitan – Minister for Children, Minister for Disability) (12:49): On that note I rise to update the house on the Allan Labor government’s continued commitment to Aboriginal self-determination and ensuring First Nations children and families receive the support they need to stay together, be connected and thrive. I was thrilled recently to visit the Bendigo and District Aboriginal Co-operative, known as BDAC, to meet with their staff and to see their children and family services at work. With a flexible, responsive, holistic and culturally appropriate approach, the BDAC team of over 100 staff deliver numerous services for children and families, including maternal and child health services, kinder, family services and services which connect families with history and culture, such as Koori-supported playgroups and more. I want to particularly thank CEO Dallas Widdicombe and the incredible team across the whole of the BDAC operations, who work so hard for local families. During my visit it was an absolute privilege to sit with the Robinson-Pickett family during their four-week key ages and stages consult with their twins Darryl Jr and Kezzy-Jane. Mum Rhaedel Pickett and Dad Darryl Robinson spoke of the amazing

support provided by maternal and child health nurse Julie and the team at BDAC. I want to thank the Robinson-Pickett family for sharing this moment with me.

The Allan Labor government each and every day is committed to supporting First Nations children and families. In the 2023–24 budget our government committed to the largest ever single investment to continue and expand the Aboriginal-led service system – \$140 million over four years. This funding has enabled the expansion of the Aboriginal Children in Aboriginal Care program, Koori-supported playgroups and the Community Protecting Boorais program, all of which BDAC delivers in the Bendigo area.

I want to acknowledge the contribution and work of all Aboriginal community controlled organisations across our state. The Allan Labor government is proud to partner with you in the delivery of flexible, holistic and culturally appropriate services to support our children and families to stay together, to be connected to culture and to live happy and healthy lives.

Written responses

The PRESIDENT (12:51): Thank you, Minister. That ends questions and ministers statements. Can I thank Minister Tierney, who will get both the substantive and supplementary answers for Ms Purcell from the Minister for Outdoor Recreation. Can I also ask Minister Erdogan, on Mr Davis's first question, the substantive question, if he could supply him with a written answer within the standing orders on that one as well.

Questions on notice

Answers

The PRESIDENT (12:51): I have received a written request from Mrs Deeming seeking the reinstatement of questions on notice 771, 1163, 1171, 1173–75, 1177–78, 1180–82, 1184–89, 1191–92, 1196, 1198, 1210, 1251 and 1263, directed to various ministers.

Having reviewed the responses, I am of the opinion that the ministers have answered questions on notice 771, 1171, 1173–75, 1178, 1180–82, 1186–87, 1189, 1196, 1251 and 1263.

In relation to the remaining questions on notice, I am of the view that the minister has not been responsive to the question and therefore reinstate questions on notice 1177, 1184–85, 1188, 1191–92, 1198 and 1210 in full; and question on notice 1163, part (4).

Questions without notice and ministers statements

Written responses

The PRESIDENT (12:53): I have also received a written request from Mrs Deeming seeking a further written response to questions without notice 118, 176, 254, 286 and 411.

Having reviewed the responses, I am of the opinion that no further action can be taken in relation to question without notice 118; questions without notice 176 and 411 require a further written response for the supplementary questions only, as the minister was only responsive to the substantive questions; and questions without notice 254 and 286 do not require a further written response as the minister was responsive to the questions.

Constituency questions

Eastern Victoria Region

Tom McINTOSH (Eastern Victoria) (12:54): (796) My question is for the Minister for Tourism, Sport and Major Events in the other place. Victoria is the most beautiful part of Australia, and tourism is a massive industry for our state. One in every 11 jobs in regional Victoria comes from the tourism industry. My electorate of Eastern Victoria is home to some of the state's best attractions. Whether it is hiking in the Strzeleckis, enjoying Peninsula Hot Springs, fishing at Lakes Entrance, enjoying

CONSTITUENCY QUESTIONS

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Tourism Australia's number one ranked Squeaky Beach at Wilsons Prom or enjoying some of the country's best wines, there is something for everyone. This Labor government understands how important tourism is, which is why we are backing the industry in through our \$170 million Regional Tourism and Events Fund, which supports local businesses to showcase the very best our state has to offer. We are also investing \$8 million through the Enabling Tourism Fund to support the development of tourism infrastructure across the state. The tourism industry creates jobs, boosts local economies and lets people experience all the beauty our state has to offer. Minister, can you please detail the investments the government is making into tourism in Eastern Victoria?

Southern Metropolitan Region

Georgie CROZIER (Southern Metropolitan) (12:55): (797) My constituency question is for the Minister for Local Government, and it is in relation to funding of public libraries. There has been a gradual decrease by the Allan Labor government in funding of public libraries. Despite the inflation we have seen over the last year, Boroondara council have received the same amount of funding this year as it did last year. This means their funding is decreasing in real terms. There was also a considerable delay in the notification for funding, with notification being given in mid-December rather than in August, as has been done in previous years. This presents cash flow challenges for local councils when making funding decisions around these important services. Our Victorian public libraries are a vital community service, providing free access to programs, services and information technology to the community. My question to the minister is: will the minister commit to reversing the funding decline of local libraries and establish a funding model which increases annually by CPI to provide councils with funding certainty?

Northern Victoria Region

Rikkie-Lee TYRRELL (Northern Victoria) (12:56): (798) My question today is for the Minister for Roads and Road Safety in the other place. A resident of Benalla, Darren, has reached out regarding the extremely dangerous conditions of roads in the area. On the Benalla-Tocumwal Road, drivers are finding their vehicles pulled to the centre of the road by dangerous rutting and crumbling of the road. The Midland Highway, south of Benalla, has been patched and re-patched and patched again, but it is still crumbling. The conditions of the roads in Northern Victoria are dangerous. The minister keeps telling my constituents that there are works being done on our roads, but you would not know it by driving on them. There are Third World countries with better roads than the ones my constituents have to drive on. My constituents want to ask if the minister will commit to fixing roads in regional Victoria to a safe standard.

Eastern Victoria Region

Melina BATH (Eastern Victoria) (12:57): (799) My question is to the Minister for Children, the Honourable Lizzie Blandthorn, and I am pleased to see that she is in the house today. I am sure the minister has had correspondence in relation to community concern about the impending closure of the Erica kindergarten in my electorate. Servicing the Erica community and a feeder service for the Rawson Primary School, the Erica Preschool is at risk of closure in 2025 because the current provider, Y Kinders, is pulling out. The community is highly distressed, and with the closure of the native timber industry, again, that community is quite vulnerable. The next closest kinder from Erica is over 30 kilometres away. Rural children certainly deserve the best opportunities, just as their city peers do, and they need to have that service remain open. So my question is: will the minister work collectively with the community, Wayne Farnham, me and the Baw Baw shire to keep Erica kinder open?

Western Metropolitan Region

David ETTERSANK (Western Metropolitan) (12:58): (800) My constituency question is for the Minister for Environment. My constituent lives in Yarraville and is concerned about the lack of filtration on the ventilation stacks for the proposed West Gate Tunnel. Last year Maribyrnong council declared a health emergency due to poor air quality, noting that hospital admissions for young people

with respiratory ailments are 171 per cent above the Australian average. The tunnel is supposed to reduce air pollution by moving vehicles underground, but if vehicle emissions are simply pumped back via unfiltered stacks, it will do nothing to alleviate the problem. The Minister for Planning's assessment in 2017 stated that the EPA did not recommend emission control equipment, and proposed instead 'a better targeted, multifaceted approach' with 'mitigation measures' to 'target localities directly' affected by the project. My constituent asks: what measures has the government implemented or will it be implementing to reduce air pollution to acceptable levels, and what monitoring is being put in place to ensure these measures are effective?

Western Metropolitan Region

Trung LUU (Western Metropolitan) (12:59): (801) My question is directed to the Minister for Skills and TAFE, Minister Tierney, regarding the ongoing delay in the opening of the promised TAFE facility in Sunbury. It has been almost a year since the announcement by the member for Sunbury Josh Bull. The community is still waiting for details regarding the location, opening date and available courses at the new TAFE campus. This delay is concerning for access to vocational education and training, which are crucial for the residents of Sunbury and surrounding areas. Can the minister please give an update on the government commitment and ensure for my constituents that the promises made by the government are upheld and that essential services for such education are delivered properly? I call for the minister to clarify the status of the Sunbury TAFE project and to expedite the proceedings for these constituents' benefit. The residents of Sunbury deserve quality education and training opportunities close to their homes to get kids off the street and onto the tools.

Western Victoria Region

Bev McARTHUR (Western Victoria) (13:00): (802) My constituency question is for the Minister for Transport Infrastructure and concerns the status of the Geelong Ring Road extension, the Bellarine link. The delay over the latest phase in this project has been extraordinary. For seven years residents have been left in limbo. They cannot develop or sell their properties, and businesses and road users do not know whether this important infrastructure will ever get built. The decision and the funding just have not arrived, unlike the \$26 billion blowout of Melbourne's North East Link. Incredibly, my constituent was recently told by Department of Transport and Planning staff:

There isn't a project team working on Bellarine Link at the moment, and there are no timelines confirmed for when further works will be completed.

Minister, can this actually be true? When will you either fund this project or put affected property owners out of their misery by cancelling it?

Northern Metropolitan Region

Samantha RATNAM (Northern Metropolitan) (13:01): (803) My constituency question is for the Minister for Education. Pascoe Vale South Primary School in my electorate have excelled at providing primary education to the children of my electorate for over 70 years, and yet their pleas to redevelop the much-needed school administration building are being ignored by the state government. Over the past five years the school has applied to the Minor Capital Works Fund for a covered outdoor learning area but, sadly, has been unsuccessful in receiving any funding. The original 1954 administration building is outdated, limits the staff's ability to meet legal and financial obligations and is inaccessible for students, families and staff with a disability. Growing student enrolments mean that the administration building no longer meets the capacity and needs of the students, staff and school community. The school is seeking a budget commitment of \$4.7 million in funding in the 2024–25 budget to help upgrade the 70-year-old administration building and to construct a new covered outdoor learning area. Minister, will you commit and provide the required funding to the Pascoe Vale South Primary School to build the essential infrastructure to meet accessibility, OH&S and legal requirements and to reflect the school's inclusive and collaborative culture?

North-Eastern Metropolitan Region

Nick McGOWAN (North-Eastern Metropolitan) (13:02): (804) It was my great pleasure in my electorate in Ringwood to be at Antonio Park Primary School yesterday. While I was at the school having a great look around – and I give my thanks to Principal Jones and Assistant Principal Minetti, who I met as well for the first time – a number of issues came to my attention and were raised by the school. In particular there were two specific issues, and I would like to raise those today for the attention of the Minister for Roads and Road Safety. The first issue relates to a road which abuts the school, Deep Creek Road. At the moment the speed limit on Deep Creek Road is 60 kilometres an hour. It is one of the very few schools, if there are any in this state in fact other than this school, that has a 60-kilometre zone abutting the school. So I ask the minister to immediately change that to a 40-kilometre zone. That does not seem to me to be too much to ask. There is a second thing I would ask: on Whitehorse Road for many, many years the children have had to cross eight lanes of traffic. What is needed there is a pedestrian overpass. It would avoid accidents. There have been many accidents, including one recently. I ask the minister to give that urgent attention.

Northern Victoria Region

Wendy LOVELL (Northern Victoria) (13:03): (805) My constituency question is for the Minister for Transport Infrastructure, and it is regarding the Shepparton train line. Minister, when will the full nine weekday return services start running, and will you provide additional carriages on existing services as an interim measure to ease unacceptable overcrowding? In 2021 the now Premier said that stage 3 of the Shepparton line upgrade would be completed in 2023, allowing trains to travel faster and increasing frequency to nine weekday return services. The government missed that deadline, only finishing track works in April 2024. However, the signalling upgrades are still not complete, we still do not have nine services and trains are chronically congested. A constituent reported that on Thursday 18 April congestion was appalling on the 2:36 pm train from Melbourne to Shepparton, with many people standing in the aisles and entrances because the train had only two carriages. Other commuters have confirmed that it is like this every week. Standing may be tolerable for a short inner-city tram ride, but not on a train that spends almost 3 hours travelling into the country.

Eastern Victoria Region

Renee HEATH (Eastern Victoria) (13:05): (806) On 30 November last year I asked the Premier to give priority to the 45 recommendations that were made by the Victorian Law Reform Commission to strengthen Victoria's stalking laws. She replied last week:

We will continue to review stalking and harassment protections in Victoria, including by carefully considering the VLRC's final report recommendations, to ensure that all Victorians feel safe.

Well, we saw her marching the streets this week, and then she wrote on Facebook:

There is a crisis happening in our country – every four days, an Australian woman is violently killed.

She went on to say:

But we know it'll take more than marches alone. This is a national issue, and it deserves national action.

In light of that, my question for the Premier is: for how much longer will you consider the recommendations from the inquiry into stalking before you take action?

The PRESIDENT: Sorry, Dr Heath, I am kind of struggling. That is broad as a constituency question. I missed the start of your question. I am trying to relate it to your electorate.

Renee HEATH: That is fair enough. There are some women in my electorate – in Pakenham particularly – who attended the march.

South-Eastern Metropolitan Region

Ann-Marie HERMANS (South-Eastern Metropolitan) (13:06): (807) My question is to the Minister for Police, and I ask: in light of the recent advice revealing the 10 worst local government areas in Victoria for youth crime, with Casey topping the list, will the minister advise what action is being taken to address this appalling situation in my region, particularly in the electorates of the City of Casey? In 2023 there were 1291 such recorded incidents, an increase of more than 280 compared with the previous year in Casey. Casey also represents the highest total number of alleged youth offences in the past decade, now at 9753. Casey is being plagued with youth gangs, and police are struggling to deal with them. Minister, surely more resources need to be given to police to deal with this problem.

Northern Metropolitan Region

Evan MULHOLLAND (Northern Metropolitan) (13:07): (808) My constituency question is for the Minister for Police. My constituents have raised concerns about increasing crime occurrences and antisocial behaviour near the safe injecting room in North Richmond. Residents, including children at the nearby primary school, are frequently harassed and exposed to public drug use and drug-related crime. Local businesses along Victoria Street are seeing their livelihoods threatened, and customers are intimidated by disorderly behaviour. There is widespread concern about a lack of deterrence towards offenders harming the safety of residents. The safe city cameras program installed in Carlton could be used in North Richmond. A live surveillance network will improve the identification and tracking of offenders so disturbances can be dealt with promptly. Does the government have any plans to install CCTV in North Richmond, and if not, why not?

Northern Victoria Region

Gaelle BROAD (Northern Victoria) (13:08): (809) My question is to the Minister for Regional Development regarding the urgent need to provide shelter for animals at Bendigo Livestock Exchange. I was at the saleyards recently, where over 20,000 sheep and lambs are sold every week. Central Victoria experiences very hot weather in summer and icy conditions in winter, and Bendigo is the last of regional Victoria's main saleyards to be without a main roof structure. Producers and agents have been waiting for years for action. The City of Greater Bendigo have also highlighted this project in their investment prospectus, and concept designs have been completed. As we look to grow renewable energy in the regions, this project also provides a great opportunity for solar power generation by installing panels on the roof and also to harvest water. I ask the government to demonstrate Victoria's commitment to animal welfare by committing funds in the state budget to build a roof structure at Bendigo Livestock Exchange.

Southern Metropolitan Region

David DAVIS (Southern Metropolitan) (13:09): (810) My constituency question is for the attention of the Minister for Planning, and it relates to the government's announcement today of arbitrary targets and writing those into planning law. Specifically with respect to my electorate I seek to understand whether this applies to councils in my electorate – Boroondara, Whitehorse, Monash, Bayside, Kingston, Port Phillip, Glen Eira and the City of Melbourne, those councils that cover my electorate. My question is: given the government is set to impose targets, will these be subject to those targets, and if they do not succeed, will those councils be stripped of their planning power? Further, I understand the government is going to impose an infrastructure charge, and I ask: will the infrastructure charge apply to my councils as well?

Bills**Sentencing Amendment (Sentencing Practices for Child Sexual Offences) Bill 2024***Introduction and first reading*

Evan MULHOLLAND (Northern Metropolitan) (13:10): I introduce a bill for an act to amend the Sentencing Act 1991 in relation to the sentencing of an offender for a child sexual offence and for other purposes, and I move:

That the bill be now read a first time.

Motion agreed to.

Read first time.

Evan MULHOLLAND: I move:

That the second reading be made an order of the day for the next day of meeting.

Motion agreed to.

Committees**Scrutiny of Acts and Regulations Committee***Alert Digest No. 5*

Sheena WATT (Northern Metropolitan) (13:11): Pursuant to section 35 of the Parliamentary Committees Act 2003, I table *Alert Digest No. 5* of 2024, including appendices, from the Scrutiny of Acts and Regulations Committee. I move:

That the report be published.

Motion agreed to.

Sheena WATT: I move:

That the Council take note of the report.

David DAVIS (Southern Metropolitan) (13:12): This is an important report by the Scrutiny of Acts and Regulations Committee, and I draw the community's and the chamber's attention to the commentary around the government's new taxes, which are exposed clearly, and the matters around the government's new taxes. A significant new tax is to be imposed, which will be at a higher level and have a higher impact than many would appreciate. This tax will be a land tax across a whole series of different commercial properties. It will be very impactful on Victoria's competitiveness, but I draw specifically the community's attention to the section 85 matters of that report. The section 85 statement is there in the bill, but the matters are drawn attention to in the SARC report, and I think the community needs to understand that this gives government enormous powers. It blocks appeals processes and raises a real question about the democratic future of these matters.

Motion agreed to.

Select Committee on the 2026 Commonwealth Games Bid*Inquiry into the 2026 Commonwealth Games Bid*

David LIMBRICK (South-Eastern Metropolitan) (13:14): Pursuant to standing order 23.22, I table the select committee's interim report on the inquiry into the 2026 Commonwealth Games bid, including appendices and extracts of proceedings, and I present the transcripts of evidence. I move:

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

Motion agreed to.

David LIMBRICK: I move:

That the Council take note of the report.

It has been a great privilege to chair this inquiry, on behalf of the people of Victoria, into the cancellation of the Commonwealth Games and present this interim report. I would especially like to thank those who made submissions or appeared at public hearings. I would also like to thank Parliament staff for their tireless efforts thus far in the inquiry along with my fellow committee members.

There are many ways that you could describe Victoria's bid for the Commonwealth Games, but I think that a neat executive summary would be that it was a stuff-up. These games were doomed from the beginning, because they were built on the shaky foundations of a business case that grossly underestimated costs. The committee found that the Department of Jobs, Skills, Industry and Regions put limitations on the consultants that built the business case, including an unreasonably short time frame and strict confidentiality provisions preventing even site visits from occurring. It is possible that if the government had taken more time with the business case and allowed better cost estimates to be formulated, the decision to host the games would never have happened and the government would not have wasted over half a billion dollars of taxpayers money. It is my hope that recommendations will be made in the final report that will minimise the risk of this type of error happening in the future.

Much of the information requested by the committee of government was not provided or executive privilege was claimed. The report lays out in detail the disputed areas of executive privilege. Regardless, the government is accountable to the Parliament and through the Parliament to the people of Victoria; it should not set the conditions by which it is held to account. The self-defined classification of executive privilege is so broad that it has covered all but a few of the documents asked for by the committee.

Tomorrow I intend to use parliamentary processes to request these same documents. If the government maintains the claim of privilege, then this can be independently determined using the mechanism outlined in Legislative Council standing orders 10.03 and 10.04. Of note, this mechanism of appointing an independent arbiter to resolve these disputed claims has not been tested. Often when documents motions are passed through this chamber the response is a letter saying that there was insufficient time to collect the documents. However, in this case the documents have already been identified and assessed and claims of privilege already made. Disappointingly, during the inquiry key decision-makers, including Premier Allan and former Premier Andrews, declined invitations to appear before the committee to explain their decisions.

We also investigated many other aspects of the Commonwealth Games bid. We heard from many regional councils and sporting, tourism and business operators, but what is difficult to convey in a written report is the level of personal disappointment for regional Victorians. These people are proud of their towns. Regional cities are places that are built on trust. They were excited to welcome people from around the world to their homes. They saw great opportunities to get new sporting facilities and develop their towns. Some had grand plans to develop affordable housing. So when the games were cancelled, they felt more than deflated; they felt their time, energy and goodwill had been used and wasted. Councils expended significant effort in planning, much of which has gone to waste. Sporting codes that were expecting an uplift in interest due to the games have been left hanging. Tourism operators that were hoping to have a global spotlight on regional Victoria have been let down. We should learn to forgive regional Victorians for not getting too excited the next time government call to tell them they are here to help.

In lieu of the games, the government promised a \$2 billion regional infrastructure package. The committee will be investigating this infrastructure rollout over the remainder of the inquiry, although most details of this package are not yet available. In many ways this inquiry was about much more than the Commonwealth Games alone; it was a rare chance to take a deep dive and see how government really works. What we found was an organisation that makes many mistakes, and I would

feel some consolation if I was satisfied lessons have been learned. Victorian taxpayers and regional Victorians deserve much, much better. I conclude by once again thanking the many contributors, and I commend this report to the house.

David DAVIS (Southern Metropolitan) (13:18): I join the chair in making commentary on the 2026 Commonwealth Games bid select committee interim report and paying tribute to the work he has done as chair in the first instance and the work of the committee secretariat – Kieran has done a very good job in that role. It is a committee that has faced significant challenges through the period, and I should note that the state government has not been helpful in the way it should have in providing the support that is necessary. I should also note the work of Matt Newington, Richard Willis, Chiara De Lazzari, Caitlin Connally and other administrative officers.

This inquiry has as its hallmark obstruction by the state government and government agencies in an attempt to frustrate the inquiry getting the material and evidence that it was entitled to get. These are high-handed claims that have been made by government of executive privilege, claims that do need to be tested and claims that need to be pushed forward, and I think the chair has nailed this in some of his commentary. But I do want to reiterate our thanks to the committee staff for the work they did and all of the submitters, who provided very significant evidence across the state.

Melina BATH (Eastern Victoria) (13:20): I am also pleased to rise to make a brief contribution on the 2026 Commonwealth Games bid inquiry interim report, and I would like to put on record my thanks to all of the secretariat, our committee members and indeed the witnesses and those people who made submissions. We heard evidence that with this ‘con games’ the government used regional Victorians as a political plaything. We heard, and saw, that Jacinta Allan, the then Minister for Commonwealth Games Delivery, refused to turn up at our hearings and provide commentary. We heard the loss that was suffered by people, and I will put one lady on record. She owns Farnham Court accommodation and restaurant. Here is what she said to our committee:

Morwell was the star. Finally we got a guernsey. We got the ‘dirty old coal town’ label taken off, and we were going to be hosting the Commonwealth Games. And I think that is the biggest kick in the guts ... Forget about the individuals or the individual businesses like us – it is the town ... So we lost more than business. It is motivation; it is incentive; it is the legacy; it is the volunteers that get trained; the community; the children; the excitement of meeting athletes, holding their hands, walking them to podiums. The florist wins. The beauty salons win. The hairdressers win ... The physios win. Everybody does everything in a town when an event comes to town ... The legacy of the Commonwealth Games is what we are missing, and now we are back to being Struggle Town again. In a heartbeat it was given to us; in ... a heartbeat it was taken away.

I believe it was highly callous of the government to do so.

Michael GALEA (South-Eastern Metropolitan) (13:22): I also rise to share a few remarks in relation to the tabling of the interim report of the 2026 Commonwealth Games bid inquiry today, and at the outset I would also like to acknowledge the work of our secretariat staff from across the Parliament who have assisted with this inquiry, particularly including Kieran Crowe and indeed Richard Willis and Matt Newington as well. I thank them for their work. I would also like to take a moment to acknowledge the chair and the diligent and impartial way in which he has conducted this inquiry.

This has been a very interesting committee to take part in. The government was very clear from the outset when it first announced its intention to host the Commonwealth Games in 2026 in Victoria that it was to do so for the benefit of regional Victoria, not for the benefit of just hosting a Commonwealth Games. What we saw throughout the course of this inquiry was that when those costs did start to escalate and they were no longer adding up to provide those benefits for Victoria, the government took difficult but decisive action, and that action is seeing a \$2 billion regional investment package still delivered as a result of these games. As the chair illustrated, that will form part of the work that we do in the latter part of this inquiry, but we did hear from a number of witnesses in Geelong, in Ballarat, in Bendigo and in the Latrobe Valley in particular on their experiences with it, and indeed some of the optimism as well around some of the projects. For instance, community sporting clubs will receive as

a result of this \$2 billion package in many cases projects which would not have been as well customised to their needs had we proceeded with the Commonwealth Games as originally intended.

There is more work to be done. Certainly it has been clear from members opposite that they have not got the smoking gun that they thought was there, quite simply because there is not one. We saw their outrageous behaviour when we had former ministers appear before our inquiry last year, and all sorts of outrageous accusations. They have not been able to prove a single one of them, and that just goes to show that their intent, while this has been a very well run inquiry – (*Time expired*)

Joe McCracken (Western Victoria) (13:24): We all had thought that it was going to be bad, but no-one knew that it was going to be this bad. With the assistance of the Auditor-General, we found out that nearly \$600 million has been wasted for nothing – for nothing. It is my electorate of Western Victoria and many other country areas that suffer because of this – \$600 million wasted.

I want to pay tribute to the chair, Mr Limbrick. He has done an outstanding job in driving this committee in a very steady, calm and extremely diligent manner. You have been incredibly impartial, and I think you really should be congratulated for the way that you have handled this inquiry, Mr Limbrick.

I would also like to draw the attention of everyone to the findings of this report. They are listed on page xi, according to the report here. The findings detail what the evidence basically said to us: extreme disappointment from many community groups, sporting clubs, business associations and individuals, who all presented evidence, and many local councils, some of whom were forced to sign non-disclosure agreements so that they could not even disclose key details to their own local councillors, elected councillors – they were forced to sign them by the government. And there are many more instances in here of extreme disappointment. The business case in itself is an extremely flimsy document that was relied upon to make key decisions. There was not enough time to compile it, let alone ensure that it was robust. I urge the public to make sure that they review this report before we see the final report come out in a year's time.

Tom McIntosh (Eastern Victoria) (13:26): I am pleased to stand to speak on this interim report. I too would like to thank the parliamentary staff and acknowledge the way the chair went about conducting our meetings and hearings throughout the inquiry and of course thank all those who attended the hearings throughout. I think up-front throughout the hearings we heard an acknowledgement of the fact that Victoria stepped into a vacancy within the games. The model of the games in 2026 and 2030 – that no country is taking on the games at this point was acknowledged. Also, there was much conversation about the global inflationary position that all of us found ourselves in at the time and the concerns, whether it be from councils or other people, sectors and businesses in regional Victoria, about the inflationary pressure of the games and the ability to deliver infrastructure.

There was much relief around the time frames of the delivery, and of course there was a lot of talk about the \$2 billion regional package delivering on the commitment to regional Victoria and the fact that we have a billion dollars for housing to deliver 1300 homes around regional Victoria and \$170 million for tourism, supporting our incredibly strong tourism economy here in Victoria. We heard repeatedly about worker accommodation, the importance of getting workers located where they need to work in regional Victoria; the importance of sports infrastructure and our community sports funds to ensure that the infrastructure and everything that goes around community sports is there locally; and food and fibre – supporting our primary agricultural exports and whatnot. Basically, we heard there was an understanding – a relief from many people but an excitement about what is to come.

Sarah Mansfield (Western Victoria) (13:28): I too would like to thank the staff and the chair for the incredible work they have done on this report and thank all of those who took the time to make submissions and appear at the hearings. I think regardless of how you feel about the Commonwealth Games, this report is worth taking note of. What became clear was that while the decision to cancel the games might have disappointed some, it was the decision to host it in the first place that was

actually most problematic. The overwhelming drive to host the games despite the very obvious challenges it would pose was allegedly a desire to invest in regional Victoria. My question is: why do we need the excuse of a two-week sporting event, which there is plenty of evidence to show time and again underdeliver on benefits and cost an incredible amount, to make that investment in regional Victoria? Sure, that is the sort of place we have landed with the government now, but they wasted a lot of time and money in the interim and communities are not necessarily ending up with the things that they need.

As the report highlights, there was an astounding lack of due diligence and often just common sense applied to the decision to host the games, and this was a decision that was going to involve spending billions of taxpayer funds for limited benefit at best. Where and why the failures occurred, whether it was at the level of cabinet ministers, the public service or other governing bodies, continues to be pieced together, but it has been hampered by a lack of transparency, which has already been addressed by some of the others who have spoken today. Lack of consultation was also a key theme, whether it was from councils, the events industry, sporting groups or accommodation providers. They told us if they had been engaged with earlier, some of the problems that emerged may not have been there from the start. It also should not have taken a special committee to identify these issues. These are all things that should have been scrutinised through existing parliamentary processes, like the Public Accounts and Estimates Committee, which currently lack the teeth they need because they are government controlled. If we are to avoid fiascos like this in the future, these are the sorts of changes we need to strengthen parliamentary oversight, and we will continue to push for them.

Georgie CROZIER (Southern Metropolitan) (13:30): (*By leave*) If I can, I would just like to echo the comments made by the members of the committee who have worked very hard on this important inquiry. I would like to acknowledge the work that you have all done, chaired by Mr Limbrick. If you recall when the Liberals and Nationals put this motion to the Parliament, there was a huge debate and a huge pushback from the government. They did not want this inquiry to go ahead. Listening to the members of the government in speaking to this report, I echo that sentiment again. They are incredibly dismissive of the importance of what needed to be done.

Looking at the report, in the last 10 minutes or so since it was tabled, it is clear that the government is still baulking at the very transparency that Victorians deserve in order to be able to understand this decision. What on earth went on? In the overview I see that the inquiry says:

... the Committee has faced significant barriers in meeting its requirements ... Certain individuals with knowledge of the Games have declined to attend public hearings and the Government has declined to provide key documents about the Games on the grounds of executive privilege ...

Well, isn't that a familiar theme? This government is not open to transparency. They have provided barriers to a range of issues that the Parliament has put to them. This decision was made by the then Andrews Labor government, in which the Premier herself was the chief minister looking after the games as the Minister for Commonwealth Games Delivery, and she would not appear. These two crucial individuals, who were sitting at the cabinet table making these decisions on behalf of Victorians, refused to front up. That says everything about Premier Allan and Daniel Andrews. There is no accountability and no regard for what they have done to the tourism industry, to the businesses around regional Victoria and, importantly, to the athletes but also to the reputation of Victoria.

Motion agreed to.

*Papers***Papers****Tabled by Clerk:**

Commissioner for Environmental Sustainability Victoria – State of the Birrarung (Yarra) and Its Parklands 2023 Report.

Parliamentary Salaries, Allowances and Superannuation Act 1968 – Compliance Officer – Statement of Findings: Appeal of a decision to reject a claim under the international travel allowance, under section 9H of the Act (*Ordered to be published*).

Planning and Environment Act 1987 – Notices of approval of the –

Darebin Planning Scheme – Amendment C219.

Glenside Planning Scheme – Amendment C112.

Greater Geelong Planning Scheme – Amendment C383.

Stonnington Planning Scheme – Amendment C333.

Victoria Planning Provisions – Amendment VC252.

Yarra Planning Scheme – Amendments C307 and C324.

Statutory Rules under the following Acts of Parliament –

Drugs, Poisons and Controlled Substances Act 1981 – No. 21.

Equipment (Public Safety) Act 1994 – No. 22.

National Gas (Victoria) Act 2008 – No. 25.

Occupational Health and Safety Act 2004 – No. 23.

Prisoners (Interstate Transfer) Act 1983 – No. 24.

Subordinate Legislation Act 1994 – Documents under section 15 in relation to Statutory Rule Nos. 16, 17, 18, 21, 24 and 26.

Victorian Electoral Commission – Report to Parliament on the 2023 Mulgrave District by-election, April 2024.

A proclamation of the Governor in Council fixing an operative date in respect of the following act:

Biosecurity Legislation Amendment (Incident Response) Act 2024 – Whole Act (except Divisions 1 and 4 of Part 2 and sections 50, 90, 91, 92, 93, 94, 95 and 99) – 22 April 2024 (*Gazette S182, 16 April 2024*).

*Petitions***Daylesford Speedway***Response*

The Clerk: I have received the following paper for presentation to the house pursuant to standing orders: Minister for Community Sport's response to petition titled 'Upgrade the Daylesford Speedway', presented by Ms Lovell.

*Production of documents***Duck hunting**

The Clerk: I table a letter from the Attorney-General dated 23 April 2024 in response to a resolution of the Council on 20 March 2024 on the motion of Ms Purcell relating to native bird hunting. The letter states that the date for production of documents does not allow sufficient time to respond and that the government will endeavour to provide a final response to the order as soon as possible.

Illicit tobacco

The Clerk: I table a further letter from the Attorney-General dated 29 April 2024 in response to a resolution of the Council on 7 February 2024 on the motion of Mr Limbrick relating to Better Regulation Victoria's review of Victoria's approach to illicit tobacco regulation.

I further table the final report of the review into Victoria's approach to illicit tobacco regulation that the government has provided in response to this order. The letter states that the government is continuing to work to identify and process any further documents that may be relevant to and come within the scope of the order and will endeavour to provide a response to the order as soon as possible.

Melbourne medically supervised injecting facility

The Clerk: I further table a letter from the Attorney-General dated 29 April 2024 in response to the resolution of the Council on 21 February 2024 on the motion of Mr Ettershank relating to a medically supervised injecting room in Melbourne's CBD.

I table Mr Lay's final report, *Proposed Medically Supervised Injecting Service Trial Consultation: City of Melbourne*, which the government has provided in response to this order. The letter states that a claim of executive privilege is no longer made in respect of Mr Lay's report. The letter further states that the government is continuing to work to identify and process any further documents that may be relevant to and come within the scope of the order and will provide a final response to the order as soon as possible.

Housing

The Clerk: Finally, I table a letter from the Attorney-General dated 29 April 2024 in response to a resolution of the Council on 15 November 2023 on the motion of Dr Ratnam relating to the redevelopment of high-rise public housing sites. In summary, the letter states that following consultation with the responsible departments, the current scope of the order would capture approximately 200,000 pages of documents, cost approximately \$2 million in legal fees to review and take up to four years to produce. In the letter the Attorney-General invites the Council to pass a revised order that excludes email correspondence and specifies a confined time period for documents dated earlier than 15 November 2023 to allow the government to respond in a timely and cost-effective manner that will still capture the intent of the original order. The letter further states a range of general issues with orders for the production of documents and suggests that the scope of any further orders be drafted to precisely identify the documents sought, not require the production of all documents and set a reasonable time frame in which these documents can be located, assessed and tabled within the Council.

Business of the house

Notices

Notices of motion given.

General business

Georgie CROZIER (Southern Metropolitan) (13:52): I move, by leave:

That the following general business take precedence on Wednesday 1 May 2024:

- (1) order of the day 1, second reading of the Hemp Industry Bill 2024;
- (2) order of the day made this day, second reading of the Sentencing Amendment (Sentencing Practices for Child Sexual Offences) Bill 2024;
- (3) notice of motion given this day by Mr Limbrick on the production of documents relating to the 2026 Commonwealth Games bid;
- (4) notice of motion given this day by Mr Limbrick on the Cass review and services and care for children experiencing gender-related distress;
- (5) notice of motion given this day by Ms Crozier on the North Richmond medically supervised injecting room;
- (6) notice of motion 381, standing in Mr Davis's name, revoking planning scheme amendment VC261 to the Victoria Planning Provisions; and
- (7) notice of motion 374, standing in my name, on health services.

Motion agreed to.*Motions***Middle East conflict**

Sarah MANSFIELD (Western Victoria) (13:54): I move, by leave:

That this house:

- (1) notes that since the Council's resolution on 17 October 2023 over 34,000 Palestinians in Gaza have been killed at the hands of Israeli defence forces;
- (2) further notes that one child is injured or dies every 10 minutes in Gaza, more than 10,000 women have been killed and over 19,000 children have been orphaned;
- (3) does not support the state of Israel's continued invasion of Gaza.

Leave refused.*Production of documents***Production of documents**

David DAVIS (Southern Metropolitan) (13:54): I rise on the motion that sits on the notice paper from the last sitting week:

That this house suspends the Leader of the Government from the service of the Council for the remainder of today and for the next two subsequent sitting days.

I want to indicate that the government's chronic failure to provide documents is the cause of this motion. I want to also indicate that many in the Council have noted that the government has begun to provide some documents – the Lay report notably and other documents just now – but it is still a very incomplete set of documents for the eight sets of outstanding documents. Without speaking too broadly, I can foreshadow that Ms Crozier will move an amendment to this motion that recognises certain progress by government but also recognises that there is still a great deal outstanding from these documents.

I just want to go through very quickly – it is not my intention to delay the house in the sense that there will be an amendment to the motion which will seek to provide an alternate date where this can be further discussed – and get on the record some of the key points from the documents that have been tabled today and the release last week of the Lay report. There are eight sets of documents listed in the original motion, and I note that the letter from the Attorney-General dated 23 April relating to a request on native bird hunting says 'not sufficient time'. This is a well-worn theme, so that is a legitimate point to raise. There is the letter from the Attorney dated 29 April and a document relating to a request for Better Regulation Victoria's review of Victoria's approach to illicit tobacco regulation. I note that the government has partially satisfied this – it has released a single document – but there are many other documents still outstanding, and indeed we believe that there will be an opportunity for the government to provide those; it has got a further two weeks in this proposed way forward.

There is the letter from the Attorney-General dated 29 April and a document relating to a request on the medically supervised injecting room in Melbourne's CBD. This is the Lay report, which was provided publicly last week and has been tabled now, but there is still a significant list of documents to be identified. The government need to get on with this; they have had plenty of time from February indeed to do that.

Then finally today there is a letter from the Attorney dated 29 April relating to a request on the redevelopment of high-rise public housing sites. This is in response to a motion by Dr Ratnam, and it says, following the substance of what was read into the chamber just now, that following consultation there would be 200,000 pages and it would cost \$2 million in legal fees, and this should be revised. A two-week period would certainly give Dr Ratnam the opportunity to revise it, although I am not sure that she would want to do that – that is a matter for her. But I do note that that is an absurd suggestion

by government. We have heard this kind of approach before in the past; it is an absurd suggestion that it would cost \$2 million in legal fees to deal with this. What Dr Ratnam wants to do in any modification would be a matter for her, and she may be able to negotiate something with the government that is reasonable but also does not accept their more outlandish claim.

The substance of this is that there are a whole tranche of documents across a number of documents orders that the government has not provided. The government ought to have provided these documents, and in the case where there is some legitimate response where the government says, 'We're claiming executive privilege,' for example, there is a mechanism in the chamber to test that. In the response, in a situation where the government has some other matter, then it can certainly request, as it has done in the past, that the chamber not insist on the production of this document or that document or whatever for a legitimate, thoughtful reason that is put before the chamber. That is not what we are seeing with the general approach here.

I accept that there has been a mini flurry of responses, but the fact is that there are still eight tranches of documents at a minimum that are outstanding, and for that reason I think that Ms Crozier's suggestion, which I am foreshadowing, will be that there be an adjournment of this matter for two weeks. There will be a detailed motion that will lay that out, and it will be quite precise about the tranches of documents involved. I note the forbearance of the chamber on this matter, but we think this is a reasonable way forward. We have struck I think what is a sensible and practical way forward to say we do need to keep a focus on the government on this, and the Leader of the Government in particular, and we need to make sure that these documents are provided. The slowness and the obfuscation are not acceptable.

Ryan BATCHELOR (Southern Metropolitan) (14:01): It is important that contributions be made today because this is a serious motion seeking to deprive a member of this place of their ability to participate in its proceedings and to deprive Victorians of their elected representative's capacity to represent them, which is the fundamental basis of our representative democracy. It is a matter that we should take seriously.

Georgie Crozier interjected.

Ryan BATCHELOR: We should not laugh, Ms Crozier. This is not a funny issue. This is a very serious issue. It is not one that I think warrants laughter in the chamber.

In the context of the seriousness of this issue, I appreciate that Mr Davis has foreshadowed that an amendment to the original motion is coming – really the second amendment that we have seen since Mr Davis's original motion was placed on the notice paper several months ago. Unfortunately, I have got the verbal outline of what that foreshadowed amendment is; it is always easier to see the substance when it is tabled and circulated. What we have in the context of that is an extension. The point of the amendment which Ms Crozier, we suspect, is going to be moving and which Mr Davis has foreshadowed is to extend the amount of time that is available for the government to respond to this. That is obviously an improvement on the original motion.

I think it is important to point out, though, that what we see in the repeated amendments to this original motion is a proper characterisation of this as not being a stand on principle about the profound and serious exercise of very significant powers of this chamber but as being something that is a little more about political manoeuvrings and seeking to achieve political outcomes. It is not about the substance of the important issues which are the subject of the original motions to seek documents.

There are a couple of issues that I want to get to in the context of this debate. They partly follow on from the letters that were tabled earlier by the Attorney-General, the Leader of the Government, about the nature of the orders for the production of documents that have been made by the chamber and the complexity and volume of those requests and what that means for the quite tight time frames under which those original requests were made. Then I want to get into a bit of a discussion about where that sits in the context of the very serious powers that this Parliament has and the serious consequence of

what this resolution, the motion that is before us today, seeks to do, which is to deprive the people of Northern Victoria of their elected representative's participation in this chamber. But it also has some other serious consequences for concepts of responsible government in the state.

I will start with that point. The request to produce documents arises, as we know, out of some pretty fundamental powers of the Parliament sourced from 1855 powers transferred from the House of Commons. That was, I think as we all know, quite thoroughly discussed by the High Court in relation to matters in New South Wales in the mid-1990s, and it basically held the fundamental principle that the executive is responsible to the Parliament. I do not think that anyone here is contesting those issues. What I think is important, though, when we seek to expel or suspend members of this place is that we look at what the High Court actually said in *Egan v. Willis* in their discussion of the kinds of judgements that we need to make in exercising these powers. The joint judgement in *Egan v. Willis* talks about the inherent powers of a chamber like this – not this chamber but a chamber like this – to exercise these fundamental powers. The joint judgement says:

What is 'reasonably necessary' at any time for the 'proper exercise' of the functions of the Legislative Council is to be understood by reference to what, at the time in question, have come to be conventional practices established and maintained by the Legislative Council.

I think what is important in that quote is the concept of what is reasonably necessary for the proper exercise of this Council's functions. The point I seek to make is that the level of detail and complexity that we see in the motions for the production of documents that have been outlined in the letters from the Attorney-General that were tabled earlier starts to, I think, go beyond what amounts to matters that are reasonably necessary for the proper exercise of the functions of the fundamental powers of this Parliament. A motion to suspend a member of this place because the volume and complexity of the requests is such that it is impractical to comply with I think goes beyond that and is a step too far and is one that we need to be really carefully considering, because we do want all members to conduct themselves in compliance with the decisions and orders of the chamber. It is very clear from the letters the Attorney-General has provided today that the government is seeking to comply as best it can, within the constructs of matters such as executive privilege, with the requests the Council is making.

Of the eight topics that were found in the original motion, we see that the motion requesting the production of the Lay report, for example, has been complied with now that the deliberations of the cabinet and the reasons for the claims of executive privilege have passed; we saw today the production of matters sought in relation to the report into the regulation of the tobacco industry here in Victoria; and we saw, in relation to the order for the production of documents in relation to public housing sites, an assessment of the complexity of complying with the very detailed request the Council has made.

One of the things that members do not have is discretion to comply with parts of things that this Council and this chamber does. When motions are made, they are done with the full force of the chamber behind them, and what we are all obliged to do is take them seriously. So in the drafting and in the passage of those requests we need to be thinking through how we can best achieve the outcome that we seek in substance, rather than using them as mechanisms to, for want of a better term, cast a very wide net and seek things like all of the emails or all of the correspondence in relation to processes.

Certainly the stance and the attitude that the Leader of the Government, the Attorney-General, has held in her willingness to sit down and try to figure out how we get through that broad net to the crux of what is actually required in the ways that we have done with the tabling of the Lay report and in the ways that we have done with the tabling of the illicit tobacco report I think demonstrate the seriousness with which the government treats the resolutions of the Council. I think it is an indicator of how the drafting of those requests should occur both now and in the future, so that we can actually get to the crux of the issue that people are concerned about and not try and get everything – every email associated with a particular consultation process or every different briefing or document or piece of correspondence that may have taken place, which is something that exists in some of the motions. For example, motion 288, which was removed, in relation to the Port of Hastings facility required within

three weeks the production of all materials relied on by the Port of Hastings and the Victorian government in preparing its submission. That is an enormous request for information – not just requesting a submission but everything associated with it, and within three weeks. I think that demonstrates the difficulty of complying with such detailed requests and of the seriousness of the consequences that come with noncompliance that are sought by this motion in removing a member of this chamber and frankly undermining principles of responsible government that come with having a member of the executive who has significant portfolio responsibilities that are matters of great public import right now be unavailable to answer questions about those portfolio responsibilities in this chamber. That is also an abrogation and an undermining of our concepts of responsible and accountable government in a range of settings.

I think my time is up. I hope to have made some inroads into a very complicated and sensitive topic that enlighten the house.

Sarah MANSFIELD (Western Victoria) (14:11): While we welcome the government's agreement to table some of the documents this Parliament has requested, we do note that not all have been adequately responded to. We also welcome the Attorney-General's offer to work with the Parliament on agreed processes regarding documents motions, and we are genuinely open to constructive discussions around this. We also, however, need to see a commitment to abiding by standing orders in the future when claims of executive privilege are made.

It is worth taking stock for a moment and remembering how we got to this point. We are debating this motion, as has been highlighted, because of a failure to produce documents – a failure to abide by the will of this Parliament. We appreciate that not all documents requests are possible to meet for various practical reasons, but when every request is met with the same generic response that there is inadequate time and no other explanation or alternatives are suggested, it is pretty hard to buy. Not only have the government gone against the will of the Parliament in failing to produce requested documents, they have disregarded standing orders when executive privilege is claimed in relation to some documents by not following the required processes.

This motion is not about politics – as you can see, there are people from all different sides of the chamber who are raising concerns about this. It is about compliance with the rules of the chamber and fundamental principles that underpin representative democracy. This government has routinely failed to produce documents and thereby failed to comply with a simple accountability measure. These are mechanisms which governments in other jurisdictions seem to be capable of complying with. The New South Wales executive, for example, have almost identical standing orders to this place, and yet they recognise the right of the Parliament to request and receive documents. The difference in those places is that there is an accepted culture where the executive respects the decisions of Parliament, versus the one in this place. This culture here has developed over time, but that does not mean it is accepted or acceptable. We want to see this changed.

The outcome we are seeking is not to suspend a member. We do not want to have to do this. What we actually want to see is this Parliament functioning as it is meant to. This is not personal. We are approaching this from a principled position. It is a matter of integrity. It is about transparency and respecting the role of Parliament. It is actually in the interests of the government to respect these democratic processes. It is also in the interests of the broader Victorian public.

This motion has contributed to some of the documents being released and commitments being made on others, but this really is not a particularly sustainable way to do things or to get things done. Kicking members out of the chamber is not great for democracy either, I agree with Mr Batchelor, but the government needs to appreciate that we do not have a lot of other choices if it just continues to ignore the will of the Parliament.

Integrity bodies hold serious concerns about the failure of the Victorian government to produce documents, and these have been well aired. But some have suggested that the Parliament should go

even further than suspending members, and we do not want to have to go down this road. We are willing to give some additional time to the government to allow them further opportunity to not only produce the documents that remain outstanding but also make good on their offer to engage regarding a way forward on dealing with these documents request motions in the future. Failure to do so will just see us having to revisit this issue and contemplate what other actions might be necessary when I am sure we would all just rather be getting on with doing the business that this chamber should be doing, which is passing legislation to make things better for Victorians. I hope this serves as an opportunity to reset the way that document requests are dealt with in this chamber so that the Parliament can function as it is meant to.

Georgie CROZIER (Southern Metropolitan) (14:15): I also rise to speak to this motion. Mr Davis has highlighted what is required and what the government has actually provided today in relation to a number of letters, but it has not gone to the full extent of meeting the requests which have been made by various members across the chamber to the government in relation to issues that are important to the Victorian public. They have not been provided in full. That is essentially what we are asking for.

This issue around the transparency that we are just not seeing, that is just not being done by government, has been a longstanding issue. We have just come out of commentary on the Commonwealth Games interim report talking about the refusal of the production of documents into that inquiry. This is what the Parliament has been up against the entire time with this government. It is a serious issue, and Mr Batchelor was saying that it was being politicised – it simply is not being politicised. It is a very significant issue that the Parliament be able to do its work, especially this house. We are a house of review, and we need to understand exactly what the intentions of government are and what the legislation requirements will be for Victorians, and part of that is understanding what mechanisms the government has put in place through various elements.

That is why the requests for documents through the parliamentary process of this chamber occur. It happens through parliaments across the country, and Mr Davis in the original motion highlighted that very significantly. He spoke about that. There is nothing wrong with this. In the case of the Albury Wodonga Health documents we are seeking, the New South Wales government released theirs and they did that within two weeks. Those are important documents that my colleague Ms Lovell has requested time and time again, and still we have got nothing.

I am moving an amendment, and I would like that to be circulated if I may. I know that it has already been provided to the crossbench and to members of government electronically, prior to this debate, so for Mr Batchelor to say that it was not provided is completely wrong. The government did have a copy of the amendment. I move:

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

- (1) notes the failure of the Leader of the Government to comply with a number of resolutions of the Council requiring the Leader of the Government to table specified documents in the Legislative Council by particular dates, and further notes that orders for the following have not been complied with:
 - (a) Hydrogen Energy Supply Chain project, on 22 March 2023;
 - (b) gas and electricity supplies, on 15 November 2023;
 - (c) redevelopment of high-rise public housing sites, on 15 November 2023;
 - (d) kangaroo harvest management plan, on 29 November 2023;
 - (e) Commonwealth infrastructure review, on 29 November 2023;
 - (f) Port of Hastings application for offshore wind turbine facilities, on 7 February 2024;
 - (g) Better Regulation Victoria’s review of Victoria’s approach to illicit tobacco regulation, on 7 February 2024;
 - (h) medically supervised injecting room in Melbourne’s CBD, on 21 February 2024, paragraph 2(b);
- (2) affirms the privileges, immunities and powers conferred on the Council pursuant to section 19 of the Constitution Act 1975 and the power to make standing orders under section 43 of that act;

- (3) affirms the right of the Council to require the production of documents;
- (4) believes that the Leader of the Government's failure to comply with the orders in paragraph (1) is unacceptable and disrespectful of the Legislative Council;
- (5) requires the Leader of the Government to table in the Council, by 12 noon on 14 May 2024, the documents ordered by the Council in the motions identified in paragraphs (1)(a) to (h); and
- (6) permits that if the Leader of the Government has not complied with standing order 10.01 in relation to all the documents listed in paragraph (1) within the time frame specified in paragraph (5), the Council will, at the conclusion of formal business on Tuesday 14 May 2024 – or if formal business does not occur that day, at the conclusion of formal business on the next sitting day – give precedence for a non-government member to move, without leave, "That this house suspends the Leader of the Government from the service of the Council for the remainder of today and for the next two subsequent sitting days".

I say again: these amendments are in line with the expectations of the Victorian public, who want greater transparency in relation to the government. Yes, the government has released some of these documents, but not all. That is why we are putting it on the record to have them back in and giving the government a further two weeks to comply with the will of the house. I would urge all members to support the amendment to the motion.

Michael GALEA (South-Eastern Metropolitan) (14:20): I rise today to speak on the motion put forward by Mr Davis and indeed on the amendment just put forward in this place by Ms Crozier as well. This is a motion that, in its original form, was extreme. It is a motion that in its amended form is also extreme. Nevertheless, despite the various and capricious changes of mind that the opposition have had in the various amendments they have put through – this being, I believe, the second one they have already put forward on this motion – it ignores, in some cases, outright facts, in particular Ms Crozier's amendment (1)(g), which references Better Regulation Victoria's review of Victoria's approach to illicit tobacco regulation on 7 February 2024. If Ms Crozier was listening at the time, she would have noted that that was one of the documents that was actually tabled this morning. So to support this motion today, aside from anything else, would be to enter into the Council demanding things it has already received.

I think at the outset as well it is important in declaring this to be such an extreme motion to outline why. My colleague Mr Batchelor in the final moments of his contribution entered into a discussion of what it means to have a minister of the Crown absent from the Parliament for several days. Whether it is one day, several days or even longer, to have a minister absent and not able to respond to the Parliament and not able to be accountable to the Parliament in question time or in various other forums is a significant thing, and it is a significant loss of accountability that this Parliament would be imposing on itself, particularly when that minister is both the Attorney-General and the Leader of the Government in this place.

Beyond that, it would also of course be extreme because it is depriving the people of Northern Victoria of one of their elected representatives being able to represent them in this place, as we are all elected to do. 132,000 people voted for the Attorney-General in the Northern Victoria Region at the last state election, and to put this up today and to kick her out of the house is to say that their voices do not count. Two weeks ago we had a regional sitting of this Parliament in Northern Victoria, in Echuca. We heard ad nauseam in fact, time after time after time, another member for Northern Victoria, Ms Lovell, get up and say how important it was for us to be up there – she reminded us that it was her motion that took us up there – and how important it was that we listened to the needs of Northern Victoria. What this motion seeks to do, if it is brought into effect, is to suspend one of their members and to reduce the voice of that region in this place and also reduce the voice of the single government representative of the Legislative Council for Northern Victoria. That is the government representative for the seats of Eildon, Euroa, Shepparton, Ovens Valley, Benambra, Murray Plains and Mildura. What this motion says is that none of those constituencies would get to have their government representative having a voice in this place. That is why I say this is an extreme motion. If those opposite are serious about listening to the needs of regional Victoria, if they are serious about listening to the

needs of places such as Echuca, where, as they would have had us believe last week, they were insisting that we must be listening more, then they would not expel or suspend one of its members.

In relation to the various documents motions, aside from what I have already covered in relation to (1)(g), I think it is important from the outset to say that we do support the appropriate accountability and the role of this Council in providing documents. To touch again on my colleague Mr Batchelor's remarks in regard to the Egan case, you could very easily find yourself on a happy minefield, a happy little rabbit hole – perhaps not so happy – and spend hours and hours looking into the formation of executive privilege and its concept as it applies to the role and rights of the houses of Parliament to compel production of those documents in the state of Victoria going all the way back indeed to the constitution, which makes reference to the House of Commons standing orders on 21 July 1855, in fact, as the first basis for the rights and privileges of this place – standing orders which refer to Crown privilege. But notwithstanding any of that, it is important to note again that in the Egan case in New South Wales we had highlighted what is reasonably necessary for the house to compel – it should be able to do so – and this is a government that is endeavouring as much as it can to act in accordance with that and to act in good faith with this place and provide documents as it can.

I do note we have had a number of reports tabled today and a number of documents that had been requested tabled today, including the Ken Lay report, which was requested by I believe Mr Ettershank in his motion, as well as a report on illicit tobacco which was requested by Mr Limbrick into this place and supported by this chamber. Those reports have been provided. There has been further detail provided on additional requests, including with regard to housing towers. That was a motion put forward by Dr Ratnam, and it was noted that the current broad nature of that motion would take in around 200,000 documents, requiring approximately four years to work through and \$2 million in legal fees to produce. It cannot just be a case of 'Here are 200,000 documents; you can just have them.' There is appropriate work that needs to be done in assessing the legal privilege of those documents, and that is why in that case that would be such a costly and lengthy process.

In saying this, we are not saying to the house that 200,000 documents is unreasonable – do not ask for it. I note repeated comments from the Attorney-General and others from this side who have put to the crossbench and the opposition as well, where there is a matter such as this, 'Talk to us; let's work through an arrangement.' I believe that is actually what happened with Mr Limbrick's documents in relation to illicit tobacco, from what I understand. I do note with some optimism Dr Mansfield's comments that those in that part of the crossbench, in the Greens, are prepared to do that and have those conversations, because I think we can agree that, again, as Mr Batchelor said, 200,000 documents which may involve various perfunctory emails are not going to be the sorts of documents that members would be seeking out of these resolutions in the first place. So what I encourage all members to do, including from the crossbench in particular, is work to get to best outcome in terms of those documents for you as well – and again noting offers made by the government, including in particular by Attorney-General Symes, to provide that support as well.

I said at the outset this is a motion which was and is extreme. It very much is extreme, and putting it back by two weeks does not change that. It is still a very severe thing to be suspending any member of this place. It is particularly galling coming from those opposite in light of what we very much know to be their record when they were last in government, when 50 per cent of documents motions were completely ignored and when 1174 questions on notice were also completely unanswered. In closing, as I say, these are extreme measures which are unwarranted in this situation, and I say to all members of this place: if you do not support the suspending of a member from this chamber, do not support this motion.

David ETTERS HANK (Western Metropolitan) (14:29): I rise to make a brief contribution on the motion and the amendment before the chamber. As members of Parliament we have an enormous privilege in serving the communities that we represent. We have a responsibility to ensure that democratic principles are maintained. We have a responsibility to protect the accountability and the transparency that are implicit tenets within our democracy. This motion is about the provision of

documents. It is also about holding the executive accountable to Parliament and the communities that we all represent.

We acknowledge that the government has released some of the documents requested across various documents motions. We also acknowledge that some of these motions seek to capture a large and possibly excessive amount of information and that the work required to be undertaken by departmental staff and the government itself to respond to these documents motions is no doubt time consuming and onerous. To that end we would be pleased to discuss with the government how future documents requests could be most efficiently and efficaciously processed. That said, it is more than a year since the first of these documents requests was made. The government could have chosen at any point to open a dialogue with the crossbench about the nature or the extent and establish some priorities for the release of some or all of the documents. But the government has chosen not to, and we are only having this debate because the government has done nothing other than send out the same old letters, which exclude the totality of the documents being requested and make no attempts to open a dialogue.

It is hard to fathom why it took, for example, the government almost 12 months to release the Lay report into the supervised injecting service trial in the CBD or why they chose to hide it for so long. In reference to that motion, I remind the government that we actually requested other documents in relation to the Lay report that have still not been produced. The documents requested do not, I believe, require a great deal of work to compile, and notwithstanding the government's announcements last week in response to the report, we still require the government to release them. I would also appreciate it if the government could clarify if they are continuing to claim executive privilege over this second tranche of documents that was requested with regard to the Lay report or if they are just choosing to continue to ignore the chamber's request.

We are gravely concerned that this government continues to evade documents motions. With the greatest respect to Mr Galea, this is not an extreme resolution. Rather, in giving the government another two weeks to comply with the collective democratic will of this chamber, it is much more like a slap across the face with a wet lettuce leaf. This is not extreme. This is simply trying to defend certain Westminster principles to which supposedly we all have a commitment. We have a moral imperative to ensure this government respects parliamentary process and lives up to its public commitments to accountability and transparency. Accordingly, Legalise Cannabis Victoria will be supporting this motion as amended.

Council divided on amendment:

Ayes (24): Melina Bath, Jeff Bourman, Gaele 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, Georgie Purcell, Samantha Ratnam, Adem Somyurek, 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

Amendment agreed to.

Council divided on amended motion:

Ayes (24): Melina Bath, Jeff Bourman, Gaele 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, Georgie Purcell, Samantha Ratnam, Adem Somyurek, 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.

Members statements

Regional health services

Georgie CROZIER (Southern Metropolitan) (14:46): Next week the Treasurer will be handing down the Victorian budget. We know that it is going to be a horror budget – he has indicated as much. What that means is more taxes by the Allan Labor government, which are going to put more pressure on all Victorians. We have seen today yet another home owners tax, which is not going to do anything to help aspirational Victorians to get into their own home; it is in fact going to do the opposite. But what I am so concerned about is that, because of the dire financial situation that Victoria is in, our hospitals are facing massive deficits. Reports in recent days have indicated just how bad that is. We know in December there was a report of deficits of up to \$1.4 billion, rising to \$3 billion by the end of June. What the government is planning to do is amalgamate our rural and regional hospitals. Those amalgamations across regional Victoria are because the government has got no ability to manage money. It cannot manage our health system, and a result, Victorians are paying a price. It will be a loss of services in those communities, it will be a loss of jobs in those communities and it will be a loss of a local voice. I have been receiving all manner of feedback from concerned Victorians who are directly involved. What they are very concerned about is the lack of consultation by the government and by the department with these communities. The communities do not understand what is happening. They deserve better from the government. As I said, the amalgamations will have a dire impact on the delivery of health services in this state.

Southern Metropolitan Region multicultural communities

Ryan BATCHELOR (Southern Metropolitan) (14:47): Southern Metro is home to a range of vibrant multicultural groups, and I have recently had the privilege of being part of their cultural celebrations. Recently, on behalf of the Premier, I was honoured to attend the Gangaur festival of Rajasthani Kutumb of Victoria, RAJKOV, at the Caulfield Racecourse. Gangaur is a significant religious and cultural festival for the Rajasthani community after the 18 days of Holi. There were some amazing Rajasthani folk artists and singers from overseas who attended, and the event was full of colour and dance. I had the great privilege of being able to host some of the performers here for a tour of Parliament House prior to it.

I also had the privilege of joining the Tamil Club and the Sri Lankan Students Association at Swinburne University for their Puthandu and Avurudu new year celebrations. The event held on campus was a wonderful opportunity to celebrate Tamil tradition and culture, including some fantastic dancing, and to showcase energetic and majestic performances from young leaders in these communities. Organisations like RAJKOV and these student clubs are an important network to support multicultural communities and celebrate and showcase their fantastic culture right here in Victoria.

Duck hunting

Georgie PURCELL (Northern Victoria) (14:49): In question time I asked about the \$10 million that the government are putting in to apparently reform duck shooting. While we might not know much about how it is going to work, I think I have a bit of an idea of how they are going to pay for it. As many of you know, I got banned from the wetlands on the opening weekend of the duck-shooting season. But the Game Management Authority were not happy with just that – they did not stop there. On the weekend I stopped by my mailbox, and I had a fine of \$1154. That is the price for attempting to rescue maimed birds illegally shot and left to die by shooters in this state. What else have we seen from the GMA? They are banning rescuers who have gun licences. In fact they rocked up to a duck

rescuer's place of work as she was vaccinating patients. We have seen GMA officers failing to show ID and rocking up without uniform, wearing half balaclavas, intimidating rescuers. Meanwhile, we continue to see duck shooters illegally shoot threatened and protected species. They are flashing themselves to rescuers. But the GMA are on one about duck rescuers, and that is why banning notices are seven times higher than they were this time last year. It is all orchestrated by a man named Grant Allan, and in my office we are saying he is the smallest man to ever live.

Western Victoria Region health services

Bev McARTHUR (Western Victoria) (14:50): I am sure you are all aware that I am the happy recipient of a totally new knee – nothing remarkable, you might say. But what I want to report on is the exceptional treatment and care I received at the St John of God hospital in Geelong. I want to take this opportunity to thank the nursing, cleaning, reception, catering and physio staff of the hospital, who all provided care in the most professional, respectful and friendly manner possible. I would particularly like to pay tribute to my surgeon Mr Ben Miller, his assistant surgeon and my anaesthetist. Their amazing attention to detailed options and surgery process was refreshing and most appreciated, and I am very pleased to report that Ben's handiwork is progressing without issue. I would also like to say how fortunate we are in Victoria, and in particular Western Victoria Region, to have doctors of Ben Miller's skill set and health facilities of the calibre of St John of God to service our health needs, and I am particularly grateful for their wonderful attention to detail. I was able to help a couple of constituents while I was on my bed, so I did not waste any time. I kept going, and the knee is going very well. It is in good kicking order.

Inquiry into climate resilience

Katherine COPSEY (Southern Metropolitan) (14:52): In the summer just before COVID much of eastern Australia was on fire. Everyone remembers how heat and smoke blanketed much of our state, making it difficult to breathe and with no way to escape the impacts. And then Victoria swung from bushfires to flash flooding in the space of 24 hours. The summer just finished came late, but it was hot. How many of our constituents wondered how to get through the day or how to sleep at night in a home with inadequate ventilation, no insulation and no cooling? We know that extreme heat kills people every year. It also disrupts our train systems and it melts our roads. Floods, fires, heatwaves and other climate disasters will be more frequent and intense, and we need to do more to prepare for them.

In Echuca for our regional sitting we all had the opportunity to contemplate the impact of climate-fuelled disasters on communities and the long tail of recovery. It is part of why the Greens proposed a parliamentary inquiry into how prepared we are for climate disasters. What are the barriers to upgrading our homes and infrastructure to withstand these impacts? What more could be done to protect Victorians from heat, smoke, climate-related disease, food, fire and other climate disasters? I and I am sure other members will encourage people to participate in a climate resilience inquiry. Please hop onto the Parliament website and submit your ideas for how we can prepare for the future.

Anzac Day

Renee HEATH (Eastern Victoria) (14:53): I was privileged to attend Anzac Day ceremonies in both Pakenham and Wonthaggi. We live in the best nation on earth, but sometimes I worry that we forget that. On Anzac Day I met an incredible man, Eddy Boas, a Jew from Holland who survived the Holocaust. He shared how he and his immediate family survived when all of their extended family were murdered. He grew up without a single uncle, aunt, grandparent or cousin, something I just cannot imagine. He survived because his dad was given the job of looking after horses. He said that the Nazis cared a heck of a lot more for horses than they did for Jews, so his family was able to survive on the horse scraps. This man spoke with incredible gratitude for Australia and those that fought for our freedom. He put into perspective how much we have to be grateful for, and he reminded us that freedom is not free; it comes at a great cost. It reminded me of the danger of the hate that we are currently seeing on our streets, hate that just does not belong here. So I am thankful for all the amazing

men and women who have fought for our country and those that still do. May we love and value it, may we reject hate and may we always remain free.

Gendered violence

Samantha RATNAM (Northern Metropolitan) (14:55): Thirty-two – that is the number of Australian women killed already in 2024, and it is only the end of April. Gendered violence and family violence are killing us. We cannot wait until that deadly count reaches one every day or even more before we do more to end violence against women. This week we have heard pleas from the community to treat this as the emergency that it is. Thousands of people marched across the country in national rallies against violence. It is sad to think that we have to march for our basic rights to safety in our homes and on the streets, but here is where we are. To all those rallying: we hear you and we are with you.

There are things we can do right now, and we must get on with them. In Victoria this begins with the Allan Labor government not allowing vital funding to the family violence sector to lapse in the upcoming budget. Premier Allan must maintain the \$15 million in funding the sector is at risk of losing in the upcoming budget. Premier Allan must build more public homes urgently. Women are living in refuges for up to eight months because there is no housing to go to after they flee violence. Women and children are being housed in motels and hotels because there are not enough refuge beds. We need to fund culturally responsive women's refuges and fund grassroots community organisations.

Family and gendered violence is, at its core, based in gender inequality and attitudes towards women. Disrespectful relationships thrive in silence, fear and shame. If any politician wants to be taken seriously on addressing the family violence crisis, they need to commit to all of this and more. No more platitudes, no more hand-wringing: fund services and fund housing now.

Anzac Day

Ann-Marie HERMANS (South-Eastern Metropolitan) (14:56): On Anzac Day I had the privilege of attending the stately dawn service in Frankston and the morning memorial service in Frankston, and I thank the Frankston RSL and service men and women for a beautiful, moving time of remembering and reflecting. I also attended the memorial service in Endeavour Hills, which reminded us of those who died as prisoners of war. To all who attended services and to all who paid the price for our country in various capacities to maintain our freedom, thank you. Lest we forget.

Sikh Volunteers Australia

Ann-Marie HERMANS (South-Eastern Metropolitan) (14:57): The Sikh Volunteers Australia Vaisakhi celebrations marked the 10th anniversary of their organisation, and it was wonderful to be able to attend. They delivered 900 meals during COVID lockdowns. They went to the public housing towers, as many of us know. We just want to thank them for their many efforts, and they thanked many volunteers in the community as well. It was a wonderful event.

Vietnamese community

Ann-Marie HERMANS (South-Eastern Metropolitan) (14:57): The City of Greater Dandenong is the second-largest Vietnamese community in Victoria, with 17,653 people. I had the privilege of speaking at the Vietnamese flag-raising ceremony in Dandenong recently, reflecting on the importance of remembering the cost of standing up for our personal freedoms and celebrating the brave stories of our beautiful Vietnamese Victorians who migrated, as refugees many of them, during the Liberal Fraser government's multiracial migration and refugee policy, which opened the doors to over 80,000 Vietnamese into Australia.

Nepalese New Year

Trung LUU (Western Metropolitan) (14:58): The Nepalese New Year 2081 fell in the middle of April this year. To the Nepalese community it is a deeply religious festival with various religious

rituals with the hope of blessings for the New Year. In Nepal the community welcome the New Year with colourful decorations in both public and private buildings, street dancing, parades, traditional games, sports, activities, youth pageants and contests. In temples across Nepal people gather for prayers and worship and give food to the gods, while the faithful circle the temples clockwise and ring the bells as they go. So it was a great privilege for me to be invited to open the fourth Nepalese Association of Victoria's multicultural soccer tournament in Coolaroo. The tournament had 12 different ethnic communities participating. I want to thank and congratulate Prem Raj Upreti, the president, and Alok Paudel, the secretary of the Nepalese Association of Victoria committee, for sharing and promoting inclusiveness and equality in our multicultural communities in Victoria, embodying the spirit of harmony through soccer. Following that, the next day, I and my colleague Evan Mulholland, a member for Northern Metropolitan Region, attended a festival to celebrate the Nepalese New Year in Brunswick organised by the Far Western Nepalese Society of Victoria. I want to say thank you to Naresh Rawal and Deep Chand for organising and sharing the evening. I wish the Nepalese community a very happy and fruitful new year 2081.

Land tax

David DAVIS (Southern Metropolitan) (15:00): I want today to draw the chamber's attention to Labor's big fat new housing tax. I mean, this is another killer on housing affordability. The truth is the government, desperate for money at every turn, is now putting a new tax on. This will be the 55th new or expanded tax since Labor came to government in 2014, and the overwhelming run of these taxes has gone onto property, onto development, onto construction and onto new homes, which hits young families that are seeking to buy their first home. This will add to the cost of houses and make housing much less affordable. This new tax is Labor to its bootstraps. It is a tax that zeros in and hits the most vulnerable, hurts the most vulnerable and makes it more difficult for people to buy a home. I have to say this is a shocker – another big fat new Labor tax on housing and a big fat new Labor tax on those in the community who are home owners and those who would seek to be home owners. Many will now never get to own their own home because of this big fat new Labor tax that is being put in place, the 55th new and expanded tax since Daniel Andrews came to government in 2014.

Business of the house

Notices of motion

Harriet SHING (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (15:01): I move:

That the consideration of notices of motion, government business, 241 to 372, be postponed until later this day.

Motion agreed to.

Bills

Energy and Public Land Legislation Amendment (Enabling Offshore Wind Energy) Bill 2024

Second reading

Debate resumed on motion of Harriet Shing:

That the bill be now read a second time.

David DAVIS (Southern Metropolitan) (15:02): I am pleased to rise and make a contribution on the Energy and Public Land Legislation Amendment (Enabling Offshore Wind Energy) Bill 2024. The state government's offshore wind energy program is in chaos. Its program to build offshore wind has been dealt a fundamental setback with the decision of federal Minister Tanya Plibersek to ban – to block – the Port of Hastings development that would have enabled the assembly of offshore wind machinery and appliances. These are very large and it is now not clear where they will be assembled, it is not clear where they will be made and it is not clear how the government will bring them to market.

The federal government – and I think there is context here I should provide – obviously has a support for offshore wind, as does the state government. We saw the passage of targets by the state government, targets that look to be in tatters, but the federal government has obviously got a process which sets out the various offshore wind areas where it will grant permits. So to be clear to the chamber: the federal government grants permits outside 3 miles, and that is the theory that this operates on. This bill sets up a regime for the state government to grant permits within 3 miles and onshore that provide for the movement of power, the support of equipment and building and so forth and the servicing of offshore wind in a range of different places.

What I say very clearly here is that the state government has got a lot of this wrong. The state government is heading in the wrong direction. We know that the state government's energy approach is in serious trouble. This is known widely and the Minister for Energy and Resources, Lily D'Ambrosio, is regarded as a laughing-stock around the countryside, whether it be in this state or in other states around Australia. Just be clear here, this regime – and I will just step through some of the minor details here – the state government says, is updating a number of acts relating to land to include offshore wind. The bill will allow for offshore wind developers to obtain tenure over public land for the purpose of assessing the feasibility of construction and design to provide certainty, it claims, to the industry. For the actual transmission of offshore energy to the Victorian grid, a subsequent easement arrangement over public land would be required to be entered into. There is a parallel bill which we will deal with later in the week, the National Electricity (Victoria) Amendment (VicGrid) Bill 2024, which seeks to give the state government enormous new powers.

The purpose of the bill: it seeks to amend the Land Act 1958, the Crown Land (Reserves) Act 1978 and the Forests Act 1958 to enable licences over public land to be granted for up to 21 years for the purpose of assessing the feasibility of constructing offshore wind energy generation; to include offshore wind energy generation companies within the scope of certain provisions of the National Parks Act 1975; and to amend the Electricity Industry Act 2000 to enable the minister to declare persons to be offshore wind energy generation companies and for other purposes.

No-one is opposed to a significant role for offshore wind, but it has got to be done in conjunction with local communities, it has got to be done in a way that recognises significant landscapes and significant seascapes and it has got to be done in a way that actually is cost effective and in a way that actually recognises that offshore wind is just one component of the energy mix that we have going forward.

Tom McIntosh interjected.

David DAVIS: You agree with this; that is good to hear. I am deeply worried about where the other parts of the energy mix are heading. We know that coal generation is suffering really significant challenges and we know that the government is going to close coal generation very shortly, but it has not yet got the baseload power that will actually replace it properly. We know that the state government has an ideological opposition to gas, and particularly the minister, who runs around calling it fossil gas wherever she goes. The minister has not yet fully faced up to the fact that natural gas is going to play a transition role at a minimum.

Tom McIntosh interjected.

David DAVIS: I will tell you where you are going to get it from. More onshore conventional gas exploration is required – and you have not given any permits for that. More than that, 10 years in power, and you have blocked it all the way through. But leaving that aside, we also will need import terminals to fill some of the holes; there is no question that that is where it is going to be.

Tom McIntosh interjected.

David DAVIS: Well, you are in government, mate. After the 10 years that you have been in government you have left the state in a terrible position, where the baseload power is not going to be there and the minister in her silly, ideological opposition to gas is actually making the problem worse.

She has been the minister all the way through. She can take responsibility. Daniel Andrews can take responsibility, and Jacinta Allan can take responsibility. They have mucked up Victoria's energy future badly. That is why firms are leaving; businesses are leaving hand over fist. I mean, the Seeley example from Wodonga is just a shocking example. A very much respected manufacturer has indicated it is out of the state. That is a bad outcome. Then we start to look at groups like Qenos, which has got a central role in plastics manufacturing here. To be clear, gas is important for plastics manufacturing in two ways: as a feedstock and as an energy source. There are many manufacturing processes that require gas. The minister has not faced these facts. The minister has got her ideological blinkers on. Everything she does is ideological. Everything she does is focused on her ideological outcomes, no matter what the practical, real-world outcomes are.

Tom McIntosh: What about you lot? You hate renewables.

David DAVIS: I do not; I actually quite like renewables. I see they have got a significant future in the state, but they have got to be supported properly, and they have got to be implemented in a way that retains the social licence. You cannot just crunch these renewables into place. We will discuss tomorrow VC261, the planning amendment that crunches and rolls over local communities, hits councils and strips away local community powers. Minister Kilkenny has taken to herself all power. She does not even, under that amendment, need to consult. She can do whatever she likes. She can wake up in the middle of the night and strip away a local community's right to consultation and just hand a permit over with the stroke of a pen – no process, no consultation, no democracy and instead of that a heavy-handed jackboot. That is what we are seeing with this government: jackboots going across the land imposing the government's will on communities without proper consultation.

The problem with this bill is that it has not been thought through properly. We understand, given where the federal government is, there has got to be some recognition of a process to license and to facilitate offshore wind. We get that, but we do think that there are serious problems in where the state government is going.

I want to distribute our amendments, which will seek to strengthen the consultation process. We know that the consultation process with all of these energy processes has been inadequate. If I could have those amendments distributed now, that would be much appreciated.

Amendments circulated pursuant to standing orders.

David DAVIS: The amendments fall into two key components. The first one – I will deal with the simplest one – is to set up a fit and proper person test for those who would be given these licences. We think that that is a baseline. We think it is a very modest requirement, and we think that that is an amendment that is worthy of support. It might be that the federal government gives permits and licences, but the state government in the end is responsible for what is done in its zone – the 3 miles inwards – and on land and in parks and so forth, and in those circumstances we need to make sure that the persons who have those licences actually are fit and proper people – or firms as it were. In that circumstance that is why we are moving these amendments. What we do not want is to wake up in five or 10 years time and find the state government has given permits to firms that are fly-by-nighters, firms that are not robust enough or are not capitalised properly. There are legitimate questions that we can raise here, and that is why we think this is a very baseline requirement.

The second part of the amendments relates to the requirement for local consultation. This amends clauses 8, 12 and 15 and inserts a requirement that before granting a licence the person who grants the licence, the minister, must be satisfied that adequate consultation has been undertaken with the local community regarding the proposed licence – again we think this is very modest – and that a statement about that consultation will need to be published by the minister on the relevant website. These are again very basic requirements.

We know the government has been riding roughshod over local communities. I have met the people, Mrs McArthur knows many of these people and Ms Bath knows many of these people who have been

very unhappy about the way the government has treated their communities with respect to powerlines and other renewable projects. The government has been arrogant, it has been overbearing, it has not been consultative, and we need to send a very clear message to the Allan Labor government and to Minister D'Ambrosio that if you want to roll renewables out you need to do it with social licence. You need to do it with the support of local communities, you need to involve local communities from the start to the end and you need to make sure that local communities are able to have their say and that the outcomes are tailored to those communities.

I have to say that it is outrageous the way the government has behaved across a whole series of projects across the state. We will have more to say when it comes to the National Electricity (Victoria) Amendment (VicGrid) Bill 2024 later in the week, which deals with many of the same issues, but this bill is a more confined bill. It deals with offshore wind, it deals with permits, it deals with access to public land and it deals with facilitating the state side of an offshore wind industry. We are not opposed per se in any way, but we are opposed to the government's behaviour and its attitude and its arrogant approach to local communities. That is why we are moving these amendments. That is why we want to seek a better way forward with these points. I also just want to return to issues around the assembly of offshore wind. It is still not clear where and how the state government will assemble offshore wind facilities – it is just not at all clear.

Members interjecting.

David DAVIS: I have not been in government for 10 years, let me be clear. I have not had the resources of government. I have not had the tall towers with thousands of bureaucrats working day and night on these issues, only to botch them at every turn. It is your government that has been there for 10 years. You have had the tall towers of bureaucrats lit up like Christmas trees, working day and night and actually botching everything they touch. It is not us who have been botching.

It is interesting to look here at the Australian Energy Council – it breaks down some of the points about the Port of Hastings. The renewable terminal:

... is a proposal to build a facility within Mornington's Port of Hastings that would serve as a base of operations for the assembly ...

I will just step back through the concept of the proposal. Why did the federal government get involved? They talk about the Environment Protection and Biodiversity Conservation Act 1999 and the requirements there – the bilateral agreements. I note the importance of the Ramsar agreement signed in Iran in 1971 by the Gorton government; it was a Liberal government initiative, the Ramsar convention, which deals with migratory birds across the world. Obviously every one of those migratory birds moves through more than one jurisdiction, so you need these international arrangements. But in this case, the federal government under the EPBC act made a series of assessments.

The Hastings area and Western Port is an internationally recognised biosphere. For some reason, this did not occur to the state government. Really? Everyone who knows anything about Western Port knows this fact. You have got Ramsar-listed wetlands through large parts of Western Port, but it did not seem to register in the minister's mind that this could trigger an action under the EPBC act which would deny her access. It did not seem to click. Is it a disjunction, a disconnect, a lack of understanding, or is it an overriding, overweening arrogance from this government that they are going to sweep aside everything? I invite people to go and see the video from before the election, as Melissa Horne speaks and Lily D'Ambrosio speaks.

Melina Bath interjected.

David DAVIS: Have you seen that? Well, they were moving ahead – there was nothing to stop it. It was all fantastic.

Tom McIntosh: You sound delighted, Mr Davis.

David DAVIS: Well, I am pointing out that this is not how it turned out; this is not how it ended. Those early videos of D'Ambrosio and Melissa Horne out there spruiking what they were going to do at the Port of Hastings now look very, very limp – they look very limp indeed. You would have to say that this does not look good at all.

This document goes on:

The Victorian Government does not have many options for overturning this decision. The Port of Hastings ... can submit an amended project that mitigates the “clearly unacceptable” risks ...

The political community know I am no particular friend of Tanya Plibersek, having had a huge fight with her in 2012–13 and forced her to return \$107 million she wrenched out of Victoria. She is no particular friend of Victoria, but she did say there was a clearly unacceptable risk to biodiversity identified in the federal government's ruling. Is it impossible to rejig this – who would know?

The project would still need to go through Victoria's Environment Effects Statement consultation, which takes some time.

I have no doubt that Sonya Kilkenny would just wave aside a lot of the rules on that, although it was interesting to watch Jacinta Allan try to talk her way through what would happen with an environment effects statement. It was clear at the press conference she was not briefed or did not understand that there would have to be an EES in Victoria. And you have got the federal government making decisions under the EPBC act and then Victoria clearly needing to do a proper EES process.

The document goes on:

Either way, it is likely to prove a thorn in the side of governments looking to accelerate the energy transition.

So this is incompetence; it is a state government that has botched the processes. They have had years – they have been in power for 10 years. It is their fault, their mistake, Lily's – I was going to use a word I cannot use, it would be unparliamentary – blunders.

Here we go:

For those jurisdictions with government-led transitions (notably Queensland's Energy and Jobs ... Western Australia ... and Victoria's State Electricity Commission), they will need to navigate the likelihood that government-owned projects that trigger the EPBC Act will probably not be eligible for single-touch approval, contributing to longer and duplicative assessments.

That is absolutely right. The state government needs to understand this. The conclusion in this sensible document talks about the Star of the South, which is the most advanced of them, and I pay tribute to the work that those firms have done.

The Federal Government's ruling against the Victorian Renewable Energy Terminal could prove to be a complete anomaly. Previous projects in Westport Bay had been rejected on environmental grounds, so for some this decision was no surprise.

Either way, the decision has shed light on the complicated and lengthy assessment processes projects must go through before construction can even begin. For Victoria, recent decisions to re-establish the State Electricity Commission and invest in offshore wind have, in some ways, had the unintended effect of putting control of their energy transition in the hands of the Federal Environment Minister.

On the SEC, we will have more to say about that when the SEC bill comes back to the chamber.

A member interjected.

David DAVIS: No doubt the government will bring it back, but it is clearly another mistake of the government's, another set of blunders. It is not clear what it is doing. I see they have appointed a board now, after some people fled the earlier interim board and did not believe it was suitable. But now a new board has been appointed; it is not clear how it is going to operate.

One thing I should say is that the question of competitive neutrality is going to become more important. Does the government intend to use the SEC as leverage and as a privileged player in the marketplace

for their purposes of expanding state control? Let me give you a way that this could well occur: the state government might decide – in fact I predict they will decide – that all government agencies and bodies will park their business with the SEC. This would be a significant breach of the competitive neutrality rules. It would be a return to a very strange old way of government provision of these services. The question would be then ‘Would the government go even further?’ as we hear rumbles around the countryside that they will then require anyone who tenders for government services to park their electricity business with the SEC, thereby scooping up another huge share of the market, as a retailer as it were, as a provider, but with huge leverage back down the supply chain to the distributors and to the energy generators. Is that what the government is proposing to do with the SEC? Well, that is an interesting question.

What I can say is I would not trust them to run much given what they have done with offshore wind. The process is delayed; the process is behind time. These processes of getting electricity from renewables to the market, where it is needed, have hit all sorts of obstacles, as we know, and they are obstacles of Daniel Andrews, Jacinta Allan and Lily D’Ambrosio’s own making. It is of their own making. They are their own blunders. They have been in power for 10 years now, and they have had all of this time to plan this transition. Now they are in real trouble, breakneck pressure, and the ability to achieve the transition looks increasingly difficult. But they could have planned this differently. They could have acted earlier, they could have put in place steps much earlier and they could have started with offshore wind a lot earlier. It is all very well to trumpet things far and wide and high and loud, but you have got to do the work. You have got to do the work behind the scenes, you have got to make the project stack up and you have got to get the costs under control. They have not done any of that, and that is where a lot of this comes unstuck.

We can pass a bill today that will set up a regime – an inadequate regime in our view, as we have said; it does not deal with consultation properly, and it does not deal with fit and proper person requirements – to enable offshore wind to have permits for groups onshore and in that 3-mile zone, but that does not mean that the offshore wind construction and the offshore wind deployment will actually happen, and that is what is required. I will be interested when we get into committee for the minister to provide some information about how the government is going to achieve these targets. What is the future of Hastings? Will it be assembling offshore wind? If not in Hastings, where will that occur? Those are questions for the minister when we get to committee. I commend to the house our amendments. As I said, we have tried to provide greater consultation requirements and provide a fit and proper person test.

Jacinta ERMACORA (Western Victoria) (15:27): I am very pleased to be speaking on the Energy and Public Land Legislation Amendment (Enabling Offshore Wind Energy) Bill 2024 and getting down to the business of addressing climate change, preventing climate change and mitigating climate change, which is the work of this government.

Offshore wind is a well-established industry in Europe and in other parts of the world, but here in Australia it is an absolutely brand new industry. Offshore wind farms, just like onshore ones, capture energy and convert it to electricity. Each tower and turbine has a little power station inside, which really looks quite large to me when you climb inside. Wind usually blows more strongly and more consistently offshore – and I have said that in this chamber before – and in doing so it provides an important ingredient to the grid. A little bit like baseload power – not quite, but similar – offshore wind will often compensate when it is not windy onshore.

In Australia the significant bulk of offshore wind farms are going to be in offshore areas in Commonwealth waters. I am not sure if I am speaking on the same bill as what Mr Davis was speaking on, but this bill begins the journey of establishing an accountable regulatory framework for offshore wind in our state so that communities can have their say, so that traditional owners can have their say and to ensure our environment is protected through the assessment process, through the approvals process, through the construction process and through the operation of the energy generators.

This has been an involved and complex process, and I absolutely want to say the opposite to what has already been said about Minister D'Ambrosio. I think she is presiding over a very, very complex transition in an absolutely fantastic way and a very consultative way. The most important priorities that she is focused on are a secure, reliable and affordable energy supply and responding to climate change whilst protecting our environment. Just get your head around that – it is complex. These pieces of legislation represent the steps along the way that facilitate our state's renewable energy future, and the Allan Labor government is responding to the threat of global warming through its commitment to not just meet the Paris agreement but even in some areas go beyond it. We have some of the most ambitious climate targets in the world. These targets are legislated, providing confidence and security for renewable energy investors and operators. Victoria has already reached 38 per cent renewable energy, and this bill assists in the next steps to our target of 95 per cent renewable by 2030, with a goal of net zero emissions by 2045. We are decarbonising at the fastest rate in the country, and since this government was elected in 2014 we have cut emissions by more than any other state. This data shows that the Victorian government is determined to take action on climate change.

We have a plan to ensure secure, affordable and renewable energy for the citizens of this state, and the reformation of the State Electricity Commission is part of that plan. The Allan government is determined to meet the transition challenges already being faced in the private energy sector within this state. The two most significant challenges in the current energy market are an ageing coal-fired power sector and the export of gas resulting in extreme price rises. Privately owned coal energy producers are coming to their natural end of life. This is not a result of government policy, as some would argue. It is the result of the ageing capability of these power stations and the increasing costs associated with the production of coal-fired energy. You only need to read the annual reports of these companies to see that in facing the choice between investing in more coal or renewable technologies, these businesses are choosing renewables. And while private energy companies are rightly focused on profit, the Victorian government is focused on energy security, affordability and environmental sustainability.

Government is about making decisions in the best interests of the people they serve; business is about that – profit and business. That is why the decline of coal-fired energy is being compounded by the gas sector's pivot to international export over local provision – again, chasing the profit margin has resulted in exponential growth of gas exports over the last decade, leading to an increase in the price of gas for consumers. Where gas used to be an affordable and somewhat less polluting resource, it is now more expensive than renewable energy. The Victorian government is committed to intervening in the private energy market where consumer interests are not protected. The government's role is to protect affordability, reliability and the environment.

There is clearly a role for the government. Victoria is Australia's offshore wind leader. We have worked to build strong investment interest and we anticipate another successful multicompetitive auction. This is the context in which the establishment of an offshore wind energy industry is occurring in Victoria. This bill provides a regulatory framework that links infrastructure between Commonwealth waters and the Victorian energy grid. The offshore wind infrastructure passes through the 3 nautical miles of Victorian waters and over government land into the Victorian grid – a regulatory extension lead, if you will. This bill modifies Victorian public land and electricity laws to permit offshore wind projects to conduct site investigation activities for determining the design and placement of connection infrastructure.

The bill provides a clear pathway for offshore wind proponents who have received feasibility licences in Commonwealth waters under the Offshore Electricity Infrastructure Act 2021 to undertake and align related feasibility assessments in Victorian waters and onshore. This will result in better project planning and greater regulatory certainty for proponents, and this is done through allowing the Minister for Energy and Resources to declare a licence under the Offshore Electricity Infrastructure Act 2021, which is Commonwealth, for a declared offshore wind generation company. It also clarifies arrangements under the four main land acts that refer to the agreements with electricity companies for the purposes of construction and operation of new electricity infrastructure. It amends the Land

Act 1958, the Crown Land (Reserves) Act 1978, the Forests Act 1958 and the National Parks Act 1975 to enable activities to be approved on public land relating to the investigation of offshore wind connection assets.

There are many benefits of having an offshore wind sector in Victoria. There are new employment opportunities, jobs, training and new skills. It will create thousands of direct and indirect jobs in the state. The creation of the localisation of these roles is underpinned by Victorian government policy, such as the Local Jobs First Act 2003 and the Local Jobs First policy, which aim to increase the participation of Australian businesses and workers. Victorian workers will benefit through the planning, construction, operations and maintenance phases of offshore wind development. The distinct phases of offshore wind projects will provide a range of opportunities for professionals, engineers and trades. This bill demonstrates the importance of our commitment to TAFE training and, in particular in the south-west of Victoria, the \$5 million South West TAFE renewable energy trade training centre funded by this government last year. That trade training centre will provide training for renewable plumbing and renewable electrical technologies and a whole range of other trades in the renewable space, gearing up for offshore wind.

The operations and maintenance phase offers a considerable opportunity, and we are definitely making sure that that happens. It will certainly have an impact in south-west Victoria. This industry is likely to employ a significant number of workers in both the Warrnambool and Port Fairy communities in construction but also in operation. I recently met with the South West Trades and Labor Council, who passed on to me how pleased they are at the federal government's offshore wind zone and how important it is to create new jobs in the region.

As an article in the Warrnambool *Standard* indicated on 6 March 2024, the federal government's declared offshore wind zone off Warrnambool and Port Fairy:

... would allow for 2.9GW of offshore wind energy – enough to power two million homes or the equivalent to two-and-a-half Portland aluminium smelters which currently uses 10 per cent of the state's electricity.

This impact will lead to a significant number of new jobs in my region. As the *Standard* further indicated:

It would create 1740 jobs during construction and 870 ongoing operation jobs such as engineers, labourers, technicians, operators, riggers, divers, and administrators.

I find it interesting on the other hand that those opposite are trying to sell us the furphy of nuclear power, a solution that would take at least 10 years to achieve at enormous cost and a real potential danger for communities hosting nuclear reactors. I recall John Howard putting forward Portland in the south-west of Victoria as an optimum spot to build a nuclear power reactor. The opposition has not moved on, and federally Peter Dutton continues to call for nuclear rather than getting on board with renewables and what clean energy can do for Australia in a myriad of ways. I have listened to many in my community on nuclear options and have found far more opposition than support. On my website, jacintaermacora.com.au, there is currently a petition to sign in relation to expressing concern about nuclear energy. We must make sure it will not become like France, needing to give thyroid tablets to communities within 200 kilometres of a nuclear reactor. Instead, today the Allan Labor government is moving ahead with offshore wind. This government has committed to policy and regulatory reform to support the development of the offshore wind energy industry to maximise opportunities for Victorians while combating climate change. Victoria is Australia's offshore wind leader. We have worked to build strong investment interest, and we will have a successful multicompetitive auction. The first offshore wind farm will be constructed here, thanks to our ambitious offshore wind targets of at least 2 gigawatts of new capacity by 2032, 4 gigawatts by 2035 and 9 gigawatts by 2040. The Allan Labor government have a clear direction, and we are not shying away from the complexities of regulatory reform and facilitation of an offshore wind energy industry in this state. I absolutely am proud to support this bill.

Bev McARTHUR (Western Victoria) (15:41): Those of us who are sceptical of big government are well used to the economic damage which can be wrought when a government overextends and overspends and as a result needs to overtax. We do not need to look beyond Victoria's past to understand that lesson, and unfortunately it is now being repeated in our present. But the economic damage we are talking about today comes from a different and newer form of government miscalculation, namely interference in the energy market. Once upon a time, believe it or not, we had a functional, effective electricity market which delivered inexpensive energy reliably. It was not so very long ago. It has taken a breathtaking act of self-sabotage to move from there to the situation we face today, where energy costs have risen vastly and yet the security of supply has actually substantially deteriorated. All the indications are that as we continue on the current trajectory, costs will continue to rise and blackouts will continue to become more common.

Of course our energy landscape could not have remained static, but the change that was required should have been evolution, not revolution. Instead of a careful adjustment to incentives and penalties, which would have sent market signals and caused slower, organic development, successive governments have mandated target-driven change at a pace which has completely disrupted the evolution of our generation and transmission systems. Central planning in economics has been rightly discredited in modern economies, and the same is true of energy markets. Even an enlightened, competent government would be unable to design an energy market as efficient as an appropriately regulated but organically evolved free market, and the problem is that we certainly do not have an enlightened, competent government – anything but. The result is that, entirely avoidably, Victoria's energy landscape now includes more expensive and less reliable electricity, with consequences which are beginning to be felt in the wider economy.

At the best of economic times this self-inflicted wound would be damaging, but our state's current financial situation makes matters very much worse. The link between energy and the economy is abundantly clear, as was made clear by a recent survey from the Victorian Chamber of Commerce and Industry and alarming commentary from the chamber's CEO Paul Guerra. The study of more than 500 business members found nearly 90 per cent believe Victoria's planned energy market changes will impact the quality of their output. Two in every three unsurprisingly stated that energy policies were their greatest business concern.

I touched on energy security earlier, and there is bad news here too. The February power outages, which saw 530,000 Victorian premises without power, had a serious impact on business. The survey showed 73 per cent of respondents were forced to close or significantly reduce their operations – three in four. Paul Guerra commented:

We need a plan, and Victorians need to understand how we're going to reach the targets that the state government's put out, which is 95 per cent renewable energy by 2035. Every Victorian needs to understand that the path to net zero is going to be expensive, and it's going to be complicated ...

Absolutely. He also said:

... Victoria should not be out of lock-step with the eastern seaboard, because then we will be more expensive than the other states.

And most tellingly, he said that if the Allan government 'cannot guarantee that the lights remain on in this state, then I can guarantee that many businesses will find places other than Victoria to set up'.

It is not just surveys and comments from leaders. There are concrete consequences already. In my electorate, at Stawell, Advance Bricks & Pavers ended eight decades of operation due to rising gas prices. Just last month the largest gas heating manufacturer in Australia, Seeley International, cut 125 jobs on the Victoria and New South Wales border. Ai Group Victorian director Tim Piper said at the time:

There are also many other businesses in Victoria that have been significantly disadvantaged, probably as many as 3000 jobs affected, and those companies had next to no time given to them to change their businesses to work in with the government mandate.

They are good at mandates, this government – that is what they are good at. Those that are significantly affected are having to decide what to do with their businesses. Some will pivot, but some will not be able to. That is the context for this bill, that and the passage here last month of the Climate Change and Energy Legislation Amendment (Renewable Energy and Storage Targets) Bill 2023, which included a commitment to introduce offshore wind energy targets of not less than 2 gigawatts by 2032, 4 gigawatts by 2035 and 9 gigawatts by 2040. That target has some serious consequences, and this bill is an attempt to address them, a woefully inadequate attempt.

The Department of Environment, Land, Water and Planning offshore wind energy directions paper stated that to achieve the 60 gigawatts of generation needed for the state's 95 per cent renewable energy target using only offshore wind and solar would require up to 70 per cent of Victoria's agricultural land. The government itself says 60 gigawatts of electrical generation will be required for energy decarbonisation, yet the Department of Energy, Environment and Climate Action's own commitment to offshore wind is just 4 gigawatts by 2035 and then 9 gigawatts by 2040. That leaves an enormous gap to 60 gigawatts, one which can only be bridged by a massive increase in onshore wind and solar. What on earth is our agricultural sector, indeed our whole state going to look like then? Where is the social licence for that transformation of Victoria? There is none, and so it is no surprise that this government is pretending the problem can be solved by offshore wind. Unfortunately, it is increasingly apparent that it will not provide the solution.

Some of the reasons for that are beyond the government's immediate control – namely, rising interest rates, which impact hugely on cash flow negative capital-intensive investments like offshore wind, also the huge materials and labour inflation in that sector – but other problems are squarely within the government's control: the disastrous management of the Hastings assembly and installation base in which ministers ignored federal government warnings and ignored their own Infrastructure Victoria report from 2017. The government's predicated price is a fantasy too – \$94 per megawatt hour. How is that plausible when existing energy developments in the US are already costed at well over \$200 per gigawatt hour and the UK's costs have risen to \$140 per gigawatt hour? So fantasy is what they are talking about these days – fantasy, pure fantasy. The federal government's decision to reduce the Southern Ocean wind zone by 80 per cent to avoid whale habitat is also hugely significant. That project will now generate at best 3 gigawatts, down from the originally estimated 14.6 gigawatts, so it is clear that the government's offshore policy, like its energy policy generally, is in chaos.

This bill will do nothing to convince Victorian businesses that the impending energy disaster can be averted. We can only improve what is put in front of us, so while I support the coalition's amendments to ensure greater consultation and ownership by fit and proper persons, what is needed really is a new bill, new ideas on energy, new ministers and frankly a new government.

Tom McINTOSH (Eastern Victoria) (15:51): I am proud to stand today and speak in support of the Energy and Public Land Legislation Amendment (Enabling Offshore Wind Energy) Bill 2024, delivering clean energy, massive international investment into Victoria and thousands upon thousands of jobs. Nine gigawatts here in Victoria means that these jobs will be seen for decades to come, and that is why we are putting in place the targets and supporting the investment and the training to ensure that generations of Victorians get to work in this industry.

The investment alone – in my region of Eastern Victoria we are talking \$40 billion to \$60 billion in renewables and, as I said, thousands of jobs. This is not an accident. This comes from years and years of work to set the framework to enable this to happen. It will bring the competitive investment. It will see, as I have said, a workforce able to depend on this work for a long time to come.

We know that we need to deliver clean energy. I have spoken in this place before about our changing climate, increasing by 0.2 or 0.3 degrees every decade for the last six or seven decades. We are seeing ice melt, and we are seeing record temperatures. Last year we were looking at about 1.5 degrees above the pre-industrial levels of the 1800s. The atmospheric change that sees that moisture trapped into the atmosphere is creating weather events that we are seeing more regularly that are impacting our quality

of life. They are impacting on our farmers, they are impacting us when we go to the grocery store and they are impacting on insurance bills. The insurance bills are continuing to rise, and the real threats, whether it be sea level rise or other impacts of climate change, are either making buildings uninsurable or causing banks to signal that they will not be willing to loan against them.

This is why we are acting. We have identified the science behind the issues, and our values align with dealing with those issues to ensure the quality of life for all Victorians, because that is what being in this place is about. It is about delivering for all Victorians. So to enable those values, we have set our targets. We have our targets of 95 per cent renewable energy by 2035, as Mrs McArthur rightly pointed out in her contribution. This sits in our goal to have net zero emissions by 2045. As Mr Davis pointed out, in our decade of government we have worked our way through energy efficiency. We have taken the low-hanging fruit, energy efficiency, while we set the renewable energy targets that enabled our energy auctions. That was 600 megawatts where, again, competitive bidding to build the energy infrastructure we need has been rolled out.

We have supported home owners through Solar Homes, in energy efficiency, in putting in solar panels and solar hot water units on their homes. Despite the opposition wanting to say that the economics of renewables do not add up, home owners can see that it adds up. That is why they are doing it. It makes financial sense. Who would have thought when you have got a free resource like the sun or the wind, it costs you less to produce energy? It is absolutely mind-boggling. I will come in my contribution to the radical ideology of those opposite and why they cannot accept basic economics and why they cannot accept that renewables are affordable, which is why the community is taking them up. We are already at 40 per cent renewable energy penetration into our grid. We have batteries going into our grid. We have a 6-gigawatt battery target. Again, those opposite will laugh, like they have laughed for the last 2½ decades, but we are getting on with delivering it. Every year more renewables are going into the grid. We will be standing here in a few years to come and we will be hitting 50 per cent, and still they will keep laughing and still they will keep blaming renewables all the way through.

Michael Galea: They don't get it, Mr McIntosh.

Tom McINTOSH: They do not get it. We are supporting various sectors of our economy, whether it is individuals or businesses, we are setting the frameworks and we are putting in place the grants to ensure that we can get to our goal of net zero emissions. Whether it is electric vehicles, which I am sure will bring the laugh – yes, Mrs McArthur is laughing, right on cue.

Bev McArthur: They're going really well. They're running on brown coal, those EV cars.

Tom McINTOSH: Well, Mrs McArthur, I just said more than 40 per cent of the grid is renewables, and it continues to grow. That is why you need to walk and chew gum. You lot cannot even walk without tripping over your own feet and having internal blues. We can walk and chew gum, setting up the infrastructure that Victoria needs now and will need well into the future.

In the region of Eastern Victoria our EV fast-charging infrastructure through Mallacoota, Buchan, Lakes Entrance, Bruthen, Paynesville, Maffra, Heyfield, Foster, Mirboo North, Meeniyan, Leongatha, Korumburra, Loch, Flinders, Rosebud, Portsea, Bairnsdale, Sale and Yarram is supporting people in the community to move to electric vehicles. Those opposite no doubt will sit there and laugh, and they will just watch penetration into the market grow and grow – just like renewables, the same thing will happen. And with the circular economy we are making the investments. Just yesterday Minister for Environment Steve Dimopoulos opened a \$2.5 million recycling plant in Tottenham that turns hard-to-recycle items into concrete material, so we are using it for construction. There are soft plastics. He has done similar things around lithium ion processing for Stawell and Campbellfield – jobs in all of these facilities. In Eastern Victoria we have got Elecsome recycling solar panels. And of course, just on the circular economy, we have got the much-loved recycling program, which has seen 120 million containers recycled, supporting community fundraising and a whole range of other things.

I am really glad that Minister Tierney is here, because Minister Tierney has put the focus on training. When a massive new industry is coming and thousands and thousands of workers are needed, you have to train the industry, and that is exactly what we are doing. Ms Ermacora commented on the investment in western Victoria; it is happening in eastern Victoria. We are investing in our TAFEs, because we fundamentally believe in TAFEs, in training people and in ensuring that they have the skills that our industries want and need. That is a massive part of that. We hear over and over again from industry that they are going to need the workers – they are going to need so many workers to deliver this massive program.

I spoke before about the 9 gigawatts to provide that clean energy and the thousands and thousands of jobs that will come with it, and it all sits within decentralising our power grid, supporting local communities to have more control, more security and cheaper energy. Across Eastern Victoria I talk to communities at the end of the line who do want that energy security when weather events are becoming more severe and more frequent. That is a result of climate change, which is what we are trying to prevent occurring more and more. When their transmission lines are knocked down, they want to have the backup in there. That is why we are getting batteries in. That is why we are getting renewables in. We are ensuring in times of disaster there are hubs the community can go to and, like all the other services, they can get energy, because it is so critical.

Renewables are cheaper. I commented before on how home owners know it is cheaper. Report after report is showing that it is cheaper, and of course those opposite do not want to listen to it. They do not want to hear it. There is so much we are doing on this side. Whether it is looking to decarbonise our transport industry, our energy industry, our agriculture or our waste with the circular economy, everything feeds into it. It sits within our goals. We have the values, we identify the problem and we set the policies in place to achieve our goals, whereas those opposite are radically opposed to renewables. You are ideologically opposed to them in every fibre of your being, and it does not make any sense. The economics do not make sense. With what our communities want and need, it does not make any sense. With what voters tell us and the action they want on climate change, it does not make sense. But as we see with the Liberals, they are more interested in getting preselection from their local branches than they are in representing the economic interests of Victoria or the societal interests of our community when people go to the ballot boxes: 'Don't worry about what voters say. Don't worry about what markets say. Ignore the economics. Ignore the community.' I do not know what Menzies would think if he walked in here, probably about the same as what Dr Bach thought when he walked out of here.

The biggest risk to investment and jobs is the coalition. Make no mistake, the Liberal Party is absolutely the biggest risk that we face to these thousands and thousands of jobs and billions and billions of dollars of investment. They are threatening to rip it all up. It does not matter whether you look at the state or the federal sphere, the same ideological drive has been within their party and within their members for the last 25 years. It is absolutely there. As I said, there are no values, there are no policies and there are no plans. There is no idea. It is just 'No, no, no.' That is why the Liberal Party is not fit to govern in this century. This century we are seeing technological changes occur quicker –

Sonja Terpstra interjected.

Tom McINTOSH: Well, thank you to my colleague for pointing out they are not ever fit to. But particularly as technology is changing quicker and quicker, we cannot afford to have technophobes in government. Whilst on this side, state and federally, we want Australian made, we want security in energy and in manufacturing and we want the security of our economy, those opposite are absolutely against it. Whether it is our new industries of hydrogen and renewables or the tens of thousands of jobs that come with all of this, they are absolutely against it, and they ignore the opportunity.

America is investing half a trillion dollars, Canada is investing and Europe are setting up tariff walls that we will not be able to export our goods through if we do not meet these emission standards. Again, with vehicles coming into this country, you would rather have us sit with Russia and have people pay

more for fuel – one of two countries in the developed world. Seventy-five per cent of cars in the world meet equivalent standards, whether in the US, New Zealand or wherever. You would rather have people pay more for fuel and run scare campaigns, which industry have come out and pushed aside, so the Liberals have been left standing on their own yet again. You would rather do that than see an advance for our society that is for the betterment of everyone. You would rather stand ideologically opposed. The same goes for farmers looking to diversify their income with renewables. I just do not understand why you want to put barriers and red tape between farmers and their ability to produce and export electricity. That is great income for them, but you want to stop it. You prefer to go in and frack the water and the land of farmers than have them export energy.

Coming back to electric vehicles, you would rather import fuel from Russia. You would rather have a fuel, which our businesses and citizens rely on so dramatically to get around, that is at the risk of geopolitics, of price shocks and of money going overseas than have Aussie jobs and Aussie generation keeping money here in this country and in this state. I know it sounds clichéd, but it just points to the continual noalition. ‘No, no, no’ – there is just no plan, and nothing happens. It is like under Baillieu and Napthine. Nothing happened for four years. It does not matter who you speak to, that government stood still and watched others go by.

Sadly for those standing to be the alternative government, the only thing they have got on their plate now is nuclear; that is it. Their party room has gone nuclear; their energy policy has gone nuclear. They have got leaders in this building that are all vying for it. There are ex-leaders, current leaders and future leaders. The one thing they have got in common is their hatred for renewables and their passion for nuclear energy. So, opposition, you want to be in government. Tell us: where do you want the reactors? Where do you want the waste and what is going to happen in the 20-odd years that it takes to build these things? Tell the communities of Anglesea. Tell the communities of Morwell. John Pesutto or whoever the next leader might be, stand up and tell Victorians what you believe in, what you stand for and where you are going to build your nuclear reactors.

Melina BATH (Eastern Victoria) (16:06): I am pleased to rise this afternoon to actually speak on the bill, and the bill is the Energy and Public Land Legislation Amendment (Enabling Offshore Wind Energy) Bill 2024. I could take on the breadth of conversation in relation to this debate that we have heard today, but I want to actually focus on the bill, and this is offshore wind. Some of the diatribe that we have heard from across the benches is just absolutely gobsmacking. I will say it is entertaining in its implausibility of conversation. So let us actually have a look at what this bill before us is doing.

The bill will facilitate offshore wind developers’ obtaining a tenure over public land – let us just look straight at this – to gain access to assess the feasibility of actually constructing the offshore wind turbines and then that transmission through Commonwealth waters, through the 3 nautical miles of state waters, onto the beaches, on public land space and then into and through farms et cetera. That is the nub of this bill. It does change a number of acts – and that was a good act that we heard just before in implausibility conversation. Now, it changes the Land Act 1958, it changes the Crown Land (Reserves) Act 1978, it changes the Forests Act 1958 and it puts those feasibility studies up to 21 years. It changes the National Parks Act 1975, as I said, to allow the logistics and to allow the infrastructure from these wind turbines to go through national parks and to be connected into the grid, and that is a whole other story and another debate that we are going to have shortly on the VicGrid scenario.

The Nationals certainly support an offshore wind industry, and this bill facilitates that. Indeed let us just look at some of the amendments that my colleague, the Honourable David Davis, put up. We will see the passing of this bill, but we also want it to be understood that it needs improvement. We have heard from the former speaker about more control. Well, under this government and its captain’s call, there is less and less control for stakeholders, for prime landholders and for agricultural industry, and we want to ensure that there is more, not less. The phrase that I have heard from many a stakeholder is ‘consultold’ under this Allan government. So we want to ensure that there is that adequate consultation, and there is a mechanism in the first amendment for that.

We also want, in this wind development, to weed out any shysters. What we do not want to see are developers coming in and then not being a fit and proper person as a company, so we want to ensure that. The federal government is issuing those licences, and this government is prepared to accept the federal government's assessment. We want to drill down and have far greater diligence. That will protect not only investment but also hopefully the forward movement of offshore wind facilities. We have heard a lot of discussion about the federals and what we would do and what we would not do; it was like hopscotch to the disaster zone. But I just want to put on record that under the former Nationals and Liberals government between 2013 and 2022 there was a thing called the long-term emissions reduction plan, and their view and their position was something that I highly value and adopt in principle myself. This former Liberals and Nationals federal government looked at technology, not taxes.

Sonja Terpstra: On a point of order, Acting President, I am not sure that the issue Ms Bath is speaking about is actually relevant to the bill, and I ask that the member be relevant to the bill.

Melina BATH: On the point of order, Acting President, we have heard everything from nuclear to cotton socks to – everything. That is not acceptable as a point of order.

The ACTING PRESIDENT (Michael Galea): I understand it has been a broad-ranging debate.

Melina BATH: The other thing that we on this side want to see more is expanding choices, not mandates. We are seeing from this government a gas ban that is a collapsing of people's choice and a collapsing of a fuel supply that is vital in the transition to a mixed economy and a renewable economy. We are seeing a collapsing of this government's proposition in gas. What we also want to see is prices being kept down, and the reliability of power. What we know – and we know that from facts – is that there has been a 25 per cent increase under Labor of electricity prices. We know for a fact from the Essential Services Commission that there has been a 27 per cent increase in wholesale gas prices. What we absolutely cannot afford is for there not to be a time line where we can keep the lights on and reliable energy flowing.

I finally heard someone over there talk about clean hydrogen. That has been absent in so much discussion. We see today that the government is prepared not to put on the table documents about the Hydrogen Energy Supply Chain project as part of the transition to low-emission technologies. We also need ultra low cost solar, we need energy for firming power and we need carbon capture and storage. We also need to have, importantly, a native timber industry – well, this government has trashed that and trashed the jobs and communities with it.

Also looking at land-based wind turbines, there was an inquiry into renewable energy in 2022 and there was a minority report, which I happened to write. One of those minority report recommendations spoke about this government – the Labor government, the Victorian government – adequately addressing community concerns in relation to wind farm technologies prior to there being any land-based developments. We have seen the Strzelecki Community Alliance based in and around the central part of my electorate with over a thousand members. We also saw the Minister for Planning decide that she would call in the permit – call in that wind farm and give it the green tick of approval. We have heard before that there is more choice. Well, there is not. We are actually having our choice being contracted, being denied and being rejected under this government.

Let us look at what is happening in terms of the renewable energy projects – only last month we saw Labor is removing the rights of individuals, of farmers and of community to have third-party complaints heard through VCAT. Labor is banning this appeal in VCAT. What does that mean? Well, you can go off to the Supreme Court. That is denying people rights that have been there for decades, and the cost at a Supreme Court level is astronomical. Here is one case in point where this was really important, and it was not long after I came in. There was going to be an Alberton wind farm, and indeed with that wind farm it ended up being the community versus the wind farm. The government provided a permit, but the community challenged that in VCAT and found that the permit was wanting,

that there was not the proper diligence, that there were going to be homes very close – too close – to turbines, closer than is specified in the act. So it was the case that community won out, and that has been taken away, that process through VCAT.

Let us go to offshore. We also know that the Liberal and National federal government implemented the Offshore Electricity Infrastructure Act in 2021, and it was very supportive of those communications and discussions. If you have ever been to Gippsland, you would understand that it is one of the windiest places in the world. I know that Star of the South assessed the world and found that off of the South Gippsland coast was one of the windiest places. It is important that there is a proper and forensic process through the Commonwealth. We saw as of January that there were once 37 applications for offshore wind, whittled down to six with a permit to have that feasibility licence, and then a few others were asked to revise and submit. Indeed Star of the South has the potential to produce 20 per cent of Victoria's electricity needs and create thousands of jobs.

Apparently, during the election of 2022 the then Premier on 2 March decided to come into this debate. Other than that, if you go and look, the Premier was silent on offshore wind. He must have looked around and he and his multiple media spin doctors went, 'Let's target offshore wind.' I went to a meeting with Star of the South back in 2017 and subsequent others. Now there are others in the mix and they all need to do their due diligence to keep walking forward. Here, the Premier came out and decided it was a good idea. Well, it was already happening.

One of the things we do want to see in any of these investigations or interrogations and the continuity of this development is a rigorous environmental assessment phase. I have been speaking with commercial fishermen in the Gippsland region, and they have a very important industry. If you look at frequent flyer miles and the importance of keeping low emissions, actually harvesting locally and eating locally in a domestic phase is vitally important, yet Australia imports 70 per cent of its commercial fish. So it is all about balance. We need to ensure there is minimal impact on key fishing grounds as these developments go through.

The next thing that we need to assess is where these renewable terminal hubs will be, with the construction of that whole industry and wind turbines out to sea. Premier Allan was certainly blindsided in January when the federal government rejected the proposal to expand the Port of Hastings for environmental reasons. I find it just absurd. Minister D'Ambrosio, at the time that all this was going ahead, surely would have previously had a chat with the federal government. Surely that was the case – but clearly not. The other opportunity here is Port Anthony and Barry Beach. As a Gippslander, with the closure of power stations in the Latrobe Valley, the opportunity for jobs in our region – whether they be servicing in South Gippsland, in Wellington shire, in the Latrobe City Council – these are all important. I noted the other day up in Echuca, when I raised the issue to the Minister for Regional Development and called on her to say how she was going to support regional development, specifically in the Latrobe Valley, she mentioned Shepparton, she mentioned Geelong, she mentioned Wodonga – she was happy to spruik those good places, but she could not bring herself to talk about what this government is going to do in relation to the Latrobe Valley. Shame on her, because this is an area of great need and importance.

I am calling on the government to make sure that it views and supports Barry Beach moving forward and the potential of Qube to look at that. Again I go to the point about environmental standards and making sure that there is low impact. But this government is going to face an energy cliff. Yallourn power station is slated to shut in 2028, and it will remove 1.2 gigawatts of power. Loy Yang A is to shut by 2035. It has a little bit of wriggle room, potentially, with the state government backing it up. That will remove 2.5 gigawatts of electricity. So we have this onshore target of 4 gigawatts by 2035, but if this government cannot get itself together it is just not going to be possible. We know that this government is over budget in so many projects; it is absolutely devastating – \$38 billion worth of projects overrun in the state of Victoria and all of them in Melbourne. We know it cannot manage money. This government has to manage time lines, because Victorians cannot afford to not be able to

pay their bills and have the lights switched off. I support Mr Davis's amendments for this bill before us today.

Ryan BATCHELOR (Southern Metropolitan) (16:21): The Energy and Public Land Legislation Amendment (Enabling Offshore Wind Energy) Bill 2024 is an incredibly important piece of legislation to progress Victoria's exceptionally important offshore wind program. I will spend a little bit of time going through some of the features of the legislation and then seek to contextualise why it is so important to this state's transition of its energy sector as we decarbonise our electricity and energy generation and move towards our significant and ambitious and necessary renewable energy targets here in this state.

The legislation is relatively straightforward. It amends Victorian public land and electricity legislation to allow offshore wind projects to undertake investigatory activities onsite to determine the design and placement of connection infrastructure, which is obviously required to deliver the electricity generated by offshore wind projects should they receive approval in the future. Those will be situated in Commonwealth waters off the coast of the state, but connections are required to connect and link those projects into transmission infrastructure and the grid. The bill, should it become law, will provide a very clear pathway for proponents of offshore wind feasibility licence holders to undertake and align related feasibility assessments in Victoria. Essentially we are complementing the regulatory frameworks the Commonwealth have put in place to govern the prospect of offshore wind in Commonwealth waters to enable a regulatory framework that works in harmony and in synch with that process, to enable that energy to be connected to the Victorian grid. This will be done by empowering the relevant minister to declare a licensee under the Commonwealth legislation to be an offshore wind generation company for the purposes of Victorian law. It also does a range of activities to clarify arrangements under four main land acts that refer to agreements with electricity companies for the purposes of connection and operation of electricity infrastructure in a range of ways. Through this bill we are really introducing the concept of offshore wind into the Victorian energy framework, and I think it is a pretty momentous piece of legislation, even if it is largely one that is about facilitating regulatory frameworks and aligning them.

The importance and symbolism of this legislation is that it is the first step in a new chapter of energy generation in this state, a new chapter of clean energy generation in this state, and it underscores this government's commitment to decarbonising our energy sector and moving the state on a path to clean energy and doing what we can as Victoria and as Victorians to tackle climate change and make the necessary changes across our economy to deal with the realities of our climate changing and the need to ensure that the electricity that we need does not come with significant carbon emissions. This bill, through the important and significant first step in establishing a regulatory framework for offshore wind here in Victoria, will set us on that path. It is just one of a series of measures that the Labor government has undertaken since we were first elected in 2014 that have seen Victoria become an absolute leader in renewable energy in this country, that have seen us streets ahead of other jurisdictions around the country and that have seen us make an impact by generating more of our power every year, every month and every day that we progress on this journey towards a cleaner and more renewable energy sector.

Importantly, the licence regime that this legislation seeks to establish will provide an opportunity for the government to continue to have a guiding and coordinating role in the placement of connection assets so that there is a sense that where there may be various licence-holders under Commonwealth law it provides the capacity for the Victorian government to play a facilitating role in connecting those through to the grid. We hope and we believe that by being an active steward of these measures we will help deal with any of the decisions and any sensitivities that may exist around any of the prospective decisions that need to be taken about where connections need to go, because there will of course, with any sort of development like this, be people who are concerned about a particular site or a particular area. What the legislation before us does is enable that necessary development to occur in such a way

as to be aware of, listening to and engaged with relevant communities, including with relevant traditional owners in the area; the legislation before us will help facilitate that.

In providing a place for offshore wind developments to occur in various parts of land management related energy infrastructure regulatory systems here in the state it is important to note that proponents are still going to obviously be required to meet existing obligations under Victorian law. There is still an important role, particularly for the Minister for Environment or their delegate, in granting licences to have regard to various matters, including whether the granting of this licence would contribute to achieving our renewable or offshore wind targets and other relevant matters that could be related to a range of factors.

What we are seeing here is that the regulatory system that we know we need to have to facilitate offshore wind development here in the state is going to be substantially progressed by this significant piece of legislation that seeks to recognise for the first time in Victorian law the existence, the prospect and the potential of offshore wind development. We know that offshore wind, as has been outlined in a range of policy statements and policy frameworks put out by the government, particularly under the exceptional leadership of the Minister for Energy and Resources, Minister D'Ambrosio, who has been an absolute champion of renewable clean energy in this state, is demonstrating that we can achieve so much as a state with a determined, tenacious approach that is grounded in an absolute understanding that we need to change.

Simply wishing away the problems of our coal-fired power stations and simply wishing away the problems of carbon-intensive energy generation in this state will not achieve change, and we are certainly not fanciful enough to believe that a mirage or a chimera of nuclear energy is in any way a solution to the real challenges that we face as a state – and all jurisdictions face – as the coal-fired power stations upon which we have relied for so long reach the end of their lives. Denying the reality of the problems of our coal-fired power stations will not provide electricity for Victorians in the future. Wishing and hoping that somehow nuclear energy is the solution to the problems is a fanciful idea when the nuclear power stations that people propose – like they have in France – would take longer and cost more than any of the renewable solutions that the government is pursuing and would not be online by the time our coal-fired power stations reach the end of their natural lives. So not only is nuclear more expensive, but it will not fix the problem that we have got. All it will do is saddle Victorians with higher power prices for multiple generations. That is exactly what proponents of nuclear power will do.

Instead, what this government is pursuing is a considered, measured approach that is delivering renewable energy into our mix. As I have said, offshore wind is an incredibly important part of that mix because it provides generation capacity in a way that is not comparable to other forms of onshore wind in particular. That is why it is such an important part of our mix: because it has some different characteristics. As Ms Bath pointed out, it is very windy in Gippsland. Any of us who have walked along a Gippsland beach will know just how much the wind blows in that part of the world. That is why the sites off Gippsland as well as the sites in western Victoria have been identified as particularly important and significant sites for future offshore wind developments – because we have ambitious targets.

Our ambitious offshore wind targets are for at least 2 gigawatts of new capacity by 2032, 4 gigawatts by 2035 and 9 gigawatts by 2040. These targets are the first of their kind in the country, and they are placing Victoria as not only the national leader in the development of offshore wind but also in great international standing. We have become the first subnational jurisdiction in the world to join the Global Offshore Wind Alliance. Testament to the seriousness and the significance of the government's ambition here and the confidence which people have in both our framework and our capacity to deliver is the fact that we have got more than 30 projects that have expressed an interest in Victoria since our targets were announced. International investors are ready to come to Victoria. This legislation sets up part of the framework that is required to enable that interest and investment to become reality in clean energy generation.

To do that we are going to be running a series of multiproject competitive auction processes that are going to kick off in the latter part of this year and go into 2025. We hope to have, as a result of these processes and as outlined in our offshore wind plan, negotiations and the awarding of contracts in a couple of years. What that is going to do is kickstart what is really going to be a significant growth in jobs that is going to come during the construction phase. That is jobs for Victorians, particularly those located near those offshore wind zones in Gippsland and in western Victoria. There are estimates of up to 4000 jobs during the construction phase and 1700 jobs for the operations and maintenance of these new facilities.

We will be establishing local manufacturing capability in Victoria and putting local content requirements as part of our framework so that we can not only build the industry that we need to support this energy generation right here in Victoria but maximise our ability to be the leader in the nation in doing so, so that we can use the expertise that we gain here in Victoria and we can create the jobs for Victorians but also have the capacity and knowledge to export to other jurisdictions around the country. We want Victoria to be an offshore wind hub and an offshore wind jobs hub, and that is exactly what we are going to be doing.

The last thing I want to do just very briefly is talk about where this places Victoria. I have already said we are going to have the most ambitious offshore wind targets in the nation. It is part of our plan; it is part of the action that this Labor government is taking to reduce carbon emissions in our economy. We have already smashed our 2020 emissions target of a 15 to 20 per cent reduction. We achieved a reduction of nearly 30 per cent, and in 2021 we achieved a reduction in our emissions of more than 32 per cent, because this Labor government does not just talk about climate action, we are delivering on it. We have been decarbonising our energy sector at the fastest rate in the country since the government was elected in 2014. We have cut emissions by more than any other state. We have got the strongest climate change legislation. We have got the most ambitious renewable energy targets. We are a leader in climate action, and this bill will cement that leadership.

Sarah MANSFIELD (Western Victoria) (16:36): I rise today to speak on the Energy and Public Land Legislation Amendment (Enabling Offshore Wind Energy) Bill 2024. As the title of the bill suggests and as we have already heard in the chamber today, this bill facilitates the connection of future offshore wind turbines in Commonwealth waters to transmission infrastructure and Victoria's electricity grid.

I would like to echo the sentiments that were expressed by my colleague Dr Tim Read in the other place and at the outset be very clear that in principle the Greens support offshore wind as a part of our transition to a zero-emissions economy. We must put the renewables transition in perspective. While there is commentary that questions different types of renewables, whether we need them and where they go, let us zoom out for a second. 2023 was the hottest year on record. Ocean temperatures reached their highest, and ice coverage in the Antarctic plummeted to a record low. Across Australia communities faced heatwaves, cyclones and extreme weather events, and in Victoria communities were devastated by both fires and floods. Just recently America's National Oceanic and Atmospheric Administration declared a global mass bleaching event for only the fourth time in history. This is unequivocally the result of climate change, which in turn has been driven by the burning of fossil fuels and clearing of forests and vegetation.

Time is no longer on our side; it has in fact long run out. We no longer have a choice but to transition to a zero-emissions economy as fast as possible to limit the worst impacts of climate change. We actually have the tools to do this, and we have had them for a very long time. The reality is Victoria has been too slow to retire coal and prepare for a full transition to a net zero economy. We are still burning 10,000 tonnes of coal a day, and with projects like the hydrogen energy supply chain, which Ms Bath alluded to earlier, the government may plan to continue burning more coal. The HESC has nothing to do with the transition. It is in fact another fossil fuel project that is there to keep coal alive. As Rachel Baxendale recently reported in the *Australian*, Victoria has the dirtiest electricity generation grid in the country, and our coal-fired power stations are emitting as much carbon dioxide as they were

five years ago. On the other hand, a recent report from Nexa Advisory on VNI West stated that the rate at which we are currently delivering new renewable generation in Victoria is insufficient for our transition away from coal.

I was at a meeting the other day with people who have spent their entire lives fighting for climate action. They have been doing this for decades, and they are increasingly despairing. They feel betrayed and abandoned by governments and in fact have all but lost faith that governments can turn this around from this point. Governments have an opportunity to restore their faith, to show people like this that we can do it, and this is why the Greens will continue to push Victoria to go further and faster. It is about time that the Victorian government introduced legislation to do what we need to do to enable energy from offshore wind to be transmitted to users. But why now? Why not three years ago, when the Commonwealth brought in their Offshore Electricity Infrastructure Act 2021?

The piece of legislation before us today in practice allows offshore wind companies to investigate the appropriateness of different sites for transmission infrastructure. It also enforces potential licences in line with current Victorian legislation, including environment effects statement processes if required, the Marine and Coastal Act 2018 and the Aboriginal Heritage Act 2006. So it does not stop an energy company from, say, testing the soil in a national park to see if it might be appropriate for a project. But if a company sought to proceed with a project in a national park, that application would then be subject to existing checks and balances, including other legislation and regulations that are designed to protect the environment.

In considering this new piece of legislation, while we very much think that it is, as I have stated, overdue and much needed, we also put serious consideration into whether we believe these checks and balances that will interact with this legislation are currently fit for purpose when it comes to providing environmental and cultural protections. Our concern is that they are not, and there are countless examples of where these checks and balances have found in favour of the destruction of precious environmental assets, including the North East Link and other major highway construction projects. We look at things like seismic blasting to explore for oil and gas, greenfields developments and so-called mine rehabilitation. We have also got concerns with some of the offset schemes that tend to be wheeled out to accompany these projects. We often see this, for example, with the destruction of grasslands or forests.

The Victorian Greens are clear that we cannot solve the climate crisis by destroying nature. We need intact ecosystems. Habitat destruction in Victoria has led to the worsening of the climate crisis and it threatens our biodiversity. The Environmental Defenders Office is clear in stating that we need up-front nature protections and red lines to protect our most at-risk ecosystems. What would have been really welcome in this legislation is an assessment framework for allocating licences based on the condition and ecological value of public land. I think all stakeholders would appreciate greater clarity about where infrastructure is likely to be built, where it is not and the reasons why. Such a framework would save a lot of time, effort and money and would give offshore wind operators and communities some guidance before they apply for a licence, let alone start the EES process and planning processes to build the infrastructure.

We are going to have some more questions about these issues during the committee stage, and while we continue to hold concerns about the strength of existing mechanisms to protect the environment in Victoria, this cannot actually be dealt with in the legislation that is before us today. We need stronger environmental protections across the board. We do not need a different standard for renewables, we need a better standard for all infrastructure. We will continue to push for this at every opportunity. What we do not want to see is some false contest that is created by pitting the environment against renewables, something that has been somewhat cynically done by those who are ideologically opposed to renewables. The reality is we need both: climate change will devastate nature, and destroying nature will worsen the climate crisis. With the right regulations, we can get it right and we can have both.

Today we will be supporting this bill to facilitate the long overdue transition to renewables, but we recognise it is only part of the equation when it comes to cutting emissions and taking climate action. Labor also need to do more to protect and restore the environment, and of course they need to stop supporting new fossil fuel projects.

Richard WELCH (North-Eastern Metropolitan) (16:43): Well, it has been a very wideranging debate today. We have had great protestations about this being somehow about nuclear power. I think the number of times nuclear was mentioned means those over there secretly do want nuclear power, because they talk about it so much. There has been talk about the fact that somehow some people in this chamber are ideologically opposed to renewables – I am not aware of that. We certainly are not; they have to be part of our energy transition and it is very, very important that they are. Really, for that reason, that is why this relatively simple piece of legislation should be treated seriously. I have problems with it because, frankly, it is just terribly written. It is a bad piece of writing and it is a bad piece of law, because so much of what is put in here is completely arbitrary in nature. When something is arbitrary, all you are inviting are unintended consequences. There is just insufficient rigour across it, and this actually relates a lot to what my Greens colleague was saying. Let us look through a range of these things.

If we are going to allocate licences for 21 years for people to lock up public land and somehow do assessments that take 21 years, shouldn't we first confirm that the offshore site is suitable? Because if you overlay this legislation onto what happened in Hastings, it would have been a complete fool's errand. There is no concept of that. And what is the value of these licences? Is there any financial component that puts a financial discipline over those companies that are doing the assessments? Where is the discipline upon them to have rigour in what they do? I note that in the legislation it allows for transfer of the licences to occur between potential energy suppliers, but it does not specify on what terms. In fact it occurs at the whim of the minister. So what impact would that have on the marketplace? What terms will those be under? The law does not explain. This does not explain it at all.

Why is it 21 years when most of this transition needs to take place in the next 10? Again, there is no time discipline on what anyone is doing in these projects. It does not take 21 years to assess a bit of Crown land. It does not take anyone in any walk of life or in any project 21 years to do an assessment of whether something is feasible or not, so why 21 years? Why not the existing 10? I do not see anything wrong with the existing 10 years. The existing 10 puts a discipline on those granted the licences to get on with it. Twenty-one is arbitrary. For me, this is just really clumsy and messy, and the worst part of all of course is that this clumsiness and messiness and this arbitrariness is typical of the way Labor approaches every single project they do, because what they cannot do with talent, skill or intelligence they do with a jackboot. Taking away planning rights, taking away consultation rights and taking away the right to appeal is the clumsiest and crudest way to force projects through. There is really only one key antidote to this, which again I think is part of my Greens colleague's key point. The ability to have scrutiny over those who are given the licences and the ability for the community to have proper consultation is the only way you could put some sunlight onto these decisions. The remedy to badly constructed policy, terms and legislation is to ensure that the community is consulted and that those who are benefiting under the legislation, particularly those granted the licences, are actually worthy of those licences and are under some form of discipline in what they do.

We need a framework for these things because up to now it has been pretty much cowboyville, so a framework is welcome, but the lack of rigour in it and the lack of anticipation of unintended consequences is really poor. I do not see any antidote to that except for the community being able to have scrutiny and proper consultation. I have got nothing much more to add to that, so I think I will leave my contribution there.

Sheena WATT (Northern Metropolitan) (16:48): Acting President, thank you very much for the opportunity to rise today to speak to the bill put before us – the first piece of legislation put forward by the government in our offshore wind program. The matter of this bill truly is simple: it will amend the Victorian public land and electricity legislation to allow for offshore wind projects to undertake

site investigatory activities to determine and allow the placement of future connection infrastructure. This future connection infrastructure is required to deliver power generation by offshore wind projects in declared Commonwealth waters into the Victorian energy grid.

This bill will provide a clearer pathway for offshore wind proponents that are awarded feasibility licences in the Commonwealth waters under the Offshore Electricity Infrastructure Act 2021, and these are to undertake aligned and related feasibility assessments in Victorian waters and onshore for better project planning overall and of course to move forward our offshore wind agenda. This is achieved by allowing the Minister for Energy and Resources to declare under the act an offshore wind generation company. This also clarifies arrangements under the four main land acts that refer to agreements with electricity companies for purposes of construction and operation of the new electricity infrastructure. It also amends previous acts to enable activities to be approved on public land relating to the investigation of offshore wind connection assets, these being the Land Act 1958, the Crown Land (Reserves) Act 1978, the Forests Act 1958 and, finally, the National Parks Act 1975. This of course will modernise the planning processes and enable a smoother planning process.

While this all sounds a lot, the simplicity is this: this bill will introduce the concept of an offshore wind energy generation company into the Electricity Industry Act 2000. Further, it will create a category of licence in the Land Act, the Crown Land (Reserves) Act 1978 and the Forests Act to allow the investigation of these connection routes, and it will allow a maximum licence term of 21 years, which is in alignment with the terms of other types of licences issued under land legislation. It enables the investigation of connection routes over National Parks Act land and the consent of Parks Victoria or other agencies as required.

This new licence regime will also provide a unique opportunity for the Victorian government to have an active role in guiding and coordinating the placement of connection assets. It will also help mitigate the risks to the social licence and traditional owner support caused by disorderly or really insensitive location of infrastructure. Can I just say that this, furthermore, inserts offshore wind into the existing public land licensing regime and is not to carve out offshore wind or to provide exemptions for offshore wind licences. This process is still required to meet the existing obligations and considerations under Victorian law.

This government remains committed to providing the state of Victoria with the clean energy that it needs, and offshore wind provides a critical link into our energy mix. This is not just a nice to have. Old coal-fired power stations are run down and are reaching the end of their useful lives. These stations have been flagged for closure, so we are providing a significant ramp-up of renewable energy generation to keep the lights on and meet our energy targets. Offshore wind provides an incomparable level of generation capacity, far more than onshore. Renewables are moving us faster away from outdated fossil fuels and towards 95 per cent renewables by 2035.

Victoria is Australia's offshore wind leader. This government has indeed worked tirelessly to build strong investment interest in our state and will have a successful multicompetitive auction to achieve our targets. The first offshore wind farm will be constructed in Victoria thanks to our ambitious offshore wind targets of at least 2 gigawatts of new capacity by 2032, 4 gigawatts by 2035 and 9 gigawatts by 2040. The first wind farm in Victoria will bring power to 1.5 million Victorian homes – and that is such an extraordinary number.

We continue to lead the country in climate and energy targets with the development of offshore wind, and we have become a global leader in the development of offshore wind, even becoming the first subnational jurisdiction to join the Global Offshore Wind Alliance, something that I know we here in Victoria are enormously proud of. You see, Victoria has the best offshore wind resource potential in the country and among the very best in the world. We would be remiss, even idiotic in fact, not to capitalise on this potential energy right there off our coasts. Over 30 projects have been interested in Victoria as the targets were announced, and there are internal investors that really are ready to set up shop here in Victoria for many decades to come. With the two zones now in Gippsland and the Great

Southern Ocean, these developers are setting up shop. They want to create jobs, build economic potential and energy for our state.

The Allan Labor government has released three implementation statements that track and update industry, unions and the Victorian public on our progress to deliver offshore wind projects, and we value really the integrity, transparency and honesty that comes with this. In fact in our latest implementation statement we updated the public on a range of things and we provided an update on our offshore wind time lines. Can I just say that this government will run a multiproject competitive auction process, beginning with an EOI in 2024 and closing in 2025. The request for proposal phase, targeted for commencement in the third quarter of 2025, will close in 2026, and contract negotiations and the awarding of that will be expected to occur later in 2026.

Offshore wind energy will provide economic growth and thousands and thousands of jobs in Victoria – specifically up to 4000 during construction and 1750 jobs for operation and maintenance annually – and we will establish a local manufacturing capability, setting offshore wind local content requirements that will maximise and build an industry that will last for generations to come. We will be a hub for offshore wind manufacturing and procurement, training and employing workers right here in our state, because this government cares about people – providing jobs, protecting the national environment and of course effecting real change. This bill will help to provide balance. It is not either/or when it comes to environmental considerations and offshore wind; we know that both can exist. There must of course be the right balance to ensure the delivery of offshore wind and conservation. To achieve this balance and preserve our marine environment and onshore environment, the Victorian government will work in partnership with regulators, seek expert advice and work with traditional owners, industry and community stakeholders through a range of mechanisms with our biodiversity, wildlife, sustainability, climate change and community partners.

However, we want the federal government to lend more support to our offshore wind strategy. The truth is Victoria has done a lot of heavy lifting, and we have done it alone – a testament to the hardiness of our industry and our workers – but we are calling for a national approach to offshore wind that aligns environmental approvals and regulation. We need to ensure that investor confidence in Australia is felt everywhere, right around the nation, not just in this state. Developing a strong pipeline of projects that help stand up our industry is crucial, and that requires federal leadership to happen, a national taskforce to align things like planning approvals and national targets that show our entire nation really is very serious about this and, more importantly, funding that ensures that we can stand up the first new industry in Victoria in decades, creating more local jobs, more economic growth and more upskilled Victorians. We already have a national electric vehicle strategy, a hydrogen strategy and a national energy performance strategy under development. Do you know what? It is really time for national leadership on offshore wind to help Australia reach our ambitious renewable energy targets.

The Allan Labor government remains committed to decarbonising our state, and we are not just talking about climate action, we are indeed delivering on it. Our targets are delivering the most rapid reduction of emissions in Australia, with the potential to unlock billions of dollars of investment and thousands of jobs. I have said it a number of times, and it bears repeating: we have smashed our 2020 emissions target of 15 to 20 per cent reduction – we achieved 29.6 per cent. And in 2021 we achieved a 32.3 per cent emissions reduction. We are decarbonising through new renewable energy across the state, whether that is wind, solar, batteries or of course our nation-leading plan for offshore wind generation right here in Victoria. Since 2014, 59 projects, providing 4471 megawatts of new capacity, have come online. There are nine projects currently under construction, and they will provide 1314 megawatts of capacity. That is 5100 jobs in large-scale renewable energy since we were elected, and this agenda is saving households money at bill time.

Offshore wind energy technology has been tried and tested internationally for decades, and costs have come down over time. More and more countries are turning to offshore wind as part of their renewable energy transition. Many countries around the world have established offshore wind farms, and we are building on their experience. Denmark has been a leader in offshore wind energy since the 1990s,

when it built the world's first offshore wind farm. Earlier this month Denmark had a total installed capacity of 2.7 gigawatts of offshore wind power, and the Thor offshore wind farm, currently under construction in the North Sea, will supply a further 1 gigawatt when it is scheduled for completion in 2027. Construction of an offshore wind farm of this scale brings massive investments and thousands of green jobs. An offshore wind farm with 1 gigawatt capacity, according to calculations from market actors from across the year 2020, created approximately 9500 jobs for workers throughout the lifetime of the project.

In Denmark, extraordinarily, 84 per cent of electricity is renewables-generated, and they are expected to reach their target of 100 per cent renewables by 2030. This world-leading action has been enabled by policies that allow community members to own and profit from shares in wind power. This means that people are more likely to support the development of wind farms. This has also positioned Denmark as a leading manufacturer and exporter of wind technologies. You compare that to Australia, where coalmining employs 0.2 per cent of the labour force; in Denmark it is in fact 2 per cent of the total labour force – what an extraordinary difference, and one worth highlighting. One that folks may be more familiar with is of course the United Kingdom, and they have been a pioneer in offshore wind energy since the early 2000s and are currently the world leader in offshore wind capacity. The country has several large offshore wind farms, including currently the world's largest offshore wind farm – there you go. Offshore wind farms are a proven force for economic growth and clean energy generation. Overseas success stories are becoming more and more common, and if we continue to get trapped in the outdated forms of gas and coal, we will be left with a system that hurts our natural environment and of course our energy prices.

In regard to the amendments to be moved by the opposition, the government will not be supporting them. They serve no additional benefit to the provisions of existing public licence legislation where consultation is already considered by the minister in making a decision. These include a minimum 60-day consultation process under the Offshore Electricity Infrastructure Act 2021, local consultation required under the proponent management plans by the Commonwealth regulator, extensive community consultation which is currently underway by VicGrid and consultation during the environment effects statement process. Further, the insertion of a requirement for a fit and proper person is not required as it would in fact duplicate existing processes undertaken by the Commonwealth offshore infrastructure regulator. Empowering communities and putting their feedback and views into the infrastructure development process is key not only to this piece of legislation but to government actions in the broader development of our transmission networks.

This bill is the first piece of legislation that will allow the implementation of our groundbreaking offshore wind strategy, allowing us to decarbonise, provide local jobs, increase power to Victorian homes and drive down prices, and for that I commend the bill to the house.

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (17:03): Offshore wind is critical to our energy mix needs, and it is not just a nice thing to have, it is an absolute necessity as we transition. Our old coal-fired power stations are reaching the end of their life, and these stations have flagged their closure, so there needs to be a significant ramping up of renewable energy to keep the lights on and to meet energy and climate targets. Offshore wind provides comparable levels of generation capacity, far more than onshore renewables, moving us quicker away from fossil fuels towards the 95 per cent renewable target by 2035.

Victoria is Australia's offshore wind leader. As others have said, we have worked to build strong investment interest, and we will have a successful multicompetitive auction. The first offshore wind farm will be constructed here thanks to our ambitious offshore wind targets of at least 2 gigawatts of new capacity by 2032, 4 gigawatts by 2035 and 9 gigawatts by 2040. These are the first targets of their kind in the country, and we have become a global leader in the development of offshore wind, even becoming the first subnational jurisdiction to join the Global Offshore Wind Alliance. Our state has the best offshore wind resources in the country – in other words, we are very windy – and amongst the

best in the world. This bill is our first piece of legislation in our offshore wind program, and it is a fairly simple piece of legislation. It will amend Victoria's public land and electricity legislation to allow offshore wind projects to undertake site investigatory activities to determine and design the placement of connection infrastructure. This connection infrastructure is required to deliver electricity generated by offshore wind projects in declared Commonwealth waters into the Victorian grid.

This bill provides a clearer pathway for offshore wind proponents awarded feasibility licences in Commonwealth waters under the Commonwealth Offshore Electricity Infrastructure Act 2021 to undertake and align related feasibility assessments in Victorian waters and onshore for better project planning. This is done through allowing the Minister for Energy and Resources to declare a licensee under the Offshore Electricity Infrastructure Act to be declared an offshore wind generation company. It also clarifies arrangements under the four main land acts that refer to agreements with electricity companies for the purpose of construction and operation of new electricity infrastructure. It amends the Land Act 1958, the Crown Land (Reserves) Act 1978, the Forests Act 1958 and the National Parks Act 1975 to enable activities to be approved on public land relating to the investigation of offshore wind connection assets. This inserts offshore wind into the existing public land licensing regime. It is not a carve-out for offshore wind and does not provide exemptions for offshore wind licences. The new licensing regime also provides an opportunity for the Victorian government to have an active role in guiding and coordinating the placement of connection assets. This can help mitigate the risks to social licence and traditional owner support caused by disorderly or insensitive location of infrastructure.

In regard to the amendments moved by the opposition, as my colleague Ms Watt has just indicated, the government will not be supporting them. They serve no additional benefit to the provisions in the existing public licensing legislation, where consultation is already considered by the minister in making decisions, and this includes a minimum 60-day consultation process under the Offshore Electricity Infrastructure Act 2021; local consultation required under the proponent management plans by the Commonwealth regulator; extensive community consultation, which is currently underway by VicGrid; and consultation during the environmental effects statement process. Further, the insertion of a requirement for a fit and proper person is not required, as it would duplicate processes already undertaken by the Commonwealth offshore infrastructure regulator. Unfortunately I do not think Mr Davis has been listening to my contribution, but perhaps we can take it up further in the committee stage.

Empowering communities and putting their feedback and views into the infrastructure development process is a key that the government acknowledges, and not only this piece of legislation but government actions in the broader development of our transmission networks understand this very important principle. I commend the bill to the house and am happy to go into committee.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1 (17:10)

David DAVIS: I have got a relatively small series of questions on clause 1. The amendments that have been circulated apply to clause 8 and onwards, and I will deal with those then. But with the committee's indulgence, I will ask some general questions at the start. Perhaps first, on record, it would be good to understand if the government still stand by the offshore wind targets that were recently legislated.

Ingrid STITT: Yes, we do.

David DAVIS: I thereby ask the minister: when will the first offshore wind project commence, and when will the first offshore wind project conclude and deliver electricity into the grid?

Ingrid STITT: Our first project is obviously critical in terms of not only delivering the energy and capacity of the particular project but also setting us on a course to meet our ambitious targets. The expressions of interest for the auction time line for offshore wind open at the end of 2024, requests for proposals open in the second half of 2025 and contracts will be awarded in 2026. If you give me one moment, Mr Davis, I just want to consult with the box about one particular detail.

Yes, Mr Davis, those time lines are indicative of when the first project will commence, and also the first 2 gigawatts of new capacity will enter the grid by 2032.

David DAVIS: I ask the minister: in light of the difficulties that have occurred with permitting Hastings, where will these offshore wind projects be assembled?

Ingrid STITT: As you know, Mr Davis, there are offshore wind zones that have been provided for in both the Gippsland area and the Southern Ocean. We would anticipate that the projects will be in those key offshore wind zones.

David DAVIS: With respect, my question was not about where the zones will be, but where the manufacture or assembly of the actual plant and so forth will occur. Is it the government's intention still that that will occur at Hastings?

Ingrid STITT: What I can indicate in respect to the Port of Hastings, Mr Davis, is that both Minister D'Ambrosio and Minister Horne have been continuing to work with the Commonwealth on their environment protection and biodiversity conservation (EPBC) determination as well as the next steps. It is the government's clear intention to continue to work through these issues. We know that there are many benefits associated with the Port of Hastings, which is why it was selected in the first place. It is obviously a matter that has been the subject of much work and conversation between the Victorian government and the Commonwealth, and those matters continue to be worked through. We have always said from the beginning that there are significant opportunities for multiple commercial ports in Victoria and other states to benefit from offshore wind, but we continue to also advocate strongly for the Port of Hastings.

David DAVIS: Minister, it seems from what you are saying to me that you are not quite certain that the Port of Hastings will be the location – it may be another location. If it is not the Port of Hastings, where would the assembly occur?

Ingrid STITT: I mean, the way that I would respond to that, Mr Davis, is that the Victorian government continues to assess closely the Commonwealth government's decision on the Victorian renewable energy terminal's Commonwealth Environment Protection and Biodiversity Conservation Act 1999 referral. Obviously time lines for the first Victorian auction and other key milestones, including our offshore wind targets, are unchanged until a full assessment of the impact of the Commonwealth's decision has occurred. The design and development of the Victorian renewable energy terminal at the Port of Hastings was and is subject to approvals in line with the offshore wind implementation statement 3. The Victorian government is continuing to assess the role that other ports can play in supporting the construction and assembly of offshore wind projects, which includes the role of commercial ports.

David DAVIS: I am not sure that that advanced the cause very far, but I will take it in the spirit it was intended. Minister, I am looking at documents laid out by a number of legal firms and others, and they suggest the state and Commonwealth approvals required for project components – and they are talking specifically about the Port of Hastings. They list a series of Commonwealth matters, including the EPBC material that we are all very familiar with now, but they list state approval requirements, and in a sense I seek from you some confirmation that this list is accurate and that it is comprehensive.

Is there anything missing from this list? They say here on state approvals, and I am quoting the assessments:

... key approvals likely to be required under Victorian legislation include:

- Environmental assessment under the *Environment Effects Act 1978* ...
- Planning approvals under the *Planning and Environment Act 1987* ...
- Cultural Heritage Management Plan ... under the *Aboriginal Heritage Act 2006*.
- Consent under the *Marine and Coastal Act 2018* ...
- FFG Permit under the *Flora and Fauna Guarantee Act 1988* ...

Is that the full list of approvals that will be required, or are there other approvals that my learned legal colleagues have omitted?

Ingrid STITT: Well, I do not have the benefit of being in possession of the documents that you are referring to, Mr Davis.

David DAVIS: Well, perhaps the minister may be able to ask the box whether there are any other acts that should be on that list that I have not detected, if I can put it that way.

Ingrid STITT: Well, I am happy to do so, Mr Davis, but I can confirm that the list that you have run through does cover the key approvals.

Bev McArthur interjected.

Ingrid STITT: I have said I am happy to go and check that for Mr Davis, Mrs McArthur. Mr Davis, yes, I reconfirm that those are the key approvals that would be required, but I can also indicate that the Department of Energy, Environment and Climate Action (DEECA) has provided extensive information about the licensing regime on its website.

David DAVIS: I have read some of that, Minister. In that light, I should ask you in the first instance with respect to Hastings: has the environmental assessment under the Environment Effects Act 1978 commenced, and if so, when will that conclude?

Ingrid STITT: Mr Davis, my colleagues in the box just need a little bit more time to get you the answer, so if you can take that on notice, we will come back to you.

David DAVIS: Thank you, Minister. The second layer of approvals is the Planning and Environment Act 1987. Is it the government's intention to use the newly promulgated amendment VC261, gazetted on 4 April, which is a faster planning approval for any project connected with a renewable project or indeed transmission or a battery and so forth. Is it the government's intention that VC261 be used, or will a normal, proper planning process be used?

Ingrid STITT: We are just going to double-check. We understand that VC261 is in respect to onshore projects only, but I just want to double-check.

David DAVIS: Hastings is an onshore project.

Ingrid STITT: Yes, that is right. That is why we are checking with our colleagues in planning.

David DAVIS: The third layer of approval at a state level – I will not worry about the federal level, which is not entirely in your control of course – is the cultural heritage management plan under the Aboriginal Heritage Act 2006. Has the government begun the process of consulting on a cultural heritage management plan, and is this a matter of high impact that will trigger a full cultural heritage management plan?

Ingrid STITT: Mr Davis, what I can say in respect to traditional owners, the development of this process and the issuing of licences is that it will be the subject of further consultation by DEECA, who are working closely with our traditional owners. The broader legal and policy frameworks for

protecting the rights and the interests of traditional owners will apply to the granting of licences, and this can include meeting the requirements of a land use activity agreement under a recognition and settlement agreement under the Traditional Owner Settlement Act 2010 where a licence is to be issued over land subject to that agreement and where there is no recognition and settlement agreement in place, meeting any applicable requirements under the Native Title Act 1993 – the Commonwealth act, that is – and complying with the Aboriginal Heritage Act, which protects tangible and intangible Aboriginal cultural heritage in Victoria.

David DAVIS: I should ask: in this circumstance, who is the registered Aboriginal party involved in Hastings? You could perhaps put that on the record for me. And it was not quite clear – I think you were saying that some engagement had already occurred. In that context I ask the next question, which is: when will that be concluded, and will any agreement be made public?

Ingrid STITT: Minister D'Ambrosio does meet regularly with traditional owners, and her department will continue to work closely with traditional owners particularly around feedback to be incorporated into the licence templates that will be developed. In respect to the traditional owner parties that are subject to the offshore wind projects that we are talking about, we have obviously got two distinct zones in the state, so I can certainly get that clarified for you if you give me 2 seconds.

David DAVIS: Specifically Hastings.

Ingrid STITT: Is it Hastings in particular you want? Yes, just a moment.

I want to be sensitive and respectful of some of the contested areas, but Gunaikurnai is clearly a traditional owner group that will be worked with as well as Bunurong. You would be aware, Mr Davis, of the possibility that non-registered parties' interests may emerge.

David DAVIS: Are there any non-registered parties, Minister, at this stage that have expressed interest or concern?

Ingrid STITT: Not at this time.

David DAVIS: When is it intended that a cultural heritage management plan will be concluded, and will that be released?

Ingrid STITT: I am not sure that we are able to put a time frame on that just yet, Mr Davis, given the time frames that I outlined earlier about the offshore wind time lines of the auction et cetera.

David DAVIS: I am just conscious 2032 is not very far, 2026 is not very far and 2028 is not very far.

Ingrid STITT: Well, I think I have given a strong indication of the government's willingness and undertakings to continue to work closely with traditional owners impacted by these projects.

David DAVIS: Given the arrangements in some of the other bills, for example, that we will consider this week – the VicGrid bill and so forth – will payments be made to the various traditional owners under these arrangements?

Ingrid STITT: I suppose an important clarification, Mr Davis, is it is not the government that enters into the cultural heritage management plans; it is the project developers that are required to do that.

David DAVIS: It is just the Port of Hastings in this case. In the case of Hastings, it is a government body.

Ingrid STITT: Well, they are required to be developed by the developer in consultation with traditional owners.

David DAVIS: As I understand it – and let us talk about the east of the state and the west of the state, the different areas where there may be offshore wind development, let us say – there will be different Indigenous parties that will be consulted and dealt with, but with respect to Hastings it is a government piece of land and a government authority that has control of the land in the Port of Hastings. Is it the government's intention that that proponent will make payments to Aboriginal parties?

Ingrid STITT: Yes. Minister D'Ambrosio went to these issues when she appeared before the Yoorrook truth-telling commission recently. The introduction of benefit sharing with traditional owners is part of the new Victorian transmission investment framework, and traditional owner benefit sharing under the VTIF will also apply to the development of offshore wind transmission infrastructure as we have described in *Offshore Wind Energy Victoria: Implementation Statement 3*.

David DAVIS: I have read Minister D'Ambrosio's submission to the Yoorrook Justice Commission. It makes clear that financial payments may well be made, and you are now confirming that. Who will pay ultimately for those financial payments? A proponent in the east or west, I understand, may pay, or in the case of the Port of Hastings they may pay, but will they pass on the costs to consumers? How will they recover these costs?

Ingrid STITT: Mr Davis, the short answer to your question is that these matters are outlined in the Victorian transmission investment framework, and there will be further legislation coming to Parliament that will deal with the issues that you raise with benefit sharing under the program that we are talking about today.

David DAVIS: I will explain what I am concerned about here. It is that additional costs will ultimately be passed through to consumers. I wonder if the minister would give an assurance that consumers will not pay one dollar more.

Ingrid STITT: What I can say is that our renewable energy transition will keep downward pressure on energy costs, and that obviously is important for the affordability of our energy in Victoria and has the additional benefit of ensuring that we are transitioning to clean energy.

David DAVIS: I will take that as a comment rather than an answer to the specific question, but I will leave that point in the interests of time. I am conscious of my discussions with the Government Whip earlier in the day. I indicate that there are another two acts here, which I may be able to expeditiously deal with. Consent under the Marine and Coastal Act 2018 – I ask how that will operate for Hastings, in particular, and which minister will provide that? Has discussion under that act commenced?

Ingrid STITT: Are you referring to the issuing of the licences that are the subject of the bill before the house now?

David DAVIS: I am referring to the challenge of getting renewable, in this case offshore wind, projects up, and the fact that there are a series of approvals, including state approvals, that will be required for each of these projects, and I particularly zeroed in on the Port of Hastings. As I said, I am reading from a note that laid out, as we discussed earlier on, five different pieces of Victorian legislation, and this note describes consent being required under the Marine and Coastal Act 2018 for the Port of Hastings. In that respect, I am asking: which minister will do it? Has that process commenced?

Ingrid STITT: I think it is somewhat outside the scope of this bill, but I am certainly happy to go and ask the question.

Yes, it is most definitely out of the scope of the bill that is before us today, Mr Davis. Also we are not in a position to crystal-ball about what might occur under that particular act, noting of course that that is an act that the Minister for Environment is responsible for.

David DAVIS: Thank you, Minister. I would put it to you that if you want to get these renewable offshore wind projects up, you are actually going to have to assemble the large structures somewhere. Hastings, as you have outlined, is the preferable location. There have been regulatory issues with this, and I am seeking to understand how these regulatory issues will impact on the ability to deliver on the government's objectives under this particular bill. I am pleased to hear that the Minister for Environment is the one here, but a simple question, and you may not be able to answer it now, is: has consultation commenced under that act to deliver this Port of Hastings approval?

Ingrid STITT: I think the way I will try and answer that, Mr Davis, is to sort of describe the interaction between different pieces of legislation. So the bill that we are dealing with today is intended to be applied and read consistently with other statutes. It does not modify the application of current environmental protections or obligations, and the activities authorised under a licence must be carried out in compliance with current environmental protections under existing laws. So the bill, like all legislation, exists in that broader regulatory framework. The specifics that you are asking about – the Port of Hastings projects – we are just not in a position to give clarity around those questions, given where we are and what stage we are at with our offshore wind projects.

David DAVIS: Thank you, Minister. I am not trying to be difficult here. I have got a flow chart in front of me that lays out state steps to get approval for a coordinated assessment process for wind projects, specifically for Hastings. As we know, the minister has run into some difficulty with Hastings, and I am trying to understand how these processes will operate. One of the boxes here says, 'Victorian approval decisions including the Marine and Coastal Act and Planning and Environment Act.' So you actually need that approval for Hastings before you can start to assemble your wind projects there. I will leave that as a comment, and come back to the final act I wanted to talk about which is a flora and fauna permit under the Flora and Fauna Guarantee Act 1988. The environment minister has responsibility for that. I am asking: given the difficulty that was encountered with the EPBC Act, what steps are in place to ensure that flora and fauna guarantee approvals actually occur, and has that process commenced?

Ingrid STITT: In respect to those matters, the department will develop a proforma licence setting out the conditions that may apply to proponents seeking an investigatory licence along with detailed guidance, which will address requirements to manage environmental sensitivities. The licensed activities will also be subject to the many environmental protections and requirements that apply under the acts being amended by this bill and other acts, including the Planning and Environment Act, the Marine and Coastal Act and the Flora and Fauna Guarantee Act. The licence will also be subject to conditions which may address any known environmental values or sensitivities in that area. For example, Mr Davis, the conditions might require suitable measures to avoid or mitigate impacts. So in respect to the Port of Hastings specifically, the government is continuing to assess the Commonwealth's decision on the Victorian renewable energy terminal's Commonwealth Environment Protection and Biodiversity Conservation Act referral. As I indicated earlier in our conversation, Minister D'Ambrosio and Minister Horne continue to work closely with the Commonwealth on those issues.

David DAVIS: That is helpful. I am not sure it quite got to the point that I was wanting to get to. I want to understand: has the process commenced with respect to the Port of Hastings to get the permits under the Flora and Fauna Guarantee Act? I might be naive, but I would have imagined that if you make an application under the EPBC Act, that you would have the flora and fauna – but specifically the fauna – aspects extremely well covered and you might be at a point where you could in effect provide permits, but it does not sound quite like it is there.

Ingrid STITT: Mr Davis, I have now got the answer to the first question that I took on notice from you, so I am hoping that might actually get a little bit to the heart of this. The Victorian Minister for Planning's determination that an environment effects statement (EES) is required for the terminal under the Environment Effects Act is on hold while the Port of Hastings Corporation is in discussions with the Australian government around the implications of the current decision.

David DAVIS: I thank the minister for that, and two further obvious questions arise. Are you going to do caboose-style train carriages – this is done, then that is done and then the other thing is done – or are the minister and the department intending that permits be done in a collateral way so that you actually seek Commonwealth approvals at the same time as you are ticking off the state boxes? Tell me if I am wrong, but it sounds to me like we are waiting for the Commonwealth to make its decisions and then commencing the EES.

Ingrid STITT: No-one is waiting, Mr Davis. We have got an ambitious set of targets and an ambitious auction time line to meet, and no-one is waiting. There are discussions going on, and it is on hold while those discussions occur.

David DAVIS: That is what I am worried about. ‘On hold’ does not sound to me like things are progressing. It sounds to me like things are frozen whilst another process at the Commonwealth level happens. If I am not interpreting that correctly, please tell me, but that is what it seems to me. Contrary to that, I would have imagined that if I was the minister, I would be moving on both fronts at once.

Ingrid STITT: Mr Davis, we continue to work very hard and continue those discussions with the Commonwealth so that it does not result in any delays. Victoria’s time lines have been made very clear and our targets, which are legislated, are very clear, and we will continue to push hard to get the outcome that we are seeking.

Can I also just come back to you about the planning amendment that you asked me about earlier, which was VC261. I can confirm that that planning amendment does not apply to the matters contained in this bill.

David DAVIS: It was not quite the matters contained in this bill, it was the planning approvals for Hastings in particular. You are making a broader statement.

Ingrid STITT: It is because the infrastructure is in Commonwealth waters that it does not apply.

David DAVIS: Minister, with respect, some of the offshore wind structures will be in Commonwealth waters, but at the 3-mile – and I emphasise mile, not kilometre – distance we are in state waters, and structures that are there and structures that are on land that pertain to offshore wind will be state-controlled structures, and they will require state approvals and state planning approvals. Perhaps I can ask with respect to inwards from 3 miles, onto the shore and beyond – that will require state planning approval. How will that be done?

Ingrid STITT: Mr Davis, what I can confirm for you is that VC261 only applies to generation infrastructure, and an EES is required for everything else. We did take the time to get that advice for you, and that is the advice that I have been given.

David DAVIS: I thank the minister for her response. I think you have been given the wrong information with respect to VC261, because it actually gives the ability on any renewable project to provide planning approvals. It also provides planning approvals for batteries and long-distance wires. You may reflect on this. I am not doubting the advice you are given, but I have read the planning amendment and I know what it says, so I just make that point.

I thereby have only one further question: when the EES process occurs for Hastings, will that involve public consultation, and what form will that public consultation take?

Ingrid STITT: Mr Davis, standard EES consultation would apply. We are just getting you a bit more detail about what form that would take.

David DAVIS: That is all right. I will deal with the amendments from clause 8 onwards and leave it to others to ask their questions now.

Sarah MANSFIELD: I have a number of questions that apply to several clauses, so I may just ask them on clause 1 to avoid repetition. Minister, can you provide examples of non-invasive investigatory

activities that can be undertaken by generation companies to assess and determine the suitability of infrastructure locations?

Ingrid STITT: In terms of the types of activities that are allowed under an investigatory licence, they are: assessing the desirability or feasibility of constructing offshore electricity transmission infrastructure, determining the optimal placement of offshore electricity transmission infrastructure and carrying out an activity for the purpose of obtaining a permit or the consent required by or under any act of Victoria or the Offshore Electricity Infrastructure Act 2021 of the Commonwealth for construction and installation of offshore electricity transmission infrastructure. Permissible activities will primarily consist of low-impact activities, with some ground disturbance. Examples might include ground surveys, daytime and nocturnal surveys for native flora and fauna, observing or taking photographs of relevant environmental matters, water and soil sampling, and/or subsurface excavations to understand the geology. Soil samples may be taken via boreholes and test pits, and I can confirm that as seismic testing or seismic blasting is not a technology used in the design and construction of offshore wind farms, these activities will not be permitted under any licence issued under the provisions of this bill.

Sarah MANSFIELD: I thank the minister for that thorough answer. We have had some concerns raised by environmental stakeholders that this legislation will pass without having really specified exactly what types of investigatory activities will be permitted under these offshore wind licences. My understanding is that there will be some further work done to clarify this closer to the issuing of licences. Is this the case?

Ingrid STITT: Yes, Dr Mansfield. There will be further consultation particularly in relation to the proforma licences, for example. Yes.

Sarah MANSFIELD: Can you confirm that there will be a wide range of environmental NGOs that will be consulted as part of that process in developing the licences?

Ingrid STITT: Dr Mansfield, yes, I can confirm that the government will be consulting with relevant NGOs and traditional owners, as we were discussing earlier, on the development of the proforma licences. I think, as I indicated to Mr Davis in relation to a number of his questions, DEECA is already working closely with traditional owners to ensure their feedback is incorporated into that template.

Sarah MANSFIELD: My next question was about traditional owners, so thank you for that. I was also wondering if the consultation will include local governments.

Ingrid STITT: Dr Mansfield, the advice I have is that Minister D'Ambrosio regularly meets with local councils regarding offshore wind, and her department will continue to engage with relevant councils on the development of the proforma licences.

Sarah MANSFIELD: Has the government undertaken any work that considers allocating licences based on the condition and ecological value of the public land?

Ingrid STITT: I think probably the answer to that question, Dr Mansfield, goes to some of the answers I gave Mr Davis about how we are going to ensure the licences mitigate and minimise damage to environmental areas including flora and fauna. But also the bill has to be read consistently with other statutes, and that includes having other environmental protections and obligations complied with as part of the process.

Sarah MANSFIELD: Are you aware of any, I guess, further work that might be done potentially outside of this bill but complementary to it regarding, say, developing a framework that can be used to assess the ecological value of the land? Is that something that the government is considering?

Ingrid STITT: Dr Mansfield, I think that the existing provisions and frameworks contained in existing state and Commonwealth legislation in this area will be the answer. There will not be a

specific framework developed for this particular set of circumstances, but we would say that the existing legislative frameworks give that protection.

Sarah MANSFIELD: And, I suppose, on that, can you clarify the checks and balances that would be in place if a generation company sought a licence in a location of high ecological value – say, for example, a national park?

Ingrid STITT: They would certainly have to comply with environmental protections and obligations, and that would include any areas of high sensitivity. That would be something that would already be captured in other legislation that we have been talking about a little bit in the committee stage.

Bev McARTHUR: Minister, you said in response to Dr Mansfield's question that local government would be involved in the whole offshore wind consultation process. But currently local government have absolutely no say in renewable projects, either wind or solar, onshore. So are you saying that now offshore wind projects will involve local government?

Ingrid STITT: That is not quite what I said, Mrs McArthur. What I indicated to Dr Mansfield in answer to one of her questions around local government was about the development of the proforma licences that we are considering in the bill today and that Minister D'Ambrosio had given a commitment that she would continue to engage with the relevant councils on the development of those proforma licences. The bill will not have a direct impact on local government, although that does not take away from the significant role that local governments and communities have to play in all stages of our renewable energy development. We do obviously work very closely with local government and the community over a range of different projects across communities. This offshore wind plan and transition would be no different to that.

Bev McARTHUR: Minister, that is absolutely not true. Currently local governments have no involvement whatsoever in being able to object or take representation from their constituents about renewable projects, and certainly the consultation with the community is parlous. So do you want to correct your answer?

Ingrid STITT: Mrs McArthur, what I was referring to was the role that local government plays, together with communities in their areas, to ensure that projects like this have an actual benefit for the communities that they serve. The Victorian government continues to work closely with local government on a range of issues relevant to these matters, including identifying risks and opportunities and providing factual information on offshore wind development to ensure that local jobs and training and supply chain and manufacturing are supported in the development of the area's offshore wind energy sector; to assess how Victoria's marine spatial planning framework can be used as a strategic planning tool to support planning for offshore wind and to give communities that voice in the planning and new renewable energy infrastructure; and making sure the benefits of the energy transition are shared right across the community and that there are significant ongoing roles for local governments across the state in that regard.

Bev McARTHUR: Minister, you have also said that offshore projects will be sharing profits, or a variation of that, with Indigenous groups. Investors would need to know up-front what such a commitment would look like. Can you describe the level of involvement that investors would need to be aware of before they embark on a project?

Ingrid STITT: It is described in the offshore wind implementation statement 3, Mrs McArthur.

Bev McARTHUR: Take the Warrnambool offshore project, for example. What infrastructure will be required once the energy reaches the Warrnambool shores?

Ingrid STITT: The whole point of this bill, Mrs McArthur, is to do that investigatory work before those questions could be answered in any meaningful way.

Bev McARTHUR: Well, Minister, so far the surveys of local constituents in the Warrnambool area are opposed to this offshore wind project, so you will not have any social licence to develop the project, especially when it comes onshore.

Ingrid STITT: I think I will take that as a statement, and for the record note that I do not agree with that statement and I do not think that Ms Ermacora would agree with that statement either.

Bev McARTHUR: Given that we have got troubles with the Port of Hastings and you have said there are potential other port sites, would the Port of Portland be a possibility for an assembly site?

Ingrid STITT: This should make you happy, Mrs McArthur: it is the government's preferred location – Hastings – but the scale of our offshore wind program is such that every port in the state will benefit, including Portland.

Bev McARTHUR: That is great news. What about the Port of Geelong?

Ingrid STITT: I think I said every port in the state will benefit from the sheer scale of the work that we are undertaking in this sector.

Bev McARTHUR: Minister, you have announced ambitious timescales for offshore wind. At what point do you expect local content to be first used in the offshore industry?

Ingrid STITT: Yes, Mrs McArthur. It is somewhat outside the scope of this particular bill, but if it is possible for us to get you the answer to that, I will certainly ask the question.

As you know, Mrs McArthur, we are aiming to have 2 gigawatts of capacity by 2032. It is difficult to be precise about when local content opportunities will begin, but you can expect in the years leading up to that first target that we will be rolling out further information.

Bev McARTHUR: Minister, what form of transmission are you proposing once these projects reach onshore: underground or above ground?

Ingrid STITT: The location and design of the transmission infrastructure needed for offshore wind has not been decided. VicGrid is currently assessing shortlisted options using the options assessment method to determine the technology type, including whether the transmission will go overhead or underground. The Victorian government will announce the preferred technology type in early 2024. We know there are concerns about the impact of overhead transmission powerlines on people and the environment and many have expressed a strong preference for any transmission lines to go underground, but I think, as you are aware, underground technology can be quite challenging and has different environmental and land use impacts. However, there are situations where it can be appropriate and viable, so we will continue to allow VicGrid to do their assessment and have more to say about the preferred technology type quite soon.

Bev McARTHUR: We will take you on trust on this whole operation as usual with these sorts of bills. Given that the Port of Hastings is on Crown land, will the government be handing over any of that land to any traditional owner groups?

Ingrid STITT: That is completely outside the scope of the bill before us, that question, Mrs McArthur.

Bev McARTHUR: Minister, the whales are quite an issue in the Warrnambool offshore project. If they prove to be an issue, will that whole project be abandoned?

Ingrid STITT: Mrs McArthur, there have already been changes made to the Southern Ocean offshore wind footprint to take account of whales, but just let me get a little bit more detail for you. One moment, please.

It is important to note, Mrs McArthur, that no seismic blasting will be allowed, which is obviously a very important consideration for our friends the whales, and in addition of course the environmental

assessment processes will be quite vigorous and in accordance with their normal practice will take into account any sensitive marine considerations.

Clause agreed to; clauses 2 to 7 agreed to.

Clause 8 (18:19)

David DAVIS: I move:

1. Clause 8, page 6, after line 31 insert –
 - “(3A) Before granting a licence under subsection (1), the person who grants the licence must be satisfied that adequate consultation has been undertaken with the local community regarding the proposed licence.
 - (3B) On granting a licence under subsection (1), the person who grants the licence must publish, on a website administered by the Department, a statement setting out details of the consultation undertaken with the local community regarding the licence.”.

Our amendments fall into two categories – and I will do this for convenience on this clause to save us repeating it on each clause. Our amendments 1, 2 and 3 seek to amend clauses 8, 12 and 15 respectively to improve consultation. They relate to different acts – the Land Act 1958 licences, the Crown Land (Reserves) Act 1978 licences and the Forests Act 1958 licences and permits. The amendments essentially read: ‘Before granting a licence under subsection (1), the person who grants the licence’ – the minister in most cases, or someone delegated – ‘must be satisfied that adequate consultation has been undertaken with the local community regarding the proposed licence.’ They further state: ‘On granting a licence under subsection (1), the person who grants the licence must publish, on a website administered by the Department, a statement setting out details of the consultation undertaken with the local community regarding the licence.’

All of these renewable projects that we see around the state have run into tremendous trouble with respect to community consultation. The social licence has often been lost because of the department’s behaviour or, in a broader sense, the Australian Energy Market Operator’s and more recently VicGrid’s approach. I do not think I need to rehearse in the chamber the long list of concerns that have been expressed by communities. They are very public. But we are troubled by the government’s approach to these major projects. Important projects should have proper processes and proper community engagement and thereby have a much greater chance of being supported by communities. So this is an attempt to say: when you are doing these major offshore wind projects, you do need to have community engagement. We want to put that beyond doubt. We want to be very strong about the need for community engagement, and I urge the crossbench to think about it in this way: does this improve the process of community engagement? We think it does.

The final amendments – and I will do all of these just for convenience at this point – are on clause 20 and are our amendments relating to fit and proper person. Again, we do not think it is enough for a state licence to be entirely derivative of the Commonwealth approach. The Commonwealth may give licences, but the state is giving a licence for activity in Victorian waters and on Victorian land, including public land. In that sense, we want to make sure that persons or companies are fit and proper people. The risk of fly-by-nighters is there, and we think it is a very modest imposition to require that fit and proper person test. But in respect of this clause – clause 8 – this is community consultation, and we will divide on those three versions of that and then the fit and proper person test.

Ingrid STITT: The government, as I have already indicated, will not be supporting the opposition’s amendments. We do believe that they do not serve an additional benefit, given that licensing legislation where consultation is already considered by the minister in making the decision is already a factor, and that includes a minimum 60-day consultation process prior to the declaration of areas in Commonwealth waters under the Offshore Electricity Infrastructure Act 2021. These processes informed the size and location of declared areas in Gippsland and the Southern Ocean: local consultation, which will be a condition and requirement of all proponent management plans approved

by the Commonwealth regulator – and these plans set out what offshore wind proponents may do and how they must do it over the life of the project; an extensive community process, which is ongoing and will inform the final design and placement of offshore wind transmission infrastructure in Gippsland and which is being undertaken by VicGrid; and consultation during the environment effects statement process, which must occur prior to any construction of connection assets after the investigatory licence.

In relation to the matters regarding a fit and proper person test, we do believe that it is not required, as it would absolutely duplicate the requirements already undertaken by the Commonwealth offshore infrastructure regulator. I will leave my comments there.

Business interrupted pursuant to standing orders.

Lee TARLAMIS: I move:

That the meal break scheduled for this day pursuant to standing order 4.01(3) be suspended.

Motion agreed to.

Council divided on amendment:

Ayes (16): Melina Bath, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Renee Heath, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Adem Somyurek, Rikkie-Lee Tyrrell, Richard Welch

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

Amendment negatived.

Clause agreed to; clauses 9 to 11 agreed to.

Clause 12 (18:32)

David DAVIS: I move:

2. Clause 12, page 10, after line 34 insert –
 - “(3A) Before granting a licence under subsection (1), the Minister must be satisfied that adequate consultation has been undertaken with the local community regarding the proposed licence.
 - (3B) On granting a licence under subsection (1), the Minister must publish, on a website administered by the Department of Energy, Environment and Climate Action, a statement setting out details of the consultation undertaken with the local community regarding the licence.”.

I have made a longer description of this, but this is a further enhancement of consultation.

Ingrid STITT: For the reasons already indicated, the government will be opposing Mr Davis’s amendment.

Council divided on amendment:

Ayes (16): Melina Bath, Jeff Bourman, Gaelle Broad, Georgie Crozier, David Davis, Renee Heath, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Adem Somyurek, Rikkie-Lee Tyrrell, Richard Welch

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

Amendment negatived.**Clause agreed to; clauses 13 and 14 agreed to.****Clause 15 (18:36)**

David DAVIS: I move:

3. Clause 15, page 14, after line 11 insert –
 - “(4A) Before granting a licence or permit under this section, the Minister must be satisfied that adequate consultation has been undertaken with the local community regarding the proposed licence or permit.
 - (4B) On granting a licence or permit under this section, the Minister must publish, on a website administered by the Department, a statement setting out details of the consultation undertaken with the local community regarding the licence or permit.”.

Again, this is an enhancement of consultation.

Ingrid STITT: The government will be opposing this amendment.

Council divided on amendment:

Ayes (16): Melina Bath, Jeff Bourman, Gaele Broad, Georgie Crozier, David Davis, Renee Heath, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Adem Somyurek, Rikkie-Lee Tyrrell, Richard Welch

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

Amendment negatived.**Clause agreed to; clauses 16 to 19 agreed to.****Clause 20 (18:39)**

David DAVIS: I move:

4. Clause 20, line 17, before “The Minister” insert “(1)”.
5. Clause 20, line 20, omit ‘company.’.’ and insert “company.”.
6. Clause 20, after line 20 insert –
 - “(2) The Minister must not declare a person to be an offshore wind energy generation company under subsection (1) unless the Minister is satisfied that the person is a fit and proper person to be declared an offshore wind energy generation company.”.

This amendment inserts a fit and proper person test.

Ingrid STITT: For the reasons already outlined to the house, the government will be opposing Mr Davis’s amendments.

Council divided on amendment.

Ayes (16): Melina Bath, Jeff Bourman, Gaele Broad, Georgie Crozier, David Davis, Renee Heath, David Limbrick, Wendy Lovell, Trung Luu, Bev McArthur, Joe McCracken, Nick McGowan, Evan Mulholland, Adem Somyurek, Rikkie-Lee Tyrrell, Richard Welch

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

Amendments negatived.**Clause agreed to; clause 21 agreed to.****Reported to house without amendment.**

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (18:43): I move:

That the report be now adopted.

Motion agreed to.**Report adopted.***Third reading*

Ingrid STITT (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (18:43): I move:

That the bill be now read a third time.

Motion agreed to.**Read third time.**

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

Adjournment

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (18:44): I move:

That the house do now adjourn.

Great Outdoors Taskforce

Melina BATH (Eastern Victoria) (18:44): (839) My adjournment matter is for the attention of the Minister for Environment. After the disgraceful closure of Victoria's native timber industry, this government is framing a Great Outdoors Taskforce investigation as an opportunity to 'design the future of the state's public land estate'. Thousands of Victorians are rightly sceptical that this is nothing more than a sham process where the views of bush users are perfunctorily recorded and promptly dismissed.

The panel includes the Victorian Environmental Assessment Council chair Mellissa Wood, and she has form on recommending the lock-up of our state forests by government. The VEAC central west investigation came back with recommendations for the creation of national parks in the Wombat, Wellsford and Mount Cole–Pyrenees forests. In a nutshell, the recommendation is to change the status of most of the forest area into a combined national park. Despite 66 per cent – two in three – of the public submissions being opposed to the draft recommendations and advocating for continued access to open and free dispersed camping, horse riding, dog walking, prospecting and fossicking, four-wheel driving, trail biking, orienteering and car rallies – all good for Victorians' mental and physical wellbeing – their views were all ignored, or consul-told, as a result of this government.

With 60 per cent of Department of Energy, Environment and Climate Action staff actually living and working in metropolitan Melbourne, it is hardly surprising that our current national parks are inadequately resourced and maintained. Tracks are certainly not being maintained. Locking up and leaving is not conservation, it is neglect. The interim report into the forests of the Central Highlands is also on a pathway to denying public access.

Now Victorians are invited by the Labor government to participate in the Great Outdoors Taskforce consultation and engagement, and it has been extended for another week. Last night in Drouin the public engagement meeting was packed with 250 community members. Bill Schulz put it to Karen Cain, and it was resounding – no further restrictions to public land and public state forests. Not to mention this panel happens to include the former president of the South Gippsland Labor Party and a hardly impartial scientist who attended the book launch of the anti-forestry, anti cool burn and pro national park author of *The Forest Wars*. We cannot see that this is anything but a predetermined outcome. As a measure of science and credibility, the action I seek is for the minister to expand the panel to include a bushfire expert and a member of Forestry Australia for balance.

Growth Areas Infrastructure Contribution Fund

Michael GALEA (South-Eastern Metropolitan) (18:47): (840) My adjournment matter this evening is for Minister Kilkenny in her capacity as Minister for the Suburbs. The action that I am seeking is for the minister to provide an update on the projects being delivered in the south-east of Melbourne through the Growth Areas Infrastructure Contribution – GAIC – Fund. Thirty-seven projects have been announced across Victoria for the GAIC just last week, including 10 from the Growth Areas Public Transport Fund and 27 from the Building New Communities Fund.

Communities in the south-east will benefit from more \$62.5 million of funding for public transport alone, including \$23.6 million for extending the existing 831 bus route, which currently runs from Berwick station to the Kingsmere estate. That is now going to be extended along the new Bells Road. Bells Road has progressively just opened in the recent months and is a secondary north–south corridor through the south side of Berwick and into Clyde North, which is going to be a critical route for avoiding Clyde Road traffic for both car and bus traffic, so it is going to be wonderful to see this second north–south bus option in the area. It is also seeing \$16.2 million to extend the existing route 798, which runs from Cranbourne station through to Clyde North. That extension will see it run even further into Clyde North. As we have with previous routes in this area, the 798 extension will see the bus service in the suburb extended in line with the growing population and with new estates. It will also see extensions to the route 925 and 928 buses which currently operate in Pakenham and will extend into Officer as well.

I would also like to acknowledge the very hard advocacy of my colleague in the other place the member for Pakenham as well as Cardinia Shire Council and their mayor Cr Jack Kowarzik. It has been an honour to work with them in campaigning for these improvements for the broader south-east region, and it was wonderful to see these amounts last week.

There are also going to be a number of additional projects, including a shared user path on Craig Road in Cranbourne East and a shared user path along Soldiers Road, Berwick, between the M1 overpass and O’Shea Road, as well as \$4.23 million for land acquisition for the new CFA Clyde fire station. This funding will support the growing community in my region of the south-east, especially in the very fast growing suburb of Clyde North.

As our suburbs continue to grow it is important that we continue to deliver the services and the infrastructure that they need, and that is exactly what the Allan Labor government is doing. It is why I welcome the GAIC funding as announced last week by Minister Kilkenny, and it is why, to reiterate, I am seeking an update from the minister on these projects being delivered in the south-east of Melbourne as part of the GAIC fund.

Duck hunting

Katherine COPSEY (Southern Metropolitan) (18:50): (841) My adjournment today is to the Premier. As is becoming a worrying signature of this government, defeat was snatched from the jaws of victory earlier this year when the Premier made a captain’s call to approve another season of slaughter of our native ducks. In doing so, she ignored the views of a majority of Victorians and the recommendations of Labor’s own inquiry. During the second week in April, when the shooting started,

I joined the vets from Wildlife Victoria and brave volunteers from the Coalition Against Duck Shooting at wetlands in northern Victoria. We saw native waterbirds that had not been retrieved, giving lie to this claim that shooting is done for food. We saw waterbirds that were not on the approved list and therefore were shot illegally. CADS and Wildlife Victoria laid out dozens of dead ducks outside the Premier's office, including illegally shot threatened blue-winged shovelers that were recovered by rescuers in just the first five days of this season. This is just further evidence that the waterfowl identification test taken by shooters is either ineffective or is being ignored.

The social licence for this brutal activity, whatever there was of it, is already clearly diminished. The number of shooters has fallen significantly from around 100,000 many years ago to an estimated no more than 5000 shooters out there this year. Why then is so much of Victoria locked up for nearly two months each year for the exclusive use of this brutal few? To my colleagues on the government benches, it is time to refresh your memory that it was Labor premiers who banned the practice in their states – Carmen Lawrence in WA in 1990, Bob Carr in New South Wales in 1995. And when Queensland banned duck shooting in 2005, Premier Peter Beattie stated that Queensland was now the smart state for protecting their native waterbirds. An admirable Labor tradition from reforming progressive premiers that accepted facts based on clear evidence – a tradition your Premier is turning away from. Progressive Victoria? I think we are starting to see evidence of regressive Victoria instead. Premier, the action I seek is to end duck shooting in Victoria for good.

Craigieburn ambulance station

Evan MULHOLLAND (Northern Metropolitan) (18:52): (842) My adjournment is for the Minister for Ambulance Services, and I am seeking the action of the minister to inform my constituents when the new ambulance station in Craigieburn will be fully staffed and operational.

We have all heard of the pub with no beer, but in the north we have literally got an ambulance station with no staff – we have got a new multimillion-dollar ambulance station sitting empty. Labor promised this station in Craigieburn would be staffed 24 hours a day and have enough bays to fit four ambulances, but now it will only have three vehicles, two of which are being redeployed from a nearby branch. Locals and staff have reported to me that the new ambulance station has been broken into several times while it has remained empty. Labor promised this ambulance station in 2016. The then health minister Jill Hennessy said in July 2018 the Craigieburn ambulance station would be completed by June the next year, so in 2019, but they did not even settle on a location until September of 2022. It was then promised it would be completed by mid-2023, but it was only opened officially in March this year.

When the Liberals pointed out this delay back in 2018, the local member for then Yuroke, now Kalkallo, said that the Liberals could not be trusted because they waged war on our ambos. How ironic given that the signage that is on ambulances in Craigieburn and across the state says that in fact it is Labor that is waging war on our ambos – paramedics like Glenn Wilson, who says he is 'fed up with promises not being met' and that no new ambulances are 'being made available to respond to the ever-expanding Craigieburn community', which happens across all of our growth areas in our state with all types of services. Labor pinches the stamp duty revenue from these areas and spends it everywhere but our growing suburbs.

Glenn goes on to say that:

Ambulances from other areas of Melbourne such as Sunbury and Epping are often dispatched to emergency cases in Craigieburn and Mickleham, causing significant delays for locals to receive help when they need it most.

He says:

We are concerned that Ambulance Victoria is simply redeploying existing ambulances and paramedics to the Yuroke branch to make it appear to the community that the 'multi-million-dollar branch' is being staffed, when it is in fact currently not providing further benefit to the community ...

This sorry saga is symbolic of the contempt with which Labor holds communities in the outer north – promise after promise not being met, and no-one will care because it is a safe seat. Well, I tell you what, locals are absolutely furious about this, whether it be delays on the Craigieburn Road duplication, illegal dumping of rubbish or 40 per cent vacancies at Craigieburn police station. So I seek the action of the minister to provide an update on when the new Yuroke ambulance station will be fully operational.

Gendered violence

Georgie PURCELL (Northern Victoria) (18:55): (843) My adjournment matter this evening is for the Minister for Education, and the action I seek is an urgent investigation into the prevalence of sexism, misogyny and sexual harassment in Victorian schools. The faculty of education at Monash University has recently published research proving the rise of widespread, pervasive misogyny and blatant sexual harassment in Australian schools following the influence of misogynistic content creators like, namely, Andrew Tate. His effects on the youth of this state in reinvigorating men's dominance and presumed superiority over women cannot be ignored any longer. The behaviour in school ranges from unsolicited touching, sexualisation of female teachers, gendered slurs and lewd gestures and sounds to a litany of disrespect, misogyny and undermining and belittling of girls and women. Monash University found that numerous female teachers have recently resigned due to the unrelenting sexism and misogyny directed at them by male students. It is exactly this objectification by boys of women and young girls in every aspect of their daily lives that leads to them growing up into men who feel entitled to power and emboldened by masculinity to subordinate and violently abuse women.

We cannot go on saying boys will be boys – that it is just a joke – or teaching our daughters 'The boy is bullying you because he likes you.' It is all a game until one day your daughter comes home saying she was raped by her classmate or until you see on the news that a 23-year-old woman, Hannah McGuire, was found dead in a burnt-out car near Ballarat and that two young males known to her have been arrested for her murder. We have to start calling out this behaviour in schools for what it is – it is gendered violence. Schools are crucial formative sites of masculinity shaping. Their action – or inaction – directly institutionalises gender relations that students will then take out into the world. We need this investigation to have a particular focus on school leadership responses to complaints of sexism, sexual harassment and misogyny. The No More rally I attended on the weekend demonstrated that we cannot and will not accept anything less than a zero-tolerance approach. The national 10-year plan to end violence against women and children established in 2022 ironically neglects to isolate or overtly consider sexism and sexual harassment in schools. I hope the minister will respond to this omission and the rise in male supremacist ideals by issuing an urgent investigation into the prevalence of sexism and sexual harassment in Victorian schools.

Land tax

Joe McCracken (Western Victoria) (18:58): (844) My adjournment matter is for the Treasurer, or as some are calling him, the minister for being broke in Victoria – because that is what we are. It relates to land tax and the problems that are associated with land tax here in Victoria. The action that I seek is for the Treasurer to establish an inquiry into land tax, especially the impacts on regional Victorians.

I have spoken to many people about land tax. In fact, it is probably one of the most significant issues that people come to my office about. I had one developer contact me recently saying that this is the first time that they have ever had to borrow money to pay their land tax bill. The first time that they have had to borrow money because they could not afford to pay their land tax bill out of cash reserves or incoming revenue – that is a complete disgrace, and the government should be ashamed of it.

I have also had many property owners forced to sell their properties because they cannot afford to maintain their land tax obligations due to the properties that they own. One constituent of mine said that his bill was \$20,000 a week, and for the assets that he owned, most of the percentage of those

assets was owned by the bank. So you can imagine the imposition that land tax has on someone who is renting out properties to people that by all means are actually struggling.

Think about what land tax actually does to the economy. It forces higher prices in rents because it increases the costs of property owners. They have to pass them on, and if they cannot pass them on, they sell the property, which is actually what is happening. When you take more properties out of the market, what happens? It is called demand and supply, and when you have got less supply, prices go up. It is economics 101. I used to teach my year 12 students that sort of stuff. I wish someone would teach the government that sort of stuff as well, because clearly they do not understand the impact of their negative land tax implications on Victorians. We are seeing the impacts of that with the rise in homelessness and people struggling to find accommodation. It is just so unfair. So make sure that the Treasurer actually listens so that an inquiry can be established to find out from people – real people – what the impact of land tax is, because I can tell you, from my humble experience, it is not a good one.

Short-stay accommodation

Sarah MANSFIELD (Western Victoria) (19:01): (845) The action I am seeking from the Minister for Consumer Affairs is for her to introduce short-stay regulations that will lead to a meaningful increase in the number of long-term rentals on the market. It should hardly be any news to this government that we are in a housing crisis, and yet Victorian Labor is refusing to take action for renters. The latest PropTrack rental affordability report has found that a median household can only afford 39 per cent of advertised rentals, and unregulated short-term letting such as through Airbnb is only making the situation worse.

In my electorate of Western Victoria there are currently 6837 homes or apartments listed on Airbnb. The average price per night is \$462. Yet in many of the towns that have abundant short-stay availability, such as on the Surf Coast, the long-term rental vacancy rate is close to zero. In Warrnambool there are currently 135 homes listed on Airbnb, but only 38 properties are advertised to rent long term. This is a statewide issue. However, the lack of long-term rentals is having a particularly profound effect on small towns. It is not only driving people into housing stress or poverty or leaving them unhoused; people are being pushed out of places where they have lifelong connections.

Lack of long-term rentals also makes it impossible to attract essential workers in critical industries like health care, aged care, child care, teaching, agriculture and hospitality because there is simply nowhere for these key workers to live. In turn, the services and businesses are struggling to survive. It is simply not right that these houses that could be a home for someone are not available in the midst of a housing crisis. Other jurisdictions across the country and around the world are taking action to address this very problem. Most recently, Western Australia have introduced a range of measures to regulate short-stay rentals and Cairns Regional Council is considering planning scheme amendments, yet so far in Victoria Labor have been unwilling to try to tackle this issue.

The token levy that has been proposed by the government will only make holidays more expensive. It is not going to do anything to actually create more housing for those who need it. Our Parliamentary Budget Office costings show that the levy will actually be least effective in regional areas. The Greens want to see real action, and that is why we are pushing for things like a 90-day cap on the number of days a short-stay can be listed. We want a mandatory public register for short-stay properties and powers for apartment buildings to ban or limit short-stays. We want to see real changes that free up housing for people to actually live in, and I would urge the government to act.

Yan Yean Road upgrade

Wendy LOVELL (Northern Victoria) (19:04): (846) My adjournment matter is for the Minister for Transport Infrastructure, and it concerns the stage 2 upgrades to Yan Yean Road. The action that I seek is for the minister to commit funding for the stage 2 upgrade of Yan Yean Road and work with local businesses and schools as a matter of urgency to agree on a design that satisfies the interests of all stakeholders.

Yan Yean Road is a disgrace, and the process for planning and delivering the stage 2 upgrades to Yan Yean Road has been shambolic. The government should be planning ahead and building infrastructure well before local demand overwhelms existing roads and services, but unfortunately that has not happened with Yan Yean Road. The area around Mernda, Yarrambat and Doreen has already outgrown the current road system, but the government shows no urgency in catching up. Labor promised to fast-track this project back in 2015, but it is still in the planning stage in 2024, and with every year that passes the project becomes more urgent. In the meantime, the road has fallen into disrepair, cars are regularly damaged by potholes and the single lanes are chronically congested every morning and evening as commuters travel between their homes, schools and workplaces. There are over 24,000 vehicles per day on the road, and traffic chaos is causing regular accidents on the narrow lanes. Just a few weeks ago a young man was walking along Yan Yean Road to the golf club and was clipped by a passing car. Tragically, the collision resulted in a severe brain injury, and he is now in hospital in an induced coma. The government must take action on this road before others are hurt or lives are lost.

Delaying the build is also deeply unfair to local residents whose homes have been captured in the planning overlay and are subject to possible acquisition by the government. They are stuck in limbo, unable to feel settled in their homes and also unable to sell up and move because no-one will buy a house that might be acquired. These residents need a resolution, and they need it now. The duplication of the road must also be sensitive to the needs of local businesses, who rely on passing traffic having access to their car parks and storefronts. Local businesses have expressed a real worry that shifting the path of the road could reroute traffic away from them and make their businesses unviable.

The environment effects statement was completed back in 2020, and in 2021 the Minister for Planning signed off and gave approval for the upgrade to go ahead with some changes. It is now 2024, and while the bridge and road duplication is underway, it cannot go all the way to connect with Yan Yean Road because the shape of the interface between them has still not been finalised. The project has been stuck in the planning phase for far too long. The minister needs to get on with funding and building this section of road infrastructure that is critical for connecting the growing northern suburbs. I would like to thank Richard Welch, who highlighted this issue as the candidate in Yan Yean.

Suburban Rail Loop

Richard WELCH (North-Eastern Metropolitan) (19:07): (847) My adjournment question is to the Minister for the Suburban Rail Loop. I rise today to address a matter of urgent concern for the residents of Box Hill and the City of Whitehorse. Recently I met with the mayor of Whitehorse, Denise Massoud, and her hardworking team to discuss developments surrounding the Suburban Rail Loop and the Suburban Rail Loop Authority (SRL Authority). In Box Hill alone a staggering 2500 trees are marked for removal to make way for this project. These are not just numbers on a page, these trees represent the lungs of our city and are essential for air quality, shade and the wellbeing of the community. Box Hill, a suburb that has already limited space, is slated to see open space go from 36 square metres per person to 6 square metres per person because of the government's proposed precinct. This is not development, this is devastation of the public utility and amenity.

The Victorian government's handling of this situation leaves much to be desired. There has been a significant lack of communication between the SRL Authority, the City of Whitehorse and, most importantly, the people of Box Hill. Such an expensive project requires not only consultation but collaboration with the community it impacts, yet our community leaders find themselves consistently sidelined and their concerns unaddressed by government. In light of this, our community has rallied. The formation of action groups like the brickworks parkland association is a testament to the resilience and commitment of Box Hill residents to protect and preserve our open spaces. These groups are not just fighting against the loss of green space, they are fighting for the soul of our community, for our quality of life and for the environment we cherish.

Mayor Massoud and the City of Whitehorse have shown leadership and care for our community. Their efforts to mitigate these impacts are commendable, but they should not have to fight this battle alone. Meanwhile, the member for Box Hill is entirely mute as the community he is supposed to serve have their community demolished literally out from under their feet.

The need to save and protect open space in Box Hill has never been more critical. The strategy must ensure that our open spaces are not just preserved and enhanced but enhanced in the face of urban development. As it stands today, it is clear that the promises made by this government, promises of progress and connectivity through a new train line, have morphed into a plan that threatens to dismantle the very fabric of our community. We were promised enhancements, not the eradication of our community's livability. Infrastructure is not just concrete; infrastructure is open spaces, suitably sized schools and ample sports facilities. Therefore, Minister, the action I seek is: will you commit to a genuine open-space strategy that prioritises the needs and the wellbeing of the City of Whitehorse?

Gendered violence

Renee HEATH (Eastern Victoria) (19:10): (848) My adjournment is for the Minister for Prevention of Family Violence, and the action that I seek is for the minister to outline when the government will deliver the now overdue Victorian 10-year sexual violence strategy, which was promised to be released in 2022, and what consultation is planned to ensure that the government delivers on its commitment to work closely with specialist and community sector services and to ensure that lived experience is at the centre of these reforms to build effective and long-lasting change.

It was both encouraging and confusing to see the Premier and ministers marching against domestic violence over the past week. It was encouraging because it is a very serious issue that I have been advocating for and that does need to be addressed by the government, and it was confusing because they are the government. If you are the government, why are you protesting to yourself to advocate for change? There should be more doing and less marching, I think – more doing and less talking. I have been asking for a year now for action on the stalking reform, and according to the Premier and the Attorney-General, they are still considering the recommendations in this report. When it comes to violence against women, we have reached crisis point in this state. Action is needed, and whatever needs to be done to speed up consideration should be done, because we need less marching and less talking from those opposite and more action.

Ambulance services

Georgie CROZIER (Southern Metropolitan) (19:12): (849) My adjournment matter this evening is for the attention of the Minister for Ambulance Services. Jess told Jacqui Felgate's 3AW program today of her harrowing experience last Saturday morning. Jess's 12-year-old son was playing footy when he was tackled to the ground and fell unconscious. He was unresponsive, badly concussed and in shock. Jess and others followed advice from the AFL HeadCheck app and called 000 immediately to request an ambulance. After an hour and a half his condition had worsened. He had neck stiffness, headaches and nausea. These symptoms can be extremely dangerous. Jess called 000 back as her son's symptoms had worsened and was told that they were in the queue for an ambulance. Although only 5 minutes from the Bendigo Hospital, still no ambulance had arrived after 2 hours and 45 minutes, so Jess and others made the difficult decision to transport the injured child themselves to the emergency department. On arrival at the ED they were astounded to find ambulances ramped. In fact at 2 pm on Saturday at Bendigo Hospital there were at least seven ambulances ramped.

Instead of being able to respond to Victorians in need, paramedics and ambulances are regularly ramped at Victoria's EDs across the state. There were reports last week that over a dozen ambulances were ramped outside Frankston Hospital, and last night in Box Hill over half a dozen ambulance crews were waiting up to 3 hours to offload patients. In early April there was ramping at the Royal Melbourne Hospital, at Sunshine, Ballarat, Box Hill – the list goes on. The system is in crisis. Ambulance response times across regional Victoria remain well under the government's own targets, and in Bendigo, where

this incident occurred on Saturday, just 63 per cent of ambulances arrive within the 15-minute target time frame – the government’s own target time frame.

These issues are not new. The issues in health were there well before COVID, and the situation since COVID has only deteriorated. Our hospitals are carrying huge deficits, some in the hundreds of millions of dollars. They literally are running out of cash. Agency staff are booked to work shifts and then cancelled an hour before they are due to start. Amalgamations of rural and regional health services will only make matters worse – Victorians will have to travel further to receive care and ambulances will have to travel further to respond to patient emergencies. Minister, given the shocking state of Victoria’s health system, the action I seek is that you look into the matter of Jess and her son and provide an explanation as to why no ambulance arrived when they called one when they needed it.

Lethbridge Airport

Bev McARTHUR (Western Victoria) (19:15): (850) My adjournment matter is for the Minister for Regional Development and concerns Lethbridge Airport, Geelong’s regional airport, and the threat posed to it by the planned Tall Tree Wind Farm project. The scheme for that development includes the construction of 60 wind turbines up to 271 metres high. That is just 30 metres shorter than the Melbourne Skydeck. If built, they will be the tallest onshore turbines in Australia. The immense scale concerns local residents, as does the proximity to homes in a developed area, with a substantial number of small holdings and lifestyle properties. Populations in Meredith, Inverleigh, Teesdale, Lethbridge and Bannockburn will be impacted. The concern has been heightened by this Labor government’s fast-tracking of amendment VC261 for renewables projects and the shocking removal of communities’ rights to appeal permit decisions to VCAT.

I recently spoke to a crowd of hundreds of residents who had assembled at Lethbridge Airport to protest against the inappropriate placement of this development. In particular, I heard great concern about the impact it will have on the aviation activities and businesses operating at the airport, which will be halfway encircled by the proposed towers. This is a serious regional airport, equipped with airfield lights for night flying, and it has been the recipient of substantial government funding in the past. It is not a dirt strip in the bush but a serious aviation hub and regional economic asset.

The Tall Tree Wind Farm would have significant effects on take-offs and landings at the airport, which is regularly used by emergency services, especially during the bushfire season. CFA and police aircraft will face increased flight times and in some circumstances may not be able to operate at all. Aviation businesses like the flight school are threatened, and other businesses on the site will face significant problems. Agricultural aviation services will suffer, as will the Hangarage business, maintenance facilities, avionics specialists and aircraft dealers. There is no realistic local alternative, so the communities involved want common sense to triumph. You cannot relocate the airport to suit the wind farm development, so it must be the other way around. The action I seek, Minister, is for you to commission a consultation with all the affected parties at the airport to consider the economic impact of the proposed development on the airport and surrounding businesses and to ensure that this important regional asset is not downgraded or even rendered inoperable by an inappropriately sited wind farm proposal.

Ringwood East level crossing removal

Nick McGOWAN (North-Eastern Metropolitan) (19:18): (851) My adjournment matter concerns a level crossing removal project so therefore is for the Minister for Transport Infrastructure Danny Pearson. I have had the good fortune of spending quite a bit of time there over these last few months and consulting and speaking with the local community, including of course local residents, our senior citizens and even nearby schools.

I recently also had the opportunity to look at a number of issues concerning that particular project with the Ringwood East Traders Association and their president Helen Johnston. One of the concerns that Helen and the East Ringwood Traders Association have is one of the slip lanes. It appears that as you

come from Dublin Road headed towards the shops, while you currently have a left-hand turning lane – that is, a slip lane; you do not have to wait for the traffic light, thank goodness – the proposal on foot as it stands currently would actually have a traffic light there: a red or green arrow. This is of some concern to the local traders, and for good reason, because of course what we want to continue to have when the works are finished is a slip lane that enables the traffic along Dublin Road to turn at ease. That would also of course mean that the other traffic, which is bound either to Ringwood Secondary College or to Eastwood Primary School and Deaf Facility, continues to travel unimpeded. That is really important.

Therefore I would like the minister to take up the suggestion of the Ringwood East Traders Association and the locals and ensure that when the works are finalised that important slip lane remains. We would also like the minister, in addition to ensuring that a slip lane remains, to shed some light on the future of the land – and it is currently held by VicTrack – adjacent to the shops where it intersects with Railway Avenue and Dublin Road. It is a sizeable portion of land. It will be made all the more sizeable once the underpass is complete. It is an important community asset. I would like to call now for the minister to ensure that he has a thorough process of community and public consultation. There are potentially very many uses. I am well aware that there would be a number, indeed hundreds, in the order of 460 new car parks at that train station when it is finalised, and that is in addition to – for those who are listening tonight or are not local to my seat of Ringwood – something in the order of 23,000 car movements along that street. Therefore it is critical to ensure that whatever the future purpose of that land is, it is in the community's best interests. That being the case, I will leave those matters with the minister, and I look forward to his timely response not only to myself of course but to the local community in Ringwood.

Public halls

Gaelle BROAD (Northern Victoria) (19:21): (852) I would appreciate your assistance with directing this question, because I note there are four ministers covering six portfolios in the Department of Energy, Environment and Climate Action, and my question is to be directed to the appropriate minister that oversees public halls on Crown land in Victoria. The action I seek is for DEECA to come to an agreement with local councils to ensure ongoing funding and support is provided to committees of management of public halls to adequately maintain and insure these assets. In many regional areas, like Woodvale and Sedgwick, public halls are located on Crown land and are a state-owned asset. The day-to-day management is coordinated by a small not-for-profit committee of local volunteers.

In Woodvale, for example, the hall is the central hub that brings the local community together for events like the market and the recent Anzac Day service. The committee was shocked that the hall facility has recently been removed from the City of Greater Bendigo's asset register. With council support being removed, the Woodvale hall is currently without building and contents insurance. For a small and ageing committee already stretched, this is a devastating blow. This public hall and many others in regional Victoria are government buildings, and as such the government should be insuring their own assets.

It is too much for these voluntary committees to cover the cost of insurance and the inspections and services required to maintain a public building. The Woodvale committee contacted a local solicitor for advice, and they were told:

... "Not an insurable asset for us as we do not own it". It is like me taking out insurance on your house and I would get a payout if it was burned down.

The solicitor suggested the issue may not be insurmountable but nevertheless needs to be addressed. Obtaining, keeping and engaging volunteers is getting increasingly difficult, and I ask for the minister's support to help resolve this issue. On behalf of these local hall committees, the action I seek is for DEECA to come to an agreement with local councils to ensure ongoing funding and support is provided to committees of management to adequately maintain and insure these valuable community assets.

The PRESIDENT: Thank you, Mrs Broad. Our understanding is that the Assistant Treasurer has carriage of the Crown Land (Reserves) Act 1978, so we will start there, but the minister will check as well, and if I am wrong, he will make sure it goes to the appropriate minister.

Responses

Enver ERDOGAN (Northern Metropolitan – Minister for Corrections, Minister for Youth Justice, Minister for Victim Support) (19:23): There were 14 matters raised today: Ms Bath to the Minister for Environment, Mr Galea to the Minister for the Suburbs, Ms Copsey to the Premier, Mr Mulholland to the Minister for Ambulance Services, Ms Purcell to the Minister for Education, Mr McCracken to the Treasurer, Dr Mansfield to the Minister for Consumer Affairs, Ms Lovell to the Minister for Transport Infrastructure, Mr Welch to the Minister for the Suburban Rail Loop, Dr Heath to the Minister for Prevention of Family Violence, Ms Crozier to the Minister for Ambulance Services, Mrs McArthur to the Minister for Regional Development, Mr McGowan to the Minister for Transport Infrastructure and Mrs Broad to the Assistant Treasurer. But as the President has outlined, if it is another minister, we will make sure it is directed to the appropriate person. I will make sure those matters are referred on to the relevant ministers for response in accordance with the standing orders.

The PRESIDENT: The house stands adjourned.

House adjourned 7:24 pm.