



# **Hansard**

## **LEGISLATIVE COUNCIL**

**60th Parliament**

**Wednesday 31 July 2024**



# Members of the Legislative Council

## 60th Parliament

### President

Shaun Leane

### Deputy President

Wendy Lovell

### Leader of the Government in the Legislative Council

Jaclyn Symes

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

Lizzie Blandthorn

### Leader of the Opposition in the Legislative Council

Georgie Crozier

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

Evan Mulholland (from 31 August 2023)

Matthew Bach (to 31 August 2023)

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

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

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

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

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

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

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

### Party abbreviations

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

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

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

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



# CONTENTS

---

PETITIONS	
Winchelsea Primary School .....	2381
PAPERS	
Papers .....	2381
PETITIONS	
Wonthaggi planning .....	2381
Response.....	2381
BUSINESS OF THE HOUSE	
Notices .....	2381
MOTIONS	
Middle East conflict .....	2382
MEMBERS STATEMENTS	
Julie Soares.....	2382
Government performance .....	2382
Waste and recycling management .....	2383
Knox United Soccer Club.....	2383
Stefan Romaniw .....	2383
Cannabis law reform .....	2383
Allan Trinca .....	2384
Camberwell Primary School .....	2384
Chatham Primary School.....	2384
Treaty .....	2384
Portland Bay School.....	2384
Southern Metropolitan Region housing .....	2385
BILLS	
Government Construction Projects Integrity Bill 2024 .....	2385
Statement of compatibility.....	2385
Second reading.....	2386
BUSINESS OF THE HOUSE	
Notices of motion .....	2390
PRODUCTION OF DOCUMENTS	
Timber industry .....	2391
BILLS	
Confiscation Amendment (Unexplained Wealth) Bill 2024.....	2395
Council's amendments.....	2395
MOTIONS	
Medicinal cannabis.....	2395
QUESTIONS WITHOUT NOTICE AND MINISTERS STATEMENTS	
Western Metropolitan Region fire services .....	2409
Construction, Forestry and Maritime Employees Union.....	2410
Ministers statements: Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.....	2411
LGBTIQ+ health services .....	2411
Construction, Forestry and Maritime Employees Union.....	2412
Ministers statements: LGBTIQ+ community.....	2413
Energy policy .....	2414
Construction, Forestry and Maritime Employees Union.....	2414
Ministers statements: Shepparton Albanian Moslem Society.....	2415
Anti-vilification legislation .....	2416
Construction, Forestry and Maritime Employees Union.....	2416
Ministers statements: Victoria Legal Aid.....	2418
Written responses .....	2418
CONSTITUENCY QUESTIONS	
Southern Metropolitan Region.....	2419
South-Eastern Metropolitan Region .....	2419
Southern Metropolitan Region .....	2419
Northern Metropolitan Region.....	2419
Northern Victoria Region .....	2420
Northern Victoria Region .....	2420
Eastern Victoria Region .....	2420
Eastern Victoria Region.....	2420

# CONTENTS

---

North-Eastern Metropolitan Region .....	2421
Northern Victoria Region .....	2421
Western Victoria Region .....	2421
MOTIONS	
Medicinal cannabis.....	2421
COMMITTEES	
Environment and Planning Committee .....	2424
Reference.....	2424
Select committee.....	2439
Establishment.....	2439
BUSINESS OF THE HOUSE	
Notices of motion and orders of the day .....	2457
STATEMENTS ON TABLED PAPERS AND PETITIONS	
Department of the Legislative Council.....	2457
Report 2022–23 .....	2457
Department of Justice and Community Safety.....	2458
Report 2022–23 .....	2458
Electoral Matters Committee.....	2459
Inquiry into the Conduct of the 2022 Victorian State Election.....	2459
Commissioner for Environmental Sustainability Victoria .....	2460
Strategic Audit 2022–23: Implementation of Environmental Management Systems by Agencies and Public Authorities.....	2460
Department of Treasury and Finance .....	2461
Budget papers 2024–25 .....	2461
State Electricity Commission .....	2462
Constitution of SEC Victoria Pty Ltd.....	2462
Victorian Auditor-General’s Office.....	2463
Access to Emergency Healthcare .....	2463
PETITIONS	
Lord’s Prayer.....	2464
ADJOURNMENT	
Cladding rectification program .....	2470
Cost of living.....	2471
Housing.....	2471
Housing affordability .....	2472
Wild dog control .....	2473
Firewood collection .....	2473
Wonthaggi planning .....	2473
Container deposit scheme .....	2474
Cost of living.....	2474
Southside Justice.....	2475
Wind farm regulations .....	2475
State forest access .....	2476
Windsor Community Children’s Centre .....	2476
Victorian Comprehensive Cancer Centre Alliance .....	2477
Responses .....	2478

**Wednesday 31 July 2024**

**The PRESIDENT (Shaun Leane) took the chair at 9:33 am, read the prayer and made an acknowledgement of country.**

*Petitions*

**Winchelsea Primary School**

**Sarah MANSFIELD** (Western Victoria) presented a petition bearing 356 signatures:

The Petition of certain citizens of the State of Victoria draws to the attention of the Legislative Council the state of Winchelsea Primary School. In parts of the school there is asbestos materials meaning that improvement works are dangerous and costly. The school faces the Princes Highway, which is a two-lane two-way Highway, and has inadequate fencing, replacing the fence is beyond the school's financial capacity. Current growth figures are showing that the school will be at capacity in three years. The school doesn't have an all-abilities toilet and shower meaning it isn't suitable for all students. Many schools in the surrounding areas have had significant improvements made in recent times. The current plan of fixing or replacing the damage in the buildings is going to cost above \$30,000 per year. This will only increase into the future. The current school site is over 60 years old and will no longer meet the requirements as enrolments increase as the town grows. In rural areas the schools are the lifeblood of the community and are seen as a gathering place for everyone.

The Petitioners therefore request that the Legislative Council call on the Government to consider planning for a new school on a greenfield site in Winchelsea to cater for the current and future growth of the town and surrounding areas.

**Sarah MANSFIELD:** I move:

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

**Motion agreed to.**

*Papers*

**Papers**

**Tabled by Clerk:**

Auditor-General – Results of 2023 Audits: Technical and Further Education Institutes, July 2024 (*Ordered to be published*).

*Petitions*

**Wonthaggi planning**

*Response*

**The Clerk:** I have received the following paper for presentation to the house pursuant to standing orders: Minister for Planning's response to petitions titled 'Rescind the environment audit overlay in the *Wonthaggi North East Precinct Structure Plan*'.

*Business of the house*

**Notices**

**Notices of motion given.**

*Motions***Middle East conflict**

**Samantha RATNAM** (Northern Metropolitan) (09:46): I move, by leave:

That this house:

- (1) notes that since the Legislative Council's resolution on 17 October 2023 concerning Israel and Gaza, which stated that this house 'stands with Israel', the following have occurred:
  - (a) over 100,000 Palestinians in Gaza have been killed, injured or are missing;
  - (b) the Gaza health ministry has declared a polio epidemic across Gaza amidst a worsening public health emergency that has resulted from Israel's bombing, occupation and blockade of Palestine;
- (2) recognises the brave and courageous Victorians who continue to protest and demonstrate against this genocide;
- (3) stands with students who have been threatened with misconduct for standing up against the invasion of Gaza; and
- (4) calls on Labor to take action, including severing military trade relationships with the state of Israel.

**Leave refused.**

*Members statements***Julie Soares**

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (09:47): I rise today to pay tribute to the late Dr Julie Soares, a cherished member of our community who recently passed away, and it has deeply saddened all of us. Julie's life was a testament to the values of dedication, compassion and service, and her loss is profoundly felt by many. As a driving force of the Ararat Labor Party branch over at least the last two decades, Julie's contributions to community development, education and social welfare were significant and far-reaching. As an author, historian, consultant, library technician, farmhand, shearers cook and teacher, Julie's down-to-earth social intelligence and commitment to improving the lives of others was evident in everything she did. Julie was a mentor to many and a friend to all, always willing to lend a helping hand and offer words of encouragement. She will be remembered not only for her achievements but also for her kindness, integrity and unwavering dedication to making her patch a better place. Dr Soares's legacy will continue to inspire all of us to work towards a more compassionate and connected community. I extend my deepest condolences to Julie's family, friends and all who had the privilege of knowing her. We mourn her loss and honour her memory, confident that her spirit of service and community will live on.

**Government performance**

**Renee HEATH** (Eastern Victoria) (09:48): This Labor government is a government that is out of money, out of answers and out of touch. This is a government that was elected on an extensive list of promises that it subsequently abandoned, neglected, dumped or delayed. Whether it is the doubling of free kindergarten hours for four-year-olds – which was delayed – the airport rail link, the new Royal Melbourne Hospital or hosting the 2026 Commonwealth Games, this government has walked away from what they put to the electorate before the election.

It is not just these familiar ones that are in the media that have been dumped or delayed. In my region, Eastern Victoria Region, many promises made by this government have been abandoned, not started or walked away from. They promised Pakenham a new community hospital, which was meant to be started in 2018. They delayed it once again, and we know that it will not be delivered within the new timeline that they have given. The Phillip Island hospital is running behind. The upgrades to the Pakenham and Emerald colleges have not begun. San Remo Primary School has not received the funding it was promised, and there is still no money for stages 2 or 3 of the Wonthaggi Hospital upgrades. Does anyone take them seriously when they declare a billion-dollar surplus before the next



election? As I said at the start of this, the government is out of money, out of answers, out of touch, and I will add another one: out of time.

### **Waste and recycling management**

**Sarah MANSFIELD** (Western Victoria) (09:50): Councils across Victoria are currently being asked to consider signing contracts to send their municipal waste to a new waste incinerator for decades to come. This is extremely worrying and highlights the failure of this Labor government to move to a genuinely circular economy. For decades they have neglected waste and recycling, and they are now looking to take the lazy way out by allowing private companies to set up waste incinerators wherever they like, with essentially no government oversight about where they go, where the waste will come from or what the long-term impacts will be.

Waste incineration is problematic on several fronts. It is highly emissions intensive. Toxic gases and residual ash are harmful for health and the environment, and it completely undermines the economic incentives to reduce waste and develop more sustainable alternative recycling markets. These beasts need to be fed a minimum amount of garbage to operate properly, so locking these councils into long-term contracts means not only that they have no incentive to reduce their waste, but they have an obligation to generate it and provide it. Jurisdictions across Europe and the USA are moving away from waste incineration for all of these reasons. There are better pathways that Victoria could choose, but this government cannot be bothered, and ratepayers, taxpayers and the environment and climate are all going to be locked into paying for the state government's poor decisions for decades to come.

### **Knox United Soccer Club**

**Michael GALEA** (South-Eastern Metropolitan) (09:51): I recently had the opportunity to visit one of the many fantastic local sporting clubs in my electorate, that being Knox United Soccer Club, who are based in Rowville. I had the chance to meet with Felice and Matt from the club recently at one of their junior games, and I saw some junior training as well. It was great to go visit that wonderful local club. They are a very fast-growing club with well over 400 players now and burgeoning women's teams as well, which is great to see. They are currently on the search for new premises, and I am very glad to be working with them as they engage with Knox City Council and others in search of their permanent, forever home. I just want to give a quick shout-out to that terrific club in my electorate today.

### **Stefan Romaniw**

**Michael GALEA** (South-Eastern Metropolitan) (09:52): I would also like to take this opportunity to share brief remarks about a very wonderful man who sadly was taken away from us far too soon, and that is Stefan Romaniw, who was chair of the Federation of Ukrainian Associations across Australia. He was a remarkable man, one I got to meet on several occasions. He was a fierce advocate both for the Ukrainian Australian community and also for Ukraine in its time of struggle. He was taken from us far too soon, and I want to join others in extending my deepest condolences to his family and loved ones. Slava Ukraini. Heroiam Slava.

### **Cannabis law reform**

**David ETTERSANK** (Western Metropolitan) (09:53): Last week the Penington Institute released a groundbreaking discussion paper titled *Cannabis Regulation in Australia: Putting Community Safety First*. I highly recommend it to all members because it is a cracker of a read. The paper examines Australia's regulation of cannabis and finds it wanting, to say the least. It finds that the ongoing criminalisation of cannabis, far from limiting its use and availability, is allowing criminal gangs to prosper while punishing small-time users and people from low socio-economic backgrounds. The illicit cannabis market is worth \$5 billion annually. It is hugely profitable for the broader criminal economy. Police operations routinely reveal the participation of dangerous criminal networks in cannabis cultivation and distribution. The bulk of cannabis-related arrests, however, are for small-time personal use offences. We should be using these resources to tackle serious crime, from family

violence through to the activities of criminal gangs supplying more harmful illicit drugs. The paper points to the wealth of evidence and research from around the world showing the benefits of a regulated cannabis market, including the ability to limit under-age access, to ensure quality and safety and to reduce the enormous cost of policing illicit cannabis – and maybe even put a few billion back into state coffers. It is time for our lawmakers to move towards a regulated cannabis market to benefit the community, deprive criminal gangs of their cash cow and stop the criminalisation of and consequential harms to vulnerable people.

#### **Allan Trinca**

**John BERGER** (Southern Metropolitan) (09:55): I have three separate matters to raise. First, on Sunday I had the honour to join the Minister for Veterans Minister Suleyman at Mr Allan Trinca's 100th birthday celebration. Mr Trinca is a World War II veteran and Hawthorn RSL member. Born on 20 July 1924, he was educated at Melbourne Grammar School and served as an armourer and fitter in the RAAF in New Guinea and North Borneo. He went on to lead a fulfilling life as an anaesthesiologist, deeply connected to his community. It was an honour to meet Mr Trinca, and I know that the chamber will join me in honouring his service.

#### **Camberwell Primary School**

**John BERGER** (Southern Metropolitan) (09:55): My second matter is for the Deputy Premier, who joined me in my electorate, in Hawthorn. I know they deeply miss their former hardworking Labor member of Parliament John Kennedy. There we visited Camberwell Primary School to meet the teachers and students at the site which will see the transformational redevelopment of the school – \$9.7 million thanks to the Allan Labor government. Thankfully Hawthorn will not have to wait too long until they have a hardworking, diligent new member.

#### **Chatham Primary School**

**John BERGER** (Southern Metropolitan) (09:56): On my third matter, the Deputy Premier joined me in the electorate of Kew and visited Chatham Primary School to inspect their \$5.3 million upgrade and the modernisation of their buildings, landscapes and more. Only Labor is delivering for families in Southern Metro.

#### **Treaty**

**Sheena WATT** (Northern Metropolitan) (09:56): The official launch of the Victorian Treaty Authority kicked off this month, and with it came a celebration of black culture, as mob from all around the state gathered to mark this critical step in bringing Victoria closer to treaty. This independent body will oversee the negotiations between Victoria's First Peoples and the state government, ensuring that the process is fair, inclusive and done in good faith. Seeing the Treaty Authority eventuate was a moment that I and mob all around Victoria have been waiting for, and to be surrounded by so many leaders, advocates and fighters was a day I truly will never forget. It cannot be understated how proud I am to be a member of a government undertaking this path to treaty. With this launch, it now means that it is time for negotiations to begin with the democratically elected First Peoples' Assembly of Victoria, traditional owner representative organisations and the state. I would like to thank and congratulate the following appointees to the authority: Dr Petah Atkinson, Thelma Austin, Andrew Jackomos, Duean White. They are led ably by chairperson Jidah Clark. It is safe to say that I will be watching their work with great interest, and I wish them all the very best in their new roles.

#### **Portland Bay School**

**Jacinta ERMACORA** (Western Victoria) (09:57): Last week I visited Portland Bay School. It is a special developmental school serving communities in the south-west of our state. I was keen to see how the Allan Labor government's Glasses for Kids program is helping some of the state's most vulnerable children. It was an absolute pleasure to tour the school with acting principal Charlotte Elliott. As we visited each of the classrooms, the children were calm – almost a gentle school

atmosphere, with the children keen to tell me about what they had been doing on that day. On average 30 per cent of children tested have some kind of vision impairment. On the day that I visited, of the 10 that had been done so far six had been identified as needing glasses. No-one should fall behind at school because they cannot see properly. This program alone will prevent thousands of children in Victoria from falling behind and from vision impairment. I just want to say how proud I am of the Labor government for also providing a breakfast club and the \$400 school saving bonus as well across all of the schools. This is what Labor does, and I am very proud to be Labor.

### **Southern Metropolitan Region housing**

**Ryan BATCHELOR** (Southern Metropolitan) (09:59): Building more houses is how we are going to fix the housing crisis, and it was therefore a pleasure to recently be with the Premier and the Minister for Housing in Hampton East – just a stone’s throw from where I grew up – to announce planning approval has been given for more than 800 new homes across our city. 693 of these homes are going to be built on sites in Southern Metropolitan Region – in Port Melbourne and in Hampton East. These homes will be located in the heart of communities – next to key transport links; near healthcare centres, schools and shopping precincts; and available for those most in need. More than half of the new homes – the energy-efficient, accessible homes to be built at Bluff Road in Hampton East and at Barak Beacon in Port Melbourne – will be social and affordable housing. There will be a 16 per cent increase in social housing at the Hampton East site and a 46 per cent increase in social housing at the Port Melbourne site for residents who desperately need access to high-quality, sustainable, affordable homes. And if these homes look anything like the new social housing that has been built in New Street in Brighton and Bangs Street in Prahran – sites which have added 725 homes to Southern Metro – they will be welcome additions to our communities. Developed in partnership with a not-for-profit consortium, land remaining in public hands – this is the sort of housing we need right across this state.

### ***Bills***

#### **Government Construction Projects Integrity Bill 2024**

##### *Statement of compatibility*

**Evan MULHOLLAND** (Northern Metropolitan) (10:01): I lay on the table a statement of compatibility with the Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (the Charter), I make this statement of compatibility with respect to the Government Construction Projects Integrity Bill 2024 (the Bill).

In my opinion, the Bill, as introduced to the Legislative Council, is compatible with the human rights contained within the Charter. I base my opinion on the reasons outlined in this statement.

This Bill seeks to impose obligations on parties to certain construction contracts entered into by or on behalf of the Crown, and on registered employee organisations, to ensure that certain persons are not employed or engaged for the purposes of the contracts. Specifically, it aims to:

1. Require parties to major construction contracts to ensure that any person employed or engaged for the purposes of the contract does not have a criminal history related to organised crime, has no pending criminal charges of this nature, and is not a member or associate of a declared criminal organisation, and
2. Enable parties to such contracts to request relevant information from the Chief Commissioner of Police regarding the criminal history and associations of prospective employees or contractors.
3. Amend the *Occupational Health and Safety Act 2004* (Vic) to impose similar obligations on registered organisations when applying for entry permits for individuals.

To the extent that these provisions engage human rights, such as the right to privacy, freedom of association, and the presumption of innocence, these rights may be subject to reasonable limitations under section 7 of the Charter. The limitations are aimed at protecting public safety, maintaining the integrity of government construction projects, and preventing organised crime from infiltrating these projects.

The Bill contains specific safeguards to ensure that any interference with human rights is proportionate and justified. For example, the ability to request criminal history information is limited to parties involved in major

construction contracts and is subject to strict procedural requirements. Additionally, the Bill ensures that any person whose rights may be affected by these provisions is provided with procedural fairness.

Based on the foregoing, it is my view that the Bill is compatible with the Charter, as any limitations on human rights are reasonable, necessary, and proportionate to achieve the Bill's objectives.

Evan Mulholland MP  
Member for Northern Metropolitan Region

*Second reading*

**Evan MULHOLLAND** (Northern Metropolitan) (10:01): I move:

That the bill be now read a second time.

I rise to speak on the Government Construction Projects Integrity Bill 2024.

This bill provides an urgently required remedy to the corruption, the waste, the criminality that the Allan Labor government has permitted to run rampant on taxpayer-funded worksites.

Every Victorian loses.

Victorians lose through higher taxes.

Victorians lose through corrupt deals.

Victorians lose through state debt that will cripple our children's and our children's children's futures.

We all know this.

After all, the Allan Labor government turned a blind eye to CFMEU criminals on taxpayer-funded worksites – that they did.

This Labor government has unfairly preferenced their CFMEU mates on major projects, squandering \$40 billion of taxpayers money on cost blowouts and waste.

We saw that when the Premier herself, then infrastructure minister and Commonwealth Games minister, literally wrote into contracts that you must use the CFMEU or you would not get the tender for the athlete's village – extraordinary. I believe that is the first time that has been done in history. Usually they get people into a room and say, 'You must go with the CFMEU,' after they have got the contract, 'otherwise you won't be getting any supplies delivered to your site or getting any labour.' They literally wrote it into the contract. It is no wonder the Commonwealth Games were cancelled – because you were doing these kinds of shenanigans. It is an absolute con.

CFMEU delegates have allegedly bullied labour hire firms and subcontractors off worksites, unless they joined their corrupt union.

Repeated, detailed accounts of CFMEU activities have been ignored, including allegations that organised crime figures and outlaw motorcycle gang members are operating as CFMEU delegates and standing over members of rival unions or hardworking construction workers who do not want to join them.

I heard the new CFMEU secretary in Victoria say, 'Everyone deserves a second chance.' I am a big believer in a second chance – I dedicated my maiden speech to that – and I have a big interest in criminal justice policy reform. But a second chance does not apply to organised crime gang members who hold current positions in bikie gangs who use government cars to operate criminal activities. I am old enough to remember when that side dragged the former member for Frankston Geoff Shaw over the coals for using his car, but this government does not seem to have anything to say on criminal bikie gang members using government cars to run criminal operations which left them stabbed or shot and driving to hospital in that particular car. Nothing to see here.

This isn't just negligence; it's complicity in union thuggery and corruption.

Let me share some specific examples to highlight the gravity of the situation.

This is not just coming into the chamber and moving a bill; this is very, very serious. The government needs to do something about it.

In 2019, it was revealed that senior CFMEU official – and the Premier’s friend – John Setka had connections with members of the Hells Angels and Comanchero outlaw motorcycle gangs. These associations were not incidental but indicative of deeper, systemic issues within the union.

In 2021 it came to light that Mick Gatto, a known figure in Melbourne’s underworld, was allegedly involved in mediating disputes between the CFMEU and construction companies. His presence and influence within the union’s dealings were a clear sign of the criminal infiltration into our construction sector. 2021 – did this government have anything to say on that? Did this government have any inquisitive thought about why this might be a problem? No, absolutely silent. Who happens to be their biggest donor, who has donated millions of dollars since then? The CFMEU. So of course they are not going to speak up, because they are complicit in this. They have known about it and did absolutely nothing.

More recently, in 2023, police investigations uncovered that several CFMEU shop stewards were receiving kickbacks from organised crime groups in exchange for allowing them to operate on construction sites. These stewards were facilitating drug trafficking and other illegal activities, using their union positions to shield these criminal enterprises from scrutiny. So you knew about it then; you did nothing.

I recall asking the Premier, who was then Minister for Transport Infrastructure, in 2023. I stood up in this place and I asked her in a question about what she was doing about illegal coercion that had come to light on the Mickleham Road project in Greenvale, where good Indigenous firms took in, through procurement, Indigenous people with genuine connection to Indigenous communities in the area. They were kicked off the Mickleham Road site in favour of an Indigenous-only firm that had connections to Mick Gatto. It had no connection to the local Indigenous community, but this is what happened. I asked the Premier about it. She came back to me and said that industrial relations were a matter for the Commonwealth government.

But then we saw the Premier, after the *60 Minutes* story, come out. She stood next to the Attorney-General at a press conference and said she was disgusted. All of a sudden she can do something about it. What do you know! She can do something about it if Nick McKenzie is sitting there and asking her questions, saying, ‘What? What? What? What? Yes, we’re dealing with this. We’re tough on this thuggish behaviour, I tell you. We’re tough on this thuggish behaviour.’ What bollocks. I asked her about it last year. She passed it on to the federal government.

There have been several matters where she literally passed it on to the ABCC after she would have known it had been defunded at that time. That is how weak this Premier is. They are rotten to the core in terms of their complicity in this thuggish behaviour. The Premier can stand at a press conference and say it is thuggish behaviour and that she is doing something about it. She has referred it off to Greg Wilson. Nothing against Greg Wilson, but the terms of reference do not actually do anything. They do not. It will be the Coate inquiry mark 2. What I found very interesting in responses to questions is that the Premier now says that if she is asked by Mr Wilson she will of course appear before his inquiry. Will there be public inquiries? No. Will there be public hearings? No. But she did not apply that same level of openness to the Commonwealth Games inquiry. I wonder why. She set the terms of reference up in a way that it is not able to look into corrupt dealings in the CFMEU. It is not able to look at the countless amount of warnings that were given to the government over the CFMEU. It is only really to do with what changes can be required in the future.

The Premier did know about it several times. And of course they had a fundraising lunch before the election with the Treasurer and the now Deputy Premier, boasting about the billions of dollars of infrastructure they could take advantage of and they are taking advantage of. There are examples of

ghost shifting. We saw it on *60 Minutes*: ‘No, no, no. Put in your invoice for four workers. We’ll have two on there. You take one, we’ll take the other.’ This is taxpayer money. You wonder why we have \$40 billion in blowouts. You wonder why the North East Link all of a sudden blew out by \$10 billion and the Albanese government had to bail them out with \$3.75 billion in the latest budget to plug their black hole. That side of the chamber do not care. They do not care about \$40 billion worth of blowouts and wonder why it is happening. You have got legitimate corruption happening on our construction sites involving criminal motorcycle gangs. It has got to stop.

We are putting an offer on the table as a part of this bill to outlaw criminal elements from taxpayer-funded projects. They are not Labor-funded projects, they are funded by the taxpayer. The CFMEU is clipping people off the top, putting bikies on construction sites to stand over labourers and saying, ‘You must join the CFMEU to be on this site. You also must join Cbus to be on this site.’ And then we see – shock, horror – the CFMEU officials using Cbus’s influence in a corrupt way to have influence over sites and who could join the union. Ridiculous! It is corrupt, corrupt conduct, absolutely corrupt conduct.

The scale of corruption and influence doesn’t stop there. These incidents are just the tip of the iceberg. I know they are very unhappy about it.

The CFMEU’s connection with organised crime has had profound implications for the integrity of our construction industry and the safety of our workers.

Safety violations may have been overlooked in exchange for bribes.

This endangers the lives of countless workers who rely on the most stringent safety measures to protect them in one of the most hazardous industries.

The financial impact on our state is staggering.

In the Allan Labor government’s Victoria, cost blowouts and delays are the norm.

Take, for example, the West Gate Tunnel, initially budgeted at \$6.7 billion, which has now ballooned to over \$10 billion. The North East Link went from \$10 billion to \$17 billion and now to \$26.1 billion. This is the same government, by the way, that believes the budget range of between \$31 billion and \$34 billion for the Suburban Rail Loop East will not go over budget. It is immune to cost blowouts, even when there is a 20 per cent inflationary effect in the economy due to their mismanagement of the Big Build. But that is going to be quarantined – no, it will not. It absolutely will not.

Labor’s profligate financial mismanagement means fewer resources for essential services such as health care – and we are seeing that at the moment in our regional hospitals – education and public safety.

This bill, introduced by the opposition, is a direct response to the Labor government’s complete failure to curb the criminal influence of the CFMEU and its associates on taxpayer-funded worksites.

The Government Construction Projects Integrity Bill 2024 has two main purposes.

First, it requires that parties to major construction contracts with the Crown ensure that no person with a criminal history, links to the criminal organisations listed in the schedule to the bill or links to declared criminal organisations is employed or engaged for these projects.

Second, it mandates that registered employee organisations do not issue entry permits under section 83 of the Occupational Health and Safety Act 2004 to individuals associated with these criminal elements.

Under this bill, any Victorian government run and taxpayer-funded project – including not only the physical construction work but also the design, tendering, project delivery, and contract administration – is in scope.

Let me be clear: this bill is about integrity, transparency, and ensuring that our public construction projects are free from the taint of organised crime.

Key provisions of this bill include:

1. Criminal history checks: all parties to a major construction contract must ensure that employees or contractors have no convictions or pending charges related to organised crime. This includes offences under the Criminal Organisations Control Act 2012 and similar laws from other jurisdictions.
2. Exclusion of criminal elements: individuals who are members, former members, or associates of declared criminal organisations are prohibited from participating in these projects. This provision targets the very heart of the CFMEU's influence, cutting off their ability to infiltrate and exploit public construction projects.
3. Chief Commissioner of Victoria Police: the bill empowers parties to request criminal history information from the Chief Commissioner of Police to ensure compliance. The chief commissioner is required to provide this information promptly and keep detailed records of all requests and responses.
4. Amendments to the Occupational Health and Safety Act 2004: registered employee organisations must ensure that individuals applying for entry permits have no links to organised crime. This ensures that workplace safety representatives are above reproach and not influenced by criminal interests.

This bill is not just about cleaning up Labor's mismanagement and enabling of organised crime on our government worksites.

This bill is about protecting the integrity of our public institutions and ensuring that taxpayer dollars are not spent wastefully by the Allan Labor government.

The Allan Labor government has shown time and again that it is unwilling or unable to address the pervasive corruption within the CFMEU.

This bill is our solution to a festering sore on Victoria's governance.

We have heard countless stories of intimidation, extortion, and violence linked to the CFMEU. These are not the actions of a responsible union but are the actions of a criminal enterprise. This is what has happened to the CFMEU. There are good people within the CFMEU. I know many members of the CFMEU. They have no truck with this stuff. They hate the fact that bkie figures appear on their worksites. There is camaraderie between union delegates and union members, but they have no truck with this stuff. They have no truck with ghost shifts or standover tactics or bullying of other members who might not be a member of the union. They have no truck with politics, yet we see time and time again the CFMEU's influence not only on Victorian construction projects and residential construction projects but on the Labor Party as well. We see members describing him as a good friend. We see when there are reprehensible comments to do with domestic violence that there are members of the Labor Party cheering Mr Setka on, cheering him on to get through it. There are other members calling him a very good friend, Mr Johnny Setka, inviting him to their maiden speech. This is how close the Labor Party is to Mr Setka.

Victorians deserve better. They deserve a government that will stand up to corruption and organised crime, not one that turns a blind eye – or worse, enables it.

The Government Construction Projects Integrity Bill 2024 is a necessary step to restore faith in our public construction projects and to ensure that they are free from the influence of organised crime.

I urge all members of this house to support this bill and send a clear message that corruption and criminal behaviour have no place in Victoria's construction industry.

Let us not forget the broader implications of this bill.

We are also addressing a major source of illicit income for these criminal groups.

Money generated from corrupt activities in construction is allegedly funnelled into other illegal enterprises such as drug trafficking, money laundering, and even human trafficking.

We were speaking yesterday about unexplained wealth, and there are a lot of people that have had a lot of unexplained wealth, whether it be clipping off some workers from a government construction site so a union boss can have their home renovated on the taxpayer dime. That is not what unionism is about. I have been a member of a union before. I have many friends that have been members of unions, and they do not believe that this is what it is about. It is not about the union bosses clipping the ticket on the taxpayer dime – it is not. It does the union movement a great disservice.

You have had many whistleblowers. And there would be more, but many in the industry believe, as probably will be the case under this government, that this is all going to go away, this news story. This is all going to go away, and in six months, if they have spoken out, they will be up against the wall and they will lose their entire business. That is what they want. That is what they want by not supporting this bill. They want it to go away as well. They want it to go under the radar.

I tell you, we will not be letting this go. We will be prosecuting this every day, because we need to clean up the corrupt nature of our construction projects. We need to make sure we are not having even more blowouts on construction sites. We will not be letting this go until we dig up every last connection to this corrupt union, until we enable every single whistleblower to come forward, until we get rid of criminal elements on Victorian construction sites – the kickbacks, the coercion, the standover tactics on government construction sites.

We will not stop until Indigenous firms can actually get a go on Victorian construction projects rather than being pushed off in favour of mates of Mick Gatto. It is not good enough.

Through this bill we are cutting off this revenue stream, cleaning up our construction sites and dealing a significant blow to organised crime operations across the state.

This bill is not merely legislation; it is a commitment to restoring honesty, transparency, and accountability in our construction industry. It is a declaration that we will not tolerate the exploitation of our public resources by criminal elements.

It is a promise to the people of Victoria that their hard-earned taxpayer dollars will be used responsibly and for the greater good.

All members of this place should be united in their resolve to fight corruption and organised crime.

I commend this bill to the house.

**John BERGER** (Southern Metropolitan) (10:22): I move:

That debate on this bill be adjourned for two weeks.

**Motion agreed to and debate adjourned for two weeks.**

*Business of the house*

**Notices of motion**

**Georgie CROZIER** (Southern Metropolitan) (10:22): I move:

That the consideration of notice of motion, 494, be postponed until the next day of meeting.

**Motion agreed to.**



*Production of documents***Timber industry**

**Sarah MANSFIELD** (Western Victoria) (10:23): I move:

That this house:

- (1) notes that the Victorian government has committed more than \$900 million to Victoria's transition out of commercial native forest logging;
- (2) requires the Leader of the Government, in accordance with standing order 10.01, to table in the Council, within three weeks of the house agreeing to this resolution, any:
  - (a) contracts, materials or submissions provided by the Minister for Agriculture, the Minister for Environment or the Department of Energy, Environment and Climate Action (DEECA) regarding this funding;
  - (b) materials, including assessments and briefs, provided by DEECA to the Minister for Environment and the Minister for Agriculture concerning how this funding was spent; and
  - (c) consultancies or work by contractors used to inform how this funding was spent.

This is a really important transparency motion to make sure that almost \$1 billion of taxpayer funds is being used for the purpose the government stated, which was to assist timber workers and contractors in transitioning out of native timber harvesting. The Greens support transitioning former native forest workers to sustainable jobs, whether that be in plantations, reforestation, seed collection, forest regeneration or natural disaster management. When the Labor government made the announcement that native forest logging would end in Victoria, they provided a sum of over \$900 million, almost a billion dollars in total, to those affected workers, contractors and organisations. They stated this money was to be used to assist workers to move out of native forest logging and into plantations.

But since then, we have had very little transparency about how this funding was used and whether it was actually used for its stated purpose. In fact we have been alarmed to hear reports that payments may have been used by local companies that, rather than creating long-term sustainable jobs here, have simply moved their operations to Tasmania to continue native forest logging in some of the highest conservation value forests in the world – forests filled with threatened and endangered species – including by importing timber from Tasmania to Victorian timber mills via the *Spirit of Tasmania* and *Searoad Mersey*.

Even those who do not necessarily agree with the Greens on the issue of logging have concerns about the transparency, accountability and integrity of this Victorian public money being used to essentially subsidise logging in Tasmania. For example, independent member for Lyons John Tucker said in July last year:

These companies, bolstered by close to one billion dollars paid to them by the Victorian government to stop logging their own forests, are wreaking havoc on Tasmanian contractors. Fuelled by the funds they have already secured, thanks to Dan Andrews and Victorian taxpayers, they are engaging in predatory pricing, undercutting Tasmanian businesses, and forcing them out of operation ...

We in this Parliament have a duty to investigate whether there is any truth in those assertions, and it is the duty and role of this chamber to provide some checks and balances over how our government spends the public's money and whether it follows through on the promises it makes to the Victorian people. We hope that all parties can support this motion, because at its heart this is about transparency and accountability over taxpayer funds. Specifically, were there any guidelines, exclusions or rules placed around the use or acceptance of transition payments? Victorians expect that their money is used how the government says it will be used, and they have the right to ask questions about whether nearly \$1 billion of their money was given to companies to essentially just move their business elsewhere when the money was supposed to be used to develop a long-term sustainable business in plantations in Victoria and in forest regeneration and protection.

Following the end of native forest logging in Victoria there are many roles here in Victoria that forest contractors are well placed to do and which Victoria needs. Responsible fire management, helping to deal with other natural disasters and extreme weather events, remote firefighting work, forest regeneration and of course plantations – these are all jobs that need the skills and experience of our forest industry workforce. But we will not benefit from those skills if loggers are simply moving their operations to Tasmania to destroy old-growth forest over there. Victorians deserve some transparency over where these funds were spent, and that is why we hope all parties will support this simple motion today to release some of this information to the Victorian public.

**Tom McINTOSH** (Eastern Victoria) (10:26): It is interesting rising to this short-form documents motion. Here we have the Greens and the Nationals seeming to be in the same position – the Nationals and the Liberals are not opposing this motion. We know that the government has supported the forestry industry, forestry workers and forestry communities in recent years with \$1.5 billion of financial assistance. Supreme Court injunctions saw businesses stopped and workers stopped from going to work, and the government stepped in and made sure that they had financial assistance so they could get on with living their lives when they were not able to go to work.

For decades the Nationals and the Liberals, much like what they have done with coal and much like what they have done with gas, buried their heads in the sand and refused to lean in to the conversation, and still they do the same. They would make out that there has been no financial support to businesses, to communities and to workers. They do not want to acknowledge what has been delivered. Yet when the Greens stand here today asking those businesses, those communities and those workers to go through – and I can go through it right here if I have time; it is a short-form documents motion, and these motions allow very limited time to debate issues – the \$1.5 billion, the Nationals and the Liberals do not oppose it.

We heard a short contribution from the Greens asking where this \$1.5 billion of investment is. I was in Orbost 2½ weeks ago talking with businesses around Orbost. I was at a steel and truss frame manufacturer that has been set up with \$500,000 of support from the state government. These investments are setting up sustainable businesses to be here going forward into the next generation. Our investment in plantations – we just announced yesterday that a million trees have gone into the ground during July to ensure that we have plantations that can be harvested and that can supply our mills in Yarram, in Heyfield and in Bairnsdale, the same mills that we are supporting with grants and with funds to bring in the technology so that they can continue to operate and so they can thrive into the future. But the Greens and the Nationals want to question. I talked about the green and the green – the populist elements of politics in this place. The Nationals want to say everything is doom and gloom and never look to the future. They talk down any positive plan or action going forward, and of course the Greens just want to shut down everything they possibly can.

There is \$200 million to support community workers and their families; \$151.9 million for the *Victorian Forestry Plan*; \$120 million to establish the Gippsland plantation investment program – as I just said before, a million trees went in during July; \$193 million for targeted timber industry and worker transition support services; \$11 million to facilitate extending timber clean-up operations following the 2019–20 bushfires, which we know had a massive impact on stocks and supply – and again the Nationals and Liberals are not willing to acknowledge this; \$362 million for future forest and fire management works for forest contractors; \$156.8 million to finalise the wind-up of native timber harvesting operations, including the cessation of VicForests on 30 June 2024; and \$115.7 million for the future forests program, including the management of over 1.8 million hectares of state forest where timber harvesting will no longer occur.

Of course the Liberals are already out scaremongering in communities, whipping up fear where there need not be, as we try to engage communities and talk about the future of these forests. As this is a short-form documents motion, I have run out of time, but I appreciate that I have been able to make this contribution.

**Melina BATH** (Eastern Victoria) (10:31): The Liberals and Nationals will not oppose this motion, as is the practice on short-form documents motions, because members of this place and the community – Victorians – deserve transparency and accountability from a government that is mired in mud and a lack of transparency. It is for different reasons that the Nationals and the Liberals want to see what is going on and how this money has been spent – this \$875 million that the government has allegedly spent. We want to just understand where it has gone. We want to understand the categories. We want to understand if it has gone to where they have purported it should or if it has gone to government bureaucracies and people who seem to be lining their pockets in conversation rather than outcomes.

However, I have a caveat and a caution for the government and rebuttal for the Greens. The Greens and their friends who grow lentils and alfalfa sprouts on hardwood Victorian windowsills in Fitzroy are rejoicing in the demise of many people and communities in my region and across Victoria. They have now come into this house insinuating that there are unlawful activities by Victorian manufacturers that are going against the laws of this state and this land, and I rebut that entirely. This government brought this forward six years early and announced the closure of the native timber industry on 23 May last year – a shutdown that was six years early – but it had been hounding the people of Gippsland, the people of northern Victoria and all the associated manufacturers for years and years. The initial announcement was in 2019, and it created havoc and distress across these regions. We want to understand what is happening to the workers, the contractors and the associated workers. We want to understand that the money is going to the right place. Indeed the Premier said back in May of 2023:

We're being upfront with the industry – and continuing to deliver a managed transition to support every worker and every business. Because we'll never leave them to go it alone.

Well, they absolutely have. I have people coming into my office on a regular basis absolutely frustrated that this government, through ForestWorks, has made a commitment and has actually even put a pathway for money of 20 cents into their account and is now saying, 'No deal.' A particular husband and wife want to use that money to create tourism. They want that money, yet the government is thwarting it and saying, 'Sorry, no go.' That is not doing what the former Premier stood up for and said. He said to Peter Walsh, 'You do your politics, we'll do ours, and we'll make sure that people will continue to get paid.' We need to understand what is happening here. But a caution to the government: we need to also ensure that the privacy of Victorians is upheld and that all personal details are redacted in this information. We do not want to see information which could be commercial in confidence. We do not want to see individuals targeted by the Greens, because this is what they like to do – to not only hound people who are now out of work but to continue to push them to the limit. We want to ensure that there is privacy and safety in that information coming forward. We do not want a new form of the black wallaby tactics that we have seen the friends of the Greens operate under.

Insofar as things like the plantation industry go, what a joke that is. In 2019 there was \$120,000. If you go and look at the Australian Bureau of Agricultural and Resource Economics and Sciences, if you go and look at the facts, you know that there is less plantation timber in the ground now than there was when Labor came to government.

We want to understand more about forest fire management. We know that they were scrambling, and it still is not organised. Why? Because 60 per cent of the Department of Energy, Environment and Climate Action sits in metropolitan Melbourne. There are not the people who understand the regions and forest management working on this. We want to see this. We want to protect workers. We want the facts, and we do not want a further cover-up by the Allan Labor government.

**Jeff BOURMAN** (Eastern Victoria) (10:36): I wish I had a lot more time for this, but sadly I have only got 5 minutes. I have been in this place since 2014, and from then the Greens have been mercilessly attacking the logging industry. From 2014 to 2018 I recall Sam Dunn, who I have a lot of time for, took no prisoners when it came to the timber industry. We moved along and eventually – I

am not going to recap what Ms Bath said – there was a date set, then the date got pulled forward. The Greens have been merciless about this. They have never stopped attacking the native timber industry. It feels like it is only 10 minutes later, but it is probably a year or so, and they are asking about the workers. What about the workers in the beginning? What about the workers when the timber industry, which was quite sustainable, was still operating? They had protesters everywhere, getting in the way, creating havoc and making it harder. But 6 per cent or 1 per cent of the amount available for logging was being logged, so it was not having a negative effect.

I think it is quite shameful that the government helps the Greens electorally every election. It is quite shameful that they end up doing this, because I expected them to be the government of the workers. What does not help also is I remember during the last election the opposition putting the Greens before Labor in all sorts of places.

**Melina Bath:** Who did you preference in Morwell?

**Jeff BOURMAN:** What has that got to do with it? Honestly, virtually all over the state the Greens were –

**Melina Bath:** You preferenced Labor. You're shutting down the government. You preferenced Labor in Morwell.

**Jeff BOURMAN:** That is the pot calling the kettle black.

*Members interjecting.*

**Jeff BOURMAN:** Let me get a bit closer to the microphone: you guys put the Greens in front of Labor nearly everywhere. It was disgraceful. I know you are standing up for your communities, but then to just say that this is the government's fault – it is everybody's fault. The Greens obviously have been pushing it, the government did it and you guys got a great big push towards them.

I am not opposing this either, for the same reason as Ms Bath. We need to find out what is happening with the money. But this is a poo sandwich of monumental proportions. It has been served up to a whole lot of people that had sustainable jobs, and we now have the problem of what has happened to the money. You can only have so many baristas in this place. There is not much call for many baristas in Heyfield; I think it is pretty awash with them as it is. We cannot just retrain people that have been doing this for ever, but we really need to look at a way forward for Gippsland. We have got all the help we need short of actual assistance.

I will sign off on another thing: part of the way that the native timber industry was going to be killed off was the great forest national park. That should have died a very unnatural death when they killed the industry, and yet now we see it has popped its head up again. There is no need for this national park. There is no need because it was to end native logging. It will cut people out of the places they want to be; it will not open them up. So shame on the Greens, shame on Labor, shame on the Liberals and Nationals, and let us just get this done.

**Ryan BATCHELOR** (Southern Metropolitan) (10:40): I am very pleased to rise to speak on this motion to require the production of certain documents in relation to the transition of the timber industry. Obviously there has been a lot of interest and a lot of passion in the matters presented in today's debate. We have had quite an interchange. Mr McIntosh had the opportunity to put some matters on the public record on behalf of the government in the context of this debate, but yet again we see that the nature and structure of the sessional orders that were agreed upon with respect to short-form documents motions has the effect of limiting our ability to debate these issues, because it limits members' ability to speak on motions with set timeframes, particularly motions where there is a lot of interest and there is a lot of passion and there are matters of deep substance. We would hope that it is not a pattern that this chamber seeks to do to prevent those who have an interest in these topics from speaking on them.

Obviously the end of the native timber industry here in Victoria was a very significant decision that the government took. It is one that clearly has had a significant impact on a number of communities, and the government has put a lot of effort and investment into supporting those workers and businesses that formerly relied upon native timber harvesting. The opportunity also presents to ensure that things in our natural environment have protections, and there are opportunities now to take into account the benefits that we see from the conservation value of some of these parts of Victoria.

The question before us today, though, is: should the time and effort of people who are charged with ensuring that timber workers are supported during the transition have their focus moved from supporting the workers to delving into material to see how much of it is commercial-in-confidence, how much of it is suitable to be in the public domain and how much of it is going to reveal the private financial details of individuals and businesses – rather than these people being focused on supporting workers during this transition, which is exactly what those running these programs should be doing right now?

**Motion agreed to.**

### *Bills*

#### **Confiscation Amendment (Unexplained Wealth) Bill 2024**

##### *Council's amendments*

**The ACTING PRESIDENT (Bev McArthur) (10:43):** Now I have a very important task, which is to read out a message from the Assembly:

The Legislative Assembly informs the Legislative Council that, in relation to 'A Bill for an Act to amend the **Confiscation Act 1997** in relation to unexplained wealth and for other purposes' the amendments made by the Council have been agreed to.

### *Motions*

#### **Medicinal cannabis**

**David ETTERSANK (Western Metropolitan) (10:44):** I move:

That this house notes that:

- (1) since 2016 medicinal cannabis has been prescribed in Victoria and provided life-changing relief for many Victorians;
- (2) Victoria's driving laws treat medicinal cannabis patients like criminals, causing many to avoid their medication, putting their health at risk;
- (3) no other legally prescribed medication attracts this discrimination;
- (4) medicinal cannabis should be treated like other prescribed drugs which incur no offence if the driver is taking them as directed and is not impaired;
- (5) roadside drug testing is designed to measure presence rather than impairment, making it unreliable;
- (6) in 2022–23 over 7000 Victorians were charged for presence alone, compared to around 100 charged for impairment;
- (7) the resulting loss of licence is devastating for those who rely on driving to access work, education and health services;
- (8) in addition to the closed-circuit track trial, the government has funded:
  - (a) a report by the medicinal cannabis and safe driving working group;
  - (b) a Monash University study into drivers who use medicinal cannabis;
  - (c) two Swinburne University of Technology studies into roadside screening;
- (9) there have been multiple driving trials similar to that proposed by the government;

and calls on the government to immediately establish a legal defence for medicinal cannabis prescription holders charged with the presence of drugs in their system, if they were taken in accordance with a prescription

and were not impaired when tested, and ensure this defence operates until the completion of the trial and subsequent legislation is passed by the Parliament.

I rise to speak on motion 437 standing in my name. Our motion calls on the government to provide protection and certainty for tens of thousands of Victorians who have been prescribed medicinal cannabis by their doctor and yet risk losing their licence every time they drive. It is a very simple proposition: people who take a lawful pharmaceutical medicine in accordance with their doctor's directions and who are unimpaired should be allowed to drive without fear of losing their licence. Medicinal cannabis is a prescribed medication. People who take it lawfully and responsibly should be allowed to drive. But unlike other law-abiding Victorians who take some form of prescription medication, medicinal cannabis patients are unique in having to choose between their health and wellbeing and their drivers licence. Let us be clear: we are talking about law-abiding citizens.

Medicinal cannabis products typically contain one or two key compounds: delta-9-tetrahydrocannabinol, or THC, which is the psychoactive compound, and cannabidiol, or CBD, a non-psychoactive compound. CBD is used by hundreds of thousands of Australians to treat conditions including inflammation and anxiety. CBD produces no impairment. Multiple studies have determined that even high doses of CBD have no impact on driver ability. Unfortunately, because of the production process, it is not uncommon for trace elements of THC to be found in a CBD product.

Our systems can metabolise alcohol fairly quickly. I think the rule of thumb is one standard drink per hour, so one can determine with a fair degree of accuracy whether a person is impaired because of their blood alcohol reading. This is not the case with THC, traces of which can be detected in a person's system long after they have consumed it and long after they have demonstrated any impairment. Our roadside drug tests screen only for presence, not impairment, and our road laws mandate that if a medicinal cannabis patient tests positive for THC at a roadside drug test, they will lose their licence, even if they took their medication hours or days beforehand and even if the driver can present their prescription and was clearly unimpaired. There has been a raft of academic research here and overseas confirming that THC has minimal impact on driver impairment. In fact a recent study comparing various classes of drugs revealed that a typical medicinal cannabis dose was no more impairing than two over-the-counter antihistamines used by hay fever sufferers.

People prescribed opioids or benzodiazepines are allowed to drive. Both of these prescribed drugs can have profound side effects on drivers, including drowsiness, confusion, dizziness and even tremors. Both of these drugs can also be and are bought illicitly and used recreationally, yet no-one doubts that people who are prescribed these drugs are taking them responsibly in the manner recommended by their doctor. We do not automatically suspect that they are taking them for reasons other than to manage legitimate health conditions. We do not treat them as criminals. Why then are we so sceptical of medicinal cannabis patients? Why do we assume that people taking legally prescribed medicinal cannabis are not going to do so responsibly, that they are really just trying to circumvent the law? Why do we treat medicinal cannabis consumers like criminals? The scepticism is based on stigma and ignorance and the outdated yet persistent myth that all cannabis consumers, including medicinal cannabis patients, are reckless stoners. When are we going to get over this?

The fact is just about everyone in this place has a friend or a family member that uses medicinal cannabis. I know from personal discussions that there are many members in this place who also use THC- or CBD-based products. Do these friends and family members deserve to be denied access to not only their vehicles but also due process before the courts? Medicinal cannabis has been legal in Victoria since 2016. Why is it taking so long for our road laws to reflect this? Because make no mistake, our outdated roadside drug-testing regime has been causing harm to Victorians for eight years now. We hear from them every day.

Let me tell you about Brett. Brett is a tradie who was badly injured in a car accident in 2019. He almost lost his leg. He was in hospital for over five months and had a total of 16 operations. His rehabilitation took a further three years. Initially he used opiates to control the pain, but he found they made him

moody, irritable, tired and nauseous. With medicinal cannabis he found he could manage his pain without all the debilitating side effects that he suffered while on opiates. Brett never drives when impaired. He does not want to risk losing his licence if tested at a random roadside drug test, and without a licence he would lose his income. Because of this risk, Brett has tried to stop taking medicinal cannabis and just learn to live with the pain. But he says that on a bad day the pain from his injuries is so debilitating that he simply must take his prescribed medicinal cannabis. It is pretty rough to have to make a choice between having a pain-free day or risking losing your licence, but it is a choice that tens of thousands of Victorians taking medicinal cannabis must make every single day. Why should anyone have to make that choice?

It is a dilemma that former Premier Daniel Andrews seemed very alive to back in February of last year, when he said he did not want anyone to avoid alleviating pain or other symptoms for fear of losing their licence. He said:

I don't want people to feel they can't access that care because we don't have fit-for-purpose drug driving laws and we don't have a test that can test for impairment.

Sadly, that is exactly what people feel: that they cannot access the care they need because of our road laws. He also recognised the limitations of roadside drug testing when he said:

You're either positive or negative. It's a binary thing when you may not be impaired at all.

Well, let us consider that binary thing or what that binary thing means for medicinal cannabis consumers. In its recent inquiry into workplace drug testing, the Legal and Social Issues Committee received evidence from, and of, first responders who took CBD to treat their workplace injuries and ended up paying a steep price. Just to remind members, CBD products are not psychoactive and do not cause impairment. They do, however, often contain minute traces of THC, which can trigger a positive result in either workplace or roadside drug tests. And that is what happened to these first responders. They got caught up in workplace-based drug testing because of the trace elements of THC in their CBD. In many cases it cost them their jobs or it cost them their reputations, and in most cases it also cost them extended periods of litigation. But at least those employees, for the most part, could appeal and claim a defence. That same employee would have no access to any such defence if they were pinged behind the wheel. It is far too binary. It is just wrong, and it is totally un-Australian.

So what are we going to do about it? The government seems to be inching towards a resolution, and we acknowledge that the government is funding a closed-track driving trial to assess driver performance. But that trial will not be completed in a best case until mid-2026, leaving no likelihood for any policy or legislative changes in this term of the Parliament. Medicinal cannabis patients will continue to be discriminated against and disadvantaged for at least another three years. That will be 11 years since medicinal cannabis was made legal, and that is just grossly unfair. We are simply asking that until the completion of the trial and subsequent legislation is passed by this Parliament the government establish a legal defence for medicinal cannabis prescription holders. There are a number of mechanisms by which the government could put this defence in place, but there are certain principles that we contend should apply.

Currently people charged with the presence of THC in their system can go to court but, if found guilty, they cannot fight their loss of licence. We see that as indefensible. That there is no capacity to contest the decision would appear to be completely at odds with our state's long-established commitment to due process and natural justice. The magistrate may take into account that driving is that person's sole means of getting to work, getting their kids to and from school and getting their elderly parents to medical appointments. But even if the magistrate is convinced of that person's reliance on driving and their unimpaired state, they have no discretion other than to reduce the amount of the fine that may apply. They cannot address the loss of licence.

I would like to talk about the financial burden that a loss of licence places on people and the way it uniquely compounds discrimination. Obviously for those who rely on their cars to get to work or who

drive as part of their jobs, a loss of licence leads to a loss of income. But let us add to that the cost of having to pay for other forms of transport. If you live in an area with few public transport options – my region of Western Metropolitan is a very good example – the cost of getting to medical appointments, to job interviews, to schools and to work can be crippling. Our justice system demands that medicinal cannabis patients, who may already be under financial pressure, should not only be criminalised but also suffer financially to the point where they have to quit their jobs, sell their businesses and sell their houses just to treat the health issue. That is not prosecution; that is persecution.

Secondly, when you look at the other drugs we test for at the roadside – MDMA and methamphetamines, ice and ecstasy – there is really no comparison, is there? Apart from the fact that there is no licit way to acquire ice and ecstasy, we know that even a small dose of ice can impair drivers significantly and ecstasy has stimulant and hallucinogenic properties. No-one should be driving around tripping. Prescribed medicinal cannabis is not comparable to either, yet our driving laws treat them as the same. Our main contention is that drivers who hold a current prescription and are taking their medicinal cannabis responsibly should be tested for impairment if stopped at a roadside drug test rather than for the mere presence of THC.

There are some who argue that it is difficult to prove impairment. I have a problem with that on two levels. Firstly, the police are trained in how to conduct standard field impairment tests to determine just that. We know this because it is part of their curriculum at the police academy and because every year around 100 people are convicted of impaired driving due to the presence of THC. They already do it. The issue is not that the police cannot do it but rather that it is a lot easier to just get a conviction for presence, and that is why there are around 7000 presence convictions every year compared to around 100 convictions for THC-related impairment. Secondly, police whinge about successfully prosecuting for impairment being difficult. Well, hello – who the hell said getting a conviction should be easy? The onus of proof should fall on the prosecutor to prove that the respondent is guilty, that that driver was impaired when tested. Why should patients have to prove their innocence? We are simply asking for prescribed medicinal cannabis patients to enjoy the same rights as any other Victorian: to have their day in court with due process and with a presumption of innocence. And that is not, I would suggest respectfully, a radical ask.

In short, a legal defence for the presence of THC in their system is a concept entirely consistent with our legal system and its key principles. To the naysayers I say that it is all very workable. In fact, a similar defence is already in operation in Tasmania. Under Tasmania law medicinal cannabis is treated the same as any other lawfully prescribed medication. In Tasmania, as in Victoria and the rest of Australia, it is an offence to drive with illicit drugs present in your system, so if you test positive for THC at a roadside drug test in Tasmania, medicinal or not it will be treated as an illicit substance. But if the driver produces a valid medicinal cannabis prescription and they are not impaired, they are not charged with the offence because they are not breaking the law. It seems to be working just fine. There have been no discernible increases in road injuries or fatalities since the law was changed, and even the Tasmanian police seem entirely relaxed about these laws.

I want to be very clear: people who are impaired should not be behind the wheel of a car, ever. If a person is driving impaired for whatever reason and they get pulled over, they should not get off. Throw the book at them, by all means – they are a risk to themselves and to their community. But I will say it again: people who take a lawful pharmaceutical medicine in accordance with their doctor's directions should be allowed to drive without fear of losing their licence. Medicinal cannabis is a prescribed medication. People who take it lawfully should be allowed to drive. Medicinal cannabis patients have now been waiting for eight years to be afforded the same rights as any other people on prescribed medication. It is only fair that they be afforded a defence while this trial over the next three years is being undertaken. They should not have to wait a further three years.

Last year the former Premier prioritised this issue and said we need to find a way through this. We believe our new Premier shares this vision. The government needs to address this issue as a matter of



urgency. It cannot be kicked down the road in the hope that it gets picked up in the next term of Parliament. We seek your support for this motion.

**Michael GALEA** (South-Eastern Metropolitan) (11:00): I am pleased to rise to speak and share a few remarks on motion 437, which was put to us today by my colleagues Mr Ettershank and Ms Payne, and I am pleased to share a few words on that. At the outset I think it is important to take a moment to note that we have come a long way now since 2016, when Victoria became the first state in the nation to implement the medicinal cannabis program, at the time a perhaps even controversial reform but one that has proven itself to be eminently justifiable and eminently worthwhile to Victorians, especially those 400,000 Victorians who have had the direct benefit of medicinal cannabis to treat a range of conditions. It is good to see that this is a reform that has by and large been accepted by the Victorian community, because this is a reform that is ultimately about helping people with their ailments. If medicinal cannabis is the best way to do it, then absolutely we should be using medicinal cannabis to treat those ailments.

I also want to at the outset acknowledge that this government does acknowledge the challenges that medicinal cannabis patients face, particularly in the field of what we are discussing today, and that is driving with THC levels in your system and the debate that we are having around proving impairment. I note, indeed as my colleague Mr Ettershank has, the comments by both the current and in particular the former Premier, who have shared remarks and acknowledged the need for us to address this issue. It is one of the reasons, in fact one of the significant reasons, why we have implemented what is in fact a world-leading trial for measuring the effects of cannabis – of THC levels in the system – on drivers, and I will come back to some remarks on that in just a moment.

I think it is important to note as well all the conditions that medicinal cannabis can treat. There are far too many to name, but one is epilepsy. Epilepsy affects thousands and thousands of Australians. In fact each year the Epilepsy Foundation of Australia estimates that 171 people with epilepsy die from sudden unexpected death. It is in fact a leading cause of death in people with these uncontrolled seizures, and it goes to show the need for medicinal cannabis and such treatments, because it can be not just about supporting people with pain but also in some cases indeed life saving.

So this has an important role to play. For those 400,000 Victorians, as they deal with driving whilst taking their treatment, it is an unfair position for us to be putting them in – to be saying, ‘You can’t drive or you can’t have this treatment which is saving your life or even making your life a whole lot less painful.’ That is why it is really important that we do have this trial. I note the exuberance, indeed including from Minister Horne. We heard from her in the Public Accounts and Estimates Committee just a few months ago, during estimates, with some questions around this particular trial. It is good to see what this is actually going to do, and I am looking forward to seeing the results of that trial.

We know that medicinal cannabis use in Victoria has increased by quite a large number over the past two years, but whilst that use has increased there are still those gaps in the global evidence about the impact that THC can have on drivers. That is why we have invested \$4.9 million into this trial, which will be the first of its kind in the world. It is going to be a closed-track trial mimicking real-world driving conditions, and the researchers will be reviewing participants’ ability to manage distractions and assessing their driving performance, including steering, braking and speed control. I think it is important to note that there is that evidence gap globally. Whilst there have been other studies done, there have been no studies that have been as comprehensive as the Victorian study, nor have there been any studies that have gone into the full, real-world driving situations that we are looking at, which is obviously the most important data that we can get. I note and share some words from Dr Thomas Arkell from Swinburne University, which is undertaking this trial, who says:

When it comes to making policy decisions, you need to know that evidence is robust and applicable as it can be to a real-world environment ...

We know very little about medical cannabis. We have quite a bit of research looking at cannabis generally, but we're looking at the same plant and compound used for very different reasons and in very different amounts.

I do want to say that this trial is important. It is important that we do get this research and get this information as best we can. I note that it is not a delaying tactic; it is about maintaining road safety and preventing any adverse consequences that cannot be foreseen without the required data – data that this trial seeks to provide us with.

In saying that, I do note with some appreciation the intent of the motion before us today, which has been put to us by Mr Ettershank, and I note again the government's in-principle support for measures which support medicinal cannabis patients and their ability to drive. Whilst we do have some issues with some parts of the wording, I believe there is a way forward in which we can support this, and that is with a few amendments. I move:

1. In paragraph (2), omit the words 'like criminals' and replace them with 'indiscriminately'.
2. In paragraph (5), omit the words and expressions ', making it unreliable'.
3. Omit paragraph (9).
4. Omit all words and expressions in the final hanging paragraph and replace them with 'and calls on the government to: (a) consider a proposal to establish a legal defence for medicinal cannabis prescription holders charged with the presence of THC in their system, if they were taken in accordance with a prescription and were not impaired when tested, (b) ensure that this proposal includes widespread consultation with a range of legal and road safety stakeholders, and (c) table a report on this proposal in the Legislative Council by no later than 18 October 2024.'

In addition to some minor wording changes in the opening paragraphs, the thrust of the changes put forward in my amendments changes the final call to action in this motion. If adopted, the motion would read at the final paragraph:

and calls on the government to: (a) consider a proposal to establish a legal defence for medicinal cannabis prescription holders charged with the presence of THC in their system, if they were taken in accordance with a prescription and not impaired when tested, (b) ensure that this proposal includes widespread consultation with a range of legal and road safety stakeholders, and (c) table a report on this proposal in the Legislative Council by no later than 18 October 2024.

As I believe members will be able to see, this set of amendments is designed not to stifle what has been put forward by Mr Ettershank today – in fact quite the opposite. It is about embracing this and embracing whatever steps we can take in order to make life easier for people on medicinal cannabis who do need to drive. But we are ensuring that we are doing it in a measured and methodical way, that we are doing it in that research-led and driven way and that we are seeking that appropriate counsel and guidance from, amongst others, road safety experts. This is an important space of reform that government is interested in, and it is very good to see that the chamber is interested in it as well.

With the wording in my amendments here today I am hopeful that we will be able to find a path forward as a chamber to support this motion, because as I say, it is a very important motion for the people who are most directly affected, again noting that some 400,000 Victorians have at some point taken up medicinal cannabis. By taking this measured approach I believe that we can find a path forward together and that we can achieve what has been sought to be achieved here by the Legalise Cannabis Victoria party. I am looking forward to continuing to work with colleagues from that party and indeed from across the chamber in coming to ways in which we can continue to support the use of medicinal cannabis for patients in Victoria and to make their lives as easy as we can, because this is a government that is about, amongst other things, putting patients first. It is important that we consider the whole lived aspect of their needs and not just the treatment itself. I commend the amendment to the house, and if it is adopted, I will be very happy to support this motion.

**Georgie CROZIER** (Southern Metropolitan) (11:10): I rise to speak to motion 437 in Mr Ettershank's name in relation to medicinal cannabis and the ability for people that are using medicinal cannabis to be able to drive and not be prosecuted. I have just been listening to the debate,

and I want to actually agree with Mr Galea. I am a bit disappointed that I got your amendments on the run; we possibly should have had time to consider them. But I was going to make the point that this is a very badly worded motion, in my view, and that the government's amendments actually are the points that I wanted to make in relation to the contribution. I think, in terms of the final part of your amendment, it is really what Mr Ettershank, when he was briefing us, was saying that this was about, which is that there could be a legal defence for those that are picked up with medicinal cannabis – or THC, more likely – in their system. The Liberals and Nationals think that is fair and reasonable, just as is done in other states and also with alcohol, and that it can be appropriately used. We have no problem with that.

What I will say at the outset is that we – and I think I am in agreement with the government as well – are concerned about road safety and the risks. I will read this in again in relation to the inquiry that I sat on in the last Parliament. An inquiry was undertaken, and the assistant commissioner Mr Weir told that inquiry – I read it in previously when Mr Ettershank brought his bill before the Parliament last year, but this is in relation to the THC component, and I am not convinced that that has been discussed and that there is enough evidence on that. There is more work to be done on that, because that is the issue that really does have an impact on the ability to drive safely. If you look at the Australian Medical Association and if you look at others that talk about the impacts of THC, it does affect people's coordination, their attention and their other sensory components. That is the concern here. As Mr Weir told the inquiry:

As both illicit and medicinal cannabis contain the psychoactive constituent, Delta-9-Tetrahydrocannabinol (THC), they are both known to reduce a driver's ability to have full control of a vehicle. Cannabis can slow down reaction times, distort perception of speed and distance, reduce concentration when driving, particularly in response to emergency situations. This creates a risk for the driver, but also other occupants of the vehicle and other vehicles on the roads around the affected driver.

That is the point here: we must get this right so that those that are driving and are on the roads are not putting themselves or others at risk. But I do take the point, and I am a supporter of medicinal cannabis. I have spoken about that previously in relation to how medicinal cannabis can assist in certain physical and also some psychological or anxiety or mental health issues – but under prescription, and I think that is the point here. If medicinal cannabis is being used, as has been pointed out, like other opiates and other drugs that an individual may need to treat their particular condition and is prescribed by a practitioner, then of course it should be used in that capacity. I do understand and I totally agree with that argument, but what we need to be very careful about is the level of THC in somebody's system and how that impacts their impairment. On the impairment issue, as Mr Ettershank said, how do you determine that? If you put somebody out under the influence of alcohol and walk them down the white line, does that determine whether they are impaired or not? But at least if you are an individual that is prescribed medicinal cannabis and you do get tested and test positive at a roadside testing, you have that legal defence and you have that ability to be able to argue that case. I think that is reasonable. As I said, I agree with the government in relation to the amendments they have just brought before the house and make that point very strongly. I hope that they are working towards that. I think that is a reasonable thing.

Obviously the Liberals and Nationals do not support the legalisation of the recreational use of cannabis, and we are concerned about not just cannabis but other illicit drugs that are very prevalent within the community. Again there is an issue around how those drugs cannot be tested with roadside testing. At some point I hope there will be an ability to do that, because they are causing many, many terrible situations and tragic outcomes through accidents and damage and very, very significant, in some aspects, crimes – driving, as they are, under the influence and as high as kites. Some users particularly need to be educated and to have that education. We need to be doing more on educating the community, especially young people, around the harmful effects of illicit drug use. I do not think the government has addressed that issue. I digress slightly from this motion. I just wanted to make the point that there is not an ability to test those people, and I am hoping that at some point that will be able to be undertaken, because it is causing too much havoc on our roads.

Just to get back to this, again I say that the Liberals and Nationals will not be opposing Mr Ettershank's motion, but I do also want to say that I do think that the government's amendments are reasonable and that we will be supporting them. I am disappointed that they arrived on the floor, but nevertheless I think they are a sensible addition to this. As we had the discussion with Mr Ettershank and my colleagues Ms Kealy and Mr Danny O'Brien – who are responsible for the mental health and roads portfolios, which this comes under – we did say that he really should be putting his last paragraph, paragraph (9), up the top and making that the content of the motion, because that is really what he is arguing: can people have the ability to have some legal defence if they are found to test positive? Currently the Victorian laws do not allow that.

With those words, I will leave my contribution here. I do understand that this is happening in other states. It is a sensible measure, and I think that most Victorians would also see that this is reasonable for those who are prescribed medicinal cannabis. There is a difference with that THC component. I know there is an issue there around that, and we have to be very careful that we do not open that up to say there is THC in medicinal cannabis and therefore anyone with THC can be caught up in that. That is not what I am arguing here. This is medicinal cannabis that is prescribed and very tightly controlled and regulated because of the dangers of THC and what THC can do. It has some very negative impacts on people's ability to cognitively perform in a way that is required. However, for those that do have severe medical conditions and are prescribed medicinal cannabis and test positive, they should have that right to a legal defence.

**Georgie PURCELL** (Northern Victoria) (11:19): I rise to speak in support of this motion from my friends in the Legalise Cannabis Party today. Ever since it was legalised in our state, medicinal cannabis has changed lives and given relief to literally hundreds of thousands of Victorians. However, while this has been the case since 2016, our road laws have not reflected the changes necessary to be in line with this medical treatment advancement, proving to be outdated and unfair.

Victoria conducts over 150,000 roadside drug tests annually. These tests currently do not differentiate between prescribed medicinal cannabis and illicit use. When prescribed medication remains in a person's system for several days it is impossible for them to produce an undetectable test despite having no impairment at the time. The psychoactive effect of THC only lasts a few hours, and those medicinal cannabis users who follow their doctor's directions in taking the prescribed amount will not get behind the wheel in a state of impairment. For medicinal cannabis patients this means that they must choose between breaking the law and risking a loss of licence due to the lasting effects of THC in their bloodstream and taking their prescribed medicine.

As reported in the *International Journal of Drug Policy*, road safety risk associated with medicinal cannabis appears similar or lower than for a number of other potentially impairing prescription medications. Recent Australian research has shown that both benzos and opioids account for twice as many road-related casualties as cannabis. The approach of these THC detection based offences to medicinal cannabis patients is still built upon the historical status of cannabis as a prohibited drug with no legitimate medical application, and now that it is a doctor-prescribed pharmaceutical our laws must reflect its very real use within our community. A study of emergency department presentations in Canada, which legalised recreational cannabis use in 2018, showed no evidence of significant changes in traffic injuries due to impaired cannabis users. This further highlights the need for exemptions, given more road-related incidents occur from other substances like alcohol, prescribed antidepressants and other illicit drugs.

One constituent of mine, 71-year-old Steve, who lives in Walwa, contacted me a couple of weeks ago desperate for legal assistance to fight a positive detected-cannabis charge from 2022. Steve is prescribed medicinal cannabis for his arthritic pain as well as to help ease his crippling anxiety due to a diagnosis of PTSD. This medication assists him to carry out everyday tasks such as eating and sleeping, which are a daily struggle for Steve when his anxiety becomes all-consuming in his life. It should be noted that medicinal cannabis is often used to treat conditions such as chronic pain and sleep conditions such as insomnia which are themselves impairing, and those who have successful treatment

with cannabis improve their road safety by doing so. Steve lives in fear due to the ongoing struggles from a traumatic attack and injuries decades ago. He has finally found some sense of peace and daily normalcy with his cannabis prescription, but after his roadside test in 2022, which was carried out the morning after he took his prescription, he now has the added fear of the loss of his licence and his independence and potentially a criminal record.

There are a lot of people that use medicinal cannabis and who have no choice but to rely on others for their means of transport, with further limitation for those living in regional communities like my own. We have heard of a number of examples where patients have had no choice but to leave their jobs because of losing their licences, as well as instances of detrimental isolation from communities and families, creating an even greater health risk.

The former Premier saw this very medical exemption as unfinished business for the Victorian government, with the introduction of medicinal cannabis coming in under his premiership. They have work to do to further support those who undoubtedly benefit from this medicine. I did welcome the announcement in May of a world-first trial in Victoria alongside Swinburne University to determine whether those who use medicinal cannabis can drive safely given the limited global evidence about its impacts. However, I do note that this was a commitment due to be completed this year. I note that there have been some amendments from the government today which could potentially change this.

A similar study that was also conducted by Swinburne University saw 40 people tested on a virtual driving simulator after consuming medical cannabis as opposed to a real vehicle and road, as planned in the new trials. Tasmanian drivers using legally prescribed medicinal cannabis may not be charged as long as their driving is not impaired and they can properly control their vehicle. Instead of wasting time, money and resources while continuing to treat certain Victorians as criminals, the Premier must instead follow Tasmania's lead and allow Victorians who are unimpaired and prescribed medicinal cannabis to drive without fear of recrimination.

Victoria has seen a 700 per cent increase in medicinal cannabis use over the past two years, with an estimated 200,000 people now being impacted by these driving restrictions. If this government is to continue to make strides in this important space, it needs to consider this a basic human rights issue where we have got people who are taking a legally prescribed substance who cannot drive without the risk of a mandatory loss of licence and a fine.

This is no longer a minor issue impacting a marginal amount of cannabis users but instead a very real matter affecting real people like Steve every single day who have already been through enough trauma and enough pain in their lives. Medicinal cannabis changes and even saves lives. Those who use it should not have to choose between legitimate medical treatment and being able to drive their vehicle and connect with their communities, and I commend this motion to the house.

**Jacinta ERMACORA** (Western Victoria) (11:26): I am pleased to speak today on this motion to establish a defence for medical cannabis prescription holders for their presence-based offences, in particular – as has been expressed by my predecessor Mr Galea – subject to the government amendment. I thank Mr Ettershank for bringing the motion forward. The more we can consider and think about this, the better we will be with the end product.

This goes towards addressing issues faced by a number of Victorians in our community. We have to strike that balance between keeping the roads safe for everybody – for users, for pedestrians and for other drivers – and at the same time managing the rights of and providing a level of equality and justice for prescription users of cannabis in this state. At this time the government is in a position to support the amended motion, not the original one. Mr Ettershank's motion is really worth considering and reporting back on by 18 October. We recognise the complex nature of this issue and the needs of those who are using medicinal cannabis, the patients.

We do know that THC does impair people and it can impair cognitive skills as well as motor skills – skills that are really key for driving, particularly for safe driving. This poses a risk to other drivers on

the roads as well as to individuals who have impairment. Under the current drug driving laws any detectable amount of THC results in an offence, including if it relates to a person prescribed with medical cannabis. There are at present no tests available that distinguish between medicinal and recreational cannabis presence. In the five years between 2017 and 2021 on our roads we saw that 15 per cent of people killed and 12 per cent of people involved in serious-injury crashes tested positive for THC. Any impairment while driving is a risk, and an impaired driver behind the wheel of a vehicle risks causing significant trauma to themselves and others. To create a policy exempting a group of people from this extremely important section of road safety legislation is going to be challenging and must have a number of considerations, otherwise we could be actually increasing road trauma.

With the use of medical cannabis containing THC on the rise to treat a range of conditions, the Allan Labor government understands that the restrictions on patients using medicinal cannabis with THC does prevent them from driving, which undoubtedly has consequences for their daily lives. The Allan Labor government are developing better advice for healthcare providers and practitioners on medicinal cannabis and driving, via an updated medicinal cannabis decision support tool. We are committed to developing a policy that is evidence based and sound – policy that takes into account the safety of all road users, including those who are medicinal cannabis patients. This year the Allan Labor government announced a \$4.9 million investment in a world-first trial that will assess the effects of doctor-prescribed medicinal cannabis on a person's ability to drive. This will enable us to close knowledge gaps and develop safe policy around new evidence and sound research. The trial, which takes place on a closed-circuit track, will answer several key research questions and close gaps in evidence relating to driver behaviour and impairment after the use of medicinal cannabis in real-world scenarios. When I say real-world scenarios, I presume that the tests will require evasive action – avoiding barriers and dangerous situations on the road – and a number of other different scenarios, including perhaps even other traffic or certain things that symbolise other traffic.

Currently research shows that THC is associated with increased risk around road safety. A study conducted by the Victorian Institute of Forensic Medicine took 5000 samples from seriously injured drivers. This study showed that any level of THC in a driver's system almost doubles the risk of collision as compared to a driver without THC in their system. The way that level of risk and impairment is determined still remains in the scope of requiring further scrutiny. Research into the effects of medicinal THC and driving is still emerging. Most of these studies have shown that there is a moderate impact on driving in young, healthy people.

The Allan Labor government's *Victorian Road Safety Strategy 2021–2030* sets ambitious targets to halve road deaths and significantly reduce serious-injury collisions by 2040. Under this strategy, we are delivering education across the state, trialling new technology and supporting industry to develop safer vehicles and safer infrastructure. In the 2024–25 budget we have included \$4.9 million specifically to look into medicinal cannabis. Sadly, every year we see far too many deaths on our roads that could have been avoided, and that is why it is really important for us to be well informed in this space. I want to acknowledge and express my appreciation for Mr Ettershank's really strong commitment to not wanting anyone on our roads that is impaired. I think we are all literally on the same page in that space, so it is really about how we get to that next step to do that safely.

Decisions made on road safety affect everyone, and as I have stated, we in the Allan Labor government are determined to continue to reduce the number of lives lost on Victorian roads. Any changes to policy or legislation must be considered carefully and methodically and backed in a logical way, and our view is that we absolutely want to reduce the risk of crashes occurring and minimise impacts from trauma and collision as they occur. The Allan Labor government is willing to make bold decisions when it comes to drug reform, but only when the safety of all Victorians can be guaranteed. We know the importance and increasing role that medicinal cannabis has as a legitimate therapeutic option in this space.

This is a very complex public policy space, and I think it is very important that our government is taking it very seriously and leaning in to try to get to a destination in this space. In the short term we

are ensuring that health practitioners and prescribers have the best possible information available, and only after gaps in evidence are addressed through the trials can this government make some really, really strong, informed decisions. This amendment that the government is putting forward really brings together a consensus, hopefully, on taking another step in this space. I think it is very valuable that we have that consideration put forward and that we have a reporting date of 18 October 2024. It really moves it along a bit, and I think that is an incredibly positive contribution to the work of this chamber.

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (11:36): I rise today on behalf of the Victorian Greens to support this motion from Legalise Cannabis Victoria. I also note from the outset that we will be supporting the government's amendments, which have been handed down seemingly at the very, very last minute. Ideally, having those sooner would have been good, but we will be supporting those. I think we will all be watching very closely with particular respect to the tabling of a report on the proposal regarding consultations between legal and road professionals by no later than 18 October 2024. I think we will all be watching very closely to see what comes out of that report process.

Medicinal cannabis has improved the lives of many patients and offers relief to many people from a range of conditions, but currently those with a legal medical prescription for its use have to make the unfair decision between taking their medication and breaking the law by driving with the presence of this substance in their system. So, unlike any other prescribed medication, including classes of opioids and benzodiazepines that can also affect a person's ability to drive, it is only medicinal cannabis where users face this choice and this legal discrimination. It is the Greens' position that someone with a medicinal cannabis prescription should be treated the same as anybody else with any other medical prescription when it comes to the matter of driving a vehicle. We support the establishment of a legal defence for medicinal cannabis prescription holders charged with the presence of drugs in their system if they took the cannabis in accordance with a prescription and were not impaired when they were tested.

Too many people have failed roadside drug tests and lost their licence as a result of these outdated and inconsistent laws. It is not fair that someone who uses their prescribed medication as recommended by their doctor and who is not impaired while they are driving should lose their licence. People have been able to legally access medicinal cannabis since, what, 2016, and our road laws should have been updated at that time. It seems quite simple really. It is disappointing that it has taken this long to get to the driving trials for medicinal cannabis users, and it was a further slap in the face to that community when they were then delayed. The Labor government needs to get on with the process of driving trials and updating its laws to allow medicinal cannabis users to drive without the fear of losing their licence. But in the meantime providing a legal defence for medicinal cannabis users is a practical and just way to prevent more people from facing harsh penalties for simply using a substance that was legally prescribed to them by a medical professional. I commend this motion to the house.

**Sheena WATT** (Northern Metropolitan) (11:39): Today I rise to speak on motion 437 put up by my colleague Mr Ettershank regarding medicinal cannabis and road safety. I again reaffirm what my colleague Ms Ermacora said in that the government is happy to support the motion with our amendments as moved by Mr Galea. I can appreciate that they did come in late, so thank you to those of you who have considered that and are also lending their support. The truth is that safety should always be a priority, and the Allan Labor government has an ambitious target to halve road deaths and see a meaningful reduction in injury on Victorian roads. This strategy, running from 2021 – so yes, it is a few years in – through to 2030, has already received \$263 million in funding to help support road safety in our state, with 26 different safety initiatives being undertaken within the plan. The plan also has an inclusion of \$5 million of commitments in this year's 2024–25 budget to specifically look at medicinal cannabis. Can I just say I am sure that that is an announcement that members of this bench may support as well.

The effects of medicinal cannabis on drivers are still not fully known, and I reaffirm what has been said by my colleague Ms Ermacora. The currently available studies indicate that impairment generally

increases with higher THC levels in blood and saliva, but the correlation between THC levels and impairment is in fact weak and inconsistent, and medicinal cannabis formulations do vary in THC content right across the medicinal cannabis prescriptions available across the state.

The government has been researching medicinal cannabis and road safety, completing two very significant studies. The first study assessed the detection of THC in medicinal cannabis using roadside drug tests, finding most positive detections within 3 hours of consumption, with the rate of detections decreasing up to about 6 hours post consumption. Positive tests require confirmation by the Victorian Institute of Forensic Medicine. Roadside drug testing serves, I think it is fair to say, as a deterrent against drug driving for those members of the community who seek to go onto the road.

A secondary study conducted by the Monash University Accident Research Centre surveyed over 270 medicinal cannabis patients with drivers licences to further understand their driving behaviours and the advice received from health professionals. I think this is a particularly important study. The results there showed that 44 per cent of respondents had supplemented their prescriptions with illegal cannabis, which I thought was an interesting finding. Advice on driving really did vary quite significantly across medical professionals, including some patients recording that they received no guidance and others being told not to drive while feeling affected by THC, but very few patients were referred to additional information sources about driving and medicinal cannabis. I think this is a particularly telling study. These surveys and studies highlight the need for consistent evidence-based advice on safe driving for patients prescribed medicinal cannabis once there are clear evidence-based metrics and data on the road safety effects of medicinal cannabis.

As we know, and as it stands in Australia, it is currently illegal to drive with any amount of THC in your system. Most states and territories, with the exception of our southern friends in Tasmania, do not allow a medical defence for driving with prescribed medicinal cannabis containing THC. In Tasmania driving with detectable THC is only permitted if the product is obtained and administered under the Poisons Act 1971 and, importantly, the driver is not impaired. Even with a prescription, driving under the influence to the extent of impaired control remains an offence. Tasmania also requires stricter protocols for prescribing practitioners, necessitating written evidence for a medicinal defence in court. Implementing similar regulations in Victoria does face several challenges, including differences in our legislative frameworks, population density, road network size and operational arrangements. Victoria has a significantly larger number of licensed drivers, complicating our impairment testing and further exemption processes and court proceedings as well. There has been no research on the impact on road safety in Tasmania, so we are not quite sure yet if it has had an impact on road safety or not.

When it comes to the more specific question of policy in relation to cannabis use, this government no doubt has led the nation. We have taken measured and thoughtful reform steps. We have been able to ensure that these reforms deliver their intended outcomes safely and for the benefit of the Victorian community. Those of you that were around ahead of the 2014 election and actively involved in politics – that, in fact, was not me at the time – will recall that opposition leader Daniel Andrews acknowledged the benefits that access to medicinal cannabis could have for the Victorian community, stating that if elected Victoria would pass legislation to ensure that Victorian laws be modernised to allow Victorians in need to safely access the therapeutic benefits of the drug. That legislation, as was said, was passed in 2016, resulting in the safe introduction of cannabis into the health fabric of our state, improving the lives of so many. This reform has meant that no Victorian needs to face the difficult choice of breaking the law or watching their loved ones suffer. It was a reform that was aimed squarely at helping and healing those who needed it. We started here in Victoria and the rest of the nation followed us. At the time I recall that it was bold, expert informed and pretty nation leading. This government took some really delicate, staged and carefully considered approaches to this important reform to ensure that it achieved its desired outcomes and provided Victorians a pathway to ensure the safe use of cannabis for its therapeutic benefits. I know that any changes, including to road



use, will require appropriate clinical oversight, including from specialist general practitioners, nurses and pharmacists.

I was interested to see also that the Victorian Law Reform Commission provided over 40 recommendations to the government, including the need to establish an independent medical advisory committee on medicinal cannabis to provide advice about expanding eligibility for future patient groups. I think that is good to see. There is an acknowledgement that today medicinal cannabis is most often prescribed for the treatment of chronic pain, but it has also been used to treat anxiety; cancer-related symptoms, such as pain, nausea and reduced appetite; epilepsy; insomnia; and MS.

Upon reading about medicinal cannabis and driving I was really interested to see that there are additional challenges for drivers on our roads. We have what continues to be an incomplete understanding of the effects of medicinal cannabis on our roads. In this state medicinal cannabis has been prescribed to almost 400,000 Victorians. I thought that was quite an extraordinary statistic – one that was not known to me. That is why I think our upcoming trial is a really important bit of work, and that will help us increase our understanding of those effects while confining any potential road safety risks to a controlled environment. It is worth noting, though, that when I said 400,000, that is not say that every one of those is a driver.

The results of the trial that I talked about are vital to informing government decision-making on the matter of medicinal cannabis and driving. We are working with Swinburne and Monash universities on multiple research projects to gain a better understanding of the conditions of medical cannabis and driving issues. Pre-empting this work really does, I think, do us a disservice, but I know that we remain absolutely committed to exploring options for addressing this issue and that keeping an open mind to different strategies can yield some really game-changing results while not compromising the safety of Victorians on our roads and streets. It really is a challenging public health issue. We are completely committed to completing the medical cannabis track trial, as it is known, to ensure that any policymaking will not compromise the safety of any Victorian, and we are dedicated to finding a solution to the problems set out around driving while impaired. The medicinal cannabis track trial will inform our policy position on this issue, only after gaps in the evidence are addressed through the trial and with our research partners. I look forward to continuing to follow this work.

**David LIMBRICK** (South-Eastern Metropolitan) (11:49): I also rise to speak on notice of motion 437, brought forward by Mr Ettershank, regarding drug testing for medical cannabis patients. I would like to take a step back and think about what the point of testing for drugs on the road is. Of course, it is around impairment. No-one wants impaired people driving on the roads, including me, because they are a danger to themselves, to other people and to their passengers. However, we have a situation from long ago with alcohol testing, where there is an excellent, established scientific relationship between the level of alcohol in your blood and your impairment. So we have come to a well-accepted principle that if you are over .05, then you are impaired and therefore you will lose your licence and suffer some penalty.

We have the unfortunate situation with cannabis, which has this different way of metabolising, where it remains in your system for a much longer period than alcohol does and therefore you can test positive for THC, which is an active component in cannabis, long after you are impaired. This has created a great injustice. I first raised this injustice back in 2019, and, frankly, the government has been far too slow to act on this. I would like to touch on some of the serious harms that have been caused by this injustice. One of those harms that has already been spoken about is people who are not impaired losing their licence, but I think that there are far greater harms caused by this injustice. This injustice is acknowledged in the law itself by the very existence of two offences: one offence is drug driving; the other offence is drug driving whilst impaired. As is pointed out, 'drug driving while impaired' is seldom used, frankly, because it is a bit too much paperwork for the police. That is why they do not do it. And it is much easier to ping someone for drug driving by just testing for the existence of THC in their blood, and therefore they lose their licence. The offence of drug driving without impairment should not be an offence, in my view.

I would like to touch on some of these other harms. I have personally spoken to dozens of people who suffer medical conditions such as some of the ones outlined here – pain, anxiety, insomnia et cetera; many illnesses. These people – most of them actually are older people – are interested in trying medical cannabis, because they are currently using drugs such as opiates, benzodiazepines and other far more serious and far more harmful drugs. They choose to continue taking those drugs because they do not want to risk losing their licence. Especially for people that live in regional areas, losing your licence is catastrophic – especially for an older person – absolutely catastrophic. They will not risk losing their licence, so they do not use medical cannabis, even though it has a far less harmful safety profile than these other drugs and there is no chance of overdose and these other things. People are not using cannabis, which has far less harmful effects than opiates or benzodiazepines.

Another very, very serious harm which concerns me greatly is the way that police target music festivals, and everyone going to these music festivals knows that the police will be waiting outside and drug testing. When people may have been inclined to go along to the music festival and maybe just smoke some cannabis, which does not do a great amount of harm, they do not do that, because they know that the next day, when they are not impaired, they will get pinged by the police on the way out. So they substitute and use other far more dangerous drugs, simply because they metabolise through their body in a faster time – drugs like cocaine et cetera. I think that this is a travesty. We do not know how much serious harm this has caused, but every time I hear of someone overdosing at a music festival I wonder whether maybe, if they had smoked some cannabis instead, they would still be alive or they would not be hurt. I think that what the police do with this sort of drug testing is wrong – they should be testing for impairment. They say that the technology does not exist to test for impairment, but as was pointed out by Mr Ettershank, they have the very old-fashioned, old-school test, the field sobriety test. It takes time and paperwork to do that, and as was pointed out earlier, it is harder to get a conviction. Well, so what? The onus of proof is on the police. If someone is impaired, they must prove that impairment, and simply having something in their system does not prove impairment.

Before I run out of time I might point out another thing that points to this injustice: the company that makes these THC testing kits also makes kits that will simultaneously test for benzodiazepine and opiates, and the government and the police do not want to use these kits, even though they are similar in price, because there would be widespread outrage at the number of people that would be picked up and busted by these test kits. That is why they choose not to test for benzodiazepine and opiates; they test for cannabis. There has been a lot of talk about medical cannabis, and I agree with that, but similarly if someone is using it recreationally, whether it is illegal or not, they should not be busted for impairment. This is just an extra injustice and stigmatisation and effect of prohibition. People should not be getting busted for having THC in their system if they are not impaired. The very fact that we have two offences is proof that the government knows about this. They have chosen not to act. They have taken too long. It is time to act on this.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (11:56): It is at this juncture, as we just approach question time, that you wish there could be some elevator music that could just carry us through into question time, because I feel that in the short amount of time that I have left – probably about 4 minutes now – there is not terribly much that I can say.

I have had the opportunity of listening to the debate, and I know there have been some discussions with Legalise Cannabis in terms of agreements being reached with some amendments to the motion. I understand the government is in a position now to provide support for the motion with the inclusion of those amendments. But just in the short amount of time that I have got left what I do want to say is that it is of significant concern, road safety. I actually agree with a lot of what Ms Crozier had to say on this motion: road safety is a concern. Some of the other concerns relate to how we actually have a test that adequately ascertains how much someone is impaired from having levels of THC in their system. I know the motion talks about having a legal defence for medicinal cannabis, and perhaps that might then go to some of the things that government is concerned about, particularly around how you

determine whether someone has ingested THC through medicinal cannabis or through some other means and, for example, whether the script that they have is in fact legal and lawful or fake.

So there are some things that still need to be resolved in terms of this particular concern, but what we know is that we cannot compromise on road safety. One death on the road is one too many. I know as a vulnerable road user – I am a motorcyclist – I will not get a second chance if someone comes at me with a car. If you are in a car, you might have a second chance, but as a motorcyclist I have zero chances. So that is something that I am particularly concerned about, and I know my colleagues in the motorcycling fraternity will also share similar concerns. Road safety is of concern. We do not want to see any more road deaths on our roads, and our government continually works to ensure that we have appropriate levels of road safety. With that, I think I might conclude my remarks as we are just about to bump into question time.

**Business interrupted pursuant to sessional orders.**

*Questions without notice and ministers statements*

**Western Metropolitan Region fire services**

**David ETTERS HANK** (Western Metropolitan) (12:00): (589) My question is to the Minister for Emergency Services. In April Fire Rescue Victoria attended a house fire in Truganina. A fire truck was dispatched from Tarneit but malfunctioned at the scene and could not supply water to attack the fire or give coverage to the fire crew. In July Sunshine station's teleboom was crucially delayed in attending the Derrimut chemical factory fire – at the time it was stationed far away in Ringwood because Ringwood's appliance was broken and there were no spares. Then a couple of weeks ago there was a house fire in Point Cook with a 15-year-old trapped inside. The only multistorey appliance available in the western suburbs broke down at the scene. Can the minister explain why the constituents of the Western Metropolitan Region, who also pay the fire services levy, are bearing the brunt of Victoria's fire truck crisis?

**Jaelyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:01): I thank Mr Ettershank for his question. At the outset, I think I share the sentiments of all members of the chamber that Victorians are incredibly well served by our dedicated firefighters. In relation to expenditure for FRV, there is about \$850 million a year that is spent on this important work because we want Victorians to be safe and we want, importantly, our firefighters to be safe.

The crux of your question goes to fleet. I can take you through some of the investments and orders that are underway. There are currently 28 vehicles that are in various stages of being en route or being ordered or have indeed been funded. That includes \$15 million in the latest budget to provide five new aerial pumpers – pumper platforms they are called – and they will be tendered and online in a couple of years. The closest ones to roll out will be three pumper platforms that are only weeks away, and they will be deployed to areas of need determined by FRV.

In relation to ongoing maintenance and making sure that our fleet is available to be deployed with our hardworking firefighters, we have DMOs that spend a lot of time ensuring that vehicles are maintained and that they are able to move around so there are spare ones to fill in gaps and the like. The fire services implementation monitor is responsible for setting the target for fleet availability, and he noted in the recent quarter-four outcomes framework report that it was a positive year for FRV. At quarter three 2023–24 FRV had a fleet availability of 90 per cent, and this was up from 85 per cent in quarter two 2023–24.

I can assure you, Mr Ettershank, that there is a lot of advocacy in relation to ongoing investment, and fleet in particular is at the forefront of those requests. Commissioner Freeman is indeed a fierce advocate in that regard, and I will certainly continue to work with him in understanding the ongoing needs of our fire services.

**David ETTERS HANK** (Western Metropolitan) (12:04): I thank the minister for her response. I think you have in part pre-empted my supplementary, but I will proceed nonetheless. Following the Derrimut fire the United Firefighters Union once again raised the need for a rolling replacement program to be reinstated. On ABC Melbourne on 23 July Fire Rescue Victoria commissioner Gavin Freeman, who you mentioned, stated that:

... we will ... work with government ... about getting back to a more sustainable ongoing replacement and investment pipeline for our fleet ... the predecessor organisation ... had that ...

Minister, do you agree with the union and Commissioner Freeman's assertions that a rolling replacement program and investment pipeline should be reinstated to keep our firefighters and the community safe during the increasingly frequent emergency incidents, such as the chemical blaze at Derrimut?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:04): Thank you, Mr Ettershank. As you have identified, I touched on some of these issues in my answer to your first question, but just coming to the Derrimut fire and some of the commentary around that, I just want to put on record that more than 50 appliances responded to the Derrimut fire. It was an extremely dangerous fire, a factory fire containing materials that were extremely hazardous to both firefighters and the community, and the response to that was tremendous. I have thanked firefighters for their efforts in containing that fire, which could have been much, much worse if not for their efforts.

Mr Ettershank, I meet with Commissioner Freeman and members of his team regularly as I see firefighters on the ground, particularly after they have responded to events, in relation to hearing their needs. There are a range of matters that I talk to FRV about in relation to the priorities of their expenditure, whether that is in relation to employee costs, investments for fleet or indeed improvements to stations and the like, and I can assure you that those are important conversations. As I said, Commissioner Freeman is indeed a fierce advocate for attention from me and the broader government for his efforts.

### Construction, Forestry and Maritime Employees Union

**Georgie CROZIER** (Southern Metropolitan) (12:06): (590) My question is to the Attorney-General. Attorney, 18-year-old Ben, a young Indigenous man, was outrageously bullied to death following his first shift on a CFMEU-run, Victorian taxpayer funded project. His mother Tammie said CFMEU officials visited her and tried to downplay the role of workplace bullying in Ben's death. As the first law officer in Victoria, does this intimidatory action breach any laws?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:06): I thank Ms Crozier for her question. I echo the response that Minister Stitt gave yesterday. It was a tragic incident in relation to the unnecessary loss of a life, and my heartfelt condolences go to his family and his friends. I will say at the outset that any form of bullying or intimidation is not something that I condone. In relation to people that are subjected to such behaviour, I would encourage them to contact police, or indeed if it is on a worksite, police and the likes of WorkSafe. Ms Crozier, as the first law officer in the state, it is not my role, and it is actually inappropriate for me, to provide legal advice.

**Georgie CROZIER** (Southern Metropolitan) (12:07): I was not asking for legal advice. I said, 'Had they breached any laws?' Attorney, have you spoken to the Victorian equal opportunity and human rights commissioner about investigating the CFMEU's disgraceful treatment of Indigenous workers?

**The PRESIDENT:** Sorry, Ms Crozier, but I do not know if that particular organisation you asked about is under the minister's remit. I will call the minister. The minister has the right to call a point of order if she wants.

**Jaelyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:08): Ms Crozier, I can assure you that my conversations with VEOHRC are always broad ranging and responsive to issues that affect the community, particularly in relation to vulnerable cohorts such as Aboriginal Victorians, and those conversations are regular.

**Ministers statements: Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability**

**Lizzie BLANDTHORN** (Western Metropolitan – Minister for Children, Minister for Disability) (12:08): I rise to update the house on the government response to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. Today the Australian government and state and territory governments released a joint response to the royal commission. Victoria has worked in partnership with the Australian government and other states and territories to develop responses to the 85 shared recommendations of the commission. All governments have committed to working closely together to implement ongoing reform to achieve meaningful and lasting change for people with disability. I would like to acknowledge the strength, the courage and the resilience of the almost 10,000 people with disability who engaged with the royal commission over 4½ years.

The Victorian government has carefully considered the recommendations in the commission’s report. We have accepted or accepted in principle the majority of the 45 recommendations that are the sole responsibility of state and territory governments, and I am pleased to report that the royal commission noted that Victoria is leading the nation in areas of disability inclusion, including the protection of rights of people living in specialist disability accommodation, recent changes to Victoria’s guardianship system and our government’s commitment to co-design.

We know the advice and support of people with lived experience is essential for us to achieve better policy, legislation and service responses for people with disability, both nationally and here in Victoria. On that note I would like to thank the Victorian Disability Advisory Council for sharing their views on the disability royal commission recommendations with me, and I look forward to continuing to work with them in the next phase of these reforms.

Our response builds on work we are already doing, including *Inclusive Victoria*, our state disability plan. It is helping us build a safer, fairer and more accessible Victoria. The release of the Victorian government response to the disability royal commission today represents the beginning of the next phase of our work, alongside people with disability and the sector, to implement the recommendations. I encourage Victorians to look at our government’s full response on the website, and I look forward to continuing this important work in partnership with the Australian, state and territory governments and of course with the disability community in our state.

**LGBTIQ+ health services**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:11): (591) My question today is to the Minister for Equality. It relates to the spread of mpox and the particularly noted surge of cases that has been seen among gay and bisexual men, men who have sex with men as well as among the LGBTIQ+ community more broadly – a really concerning spike, with 76 cases reported in the last few months, whereas for the whole of 2023 there were eight cases. The chief health officer has suggested sex bubbles or that people just lie low a bit over the colder months. While I appreciate those constructive suggestions, I am not sure if sex bubbles or winter abstinence or the like will necessarily be taken up by everyone. So could you please outline what is being done – what targeted steps are being taken – to ensure that the queer community is getting vaccinated against mpox?

**The PRESIDENT:** I am kind of concerned that that might be a question for the Minister for Health, but I will call the minister as far as her portfolio responsibilities go.

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:12): Thank you, Mr Puglielli, for your question and for your interest in a really

significant health challenge for LGBTIQ+ communities, men who have sex with men and also people who are affected by the spread of mpox.

We have had a really consolidated and really comprehensive response in recent years. We know that that has been driven in large part by the work that has happened on the ground, including through Thorne Harbour Health and other organisations. The Department of Health is leading that work, and we are doing that work around vaccinations being provided as they are needed. Thorne Harbour Health and allied clinics are doing that support work.

To assist you, Mr Puglielli, I am very happy to seek some further information from the Minister for Health beyond the standing orders, because it has not technically been raised as a matter for her, and perhaps to provide that to you. It is a rapidly evolving and dynamic situation, as I am sure you will appreciate, so we will do some further work to get you that information.

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (12:13): Thank you, Minister, for that very generous response. This really just follows on in the same vein by way of supplementary. Could you outline what particular steps are being taken to ensure that the LGBTIQ+ community knows about the recent surge in cases – that evolving situation you have spoken about – and that they are receiving important health information on mpox?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:13): Thank you very much, Mr Puglielli, for that supplementary question. Again, I will refer the substantive elements of that question through to the Minister for Health for response. But for avoidance of any doubt, we do need to make sure that messaging is culturally safe and appropriate and that it is delivered and discussed in places and in terms which engage with LGBTIQ+ communities as well as with people who do not typically identify as members of LGBTIQ+ communities. This is something which all levels of government are working hard to make sure that we have a consolidated effort to address. It will be part of ongoing dialogue, whether that is around sexual health or whether that is indeed around the broader health concerns and questions that people might have, being able to identify symptoms and the sort of bubble issue that you have raised earlier as well. So in the substantive nature of that supplementary, I am very happy to provide you with some further detail, but again, the work around the appropriateness of messaging is something which informs the way in which the entire equality portfolio is working as well as working beyond that into mainstream government and across the community.

### **Construction, Forestry and Maritime Employees Union**

**Evan MULHOLLAND** (Northern Metropolitan) (12:14): (592) My question is to the Minister for Skills and TAFE. Yesterday the minister failed to show leadership by failing to pledge to suspend the CFMEU from the Victorian government's Skills First training program. The CFMEU is under active investigation by multiple bodies, and the Premier has said it has a rotten culture. Why does the Victorian government continue to provide this skills funding to the CFMEU?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:15): I thank the member for the question. The reality in this state is that there is a skills shortage and a labour shortage in a whole range of areas, and there are a range of organisations who are eligible to become Skills First contract providers. The fact of the matter is that there are employer organisations, there are unions and there are community not-for-profit organisations who are Skills First contract providers. In fact my understanding is that the CFMEU has been a contract provider to the department since 2010 – when those opposite were in government. My understanding also is that in terms of the master builders association and other employer organisations, they have similar contracts to other unions that are involved in the construction industry as well.

This is a department-run process. I took you through that yesterday. I have taken you through that on numerous occasions. It is an independent departmental process where there are strong prerequisites. But not only are there strong prerequisites, there absolutely are spot checks in terms of ensuring those

contracts are followed and there is also the ability for ongoing audits. We put a blitz unit into the department after those opposite allowed rorts in the system. We are very genuine, and we are very serious about the integrity of the contracts that are afforded by the department to providers. To try and muddy it up with some political agenda of those opposite is absolutely irresponsible to ensuring that we have got a properly skilled pipeline of workers coming through the system and undertaking work in priority areas.

**Evan MULHOLLAND** (Northern Metropolitan) (12:17): Minister, I am really glad that you have mentioned spot checks. Has your department carried out a single spot check on the CFMEU as part of the Skills First training program?

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (12:17): The department undertakes continuous spot checks across a whole range of providers. This is the system that we have in place, a system that those opposite –

**Evan Mulholland:** On a point of order, President, my question was very narrow. Has the department carried out a single spot check on the CFMEU as part of this program?

**The PRESIDENT:** I kind of think the minister was relevant to the question, but I have got to say –

*Members interjecting.*

**The PRESIDENT:** Let me finish, because this is the issue: I am struggling to hear her. People ask a question, then they start yelling and then I cannot hear her. And then you expect me to make a ruling on whether the minister is answering the question.

**Gayle TIERNEY:** I believe that I have answered the question. There are continuous spot checks that are undertaken by the department across a range of providers, across a range of industries, because we have a system in place –

**Nick McGowan:** On a point of order, President, the question was very specific and in relation to the CFMEU, not in relation to the entire portfolio. The minister has not answered the question. I ask you to bring the minister back to the question as to whether there has been a single spot check, or any spot checks, of the CFMEU contract.

**The PRESIDENT:** I believe the minister was being relevant. She has finished.

**Georgie CROZIER** (Southern Metropolitan) (12:19): I move:

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

**Motion agreed to.**

#### **Ministers statements: LGBTIQ+ community**

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:20): I rise today in my capacity as the Minister for Equality. In recent months LGBTIQ+ communities, particularly trans and gender-diverse people, have been subject to harmful discourse surrounding the validity of their identities, families, relationships and lives. Anti-LGBTIQ+ rhetoric, which is based in queerphobic and transphobic ideology rather than being informed by evidence, seeks to divide our communities rather than unite them. The evidence is really, really clear: the impacts of discrimination, stigma and violence are a public health issue. They contribute to poorer health, wellbeing and whole-of-life outcomes for LGBTIQ+ people.

Despite these challenges, I am so proud to have met with diverse rainbow communities achieving wonderful things across our regions this month. LINE Wangaratta and WayOut Wodonga are two services who support rainbow communities in north-east Victoria. They provide critical assistance and community and social connection across the region. I also met with a dedicated team at Drummond Street Services QHub in Geelong last week – they are a critical initiative led by this government –

learning more about the vital support they provide for rainbow young people and their supporters across the greater Bellarine region, with outreach services right up to the Surf Coast.

The evidence is really, really clear: community, connection and pride are all essential in reducing social isolation, stigma and damage, as well as trauma, assisting people to thrive across all age groups, locations and backgrounds. I want to thank each and every person – practitioners, community members, allies and leaders – who continue to stand up and show up for LGBTIQ+ communities as we work to achieve true and enduring equality and progress anti-vilification measures to reduce harm and uphold safety and dignity. The equality portfolio recognises and reflects an all-of-government commitment to progress our 10-year strategy *Pride in Our Future*. I will not stop working to ensure that all Victorians, from the heart of Melbourne to the corners of our state, can live vibrant, authentic, safe and dignified lives as their full selves.

### Energy policy

**David LIMBRICK** (South-Eastern Metropolitan) (12:22): (593) My question is for the minister representing the Minister for Energy and Resources. Many statements about the Victorian government's *Gas Substitution Roadmap* repeat the line that it will be an orderly transition, with frequent statements about consultation with industry. I have consulted with industry representatives myself, and they are telling me that it is anything but orderly and has been rushed with very limited consultation. Heat pumps have been talked about a lot recently, but the list of industry concerns raised with me include that there is no energy star rating system for heat pumps, there is a shortage of service and maintenance workers, product quality is highly variable, high-efficiency alternatives are being ignored and cost and efficiency modelling are not transparent, with government information not including whole-of-system costs and giving the best case scenario for savings. Minister, why is the energy transition being rushed rather than the orderly transition that was promised?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:23): I thank Mr Limbrick for his question, and I will refer that to Minister D'Ambrosio in the other place for a written response in accordance with the standing orders.

**David LIMBRICK** (South-Eastern Metropolitan) (12:23): I thank the minister for doing that. I did not have time to get through all of the full list of concerns, as there are very many that have been expressed to me by the industry, but an additional significant concern is around consumer protection. As has occurred with other products involved in energy efficiency – we only have to think about pink batts, for example – when a government throws all of its support behind a product there are a range of new suppliers that will pop up; not all of them will deliver quality products and not all of them will be around later if there are problems. The lack of transparency around modelling and costings can have an impact on both industry workers and consumers as the products do not always deliver on the promised savings. Whilst I believe that consumers should simply be allowed maximum choice without government intervention, my question for the minister is this: what is being done to ensure consumers are not left out of pocket, particularly from government-subsidised heat pumps?

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:24): I will be very happy to forward the supplementary to the minister as well.

### Construction, Forestry and Maritime Employees Union

**Georgie CROZIER** (Southern Metropolitan) (12:24): (594) My question is again to the Attorney-General. Attorney, you advised the house yesterday that you had not been briefed about the police corruption investigation into Derek Christopher, the man seeking to take over the CFMEU from convicted criminal and friend of the Premier John Setka. Why has the Attorney not proactively requested a brief on the issue from your department or the relevant agency?



**The PRESIDENT:** I would have thought that that would have been in the realm of the Minister for Police, but –

**Jaclyn Symes** interjected.

**The PRESIDENT:** Yes. Could you repeat the question?

**Georgie CROZIER:** I will raise it again. It is important. Yesterday you advised the house that you had not been briefed about the police corruption investigation into Derek Christopher, the man seeking to take over the CFMEU from convicted criminal and friend of the Premier John Setka, in your capacity as the first law officer. So I ask: why have you not proactively requested a brief on the issue from your department or any other relevant agency?

**The PRESIDENT:** I will call the minister and she can answer. I am not too sure if it falls in her remit, but she can answer if she sees fit.

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:25): There was so much wrong with the premise of the question, and it undermines the seriousness of the issues that you are trying to prosecute, but what actually really concerns me is that your questioning yesterday and your questioning today somehow seems to suggest that in my role as Attorney-General, or first law officer of the state, I should be intervening in investigations. What concerns me about that is that you are presenting to the Victorian public how you would do my role, and I think it is terrifying what you think the Attorney-General in the state of Victoria should involve themselves in. Victoria Police are an independent agency. IBAC are an independent agency. If you think that as the Attorney-General I should be there, sitting down, asking about what they are doing operationally, directing what they should do, that is a scary insight into what you would do if you were ever in government. Luckily Victorians are spared that.

**Georgie CROZIER** (Southern Metropolitan) (12:26): I tell you what is terrifying: it is the actions – or non-actions – of this government about the CFMEU and the corruption. The Attorney was advised that the police investigation into Mr Christopher has been delayed because of legal issues. Yesterday when you were asked you said:

There is nothing that has been raised with me in relation to any barriers ...

So I ask: as you are now aware of the possibility of delayed justice, will you now proactively seek out a briefing from the relevant agency about the issue?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:27): Sure, we will do that.

#### **Ministers statements: Shepparton Albanian Moslem Society**

**Ingrid STITT** (Western Metropolitan – Minister for Mental Health, Minister for Ageing, Minister for Multicultural Affairs) (12:27): Last month I had the pleasure of visiting the Shepparton Albanian Moslem Society to announce that they would be receiving over \$250,000 through the Allan Labor government's Multicultural Community Infrastructure Fund. The government's infrastructure program directly supports Victoria's multicultural and multifaith communities to build or upgrade essential community facilities that promote community connections, and it helps to ensure that these important community spaces are safe and secure so organisations such as the Shepparton Albanian society can continue to observe their faith and celebrate their culture and traditions with the broader Victorian community.

I would like to just take a moment to reflect on the longstanding presence and contribution of the Shepparton Albanian society in the region and across Victoria. It is home to Victoria's first and oldest purpose-built mosque, and it was inspiring to see and hear about the community's engagement and commitment to preserving culture, heritage and religion and also promoting understanding and coexistence with the wider community. This latest round of our Multicultural Community

Infrastructure Fund program supports more than 50 organisations, who will share in over \$9.7 million in funding. Since 2014 the government has invested more than \$88 million to deliver over 560 multicultural community infrastructure projects, which have benefited and will continue to benefit thousands of Victorians. We know that our diverse communities tirelessly contribute to making Victoria the vibrant and inclusive state that it is today, and that is why we will continue to back them and ensure all Victorians can enjoy the social, cultural and economic benefits of a dynamic and diverse society.

#### **Anti-vilification legislation**

**Rikkie-Lee TYRRELL** (Northern Victoria) (12:29): (595) My question today is for the Attorney-General. Since 7 October 2023 the rates of antisemitism have skyrocketed. This state has seen Jewish schools and synagogues vandalised, universities invaded and even MPs' offices defaced by the pro-Palestine activists. Last year this Parliament passed laws to ban potentially offensive acts, language and gestures related to Nazis. Will the government do the same with phrases such as 'From the river to the sea' and other symbolism calling for the annihilation of Jewish people?

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:30): I thank Mrs Tyrrell for her question and for raising these important issues, which have obviously been spoken about in this place for some time unfortunately. We all stand together as MPs calling for social cohesion and calling out inappropriate behaviour that is not acceptable in Victoria in relation to lack of tolerance. What I can inform you, Mrs Tyrrell, is that in relation to the issues that you have raised and the representations that you have made similar representations have been made to me by various groups. My ability to respond to that is through the development of our anti-vilification legislative framework. That is currently still under development. It is on track. We have completed extensive consultation on the proposed reforms, and a report back on what we have heard has already been published on the Engage Victoria website.

It is an incredibly complex area of government policy. You on one hand want to protect people from hate speech, whilst also balancing views of freedom of speech, political expression and the like. These are not easy laws to get right, and they are not easy to draft in the context of conflict in our community, because different groups have different views about what they want the laws to do. I will put it out there that this is challenging, and I am continuing to work through and respond to what people hope these laws can do. But my focus is on achieving outcomes through reforms that protect Victorians and making sure that there are avenues for criminal and civil redress to respond to hate conduct and vilification that is directed to them. I can continue to keep you updated as those laws and consultations progress and would encourage you to check out the website. Indeed I am happy to provide a formal briefing at your request.

#### **Construction, Forestry and Maritime Employees Union**

**David DAVIS** (Southern Metropolitan) (12:32): (596) My question is to the Minister for Housing. Minister, I refer to the big build social construction for which you are responsible as Minister for Housing, and I ask: what role does the CFMEU play on these sites?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:32): Thanks, Mr Davis. Mr Davis, I am going to take you through the way in which registered employee organisations operate, and I hope that that will provide you with a context for how the Fair Work laws function as federal legislation. As you would be aware, Mr Davis, Victoria has referred the bulk of its industrial relations powers to the Commonwealth, and they are therefore regulated under a system of federal awards. There are matters that ensure that unions are able to represent their members where they are, firstly, registered employee organisations under the Fair Work (Registered Organisations) Act 2009, but in addition to that where they do represent members in accordance with the rules of coverage that apply to those unions.

Mr Davis, where we do have union representation which ensures that, for example, elected health and safety representatives are in a position to represent the interests of members, where we do have union representation where that ensures that negotiation of fair and safe terms and conditions of employment is undertaken, then that is where we do see the best of a united industrial relations system, regulated by Commonwealth law, in operation across not just Victoria but Australia.

Mr Davis, in accordance with that legislation, a number of unions do actually work with their members to make sure that workplaces are safe and are in fact places where people can go to work and come home from work – knowing as we do that construction is one of the most dangerous industries for people to be in. And we also know that when and as we have construction there may well be examples where –

**Nick McGowan:** On a point of order, President, as much as members love the walk down memory lane, the question was very specific and about the CFMEU's role on any social housing worksites. The question was not a question about the legislative responsibility or any other aspect of workplace relations.

**The PRESIDENT:** I think the minister was giving a comprehensive response relevant to the question.

**Harriet SHING:** Thank you, Mr McGowan. What a colourful attempt at an interjection from you yet again! Nice try. But I will go back to the way in which industrial relations operate to ensure that organisations registered under federal law are in a position to represent their members within the rules of coverage that apply to a site. And on that basis, Mr Davis, I am very, very pleased to confirm to you that where there is eligibility, where there is coverage, unions are in a position to be able to represent their members. Again that may well include unions from a range of different parts of the construction sector. Mr Davis, there are numerous –

**David Davis:** On a point of order, President, I asked very specifically about one union. I did not ask for a general run around the block. I asked very specifically, so in terms of relevance the minister needs to respond. She has not mentioned the word 'CFMEU', to my knowledge, yet.

**The PRESIDENT:** It is not for me to force the minister to mention anything, but she has been relevant and she has mentioned where construction unions lie, particularly to the answer of where they sit.

**Harriet SHING:** Mr Davis, where a union has coverage under the rules that apply through federal legislation, they are in a position to seek to represent their members on the ground in relation to the construction sector. Try as you might for a sound bite, Mr Davis, which I suspect was the point of the question the entire time, I do not intend to give you one.

**David DAVIS** (Southern Metropolitan) (12:36): I think it is telling that on a question about the role of the CFMEU the minister appears not to have answered the question in a way, not having mentioned the point of the question, the CFMEU. It is a union in this chamber that Labor members prefer not to mention. It is a real issue. My supplementary question is: Minister, have any allegations of misconduct by the CFMEU been raised with you formally or informally?

**Harriet SHING** (Eastern Victoria – Minister for Housing, Minister for Water, Minister for Equality) (12:37): No, Mr Davis. Since I have been the housing minister, which was October last year, I have not been advised of any allegations being made to me –

**David Davis** interjected.

**Harriet SHING:** As I said, Mr Davis, I was sworn in as the Minister for Housing in October last year. I have not had any matters brought to my attention that have required my intervention as they relate to –

**David Davis:** On a point of order, President, it is a very, very specific question: were there any allegations raised with the minister of misconduct by the CFMEU, formally or informally? She can answer that very simple question: yes or no on the CFMEU.

**The PRESIDENT:** I could be wrong, and I hate paraphrasing people, but I think the first thing she said was no.

**Harriet SHING:** Mr Davis, I invite you to go back to *Hansard* and perhaps look at the very beginning of that answer that I gave you. Again, I am really looking forward to making sure that on the ground workers are entitled to be represented by a union. Let us be really clear: unions have a place in our worksites to make and keep people safe. Criminal behaviour has no place on our worksites, irrespective of where it comes from. Unions are there to make and keep people safe, and they perform an important role – (*Time expired*)

### Ministers statements: Victoria Legal Aid

**Jaclyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (12:39): It is wonderful to have the opportunity to give the house an update on a recent visit to Mildura. I had the pleasure of attending the opening of Victoria Legal Aid’s new office in that town. Over the last four decades VLA has helped the most vulnerable people in our community to navigate the justice system and resolve their legal problems, and VLA always strive to ensure that access to justice for all Victorians, no matter their income and their postcode, is delivered. VLA has had a presence in Mildura since 2017, a presence that has been a vital resource for the community, providing essential legal services and support. The organisation is thrilled to have their own standalone office space for the first time. The new office is centrally located in Mildura and is nearby the local Magistrates’ Court, allowing VLA to provide better support for their clients.

We all know that many of VLA’s clients are socially and economically disadvantaged or face a range of challenges unique to their local area. It was wonderful to hear directly from local staff, and I really appreciated the comments from Heidi Deason, Mildura’s regional manager, who spoke about the team’s hard work, dedication and continued commitment to providing access to justice right across the Mallee region. In providing information, legal advice and education with a focus on the prevention and early resolution of legal problems, I know that the new office is very well placed to provide a better service and enhance VLA’s ability to serve the region efficiently and effectively.

As I have said before many times, I truly believe that Victoria is a fairer and safer place thanks to the efforts of VLA and the community legal sector, and I really look forward to hearing updates about how the new office and the opportunities it will bring will continue to deliver great benefits to the Mildura and broader community. I am thankful to the VLA, the community legal centres and community service organisations who do work tirelessly to achieve better outcomes for Victorians irrespective of their income or where they live.

### Written responses

**The PRESIDENT** (12:41): Minister Stitt will get responses from the Minister for Energy and Resources for both questions within the standing orders to Mr Limbrick, and Minister Shing offered outside the standing orders more information for Mr Puglielli’s inquiries.

**Georgie Crozier:** On a point of order, President, I just wanted to raise a number of outstanding questions on notice that I have referred to. I am wondering if the ministers could provide an explanation as to why these questions have not been answered: to the Minister for Health, questions 1388–90, 1490, 1494–5, 1535–8 and 1540; to the Minister for Mental Health, question 1496; and to the Treasurer, questions 1383–5. I hope that they will respond to those.

**The PRESIDENT:** Can I call on a minister?

**Ingrid Stitt:** On the point of order, President, Ms Crozier has also written to me directly about these, and my office is following them up with the mental health portfolio. But also there are a few for the Minister for Health as well.

*Constituency questions*

**Southern Metropolitan Region**

**Ryan BATCHELOR** (Southern Metropolitan) (12:42): (978) My question is to the Minister for Transport Infrastructure. Does the minister have an update on the proposed cycling corridor along Queens Avenue in Caulfield East? The Labor government is committed to improving cycling links across Melbourne. We know that the cycling link between the trail on the Frankston line, the Djerring trail, and Caulfield train station is a vital missing link in our cycling infrastructure here in Melbourne, and it will be particularly important with the opening of the Metro Tunnel in 2025. Caulfield station will be transformed with both Metro Tunnel and city loop trains. As part of the Level Crossing Removal Project, which removed level crossings in Glen Huntly Road and Neerim Road, which are now gone and gone for good and making life a lot easier, a cycling corridor, that missing link, was promised. An agreement has now been reached between the City of Glen Eira and the level crossing removal authority to put this cycle path in place, save the trees and save the parking, and it is a great outcome for the local community.

**South-Eastern Metropolitan Region**

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (12:43): (979) My question is to the Minister for Local Government. With the rail loop planning lockout, my question is to the minister to ask why the councils of Whitehorse, Monash and Kingston – the last two being in my electorate – have been locked out of the basic details regarding housing development and the impact of population growth around the Suburban Rail Loop East’s alleged six underground stations. With this failing Labor government under Premier Allan saying the \$34.5 billion underground train line between Cheltenham and Box Hill will open by 2035, no detail has been provided to councils affected by this building project. With buildings between 18 and 40 storeys high around the proposed new stations, these councils need to be part of the planning process, but the CFMEU-funded Labor government is refusing to talk to them. Why the secrecy, Minister?

**Southern Metropolitan Region**

**Katherine COPSEY** (Southern Metropolitan) (12:44): (980) My constituency question is to the Minister for Ageing. Jane is a constituent in my electorate of Southern Metropolitan and has written to me with her concerns about the flagrant support that the Victorian Labor government is giving fossil energy companies through its seniors card program. As part of this program, seniors are offered discount offers from a range of companies, and a recent offer was a deal from AGL. In October 2020 AGL refused to adopt a shareholder resolution to accelerate the closure of its big coal-fired power stations, which would meet the plan to limit global warming to 1.5 degrees. People power is working, and recently, thanks to community pressure, AGL has brought forward its coal plant closure timelines. However, its fossil fuel operations will still continue for too long. Minister, we need to withdraw support from fossil energy companies which are wrecking our environment. Will you cancel AGL’s participation in the seniors card program?

**Northern Metropolitan Region**

**Evan MULHOLLAND** (Northern Metropolitan) (12:45): (981) My constituency question is for the Minister for Environment. I ask the minister to direct Parks Victoria to discuss reopening the Greenvale Reservoir Park and advise when the Greenvale Reservoir Park will be finally open. Since beginning my advocacy on reopening the Greenvale Reservoir Park at the southern end, locals have raised the lack of engagement from this government since the dam wall upgrades took place in 2014. This was brought up in a meeting on Monday with my colleague the Shadow Minister for Environment and Climate Change James Newbury. Over 500 people have signed my petition. Residents were not

actually aware until the minister responded that dam wall works were completed in 2018. It has been a whole year since the southern park was closed. The member for Mill Park, a former minister for the environment, even pledged \$1.4 million from Melbourne Water to reopen better access to Somerton Road, Greenvale. Well, it has been seven years since then, and we still have not reopened that park.

**Northern Victoria Region**

**Georgie PURCELL** (Northern Victoria) (12:46): (982) My constituency question is for the Minister for Environment. A wildlife shelter servicing my electorate has received a notice from Melbourne Water about new razor fencing set to be erected around an important reservoir attached to the Dandenong Ranges. Currently native animals are free to roam, preventing overcrowding and allowing the natural dispersal of their young. If this project goes ahead as planned, this important habitat will become a deathtrap. Countless animals call this landscape home, including Victoria's endangered powerful owl. In fact Melbourne Water have relied on rescuers in my region to attend to animals in need both within this reservoir and on the roadsides next to it. Water security is crucial, but it is not just humans who rely on this resource. Will the government implement wildlife corridors in Northern Victoria that allow wildlife to access important water sources like the Silvan Reservoir Park?

**Northern Victoria Region**

**Gaëlle BROAD** (Northern Victoria) (12:47): (983) My question is to the Minister for Health on behalf of constituents who have raised concerns about the lack of ambulances in Northern Victoria. The government has asked hospitals across the state to cut their budgets. According to news reports, Bendigo Health is seeking to reduce their budget by \$120 million, and many regional hospitals have been asked to cut their funding, in some cases by over 30 per cent. In Wodonga, Shepparton and Bendigo paramedics are wasting valuable time waiting for a hospital bed to become available. I see ambulances ramped regularly at Bendigo Health. Recently there were eight ambulances ramped, including one from Woodend, one from Echuca and Castlemaine's only ambulance. At a forum in Bendigo last week a young lady with anaphylaxis said that she called for an ambulance and the CFA turned up first to assist. What is the state government doing to manage the crisis in our health system to ensure that paramedics are available to support those who need emergency assistance?

**Eastern Victoria Region**

**Renee HEATH** (Eastern Victoria) (12:48): (984) My question is for the Minister for Crime Prevention and concerns the increase in cases of retail theft in Pakenham, which have risen by 9 per cent. Businesses are suffering and feel unsupported by the government. Crime is out of control under Labor, and we cannot afford to let this go unaddressed. So my question for the minister is: what is your plan to decrease crime and keep businesses alive in Pakenham?

**Eastern Victoria Region**

**Melina BATH** (Eastern Victoria) (12:49): (985) My question is to the Minister for Police. Respected police sergeant Sergeant Brinkman recently told our community:

The reality is Victoria Police are shuffling resources. 24/7 watchhouses are shutting in places like Moe ...

He said:

We always push for additional resources ...

We know that crime in Eastern Victoria Region is rising to record levels, and our valued VicPol staff are increasingly under-resourced. Latrobe has the second-highest criminal incident rate and the second-highest recorded offence rate in Victoria.

Minister, in relation to watch houses, they provide a very important element – they hold alleged criminals for short periods of time before hearings, mental health assessments and for processes. Given the lack of resources and the closing of our watch houses, my constituent wants to understand what

further watch houses are being closed in Eastern Victoria Region, for how long and in what spaces, and what are you specifically doing to stop criminals being released back onto our streets?

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

**Richard WELCH** (North-Eastern Metropolitan) (12:50): (986) My question is to the Minister for Transport Infrastructure. Since early 2022 my community has not had access to the north-west oval at Surrey Park due to level crossing removal works. It has now been over 430 days since the project finished work in Surrey Hills, yet the Surrey Park oval they used to store machinery is still fenced off, unusable by the community and not fit to be a functioning oval. The Whitehorse council has provided the Level Crossing Removal Project with a comprehensive independent report regarding the remediation required. It is unequivocally the LXRPs responsibility to return the park and oval to a usable state, but it is conducting every bureaucratic obstruction possible to delay and avoid the work. Will the minister provide this community, the council and this chamber with a firm date by which this remediation will be completed and the park handed back as promised?

#### **Northern Victoria Region**

**Wendy LOVELL** (Northern Victoria) (12:51): (987) My question is for the Minister for Health. Minister, will you reverse the government's massive hike in the cost of a burial at Shepparton's public cemetery? On 1 July 2024 the fees at the Shepparton Public Cemetery jumped remarkably. Funeral directors advise me that the gazetted fee rise has increased the total cost of internments by up to 438 per cent. I have been informed that these price increases were not requested by the cemetery trust but were imposed by the Victorian Department of Health. The department's official manual for cemetery trusts states that fees should be consistent, transparent, affordable and aligned with community expectations, but these new and increased fees are not affordable and do not align with community expectations in a regional town with a socio-economic profile like Shepparton's. The price rises are exorbitant and unconscionable, and I call on the minister to reverse these fee hikes and instead align the fee increase with the CPI.

#### **Western Victoria Region**

**Bev McARTHUR** (Western Victoria) (12:52): (988) My constituency question is for the Minister for Public and Active Transport. My constituent Gerald Jenzen has admirably and persistently questioned V/Line's apparently predetermined 'public consultation' on the replacement of the Lydiard Street heritage rail gates. Ballarat station precinct is a special historical place. It should be protected for residents and tourists, yet its aesthetic and heritage value has been trashed by newly installed modern boom gates. Safety is the justification, but no adequate report has been produced, hence Mr Jenzen's efforts. V/Line first failed to disclose all relevant documents, then when pressed found more but again failed to release them. The information commissioner comprehensively ruled against V/Line, yet even now V/Line will still not come clean and has appealed to VCAT. Minister, when will you step in and stop V/Line wasting time and taxpayers money in its desperate effort to suppress information which the public have a right to see?

**Sitting suspended 12:53 pm until 2:02 pm.**

#### *Motions*

#### **Medicinal cannabis**

**Debate resumed.**

**Rachel PAYNE** (South-Eastern Metropolitan) (14:02): I rise to make a contribution to this motion 437 in my colleague David Ettershank's name. Legalise Cannabis Victoria calls on the government to immediately establish a legal defence for medicinal cannabis prescription holders charged with the presence of THC in their system while driving. If they take their medicine in accordance with a prescription and they are not impaired when tested, they should not be discriminated

against. We want to make it clear we believe anyone that is impaired should not be driving, and this is not something that this motion seeks to change.

We need to treat medicinal cannabis like any other prescription medication. What we currently have in Victoria is policymaking hypocrisy at its finest. In saying that, Legalise Cannabis Victoria does welcome the government's amendments. I would like to refer to the government speaker Mr Galea and his contributions and acknowledge that the 400,000 Victorians that are medicinal cannabis patients referred to in Mr Galea's contribution would like to see that the government is committed to taking, as Mr Galea stated, a 'measured and methodical' approach and seeking 'appropriate counsel and guidance'. I appreciate, as my colleague Mr Ettershank would appreciate as well, that the government has committed to finding a pathway forward together with Legalise Cannabis Victoria, and the emphasis here is on putting patients first.

I would also like to highlight that there has been some discussion around road safety and the driving trial. This motion does not seek to change the status quo. We do not seek to change the roadside drug-testing practices that are currently happening. But what we do seek is to allow for a magistrate to have the discretion to change the patient's fining or onset of a loss of licence. We would like to see that if there is a charge instigated, that is not something that a magistrate cannot have discretion on. It is about putting patients first, and I am glad that the government has stated and recognised this.

I would also like to thank Ms Crozier for her contribution in the chamber today, particularly around the fact that it is recognised that we are talking about a prescription medication here. We are talking about a relationship between a patient and a doctor. Again, I agree with Ms Crozier's commentary here that a doctor is best at advising patients as to how to take their medication. Ms Crozier also highlighted the issue that roadside drug testing does not have the ability to test all other drugs. We know this. I agree with you on this. What the current roadside drug testing does do is it tests for the presence of THC, it tests for methamphetamine and it tests for MDMA. It does not test for cocaine. It does not test for opiates. It does not test for benzodiazepines. On that note, I would also like to thank Mr Limbrick, who has been an advocate in this space for many years and has spoken of this in this chamber for many years, for highlighting the fact, which I was not aware of, that there are actual testing abilities there for Victoria Police to have these tests capture not only THC and methamphetamine but a multitude of other drugs. They are just not using those. I mean, what a curious point that is to make.

I thank Ms Purcell for her contribution, particularly in recognising the patient's experience. I also understand as someone who represents people who live outside of the city environment that there is a requirement there to drive. As Ms Purcell stated, being a regional member, you do have to have that discussion with your doctor around 'Do I stop taking my medication, or do I drive?' And this is the predicament that patients are facing. One story I would like to highlight is from a patient that we have been working with, a person who has contacted us and who told us:

I am a 39-year-old female terminal cancer patient who has used prescription cannabis for pain and nausea relief, daily, since 2022 ...

...

I have been prescribed ... opioids, including hydromorphone for severe cancer-related pain. I prefer and choose to use prescribed THC cannabis for pain and nausea relief as this has less extreme side effects (including medication-induced anorexia and insomnia). The laws in this country, and specifically Victoria, would allow me to use hydromorphone (which is undetected by any form of roadside testing) legally whilst driving.

I would never do this and would never condone anyone using this opioid whilst driving. I just want to point out to you, that many cancer patients are able to get relief from pain and nausea through using THC products, but choose not to use those and instead opt for something like hydromorphone, due to the legal implications of roadside testing. It boggles my mind that the laws behind roadside testing remain this way.

... I really hope that common sense prevails one day ... Hopefully before I die!

Many of my colleagues in the chamber today have talked about patients, and we have to remember that this is what this is about. We are talking about people taking their legally prescribed medication.



Mr Galea even referred to the fact that cannabis is even life saving for many people for treating different sorts of illnesses or ailments. We do have an obligation to do the right thing here by people like the people we have been speaking to. This affects real-life people in the everyday.

We also do not want to see people's agency removed from them by limiting their ability to drive. The existing system treats medicinal cannabis differently to any other prescription medication. Like the story I have shared with you today, many people are telling us that it is simply too hard and they have stopped taking their medicinal cannabis. Concerningly, instead they take opioids and benzodiazepines. Often they suffer horrific side effects from these medications and are well and truly impaired. But under Victoria's road laws, they can still drive. In some cases people may stop taking their medication altogether, and for people with conditions like insomnia or epilepsy the consequences of this on their ability to drive safely are immense. Medicinal cannabis was legalised in Victoria eight years ago in 2016. This means it will be 10 years from when medicinal cannabis was legalised that patients can possibly maybe even have the chance of being accounted for in the driving laws, if we just go on the driving trial as a measurement of when we will be seeing change.

What we would like to see, though, in the interim is that patients have a court date. Instead of just an instant loss of licence for six months for a first-time offence and 12 months for a second-time offence – this is black and white, this law – what we would like to see is that a magistrate has that ability to review that patient's records, see the fact that they are a patient, see their scripts, see their doctors referrals and make a decision based on the evidence that is in front of them.

While we await the outcomes of the government's driving trial this problem continues to exist, and this is why we have brought this motion before the Parliament today. Now in Tasmania medicinal cannabis patients are protected if they take their medicine in accordance with their prescription and are not impaired, and these laws have not caused the sky to fall in. In fact in Tasmania, when we compare the eight years since medicinal cannabis was legalised with the eight years before them, we see that both the rate of serious injuries and the rate of fatalities have decreased.

As my colleague said today, there are numerous studies confirming that THC has a minimal impact on driver impairment, yet here in Victoria we deny patients protection. Even if you are not impaired and have taken your medicine as prescribed, you are charged and you will lose your licence. It is black and white. The loss of licence resulting from a charge is devastating for anyone, but it is particularly devastating for those who rely on driving for employment, education and access to health services. We have heard from people who have lost their jobs and had to sell their homes because they have lost their ability to drive. We would like to see Victoria's road laws reformed today. We believe the evidence is there, and we think that this driving trial will only tell us what we already know.

We do welcome the government's commitment to working with us in looking at ways that we can work with lawmakers and work with magistrates in finding a solution for patients and allowing them that legal defence in court.

**David ETTERS HANK** (Western Metropolitan) (14:13): I think the debate has been really useful. I thank all those who have participated with such good grace, such intelligence and such respect. I commend the motion and the amendments to the house and seek that they be processed.

**Amendments agreed to; amended motion agreed to.**

*Committees***Environment and Planning Committee***Reference*

**Rikkie-Lee TYRRELL** (Northern Victoria) (14:14): I move:

That this house:

- (1) notes that:
  - (a) Victorians expect a high standard of community consultation on matters that affect them;
  - (b) Victorians also have an expectation that community consultations will be conducted in a way that is accessible, meaningful, and allows all participants to express their views without fear or favour;
  - (c) the Allan Labor government states in its own public engagement framework that it commits to meaningful, principled and inclusive public engagement, yet not all Victorians who participate in consultations have a satisfactory experience;
  - (d) community members are often left out of consultation processes due to location, timing, notification and the extent of consultation processes;
  - (e) Victorians who genuinely engage in consultation processes have the right to expect those conducting the consultations are prepared, across the details, and fully equipped to answer questions;
- (2) requires the Environment and Planning Committee to inquire into, consider and report, by 28 February 2026, on:
  - (a) community consultation practices done by, and on behalf of, state and local government and statutory authorities, and providers of essential services such as utilities, in Victoria;
  - (b) the use of non-government providers to do consultations on behalf of government agencies;
  - (c) standards of conduct, including preparedness, to be expected in community consultations;
  - (d) groups or regions who are under-represented by existing consultation practices, and options to improve their engagement;
  - (e) the Engage Victoria platform, its use and effectiveness, and areas for improvement; and
  - (f) best practice community consultation in other jurisdictions in Australia and other comparable countries.

For months now my constituents have been reaching out to my office with complaints and concerns surrounding the lack of community consultation involving proposed major projects, changes and plans for their community. The definition of ‘public engagement’ in the government’s *Public Engagement Framework 2021–2025* states it is:

... a planned process to support decision making. It encourages people to get involved in decisions that are of interest to them. Engagement refers to a range of opportunities including:

- Educating people about a topic ...
- Obtaining feedback on a project ... and
- Working with stakeholders to address local issues ...

This may include some of the following activities, according to the framework:

- Workshops, forums, reference groups or consultative committees
- ...
- Online discussion forums, surveys, mapping tools or social media commentary
- Submissions, feedback forms or questionnaires
- Communications materials like fact sheets, newsletters, displays ...

or written correspondence, and:

- Focus groups, interviews, phone surveys or door-knocks.

The government's *Public Engagement Framework 2021–2025* also states that:

The Victorian Government commits to meaningful, principled and inclusive public engagement.

But this is not what my constituents are reporting to me. How can the government disregard their own framework for community engagement and allow big corporations to do the same? If and when community meetings take place, they are often held at inconvenient times and/or places. Communities are given very short notice of these meetings being held, and they are often held at times of day which mean many people are unable to attend. The representatives sent to these meetings are often ill equipped to answer the questions of the community. My constituents often feel bullied, intimidated and threatened by the representatives, who use these meetings as just another box-ticking exercise. I have been told by one community that they were told to accept a proposed battery storage facility or end up with a nuclear reactor. How can this be an acceptable statement during a meeting with concerned residents?

My constituents feel as though their concerns are not being listened to, as they are generally brushed off and not taken into consideration during the planning process. I have heard stories over and over again of communities being told they are being difficult, overdramatic and unreasonable, a classic gaslighting situation inflicted by the developers. Most of the time these constituents have genuine concerns around the projects or changes being made to their communities. I myself have attended numerous public consultation meetings to simply observe the process and listen to the concerns of my constituents. I have no doubt about the authenticity of my constituents' reports on the statements made, the lack of information provided and the dismissal of concerns in regard to public consultation meetings.

Every week we see rallies in many regional communities asking for the government to listen to them. There are numerous issues my communities are trying to be heard on, be it solar and wind power generation facilities, the amalgamation of their hospitals or the reclassification and closure of state parks and forests. These issues cause a huge amount of fear and angst amongst the communities in my Northern Victoria electorate. These communities just want to be heard and have their concerns addressed. As it stands they feel ignored, disregarded and dismissed. I am certain that I am not the only member in this place that has heard these concerns from their constituents, as it is happening all over this state. From the inner city, with rail and road projects, to rural communities, with solar and wind energy projects, Victorians' voices are being ignored. Members of this place need to remember that it is our constituents that elect us and that we are the voices of our communities in this place. It is an honour and a privilege to stand here and represent communities who have put their faith in us, their elected members. Therefore we need to stand up and represent the needs of those who elect us. Steamrolling projects through communities with genuine concerns is not representing our electorates to the best of our abilities. The concerns of the Victorian public should always be taken into consideration when proposing projects that could affect their lives and livelihoods.

Although the government has established a public consultation framework, I feel that it is not meeting the expectations of the people we represent. It is vital that we ensure thorough public engagement so that we do not make mistakes that will impact the lives, homes, environments and societies of the people who rely on us to provide a better future for them. Giving our constituents an opportunity to contribute to an inquiry into the public consultation process will allow their voices to be heard and allow them to work with us to shape a stronger process of community consultation. I call on the government to launch an inquiry into the practices of community engagement at both a government and private level.

**Jacinta ERMACORA** (Western Victoria) (14:20): I am delighted to speak on this referral motion. I thank my parliamentary colleague Mrs Tyrrell for giving us the opportunity to speak about community consultation and engagement today. She is right that community consultation is critically important and also that consultation in regional communities is not always the same as in urban communities. Community engagement is indicative of the maturity of our democratic society and how

decisions are made. Community engagement and consultation also encourage robust civic participation and promote inclusive decision-making with diverse communities, who may otherwise feel marginalised or unheard. It allows us to govern in an inclusive and accountable way. Community discourse strengthens social cohesion in our communities by helping bridge divides and by fostering dialogue and mutual understanding. Ultimately, when communities are involved in the planning and implementation stages of projects or programs, there is often a greater local support and a better adherence to initiatives – a sense of ownership, so to speak.

There is a best practice framework for the planning and conduct of community consultation. The International Association for Public Participation, or the IAP2, have developed a matrix table – it is universally known – that describes the principles, the purpose and the circumstances in which various different scenarios of engagement can best occur. The IAP2 spectrum community engagement matrix refers to five types of engagement: inform, consult, involve, collaborate and empower. ‘Inform’ could be ‘This is how you drive on this road safely’ – they are not asking, they are informing us how to do something – or ‘This is how to take a medication safely,’ something like that. ‘Consult’ is taking feedback from the community but still in a hands-off kind of way. ‘Involve’ means involving the community in some of the decision-making. And ‘collaborate’ is an even deeper level of involvement of community. And of course ‘empower’ means handing the decision over to the community to make their own decision.

How these different levels of consultation are used is dependent on what level of consultation is appropriate and the different types of decisions that are being made. With ‘inform’, as I said, it is about how to do something safely and that kind of thing. But also, at the other end of the spectrum – whilst a slightly different scenario – voice, truth and treaty and self-determination could be seen as an empowerment model. We are handing power back to our Indigenous communities, which of course is not only a policy of this government, but you can see the structures that we have put in place to enable that: first through voices, then we have got the Yoorrook Justice Commission and then we have got the treaty process. It is quite a spectrum of possibilities. For example, community members might be impacted by something, whereas stakeholders might be technical experts – it depends on who you want to hear from – or peak bodies might represent technical experts. It would be inappropriate to conduct a consultation on how to remove an appendix in hospital, for instance, but it would be very appropriate to ask a patient their preferences in post-operative care

The biggest, broadest and most universal form of community consultation is of course the election. I must say that the fact that we have compulsory voting in Australia ensures that the issues that come before the community in an election affect the whole of the community rather than, say, in the USA, where the electoral campaign issues reflect the drivers that encourage people to come out to vote – so it is actually a narrow range of issues. But essentially the best form of feedback, and the biggest and broadest one, is the result of any election.

Engagement and consultation inform decision-making, and engaging with communities provides governments with a better understanding of the needs, preferences and concerns of the people they represent. Good community consultation should inform decision-making, but when we hear diverse and even conflicting community views, we see it is inevitable that we cannot please everybody. But that is not the point. Everybody deserves to be heard, respected and understood, even if the listener does not agree with them or if what they are asking for is not possible. Listening to people you disagree with, I think, is very important and a skill. It often results in better decisions, even if everybody is not happy. When governments actively involve communities in decision-making processes, they also demonstrate transparency and accountability, which again inevitably results in better decisions. Community input can and often does reveal potential issues and unintended consequences that might not be apparent to policymakers. A powerful example of this is exemplified at the moment in the gender space. The fact that this government listened to women is the reason why there are pads and tampons in the toilets in this place and also in other public places.

We are currently running, I am very proud to say, the women's pain inquiry, which concludes today. I am proud to say that I have conducted a number of women's pain round tables in the south-west, and I have been deeply moved and honoured that so many women have been willing to share their stories of pain. In fact more than 12,000 women have completed the pain survey or participated in round tables and forums across the state. This is a fantastic form of community consultation, and it is an example where government is forming policy and responses, in this case for women, directly from the voices of the voters, so to speak. The stories of medical gaslighting of women are shocking and appear to uncover significant dismissal and minimisation of women's experiences. Whilst the data and stories collected will need to be analysed and understood, and that has not been completed yet, it appears to me that gender discrimination, lack of understanding of women and unconscious bias underpin many of the stories I have listened to. Again, we have new information and new perspectives on perhaps what is for my grandmother an old issue. It is clear to me that our government is listening to women and as a result changing their lives and opportunities for the better.

There are so many great examples of community consultation. Just yesterday I was updated on the progress of the West Gate Tunnel. You might not think that has got anything to do with community engagement, but it does. I can confirm that the West Gate Tunnel will open next year, and it will impact regional communities, particularly my community in the south-west. Product from that region, one of the biggest producing regions in the nation, needs to be transported as freight to the Port of Melbourne very efficiently. I can report that transport stakeholders, regional drivers and local West Gate neighbourhood communities will be consulted and informed about how to navigate the new road system when that tunnel opens.

We have a whole range of examples that I have not referred to. I think if we had 40 speeches, we could have 400 different examples of engagement. My real position on this is that consultation is a very, very important thing to do, and I believe that community consultation is a powerful tool for good governance. I thank Mrs Tyrrell for bringing this matter forward. As a government and as human beings we are always ready to learn and improve what we do. Referring this topic to the Environment and Planning Committee is a good initiative and an opportunity to continue to improve our government's consultative strengths. Consultation, I have to say, and engagement with communities is the bedrock of what we do in the Allan Labor government.

**Georgie CROZIER** (Southern Metropolitan) (14:29): I am pleased to be able to rise and speak to Mrs Tyrrell's motion, because it is an important motion. It is talking about what is happening in our community and how government need to be speaking to the community. I was very interested in listening to Ms Ermacora's contribution around the importance of consultation with the community, and I agree with her, but I could not believe what she was saying in relation to what is actually happening within her own government – and I will come back to that point – because we know that that community consultation is not taking place.

Mrs Tyrrell highlighted some very relevant examples of her experience in her communities and in her electorate, and I want to commend her for taking the initiative and for highlighting this, because it is important. You talked about the parks issue, you talked about a number of other issues and you importantly talked about health – and that is where I want to come to, because it actually affects Ms Ermacora's area significantly. This is one area that has been very problematic for the entire Victorian community, but very much so in rural and regional communities where the government plans to amalgamate our health services. And what will that mean? It will mean a loss of services, a loss of jobs and a loss of a local voice – whether that is on the board. What we are seeing is a lot of uncertainty. We have seen the government not come forth. They have not actually done the work in this very area and consulted with their communities.

There are numerous articles talking about this very issue and talking about some of the magnificent hospitals and health services we have in our regions. I was up at the Mansfield rally, 'Hands off our hospital' in Mansfield some weeks ago now, and that was attended by thousands of people. They came out in support of their community, and what they were so angry about was the lack of consultation by

the government. That was a community-led rally. The minister was just way off the beam and kept criticising the Libs and the Nationals for whipping up the storm, but it was a community-led revolt against the government because they had not been consulted and did not know what the plans were. What they knew was that they were going to lose their magnificent health service.

I want to read a little bit from the local *Mansfield Courier*, which was reporting on this issue at the time. A very recognised member of the board, who has got a strong background in respiratory medicine, Professor Irving, spoke about the strong issues around public health and how it is important to the communities, and went on to say that:

I am concerned the new structure proposed by the Department of Health will weaken leadership and we will lose some very talented people, resulting in a reduction in quality of care, potentially impacting the safety and health outcomes of patients.

The article continues:

And despite hoping the government has completed all due diligence in regards to policy development, Prof Irving said the fact that there has been no local consultation highlights the weakness of the plan.

That is backed up by Professor Stephen Duckett. He is a big supporter of the government, and in fact he has very strong views on reform and he is very well regarded in that – I think we can all acknowledge that. But he is also very scathing about the government's approach in this area. He has said publicly that the consultation undertaken by the government has been a disaster. Now, it is somewhat concerning that you have that. There was a review after the initial mergers of Grampians Health. It was undertaken by a number of executives, and as I said, Professor Stephen Duckett said the process itself was a disaster. He talked about the structured approach to planning in the first months and almost no time to engage with either staff or communities in his report. That goes to the point of what I think Mrs Tyrrell was getting to: the communities are not being heard. They are not getting that proper consultation when government decisions will have a major impact on their communities. When you have got Professor Duckett talking about what a disaster it has been and when you have got other very eminent people in their areas speaking out on the government's process, you know there is a problem.

But it is not only that area of health which I am obviously very concerned about. I think the government has failed in this regard. They have not been up-front. The first draft of the health services plan was out in December 2022. That was just after the last state election. They had been working on that for many, many months. It was a secret plan to amalgamate health services, which is going to impact on our communities. We are seeing it play out in the metropolitan hospitals too. The Royal Children's Hospital should be a standalone hospital. It is iconic. It is absolutely regarded and recognised around the world for the clinical expertise that it has and the wonderful care that it provides to Victorian children and their families. It does not need to be amalgamated with the Royal Melbourne and the Royal Women's.

I want to go to some other areas where there has been a lack of consultation. I have been contacted by concerned people around proposed changes to the Victorian Assisted Reproductive Treatment Authority. Again, the government has not consulted properly on this really important issue, and there are so many concerns. As I said, I have an email from a constituent who mentioned:

... the apparent lack of transparency in the consultation process regarding those changes.

They are talking about that lack of transparency. Ms Ermacora talked about accountability. What did she say? She said 'in an inclusive and accountable way' and that there is good consultation that should allow communities to have that, but it is actually not what the government that she is a member of represents. And that is the thing: we do not have the accountability, we do not have the transparency and we certainly do not have the community consultation that should be taking place, whether it is with hospital mergers or with the VARTA or with the Suburban Rail Loop – so many communities had no idea how that was going to impact them. The government again have been incredibly secretive

on that issue and have not provided the community with proper details about what their plans are; they just give out a headline. They do not talk about what it is going to mean to their local communities, and Mr Welch knows this. He knows very well, from his communities that have been directly affected by this, that those communities had no idea –

**Richard Welch** interjected.

**Georgie CROZIER:** and still do not. They still do not know. They have not been consulted properly about it. All they hear about is hundreds of billions of dollars in the Suburban Rail Loop. Communities around the state are paying the price for that, because that is what the Premier is solely focused on. It is her pet project with her CFMEU mates, who are solely focused on delivering that project at the expense of the rest of the community. That is why I am saying there is no accountability and no transparency with this government, because they are not doing the proper due diligence and the consultative process that is required when they are making these decisions. That is the problem here. Mrs Tyrrell's motion is an important one so that we can actually see what should be done and whether we are talking about good governance.

The administration by Labor in this state is appalling. There is no accountability. We saw it in the last term through COVID with the faux Coate inquiry and the spin that went on for years and the cover-ups and the mismanagement of hotel quarantine and so many other issues, and we are seeing it now. We are seeing it now with the CFMEU. There is no transparency. There is no accountability for the corruption that has gone on for 10 years under the administration of the Premier. She was the minister responsible for infrastructure projects. She is the Premier. She is responsible for turning a blind eye to the corruption of the CFMEU, and that in itself is a disgrace. No accountability, no transparency – *(Time expired)*

**Michael GALEA** (South-Eastern Metropolitan) (14:40): I am also pleased to rise today to speak to the motion which has been put forward to us by Mrs Tyrrell. I am very pleased to be speaking on this motion today. Reflecting on what this motion outlines, what it critiques and also what it proposes through its referral to the Legislative Council Environment and Planning Committee has given me pause for thought to reflect on where we are as a Parliament and as a government and, really critically, what we can do better. I reflected as well on some words I shared in my inaugural speech, where I mentioned that when communities speak up, Labor governments listen and Labor governments deliver. I still very much hold that to be true. Holding that as truth, though, does not preclude us from looking at how we can do things better, and I think that is the crux of what this motion gets to.

I appreciate Mrs Tyrrell's passion and her representation of her community, and whilst I do not have the facts to debate some of the assertions which were put forward in her speech here today, I note that the passion of this motion certainly comes through from her – and the idea which we are now debating, which is to see what we can actually do better. I note that this is a motion that is quite broadly structured to cover government consultation but also the private sector. I note that was a particular interest of Mrs Tyrrell's in putting it forward – whether it is the government directly, a department, a statutory authority or a private company which acts as a public service operator, be it in energy or public transport; we could think of numerous examples, or the broader space as well. It is an opportune time for us to look at how we go about consulting and making sure that the consultation that is done by government is genuine, is considered, is well resourced and is reflective to ensure that the community's mood can be captured.

I think that is a really critical point, noting that those of us on this side of the chamber do very proudly stand on the legacy of what has been an almost 10-year government but also one which under the leadership of Jacinta Allan and Ben Carroll is in many ways a fresh government, a new government – one of renewal. And in that spirit of renewal I think it is especially important that we take opportunities such as this to take a wideranging look at government and at how we go about this consultation work with the community, because of course the best way to govern – in fact the only real way to govern – is to do that with community in mind. Now, that does not mean the decisions we arrive at are always

going to be agreed on by every single person. Indeed the implicit nature of consultation is that you will have people with varying and different views approaching you, but it is absolutely paramount that those views are taken into account and that government then responds in whichever way it deems appropriate – and that it can also justify the response, too, having taken all of those views into account.

Whilst in some ways these are very esoteric topics, they are also very hands on, very practical and very important, as I say. I look at the various things which have been discussed, and I note we have already had a number of examples put to this place today by my colleague Ms Ermacora – and some forcefully by Ms Crozier just now. I noticed in our constituency questions today as well this very topic was raised by at least two members of the opposition. Mr Mulholland and Mrs McArthur both raised consultation – or as they saw it, apparent issues in that process – as something worthy of discussion. So those contributions in our constituency questions I think underline the importance of doing this maybe not so much periodically but taking a step back to look at the way in which that should be done.

I think the Environment and Planning Committee is a very good forum for this to be done, as it is one of the three core standing committees of this chamber.

**A member** interjected.

**Michael GALEA:** Very hardworking, and I think, as we can see from the voluminous report yesterday from that committee, they certainly have been hard at work. I commend all those members from across the chamber on that report. I am sure they will be absolutely ably tasked with taking up this particular line of inquiry as well. Taking into account that this is an inquiry that will seek to look at consultation from across the whole of government but also various different levels of government, I am sure, even though this will be done with recommendations specific to the state government and the state Parliament, it will have lessons of interest to other levels of government and indeed some private operators as well. They would be well advised to pay close attention to what comes out of it.

I note that planning is a significant area of consultation at the moment. Last year we released a housing statement, a landmark report into the housing reforms that we need to make as a state to make sure that Victorians can have homes that are safe, secure and close to where people need to be. There are a number of aspects to that, and we have discussed them many times in this place. They range from dramatically increasing numbers of social housing homes, which many on this side in particular are very passionate about, and giving people in social housing dignified, habitable housing as well, which is really important, through to providing granny flats but also ranging through to broader discussions around density.

I know the minister in the other place Ms Kilkeny is a passionate advocate for the new plan for Victoria, and she is absolutely excited by the work that we are doing in this space. I am very excited to see her leading that work because the new plan for Victoria will not just be for Melbourne, as previous planning strategies have been. It will be for the centre of Melbourne, for the outer suburbs – some of which I represent – for the big regional cities and the small rural communities. It is for every piece of Victoria, making sure that they have a seat at the table with our new planning framework moving forwards. That is exactly why those consultations, which have already commenced, have been going on across the state. Again, I note that Minister Kilkeny has been very active herself in really diving into and engaging in these forums that have been held, including in my electorate. For that reason, although this is an inquiry which will look at broader, whole-of-government consultation, that planning focus is going to be a really neat match for the EPC space.

It is important to note that how we engage with people is really important, and it is changing. MPs ourselves know that whether it is from traditional media such as mail-outs to social media, we have seen dramatic changes. We engage with social media now in ways that we might not have previously. Ten years ago it was all about Facebook. Today MPs are engaging with constituents on Instagram, on YouTube and on TikTok – not on their parliamentary devices of course, but on other devices. Some are even using that forum too. It is really important that government agencies, whatever the answers



might be – that is what the committee will look at – are reaching out. It is no good having consultation if the only people that turn up are the same people and the broader community is not interested, is not invited or, more importantly, is not aware. By extending that proactive awareness out there we can get a much better range of views. As passionate as these same people are and as wonderful as it is to have their input, we do want a genuine cross-section of the community to engage. Whether it is on a bus route realignment in Clarinda, whether it is on a major project or whether it is in these ongoing conversations that we are having as a state about density and about housing people in the best way possible, these are the consultations that are really important.

Again, I draw that comparison to the housing space. We have seen quite a strong movement over the years from a group that you would probably describe as NIMBYs. They frequently attend council meetings and vehemently oppose any new development in their LGAs. The problem is that the people that would most benefit from those developments are either too busy to attend or they do not live in that city council. I see Mr Mulholland in the chamber. I am sure he agrees with me on this point that the people that would most benefit from better density often do not get the chance to have their say at these forums where those NIMBYs go and put those arguments that they do not want more development in their areas because they have their houses there, while other people are missing out. Those are the sorts of examples that show why we need to look at ways in which we can do better with community consultation and bring all those voices in. For those reasons I do commend this motion to the house.

**Gaelle BROAD** (Northern Victoria) (14:50): I am very pleased to speak about this motion put forward by Mrs Tyrrell. It is an excellent and very important topic to talk about – community consultation. It proposes to refer to the Environment and Planning Committee an inquiry into this issue, looking at community consultation practices done by and on behalf of state and local government and statutory authorities and providers of essential services, such as utilities, in Victoria.

I guess as a new, if I can still say that, member of Parliament – I have been in now for just over 18 months, just like Mrs Tyrrell, thank you – it has been interesting to observe consultation or the lack thereof under this government, because right across the board in lots of different areas what I am seeing is very poor consultation indeed. I have actually attended community forums about transmission lines – VNI West. I went to one in Charlton where I asked several times to actually be permitted to go into a room where people had been put in a separate group to hear about the project, and I was excluded from that. I have spoken with farmers who have been on the same land for generations that were told by the consultants that approached them, in front of their children, that their land could be compulsorily acquired. Now, VNI West – there have been numerous different routes released and reports by the Australian Energy Market Operator and Transgrid, and they have caught local communities off guard, but the minister has issued ministerial orders allowing the project to be fast-tracked. We have had farmers here on the steps of Parliament bringing their tractors to protest, because they do not feel that they are being heard.

Then you consider the timber industry. The government rolled out plans, then without any consultation suddenly announced an end to an industry within six months, more than six years earlier than expected, and that left businesses with costly equipment, unable to fulfil contracts, facing big bills and with no income, so there was certainly no time for them to transition. There was a clear lack of proper consultation in that process. Then there was WorkCover. I was on the committee that looked into the WorkCover bill, and I heard from unions that were witnesses during that inquiry and other key stakeholders, and they said that they were consultold by the government – consultold, not consulted.

Then, wild dogs – let us look at that. In recent times the Allan Labor government opened a livestock survey looking to collect data about wild dog and dingo incidents and the impacts on farmers and communities. How long is the survey open for? Two weeks – great consultation there. It comes after the government revoked an unprotection order on wild dogs in the north-west of the state in March without consultation and with only a few hours notice. I have also spoken with farmers in the north-east

that have been seeking a meeting with the minister on this very issue, and they are very concerned at the lack of consultation.

Then you look at housing – the Big Housing Build in Bendigo. I have had constituents come to raise concerns about the process that has been followed there, and again, lack of consultation and proper process. They are in the process of building what will be the tallest building in Bendigo, higher than what was permitted under the planning scheme with council. But the project actually avoided council scrutiny. It was delegated by the minister to the department to fast-track the approval process. So again, where is the community consultation?

Then we look at renewables. I spoke with local residents around Meadow Creek and Colbinabbin, both subject to proposed renewable energy developments that will transform the local landscape. Residents who have lived in the region for generations and have contributed to the local community feel powerless. I know in Dederang my colleague Tim McCurdy, the Nationals member, has tabled a petition with over 1300 signatures opposing the Dederang battery energy storage system, and this is how the local community are trying to be heard. My parliamentary intern Henry Nind has done some fantastic work on this very issue about community engagement this year. He did a report, *Unlocking the Grid: The Potential of Community Engagement and Benefit-Sharing for Renewable Energy and Transmission Infrastructure Developments in Regional Victoria*, and that report was just recently presented. It talks about the definition of what community engagement is, and it says that most cite what was established in the United Nations Brisbane Declaration on Community Engagement, which defines ‘community engagement’ as a two-way process incorporating the aspirations, concerns, needs and values of citizens and communities at all levels and in all sectors of policy development, planning, decision-making, service delivery and assessment. It is a two-way process, and that is something that we rarely, rarely see under this government.

The report also mentions consultation fatigue, because energy developments can take years. They can take a very long time and be very complex, with legal and technical issues, and landowners often feel overwhelmed and exhausted through the process. What we have seen under this government is the removal of local council authority input into planning processes. The removal of third-party appeal rights to VCAT has continued, and that causes concerns. To quote from this report, it says:

The removal of local council authority has also contributed to the growing sense of alienation and ostracization currently felt across much of regional Victoria, with many local landowners nurturing the view that the Victorian Government is actively seeking to circumvent local communities in order to meet established renewable energy targets. This rhetoric, and the mistrust it betrays, is a particularly worrying development, and may further hamper efforts to decarbonise the Victorian energy system.

Henry Nind’s paper does outline potential solutions for community engagement with respect to renewable energy and transmission infrastructure, and I encourage the minister to read this report and consider the recommendations that are in it. It also mentions – I think that this is important to report to the house too, and I will read again from the report – when it talks about inadequate community engagement practices:

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

These are very concerning statements indeed and ones that are worth considering, and they certainly would need to come to the attention of the inquiry. But under this Labor government we continue to see additional powers granted to ministers, not through the open doors of Parliament but through a secret back door without any public scrutiny. I know Ms Crozier, my colleague, also spoke in her time just earlier about the lack of community consultation when it comes to health services, and I can certainly attest to hearing very similar reports when speaking with locals.

Community engagement is important, and it could be done so much better in Victoria. The Labor state government has written standards, but they certainly do not seem to apply them. They prefer the consultold approach rather than consultation. An inquiry will be able to review the process of community engagement across different sectors in Victoria and identify ways to improve it. Ms Ermacora said in her contribution that consultation with communities is the bedrock of what they do, but I think the people that I speak to in regional communities would say, 'It's not the bedrock. You've got rocks in your head if you think that this government is consulting with local communities.' The Nationals are pleased to support this motion.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (14:59): I also rise to make a contribution on this motion brought by Mrs Tyrrell to the house. I want to commend Mrs Tyrrell for bringing this motion forward. It is a very important motion, and I am pleased to say that it is one that the government will support. It is a very thoughtful motion. There are many things that this government does where we recognise the need to consult people. Many of the pieces of legislation, law or projects that this government undertakes do affect people.

One of the ones that I will just mention right off the bat, for example, is our women's pain inquiry. That is really good example of consultation. We are asking women to tell us their stories about what they have experienced in dealing with the medical profession or our hospital system, even our pathology system – within our healthcare system – and what their experiences have been in terms of whether they have been taken seriously or not taken seriously when they have reported pain. About 12,000 I think it was at last look – there are probably more now – submissions have been made to our women's pain inquiry. That just goes to show that we can get the message out to communities no matter who they are, far and wide, and that people are willing to engage and make submissions. Submissions do not have to be lengthy – they can be a paragraph, they can be a couple of lines. However people feel they wish to make their submission, that can happen.

I note that in the motion, and I like this myself, (d) and (e) talk about groups or regions who are under-represented by existing consultation practices and options to improve their engagement, and I will mention the Engage Victoria platform in a minute. It gives an opportunity to look at people who may have difficulty engaging with technology – they might be vision impaired, hearing impaired, people with a disability – and how we can better include those sorts of groups in engagement. I am sure that there are IT boffins everywhere who make sure that any digital platform has the capabilities for people who are vision or hearing impaired to be able to engage with those platforms.

Certainly the Engage Victoria platform is a major platform that we use to ensure that we consult – these days everything is online; it just is – looking at whether it is effective and what areas we can use for improvement. Our government does not shy away from the fact we can always improve, learn and grow from what we do. I also note the last paragraph, (f), refers to:

best practice community consultation in other jurisdictions in Australia and other comparable countries.

That is fantastic. I think that once this inquiry does get underway, I would be pretty comfortable in saying that what we do is probably up there with best practice. I know there will always be people saying that they are not happy with what happens, and I will get to that in a second, but it is also incumbent upon all of us to make sure that our communities are aware of the sorts of community engagement opportunities that are available when the government is doing something. Whether it is through sharing of links on Instagram, Facebook and the like, we can all share those sorts of opportunities within our own communities for people to make contributions.

I will just talk about what consultation is. I heard the Nationals' contribution on this motion. They loved using the word 'consultold', which is something that the Victorian Trades Hall talked about during the WorkSafe inquiry. It is just quite ridiculous to have them keep parroting that back at us, because this goes to the example of what I am going to talk about with consultation. Consultation does not mean if there is a disagreement about a signature thing that the government is doing – whether it be a policy on something, which you might disagree with – that you get your way. That is not

consultation. Consultation means that we talk to everybody and gather up things like opposing points of view or concerns they might have with the proposal, and all of that gets put through the sausage machine, for want of a better term, and we look at that and we see whether we can make changes to those sorts of things. Sometimes people might have strongly held views about things, but it does not mean that it is right either. It just goes to show there is some ignorance there from some on the opposition benches about what consultation actually means.

As someone who worked in the trade union movement for many, many years, I can tell you that I have been through many processes where governments proposed changes to laws, and the union movement, as an important stakeholder in many ways, was consulted. We know that it is something that you get to make your views known on, but if you have got an opposing view, consultation does not mean that the government is going to change its view. Consultation means you are asked for your opinions, and meaningful consultation also means you get an opportunity to put forward opposing views or alternative propositions. All of those things can be put forward, but again it does not mean that you win the argument. That is not what consultation is. It means you are asked about your views. Those opposite seem to not understand and are confused about what that actually means.

I have mentioned the women's pain inquiry as one example, but there are some other things where we have not only used the Engage platform but conducted many other means of consultation. The statewide alcohol and drug strategy is coming up for consultation. That will obviously involve the Engage platform, but we also have things like round tables and stakeholder discussions. It is not just a digital platform. The Royal Commission into Victoria's Mental Health System was a massive exercise in community engagement because we asked people to make submissions to the royal commission into mental health about their experiences. Also our anti-vilification laws – we put that bill out for public consultation. And our Best Start, Best Life reforms – again, any of those bills are put out for public consultation. When it is a bill, they involve, as I said, stakeholder meetings and discussions and round tables as well.

As you can see, there are many, many ways that consultation takes place. I cannot say it more times than I have. I need to keep repeating myself when I say it: consultation does not mean that if you disagree with the government, you get your way. That is not consultation. Consultation is when we say, 'Hey, what are your views or concerns about the proposal we're putting forward? Do you have any suggestions? What do you think?' We take all of that feedback on board. We may change our minds about our proposal, but we also may not. That is what consultation is. It does not mean that people with opposing views get to win at the end of the day.

Another example is the North East Link Program, which is a very large project in my region. There are many in my local community who think that it is a vitally important project. The North East Link environment effects statement process was Victoria's most comprehensive project and took an extremely wide range of feedback from the community and independent experts. A 1.9-kilometre, longer tunnel that provided more connected communities at the surface – that came through community consultation and feedback. That final design was significantly improved as a result of community consultation. Smarter, smaller interchanges to avoid needing to acquire more homes and businesses – that is a win for the community. Again that was something that was talked about in community consultation. More and better community open space with new and upgraded walking and cycling connections along the corridor and a massive package of community sporting upgrades to keep people playing while we build – there were absolutely massive improvements and gains made as a consequence of that community consultation process. What it shows is that where the government can improve things and upgrade things, we absolutely will. As I said, that came from a very, very detailed process. With that EES process there were over 3400 responses to the draft precinct visions. It just goes to show that we can maximise the ability to get our process out there and make sure that people can engage with it.

But as I said earlier, there is always an opportunity to improve and develop things and make sure that we can get perhaps under-represented or marginalised communities involved. I often think to myself

that people who are well resourced and have the ability to engage in these processes will, but there are certainly people who are too busy working, are too busy with families or just do not have access to the internet for whatever reason. Perhaps we can do more to engage those people, because they are under-represented, and perhaps vulnerable groups as well. I would just like to thank Mrs Tyrrell for bringing this motion to the house. It will be a very interesting inquiry, and I look forward to its result.

**Melina BATH** (Eastern Victoria) (15:09): Acting President Galea, it seems like every time I get to speak you are in the chair. That is a very good thing, I am sure. The Nationals, as you have heard from my dear colleague Mrs Broad, will be supporting this referral. It is actually a referral to a committee that both Mrs Broad and I are members of. I am a long-term member of the Environment and Planning Committee. It is some very interesting and important work this committee does – just a shout-out to the secretariat, who has only this week been party to handing down a very comprehensive report on the flood inquiry which saw 73 recommendations. We are happy to receive another important piece of work.

I want to go into some of the points that Mrs Tyrrell put in her motion today in relation to community consultation. The first point – and it is a very real and relevant point – is that Victorians do expect a high standard of community consultation on matters that affect them, and it goes forth from there. Victorians who genuinely engage in a consultation process have the right to expect that those conducting the consultations are prepared, across the detail and fully equipped to answer questions – another fair and reasonable point.

What I want to bring to this discussion today is about what the government often brings to the table in terms of consultation. Indeed what is the purpose of consultation? We have heard some contributions this afternoon, but what is it for? What is consultation for? Does the government regularly and often have its mind made up, as we have just heard from the former speaker? The community can bring their issues to the consultation table, but it is not all about winning, because the government may already have its mind made up. You can bring your conversation and your consultation, but you do not necessarily get to win. Well, I find that a very abstract and odd form of consultation, because consultation from the very outset should be about thoroughly examining an issue, an object, an understanding, a proposition or a policy from all sides – a multifaceted discussion around consultation – not that the government has already made its mind up and will just let the plebs go out and have a bit of a conversation about it and say that it has actually consulted. But what about the holistic sense of consultation?

We have heard from my colleague Mrs Broad about the duration of engagement. I regularly hear from people in my electorate, from frustrated constituents, that a consultation process is open for only a very short period of time. People have lives – they work to put food on the table and they have busy lives – and sometimes they see that a consultation process can be a month to a couple of weeks. That is not a fair and reasonable proposition for people. Sometimes we see – and I will give some examples shortly – a very targeted approach about consultation, and the government cherrypicks who it wants to come. It sends out some letters. We even just heard before that sometimes members of Parliament come and in good faith want to understand the issue and they are locked out of the consultation. Apparently, even though we have been elected to Parliament, even though we are part of this whole conversation, we are told, ‘No, sorry, you’re not permitted to be part of a consultation.’ It actually shows quite a level of disrespect to people who have been elected into this place to be leaders and to understand.

What are the government’s objectives about consultation? Is it to be able to come in here later on and say when we ask questions at question time, ‘No, no, no, you don’t get to challenge that because we have consulted.’ Sometimes that consultation, as I have said, is very, very limited and with a private agenda previously ordained by a minister or a policy that it then requests, demands and asks the department to fulfil. I do not blame departments. They are often made up of quite often very reasonable bureaucrats implementing a minister’s policy and decisions. Is there that sharing of information? Is it a two-way street? Does our community actually get to have those conversations? We know in regional

Victoria there are some classic examples. The Department of Energy, Environment and Climate Action has 60 per cent of the whole department's employee list, of the whole staff, operating out of metropolitan Melbourne. Well, how much do they know about rural and regional Victoria? Then when I speak to some very good people who work in the department, on anonymity grounds, they are saying, 'Look, we can't do anything. We're being hamstrung.'

Let me give you some examples. Currently we have a very important discussion going on – some would say consultation – about the future of our forests. The Minister for Environment has got this Great Outdoors Taskforce going on. There are five people on that taskforce: first of all, a former minister for environment the Honourable Lisa Neville; a former history teacher, and I am sure a very good local person, Karen Cain; Melissa Wood, who is a Victorian Environmental Assessment Council member – she crosses over with Ms Cain as being on the eminent panel, and there is great contradiction and overlap there that I probably do not have time to go into – and a couple of very good people from Gippsland Mr Dear and Mr Terry Robinson.

This consultation process happened, and it happened a little while ago in various spots, and people flooded a Drouin meeting and they were given sticky notes. I do not know about you, but they could record their information on a sticky note and hand it in. There was no formal way of recording that information and providing the level and depth of understanding of that community – and there were a variety of people there with a variety of interests and stakes in the future of our state forests and what should happen to them. They gave sticky notes. Given the seriousness and breadth of discussion, I do not believe that sticky notes are a fair and reasonable level of consultation, and then there was no feedback to those people. They did not record their emails. How are they going to receive that two-way information? Incidentally, when the question went out by one of those local persons there, who said, 'Do we want any more new national parks?', universally that group of 250 people said, 'No, no new national parks. We need to look after the ones we've got, and we need to continue with public access to public land.' I am fully in endorsement of that, and I thank the 17,000 people who have already signed the petition in this vein that I am sponsoring in this house.

Let me go to some other points that are very important as well. We see wind and solar companies setting up and establishing in order to roll out the government's agenda, and I am all for a mixed energy market providing a whole range of energy solutions. But when you have got a government that takes the right of consultation away by removing the opportunity of locals to go to VCAT and appeal to VCAT when decisions are being made about these wind installations and also solar factories on good farming land – the government has removed that right of appeal – you can consult as much as you like, but basically the government has removed your right.

We also understand in terms of other issues, and there was one that came to my mind the other day from a constituent in Lang Lang – again, the development facilitation program. One of its first rulings was taking out the ability of the Lang Lang community to debate, to argue, the issue in relation to quarries. We all need quarries, but that whole environmental issue and the community engagement factor has been overruled in this government development facilitation program.

Finally, the Nationals certainly do not have a problem with this inquiry. We acknowledge the need for it, but we also acknowledge that this government needs to do better in terms of consultation. I would finish on the issue around consultold. There are many, many of my constituents that feel the government has consultold them what the outcome would be, and they have not been respected in their views in the process.

**Moira DEEMING** (Western Metropolitan) (15:19): I also rise to speak in favour of this absolutely wonderful motion by my colleague here. As many members have debated today, consultation is important, but what exactly is it? We have been told that perhaps you are just ignorant if you think that taking part in a consultation in a democracy means that you are going to get your own way, and I could not agree more. But consultation is also not just pretending to care about what people think and paying money to put on a show to gather the opinions of the people who already agree with you to then justify

your preprepared position on an issue and how you are going to spend the money. That is also not consultation.

I have so much experience in this one particular area from my time as a councillor, so I am very much looking forward to going through a few of my examples. Consultation, I discovered as a councillor, means a very different set of conditions than ordinary people would presume. For example, one of the first things that happened when I was a councillor was we took part in our overall strategy and vision-making consultation session. We were given little sticky dots to go and put up on posters about what we thought was important, and we went around and we did all that kind of thing. Then when the actual proposal came back to us, we could barely recognise what we were reading. It was just preprepared Labor Party government narratives. I asked a few questions about how they came up with the information and the positions, and they said, ‘We did consultation with the community as well as just you councillors.’

When I read about their policies for toilets and change rooms, for example, I said, ‘How did you define the word “woman”?’ The lady in charge looked me straight in the face and said, ‘Anyone who identifies as a woman.’ And I said, ‘Well, did you think to inform all the people in Melton about this new definition of “woman”?’ Because I don’t think they would have agreed with your policies if they had discovered that you’d changed the definition to include men.’ She did not like that. They had three different terms – they had Indigenous, First Nations people and Aboriginals. And I said, ‘Are these terms referring to the same group or different groups?’ They did not know. So this consultation is very much impacted by consultation design.

Another thing that I noticed was when it came to saying that they had consulted with stakeholders, ‘stakeholders’ never seemed to mean actual individual residents and citizens of the state. ‘Stakeholders’ kept on meaning organisations whose very existence depended upon state government funding. Were they likely to say that they disagreed with whatever the government was proposing? No, they were not likely. I will give you an example.

**Enver Erdogan** interjected.

**Moira DEEMING:** You like robust debate? Excellent – when it is your turn.

**Enver Erdogan** interjected.

**The ACTING PRESIDENT (Michael Galea):** Order! I will ask that interjections come from the correct seats.

**Moira DEEMING:** If at all. Now, as I was saying, when consultation opened up to the public and to councils about the rezoning of sex work so that you can solicit on public streets and open up brothels in homes and basically do it wherever you like and have children on the premises, obviously as a mother and a teacher and an ordinary human being I thought, ‘That’s a terrible idea; what about child safeguarding?’ And I thought to myself, ‘You know what, I don’t think the community will think that this is a great idea either.’ So I and all the other councillors agreed to have a community survey designed and put out. We made sure specifically that you had to live in the area or own a business or a property in the area and that you had to say whether you were a parent or a grandparent or a young person or a sex worker. And we made sure that nobody could use the survey to start attacking actual sex workers. It was about the rezoning. And lo and behold the results we got back from our community survey totally contradicted the results that the government consultation process got back – just startlingly different. People in Melton apparently are very different to everybody else everywhere. We are not okay with children being inside brothels. I would put to you that your consultation process was deeply flawed.

Also, we put in a submission as a group of councillors, and do you know what happened? After we came to a unanimous resolution on our position, which was against the changes for a variety of reasons, the staff at that council drafted a letter and submitted it to this government consultation process, which

said the exact opposite of what we had agreed as a council – outrageous. I thought to myself, ‘This looks a lot like corruption.’ We were the only council, as far as I know, in all of Victoria who got to resubmit. We do not know what went wrong – just an amazing amount of typos – but every single one of our positions was reversed. We rewrote our submission and put it in to this government so that it was actually what we wanted to say and what we had agreed on instead of paraphrasing back what the government wanted, which was the government’s own position. Absolutely outrageous – I am surprised no enterprising little journalist ever picked up on that either.

When it comes to the publishing of the results of surveys, I found out that this government, through lots of councils, does its own survey work, which I was not aware of. I do not know how they got permission to take results and data from local government councils and feed them back into the government for their use. We had two surveys that were seemingly suggested or requested by this government. One of them was a road survey which happened to ask minors what their sexuality was and what their gender was. I thought, ‘That’s an odd thing to be in a road quality survey.’ I said, ‘Did you get permission from the parents to ask children about their sexuality and gender?’ They could not answer me. I said, ‘Who wrote these questions?’ They said, ‘The government.’ I said, ‘The Labor Party government?’ They said yes. And I said, ‘What are you going to do with these results?’ She said, ‘Oh, we’re going to give them to the government.’ And I said, ‘The Labor Party government?’ She said yes. And I said, ‘Who asked you to do this survey?’ They said, ‘The government.’ And I said, ‘Aren’t you supposed to be directed by councillors?’ So there is also another kind of consultation which is going on which is not even supposed to be happening.

Also it turned out Monash University was doing a survey in my area about how women felt, safe or unsafe, in public areas and spaces. I was delighted to hear that that survey was going on, and you can bet I sent it around to everybody that I knew. I said, ‘Look, guys, somebody cares! Let’s answer this survey.’ We all answered it, and the results just never came back. We wrote as a council to Monash and said, ‘Where are the results, which you asked us if you could access our constituents to get?’, which apparently we had already agreed to. We sent out their survey. They got their results. And they replied to us that they were never going to publish the results of that survey – something about the public interest or something or other. What kind of consultation is that? I said, ‘I don’t see how you own the results of that survey. We didn’t sign any kind of privacy agreement.’ But it does not matter; I did not have any power to do anything about that. So there is a lot of sham consultation going on in this state, lots of it.

Let us think about the consultation that this government has had from their own internal experts – for example, the West Gate distributor spoil. The project in general was basically slammed by your own internal people, and in terms of the distributor spoil, I mean, our council had to take this government to the High Court just to block them from dumping that in our municipality. The poor people of Bulla had to take it.

What about the Department of Education, my favourite department. What is going on in the Department of Education, where parents are being denied access to information about their own children? They have had to get FOIs to access the footage and information about their own children when their own children are assaulted on school grounds. That is outrageous. So do not sweet-talk us over here and condescend to us about consultation. That is not what is going on in this state.

The fact that your contracts are not just public by default and that we even have to jump through the hoops of an FOI as members of the public to find out how our money is spent – I mean, it is ridiculous. It is absolutely the opposite of consultation; it is all about burying the facts. If you think about solar panels, battery storage – we had the Western Renewables Link out in my area. No council agreed to that transmission line project, none of us out there. And then we heard reports that the company contracted by the government had been trespassing on property and threatening property owners, and the very next day in our council meeting a new company had taken over – a new name.



**Rikkie-Lee TYRRELL** (Northern Victoria) (15:29): I would like to thank all of my colleagues for their contributions today. This inquiry is not targeted at one specific industry, organisation or project in particular. This is an inquiry into the practice of public consultation as a whole so we can understand better where the people of Victoria think the process is succeeding or failing. I wholeheartedly believe that the community should be at the very heart of the decision-making process, especially when those decisions could impact their lives significantly. Victorians want to feel like their opinions matter. They want to know that the people making the decisions are actually listening to them and are actually taking their concerns seriously. We, as the elective representatives, are entrusted to do the right thing by the Victorian people. By not listening to their questions and concerns we are failing them. Supporting this motion for an inquiry into our Victorian public consultation standards is an important step in the right direction to ensuring we do better for the future development of Victoria. I urge members of the house to support this motion.

**Motion agreed to.**

### Select committee

#### *Establishment*

**Georgie CROZIER** (Southern Metropolitan) (15:31): I move:

That:

- (1) a select committee of nine members be appointed to inquire into, consider and report, by March 2025, on allegations of corruption and misconduct by the construction division of the Construction, Forestry and Maritime Employees Union (CFMEU) on Victorian state government projects, including but not limited to:
  - (a) the nature, extent, and impact of misconduct, including kickbacks, standover tactics, corruption, waste, intimidation, bribery, the infiltration of criminal elements, and any other illegal conduct involving the CFMEU or others on Victorian government projects, including 'Big Build' initiatives;
  - (b) any connections between CFMEU misconduct and the oversight, directives, actions, and failures to act by Victorian ministers and officials, including the Premier, and the Victorian government agencies responsible for major projects;
  - (c) the nature and extent of the provision and misuse of public funds by the CFMEU and CFMEU-funded entities;
  - (d) the impact of the Victorian state government's management of major projects, procurement, systems, contractual arrangements, and practices on the failure to prevent, detect, and address such misconduct on Victorian government projects;
  - (e) the impacts of CFMEU misconduct on the health and wellbeing of workers on Victorian government projects, with a particular focus on mental health;
  - (f) any other relevant matter;
- (2) the committee will consist of three members from the government nominated by the Leader of the Government in the Council, three members from the opposition nominated by the Leader of the Opposition in the Council and three members from among the remaining members in the Council;
- (3) the members will be appointed by lodgement of the names with the President within seven calendar days of the Council agreeing to this resolution;
- (4) the chair of the committee will be a non-government member;
- (5) a member of the committee may appoint a substitute to act in their place (for nominated meetings or for a defined period of time) by that member, or the leader of that member's party, writing to the chair advising of the member who will act as their substitute;
- (6) a member who has been substituted off the committee must not participate in any proceedings of the committee for the nominated meetings or defined period of time that they have been substituted off for;
- (7) substitute members will have all the rights of a member of the committee and shall be taken to be a member of the committee for the purpose of forming a quorum;

- (8) the first meeting of the committee will be held within one week of members' names being lodged with the President; and
- (9) the committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.

I am urging all ministers in this house to support this very important inquiry into the CFMEU and those issues that I have just highlighted. I hope crossbenchers and government members were watching the Legislative Assembly question time just now, because that demonstrated exactly why the public needs to understand exactly what is going on. The Premier herself refused on multiple occasions to answer questions from the opposition, as is our prerogative, as is our duty and as is our responsibility on behalf of Victorians – she refused to answer. Plus, I might say, she was fairly well protected in not being able to answer those questions that the Victorian public deserve to have answered.

The CFMEU has plagued Victoria's construction industry for far too long. The rampant corruption, thuggery and misconduct of the CFMEU has been largely known but never spoken about to the extent it has in the last few weeks, and what has been uncovered is absolutely telling – and it is quite terrifying. The numbers of people that are now coming forward – I thank them for speaking to me and talking about the intimidation and the terrifying experiences and the bribery that they have to undertake to simply get work under the control of the CFMEU. It is truly frightening. And let me be clear: this is not an attack on ordinary CFMEU members. There are good, honest people in the CFMEU – I know some of them; I speak to them.

Not all of the CFMEU union members support the government either, but they understand – as has been highlighted in this chamber – the very high benefits of the union movement and what it does to protect workers. This motion is not about them doing their work, supporting their families and wanting to be safe at work. It is not an attack on unions, which play an important role, as I said, in the industrial relations landscape of our state. This is a call to action against the thuggish, corrupt officials and delegates who have bullied workers and exploited taxpayer-funded projects to the tune of tens of billions of dollars. We have seen that in the project waste and mismanagement overseen by this government, and a lot of that has been because of the issues that have gone on with these corrupt behaviours by the CFMEU officials.

The importance of needing this inquiry should be apparent to every single member in this place. Victorians deserve answers, and that is why the Parliament should be undertaking this work to investigate the nature, extent and impact of CFMEU misconduct on government projects, especially the Big Build initiatives. This inquiry will go to uncovering the truth and hold the corrupt CFMEU delegates and officials to account. Give people a chance to come before an inquiry and tell their story about their experiences.

The Premier's Mickey Mouse review is not going to achieve any of that. It is a review. It is not going to go to the depths of what is required. I was absolutely stunned to hear the Leader of the Greens say that this parliamentary inquiry does not have the powers to get to some of those investigations, nor does it have the power to compel ministers. She is the Leader of the Greens and does not even understand how the parliamentary process works in this place. That in itself is a stunning, ridiculous excuse not to support this inquiry, because with the Commonwealth Games inquiry the President himself and Minister Shing were compelled before the inquiry and they came before the inquiry. This house has the ability to do that and to compel other witnesses. The powers of a parliamentary inquiry are as significant as those of a royal commission, and this is what some newer MPs do not understand.

The government and the Greens together are covering up their CFMEU mates. They will not allow this inquiry to take place, and that is a shame. That is a disgrace, because Premier Jacinta Allan and the Allan Labor government have failed every single Victorian in this regard. For over a decade Labor has turned a blind eye to the CFMEU's criminal behaviour, contributing to more than \$40 billion in cost blowouts on government projects – \$40 billion. That is \$40 billion that should be going to health,

education, law enforcement, fixing our roads – services that governments are responsible for. The CFMEU taxes increase construction costs by up to 30 per cent. It is more difficult and harder to do business in this state, but worse than that, our reputation is being trashed. We are now known as the gangster state. First we had our reputation trashed with the Commonwealth Games debacle that ricocheted around the world, and now we have got this reputation, and this is all under the administration of Premier Allan.

The money wasted is the money of hardworking Victorians that has been funnelled into the pockets of corrupt union officials instead of being used for those services that I have mentioned – and I am going to raise it again. The debt and the appalling state of Victoria's financial situation means that health funding is being cut. The executives who were exposed in a tape a few weeks ago talk about the fact that they are going to cut funding to things like dialysis, special nursery cots, vital elective surgery and theatre times. They are closing wards in hospitals, and a range of other services are going. Mental health support is going. These are terrible outcomes. The government has failed Victorians in managing money, but they are very happy to prop up the CFMEU and funnel taxpayers money to them and bloat them to the extent where it is obscene. It is absolutely obscene. That is why this inquiry needs to get to the bottom of the connections between the CFMEU and the actions, or rather the inaction, of Victorian ministers – including the Premier because it has been under her watch that all this has occurred. Premier Allan is responsible for the corruption that has gone on in this state. She has turned a blind eye. She has been a minister and is now Premier, and it is under her watch that this has happened.

Victorians deserve to know if their leaders have been complicit in that corruption. It is clear – as they have done nothing, said nothing, turned a blind eye – that we all need to understand what the hell has gone on here. Are they complicit? Clearly it is leading down that path. Victorians deserve to know if their leaders were complicit in the disgraceful standover tactics. They deserve to know to what extent the CFMEU's criminal conduct has been ignored or enabled, and it has. Look at what is happening around tobacco shops with these bikies and gangs and others torching shops and being involved in illegal criminal behaviour, all these bikies that are linked into the CFMEU and the Big Build taking delegateships and very important official positions in the CFMEU. It is just a disgrace that you have these criminals running the place, and that is what is happening. I say Victorians deserve to know where their tax money is being directed and the extent to which it is propping up the CFMEU. We do not get answers in this place. We come in here and ask questions of ministers who cannot answer properly or do not want to answer properly about what is going on.

What is even worse is that Labor has turned a blind eye to reports of bullying, unsafe work practices and exploitation by the CFMEU. Look at today – look at what happened in question time today. Look at the letter that was sent by an Indigenous labour hire firm to the Premier in April 2022. She did nothing – sat on it for a year. She told Victorians that she did not know about anything, but she had this letter. The letter was sent to the Premier in April 2022, and she did nothing for a year and then flicked it off to the Fair Work Commission. I mean, talk about dodge – she did not refer it to Victoria Police. There were serious allegations in that letter. For anyone that would listen to the Shadow Attorney-General, who described the disgraceful behaviour of these people, it is just appalling.

We cannot ignore and should never forget the tragic death of Ben Nash, the 18-year-old who was tragically bullied by CFMEU members and locked in a room, just appalling behaviour, on his very first day on a government worksite – locked in a shed for hours, targeted because he wore the shirt of an Indigenous construction firm. What a disgrace! How sad. What a tragic, tragic, tragic story, because he went home and took his own life. And then the audacity of the CFMEU to go to his mother and intimidate her. Again, we asked the Attorney-General today if any law has been breached, and she dodges the question. This government is not accountable for the failures – they never have been. Whether it was years of mismanagement, it has just been an absolute disgrace.

The CFMEU last week was penalised \$168,000 by the Federal Court for the shameful bullying of a WorkSafe inspector on the West Gate Tunnel Project. The inspector, having inspected the site and

found it safe, was stood over by CFMEU officials, who refused to leave and prevented any work from continuing. Victoria Police attended, and the CFMEU thugs still refused to leave, while hurling abuse at the WorkSafe inspector, who had simply been trying to do his job. The CFMEU officials remained on the site for over 6½ hours, leaving at about 3 am. None of the scheduled works were completed, causing a massive waste of money and resources. Federal Court Justice Snaden said:

There is no possible justification for the conduct in which –  
the CFMEU officials –

engaged; and yet each felt licensed to obstruct the performance of work, and to bully and abuse those who sought to persuade them not to ...

This is what we are talking about. And yet the crossbench, the Greens, are siding with Labor and will not get to the bottom of these really important issues. What a disgrace.

The need for this inquiry is urgent. Victorians deserve to know when and where the CFMEU has stood over workers on taxpayer-funded worksites. They deserve to have the confidence that the government will clean this conduct up and that CFMEU delegates cannot bully any vulnerable young Victorian or anyone on a taxpayer-funded worksite ever again. The inquiry will uncover the truth, and by God do we need that, because we are not getting it in this place when we question the government. We are not getting the truth. We are not even getting close to the truth.

This inquiry has a narrow scope. It is not about unions, it is about the honest workers who do the right thing, day in and day out. This is about uncovering the enablement and the propping up of the corrupt CFMEU by government – by Jacinta Allan and her government. It is clear that has occurred; it is clear that has occurred for many years. Labor will never take corruption seriously, because they are intertwined with the CFMEU. The CFMEU benefit from Labor's preferment of them in major project contracts, to the exclusion of other good unions like the AWU. The CFMEU was the single biggest contributor to Labor's re-election bid in 2022, donating at least \$2.5 million over a decade. This corrupt cycle of money and influence must be broken, and this inquiry is the first step. The CFMEU choose who comes into this place and represents the Labor Party on those seats opposite and those in the lower house. The CFMEU has an enormous influence in Labor, because they are one and the same; they are entwined. We need to get to the bottom of the corruption for those good CFMEU members who do the right thing.

Victorians deserve a government that prioritises their interests over those of corrupt union officials. This inquiry is not just about holding the CFMEU accountable. This inquiry is about restoring trust in government and ensuring that taxpayer money is used for the benefit of all Victorians in areas that it is needed, in health, in education, in roads, in law and order and in mental health – in so many areas where government has a responsibility to deliver services to the public. But that is not happening, because of the waste, mismanagement and corruption. Billions of dollars of taxpayers money has been wasted, and those services are declining. It is Victorians who are paying the price as a result of that.

This inquiry is an important one. As I said at the outset, I am appalled that the Greens and other minor parties are siding with Labor. Yes, they are linked to the CFMEU. Yes, we know that they donate to the minor parties. But the government is the one that is sitting around the table making the decisions, writing cheques and allowing the abuse of taxpayers money. Those crossbenchers need to think very seriously and hard about their decisions. If they truly believe in transparency, if they truly believe in accountability, if they truly believe in good government, then they need to support this inquiry and not do the dirty little deal with government. They need to support this inquiry, get it established and get Victorians to understand exactly what has gone on. You cannot take the Greens, the cannabis party or anyone else that will vote against this with any seriousness about transparency or accountability ever again.

This is the biggest scandal in the state's history. The corruption is so widespread. The waste of taxpayers money to the tune of tens of billions of dollars is truly frightening. Yet these MPs that are

siding with Labor are brushing this off. That is such a slight on our democracy, if there are minor parties that come in here that are doing dirty deals with the government to object to this select committee. We cannot get a royal commission because the Premier will not have a royal commission. It deserves a royal commission, no less. She will not have that. The Parliament needs to do its job to get this select committee up and running to stamp out this corruption, to give Victorians the trust in government, to stop the waste and mismanagement and to get rid of this criminal, thuggish, dreadful behaviour that is rampant across the state in Big Build projects, which Victorian taxpayers are paying for. I urge all members of the Parliament to support this inquiry.

**Tom McINTOSH** (Eastern Victoria) (15:51): I rise to speak against this motion. Now, we have had serious allegations in recent weeks, and the government has responded seriously. We have had referrals to Victoria Police. We have had referrals to IBAC. We have had referrals to an independent review by Greg Wilson. The act, the framework that independent review sits in, was introduced by those opposite. Denis Napthine introduced that act, one of the few things he did in the four-year term of government that the Liberals had. They did very little else in that time, but they introduced the act and they made it clear that any executive inquiry undertaken under the act would be independent and flexible. So it was good enough for the Liberals then. At the same time, the federal Liberals were starting royal commissions into the trade union movement that dragged on, cost millions and millions of dollars and found, for all the fanfare, for the millions and millions of dollars – tell us what they turned up. And this is exactly what the Liberals are trying to get at again. Their pursuit of lowering the conditions and of lowering the pay of working people is an endless pursuit. And the divided Liberal Party – the one thing they can come together on, with their lack of values, their lack of policy, their lack of a plan for this state, the one thing they can unite on, is their determination to drive down workers pay and conditions.

I will speak through the parts of this motion, and I want to come to procurement, because I am very happy to talk to what this government has done for working people in Victoria through its procurement policies. For starters, let us just think about the entire generation of workers wiped out when the SEC was dismantled under the Liberals last time they were in government – a generation of workforce wiped away. That is why our procurement policies have made sure that trainees, apprentices, come on to jobs. We have ensured that there are targets and quotas that are met to build the pipeline of workers that we need in this state. And we have made sure that the training and skills are there, particularly through our investment in the TAFE system, which was absolutely gutted the last time the Liberals were in charge. We have spent our time in government on our commitment to, our investment in, rebuilding TAFE so we can train Victorians to come and fill the jobs that we need to keep up with the demands of construction, of manufacturing and of our health services across our state.

Now to the procurement: where those opposite do not believe in quotas or do not believe in taking determined actions to raise the representation of women – whether it is on boards, whether it is with MPs in government – we on this side have done that all the way through, whether it is on our state boards or in the procurement for our construction industry. We have also worked actively to support our First Nations people working. If we talk about people who are not in work, unemployment rates were nearly double last time the Liberals were in charge. When we talk about wanting to see women in well-paying jobs, getting paid superannuation, that is something else that Liberals are thoroughly and fundamentally against. They hate the idea of Victorians having savings.

**Renee Heath:** On a point of order, Acting President, I cannot see how this is at all relevant to the motion.

**Tom McINTOSH:** On the point of order, Acting President, in regard to paragraph (1)(d), ‘the impact of the Victorian state government’s management of major projects, procurement, systems’, I am speaking to procurement, and I am speaking to the policies that we put in through that procurement.

**The ACTING PRESIDENT (Jeff Bourman):** Let me rule on the point of order. You are also the lead speaker for the government, so you do get a bit more leeway. Power on.

**Tom McINTOSH:** Thank you. I think the lead speaker for the Liberals was given quite a bit of leeway. The lead speaker for the Liberals made numerous accusations and talked about numerous people she talked to. She should be referring those through the methods I laid out at the start. There are methods of referral, and if Ms Crozier has information, it should be referred appropriately.

I have talked through our commitment to trainees, to apprentices, to getting women working in the workforce and to supporting our First Nations communities as we have a resolute commitment on this side that is not seen by those opposite. We have seen it so much in recent times – the treaty process walked away from. That is what we know through –

*Members interjecting.*

**The ACTING PRESIDENT (Jeff Bourman):** One second. It is getting really loud in here. I have to listen to Mr McIntosh in case I get another point of order. Can we keep it down a little bit, please.

**Tom McINTOSH:** Jobs, procurement – I am about to go on and talk about major infrastructure projects. Those opposite in their four years did not start one. And when they did have the opportunity to purchase things for this state, the contracts went overseas – the trains, the trams. Those purchased by this government are built right here in Victoria. They are built by Victorians, supporting apprentices and trainees. It is the investment this side has made in our transport infrastructure that is seeing the economic productivity gains that are going to set this state up for generations to come.

We need to be able to get our people from A to B, whether that is on our roads, and we have seen that through projects that are underway at the moment, through our projects across Melbourne. We have seen it with the Metro Tunnel to move people on public transport; it will come online next year. The Metro Tunnel will unlock the capacity of our train network. Our regional and metro train travellers will be able to get where they need to go quicker. It is this investment in our state, the investment in our productivity, that those opposite never would have touched, because your – I struggle to call them values – approach to politics is hands off the wheel, let her go, let her rip and she will be right. Then we end up with more wasted Liberal years. When this side brought in wage theft laws, where were those opposite? When this side brought in portable long service leave, those opposite opposed. Labour hire regulators. You have stood against industrial manslaughter. Time and time again they have stood against it.

I will speak very briefly federally and then come straight back to the motion. When the opportunity came to give Australia's lowest paid workers \$1 an hour more, your party could not even bring itself to support that at the Fair Work Commission – even as a submission, as a recommendation, you could not do it, because fundamentally you want to see Victorian and Australian workers getting paid less in worse conditions. You do not want to see those qualities.

Let us talk about the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry. When that was on, you were dragged kicking and screaming. The big banks collected \$850 million in fees for no service, including from dead clients and where no services were paid in return.

**A member** interjected.

**Tom McINTOSH:** Yes, here we go. Where were the voices? Where were the calls then? Instead we have this inquiry that has been proposed. As I have said, we have appropriate methods of referral to deal with this. If those opposite have concerns that they claim to be so concerned about, make those referrals to the appropriate places.

*Members interjecting.*

**Tom McINTOSH:** There are just so many interjections.

**Bev McArthur** interjected.

**Tom McIntOSH:** No, I have not finished. We on this side are absolutely proud of our procurement policies. We on this side are absolutely proud of the investment we are making in this state not only to set up the economic productivity for generations to come but to train a generation of workers that we absolutely need. Workers want these jobs, and that is why we see unemployment at record lows.

**Sarah MANSFIELD** (Western Victoria) (16:01): At the outset can I state that the Greens firmly believe that all workers, whether they be paramedics, nurses, journalists or construction workers, have a right to a safe workplace and fair wages and conditions. Construction is particularly high-risk work in terms of safety and risks of exploitation, and workers in the industry require strong and effective representation. There are some who are using the recent allegations about the CFMEU that have been the subject of recent media scrutiny to delegitimise the role of unions more broadly in protecting workers rights. The Greens respect and strongly support the critical role that unions play in representing workers' needs and securing their rights. Ultimately it is everyday workers who suffer when their unions are not effective or functional, which is why the allegations regarding the CFMEU, including allegations about kickbacks and potentially corrupt or criminal behaviour, are very serious and concerning and warrant investigation.

We note that in Victoria there are a number of investigations and inquiries underway already, including referrals to the police and to IBAC and an independent inquiry. And I am sure the public, like us, will be watching carefully to see what comes on these. No-one should be above the law. What the Liberals are proposing here is an additional select committee into the matter. The problem is that a select committee is unlikely to be the appropriate mechanism to undertake such an investigation. I have to take issue with the Leader of the Opposition's comments about a select committee's powers to compel a minister to appear before it. As we have learned very well through the Commonwealth Games inquiry, a select committee –

**Harriet Shing** interjected.

**Sarah MANSFIELD:** You turned up, Minister Shing. However, they are unable to compel a member of the other house, including the Premier, to appear before it. That is because, as Ms Crozier should well know, there is an established principle that the independence of both houses means that a committee cannot claim authority over a member of the other house – just to put that one aside. The recommendations of such a committee are also not binding, and it is unlikely to provide additional insight above and beyond the existing independent inquiry.

If we actually want to get an outcome here, which is what we should all be looking for, and actually stop these scandals and stop corruption from happening, we need to actually fix our anti-corruption systems here in Victoria. Victorians have every right to expect that their government and government-funded projects are free from corruption and are managed well in the public interest, not in a few vested interests. This has not always happened in Victoria. Integrity was a top concern for people of all ages at the last state election, and it is little wonder. There have been numerous scandals here in Victoria over the last few years. There was red shirts, developer donations and inappropriate developer links to Labor and Liberal MPs and councillors, the cancelled Commonwealth Games, cost blowouts over the North East Link and West Gate toll road. That these scandals continue to occur demonstrates that Victoria's integrity and oversight systems are not up to scratch. They are in fact the weakest in the country.

If we want to fix these scandals at their root, we actually need to fix Victoria's anti-corruption system. This requires structural changes to increase government transparency and accountability. That is why this week the Greens reintroduced our bill to strengthen IBAC by lowering the threshold for what constitutes corrupt conduct and to bring IBAC in line with other jurisdictions, including the federal National Anti-Corruption Commission. Currently in Victoria IBAC can only investigate conduct that meets a criminal threshold, which is an incredibly high bar that prevents a whole range of other conduct, like kickbacks, being looked into. The Greens bill would give IBAC some teeth and allow it

to investigate the sort of corruption that the public rightly expect to be the subject of scrutiny. This includes, as I said, things like kickbacks, conflicts of interest and jobs for mates.

This chamber might recall that an identical bill did actually pass this chamber of Parliament last year. However, the Labor government voted it down in the Assembly. It is deeply concerning that our Victorian government does not want to fix our broken anti-corruption systems. There are a range of other measures that would improve oversight and transparency that need to be taken, and in making any comments on this I am mindful of the anticipation rule and the debate on an integrity bill that is planned for tomorrow. But in general terms we have government committees that currently lack the power to genuinely hold the government to account. We have processes that are designed to keep the government in check that are then controlled by that same government. It makes no sense, and the Greens are pushing – and have long pushed – to change this. The Greens have long argued for reforms that increase the strength of Victoria's integrity and oversight systems.

The thing is it is actually in everyone's interest to improve these systems. Most importantly, it is in the public's interest to have functioning democratic institutions that they can trust. But it is actually also in the government's own interest. Repeated scandals have a habit of bringing down governments. Strong parliamentary oversight can detect problems and stop them from happening again. Strong independent integrity bodies like IBAC ensure our government institutions are acting appropriately. On the other hand, governments that maintain weak parliamentary oversight and integrity mechanisms end up creating or reinforcing a public perception that they are trying to hide something. We would urge all parties to support reforms to make sure our anti-corruption bodies are up to scratch.

**Gaelle BROAD** (Northern Victoria) (16:07): I rise to speak on this motion for a select committee looking into the corruption and misconduct by the construction division of the CFMEU. There is a huge need for a select committee inquiry into this issue regarding the allegations of corruption and misconduct. Our role in this chamber is to uphold good governance and ensure transparency, and I support the motion for an inquiry into this issue.

What has come to light in the media is that there have been significant issues with CFMEU conduct on government worksites for years, and the Labor government, which receives millions of dollars in political donations from the CFMEU, has failed to take action. The state government has done nothing about the intimidation, alleged corruption and the presence of bikie and organised crime figures on building sites. There have been press conferences and talk but no action to actually remove bikies and other organised criminal elements from major building sites that are funded by Victorian taxpayers. The Allan Labor government has enabled union misconduct to run rampant on Big Build construction sites funded by you and me.

The CFMEU is one of the largest donors to the Victorian Labor Party and directly influences Labor Party policy, preselections and internal party appointments. It is concerning that we have now heard several ministers were aware of these issues on government worksites but the Labor government turned a blind eye to allegations of misconduct on these worksites. It took the Premier more than a year to respond to written allegations of violent threats and intimidation by the CFMEU. Under the Premier's watch the CFMEU was given preferential treatment and major project costs on taxpayer-funded projects have blown out by over \$40 billion. The Labor government has wasted billions, and every Victorian is paying the price through higher taxes and fees and massive budget cuts in other vital areas, like hospitals and like our roads. Labor cannot manage money and they cannot manage projects, and Victorians are paying the price. I note that Mr McIntosh in his contribution claimed that on our side we do not care about the workers, but we do, and that is why we want to end this misconduct and bullying on government worksites – if only Labor cared enough to investigate these issues. Since coming to office Labor has introduced more than 50 new or increased taxes, and Victorians are now paying the highest taxes in Australia. After a decade under Labor Victoria now has the highest debt of any state in Australia. We are heading towards \$188 billion by 2027–28, so we will soon be paying \$26 million every single day in interest.



It is also concerning that at the federal level the Australian Building and Construction Commission, able to review cases of misconduct by unions, was actually disbanded in 2023 under the Labor government. These are serious issues that need to be properly investigated, and an internal review by government appointment is not sufficient. Premier Allan has opted for a review that is intended solely to protect her and her ministers. This review by Mr Greg Wilson will not involve public hearings. It will certainly not involve any consideration of potentially criminal matters in the CFMEU scandal. A royal commission is needed to examine these issues to see how far the problems go and bring these matters to light.

In the lower house the Liberals and Nationals also put forward a bill to ban bikies, underworld figures and their associates from taxpayer-funded infrastructure projects. It would have given the power to building contractors to refer workers suspected of being involved in organised crime to Victoria Police, but the government rejected it. We also need to ensure that Victoria is better equipped to deal with these matters in future, and a Liberal–National government will establish an independent watchdog, construction enforcement Victoria, to enforce a code of practice for the building and construction industry to raise standards and stamp out misconduct.

These CFMEU issues that we have heard about are not just in Melbourne. Last week I was told by a local business owner who owns a building clean-up and demolitions business in Bendigo that when he attended a school site in 2012 he was told by a CFMEU official there that his workers would need to do induction before they were permitted onsite. So he waited several hours and reminded him that they were being paid by the hour, but it took more phone calls to Melbourne. His 16 workers, he was told, would have to join the union at a cost of \$16,000. The union representative assured him that if he joined, they would make him a millionaire, but due to the cost he declined to do so. After that, the jobs he had lined up at other sites for the government and council finished up. Today he only has four workers. I commend this motion to the house. We need an inquiry because all Victorians deserve to know how their taxpayer funds are being spent.

**Sonja TERPSTRA** (North-Eastern Metropolitan) (16:13): I also rise to make a contribution on this motion, motion 491, standing in Ms Crozier's name effectively calling for the establishment of a joint select committee to inquire into the CFMEU. I have had the benefit of listening to a number of contributions in regard to this. It is not surprising to many on this side and certainly not to anybody who is in the union movement that again the union movement is facing sustained attacks from those in the Liberal Party who just see this as nothing more than an opportunity to kick the union movement in the guts. I am going to go to a whole range of things that will actually highlight the true motivations of those opposite behind this.

Since this story broke about allegations about poor behaviour, corruption and illegal activity on construction sites, I will tell you what the government has done – and also, importantly, what nobody has mentioned in this place until now is what the union is doing. I can tell you we do not need ruling class –

*Members interjecting.*

**The ACTING PRESIDENT (Jeff Bourman):** Order! Enough! Come on – Ms Terpstra has barely started. Can we just let her get into it, please.

**Sonja TERPSTRA:** Thank you, Acting President. What I was about to say before I was rudely interrupted is that the movement does not need ruling-class Tories telling working people what they should be doing.

I will tell you what has happened. Again they just demonstrated that they do not even understand the structure of unions. The CFMEU construction division is a division of a national union. It is the Victorian division of a national union. They might actually learn something over there, because I am going to talk about what the national union –

*Members interjecting.*

**Sonja TERPSTRA:** I know. Ms Shing tried earlier to give them a lecture and an understanding of how industrial relations actually work, but they are not interested because clearly their motivations are in other places. But what I will say is that since this issue broke the Allan Labor government has announced an inquiry into this. What we have said is we will expose this rotten culture in parts of the Victorian construction sector. We are undertaking an independent review to strengthen the power of the Victorian government agencies who are engaged with construction companies and construction unions, and we are also making sure that people will be able to come forward with critical information about conduct on worksites –

*Members interjecting.*

**The ACTING PRESIDENT (Jeff Bourman):** All right. If we can all show a little bit of respect. We just want to get through this. Everyone is entitled to their say. Some of us have had their say, and some of us are trying to have their say. The quieter we can be, the quicker we will get through this.

**Sonja TERPSTRA:** The Victorian government released the scope of the independent construction sector review to strengthen the powers of bodies which are engaged with construction companies and construction unions to respond to allegations of criminal or unlawful conduct. The review will be conducted independently by Greg Wilson and will investigate and recommend powers and ways to address any gaps or limitations in the current powers of Victorian bodies or legislation to respond to allegations of criminal or other unlawful conduct in the Victorian construction sector and their interactions with the powers of the Commonwealth. At the request of the Victorian government, the national executive of the Australian Labor Party has banned donations from the CFMEU's construction division – which is what I tried to outline earlier; it is a division of a national union; you just do not understand it – and suspended the division from the Victorian Labor Party.

**A member** interjected.

**Sonja TERPSTRA:** No. You do not understand it. I am trying to explain there is a difference, but you are not interested. The Commonwealth minister Tony Burke has confirmed he has requested that the Fair Work Ombudsman undertake a targeted review of all enterprise agreements made by the construction branch of the division of the CFMEU that applied to Victorian Big Build projects. The Victorian government has also written to the Chief Commissioner of Victoria Police and the Commissioner of IBAC referring allegations for investigation and will also introduce legislation into the Parliament which will make it much easier for Victoria Police to issue anti-association orders for people that are accused or suspected of illegal activity. That is what the government has done since this has broken.

Let me just talk about what the union itself has done. Again, they do not understand this, because again, the CFMEU –

**A member** interjected.

**Sonja TERPSTRA:** Why don't you listen, because you might learn something? You are actually embarrassing yourselves with the way you are carrying on. I might say that since this story broke, the CFMEU, the national division, have themselves written to their members via their Facebook page and talked to their members about what the national union is going to do. The national union advised its members that they have indeed set up an independent investigation into these issues. This is the national union investigating the Victorian division. It is a separate entity. They have set up an independent investigation into these issues.

National secretary Zach Smith advised his members he has appointed Geoffrey Watson SC to investigate alleged criminal wrongdoing raised in public reporting. I commend him for that. He has taken swift action. He advised his members of this on 30 July. Geoffrey Watson SC will report back to him as the national secretary of the union. Mr Watson is a former counsel and barrister who assisted

in the New South Wales Independent Commission Against Corruption and a director of the Centre for Public Integrity. He is among the most respected barristers and investigators in the country. Mr Watson's review will inform the future actions of the union. I commend the national union for taking strong and principled action.

But wait, there is more – not that you want to hear about it, because you cannot take it. As I said earlier, we do not need ruling class Tories investigating unions, because what you really want is to destroy the union movement. That is what you really want. The next thing the national union did, in addition to appointing Geoffrey Watson SC, was to also appoint Susan Halliday AM and Michael Paynter to undertake a review into the union's governance arrangements. Ms Halliday is an independent practitioner and compliance expert. She is a former sex discrimination commissioner, acting disability discrimination commissioner and ministerial appointment to the defence abuse taskforce and was the inaugural chair of Victoria's largest professional regulator.

Mr Watson, Ms Halliday and Mr Paynter are all eminently qualified and well placed to conduct independent reviews into the union. This has been undertaken by the national secretary in response to the things that have been alleged. Ms Halliday and Mr Paynter will not only be looking at governance but also be looking at how they can build on the work that has already been undertaken with the union by including a new national code of conduct for delegates. As I said earlier, the union movement is well placed to look at resolving its own problems.

Our government has taken strong action because we recognise that we cannot have these things happening in regard to our Big Build projects. They are important projects that Victorians voted for and voted for a number of times. But if the union is destroyed and the union movement is destroyed – let me just report these interesting facts and explain why we need a strong union in the construction sector. Tragically, nine Victorian workers died in 2023 as a result of falls from height, including four in the construction industry. The number of accepted claims from construction workers injured in falls from heights increased to 441, up from 421 in 2022 and 404 the year before. Of the construction workers injured, 160 fell from ladders, 46 from steps and stairways, 31 from buildings or structures, 27 from scaffolding and 13 from openings in floors, walls or ceilings. The construction sector is a dangerous sector to work in. One worker's death is one too many, and this is why we need strong and principled unions in that sector to ensure that any worker who works in the construction sector when they go to work can come home safe.

But what those opposite want to do is to kick the guts out of workers, because let us face it, whilst they seek to disparage CFMEU members, they besmirch every union member. They besmirch all union members. So many union members are nurses, teachers and police officers. You want to call our hardworking healthcare workers and teachers corrupt? You are a disgrace. All you want to do is destroy the union movement. But we know that, because it is in your DNA. We can see it coming. You are basically casting aspersions on every union member rather than just calling out a very small element that needs to be dealt with. When you talk about the hundreds and hundreds of thousands of Victorians who are union members, you are besmirching every unionist. Nurses, teachers, police officers, childcare workers, retail workers –

*Members interjecting.*

**Sonja TERPSTRA:** You are a disgrace. I look forward to the work of these important investigations.

**David ETTERSHANK** (Western Metropolitan) (16:24): Can I just open up by saying that there is nothing in the alleged corrupt practices within the CFMEU that is in any way acceptable. A corrupt union corrupts the union movement and besmirches the union movement. I think we all agree on that across the chamber, and as such, that corruption, to the degree that it exists – and that is to be determined, should be determined and I have no doubt will be determined – should be eliminated.

Picking up on Ms Terpstra's comments, for me the construction industry has always been a part of my life. My grandfather was a life member of the Building Workers' Industrial Union New South Wales branch and later the Queensland branch. My first job in the union movement was working for the BWIU, now part of the CFMEU, in Queensland. As a bright-eyed and bushy-tailed young communist, amongst my idols, amongst my heroes, were people like Jack Munday and Joe Owens, who led the BLF in New South Wales. When we proudly point out all of those beautiful heritage buildings in Sydney as part of our culture and our history, they only exist because of the action that was taken by the BLF in the face of opposition from the state government, construction companies and developers.

I have also had in my life the pleasure, or the displeasure, of seeing firsthand the work of people like Norm Gallagher, who was profoundly corrupt and who undermined other sections of the union movement, including the BWIU, did dirty deals and ultimately got his comeuppance, and now it would appear that Mr Setka may be about to join that queue. But in an industry that is incredibly dangerous, where workplace injury and fatalities are endemic, a strong and representative union is critical. It is critical. Let us recognise that if we look at the data from the International Labor Organisation, the Australian construction industry is the second-most productive in the developed world and it is the safest construction industry in the developed world.

The question in my mind then is: how do we best ensure that this corruption is rooted out within the construction division of the CFMEU? I want to stress that we are talking specifically about the construction division, because the CFMEU in Victoria is obviously more than one union. I think everyone has been happy to lump together this thing which is the CFMEU when in fact there is obviously the Mining and Energy Union, which is not part of this; there is the manufacturing workers union, which is not part of this; there is also the –

**Ryan Batchelor** interjected.

**David ETTERS HANK:** Not the maritime – sorry. There is forestry, pulp and paper, and that is not part of this. We are talking specifically about the construction division. If we are looking at how this might move forward, I guess before we work out where we might want to go, it is perhaps worthwhile taking a second to reflect upon what is already happening.

As I understand it – and I do not profess to be an expert on all of this – at the federal level we have an investigation by the Australian Federal Police both in terms of organised crime and corruption and also a referral from Minister King federally about corruption impacting upon federal government money in infrastructure projects. We have the Australian Federal Police as part of the national anti-bikie taskforce – and people have been keen to talk about the bikies – also with an active inquiry. Hopefully at a later date when we are talking about the regulation of cannabis we might like to also talk about the role of bikies there, because I have not heard a lot of opposition or concern about the fact that the cannabis industry is dominated by bikies, and it is a compelling argument for the regulation of cannabis – to explicitly remove the bikie element – but I will not go any further there.

We also have a Fair Work Commission review of all CFMEU enterprise bargaining agreements on Big Build projects, and we have the Fair Work Commission appointment of an external administrator, which is every bit plus a little bit more of what an administrator would do to a bankrupted company or a company that is going into administration: they have the power to hire and fire and the power to review all decisions, to look at governance structures, to look at all levels. Clearly a lot of stuff has been identified that is deeply concerning and that no doubt an external administrator would want to look at. I believe, although it is their policy not to confirm it publicly, that this has also been brought to the National Anti-Corruption Commission. Of course we also have the department of infrastructure federally looking at the investigation of projects with federal money. So that is just federally.

At a state level we have the formal review into the Victorian government bodies engaged with construction companies and construction unions, which Ms Terpstra just talked about in terms of the Wilson report. We have the Victorian government's referral of a range of offences. We have the

referral to the IBAC, so we have got ICAC in New South Wales looking into this and we have got IBAC looking into this. We have Victoria Police referred directly by the government as well as through their involvement in the national anti-bikie taskforce. I believe there is also the prospect of the Yoorrook Justice Commission investigating the issue of that absolutely outrageous assault on subcontractors from a First Nations employment and training program. It is sort of like ‘Take a number.’ It is almost cute. I think, by my count, there are at least 11 entities that are concurrently looking at this. So the question probably arises in this context: what does this inquiry bring to it?

But before I do that, I want to pick up a comment that Mr Mulholland made this morning. I know it was in slightly different context in terms of your next initiative. You said, and I absolutely respect you saying this, that part of our focus has to be on the members of that union and that you knew people that worked in that union, you had friends that worked in that union. I do too. There are 37,000 people that are within that construction division who are affected by this process. I think it is really important that whatever we do ensures that all aspects of corruption, all aspects of malpractice in the sector, are addressed. One of the concerns that I have – I raised this specifically with Ms Crozier, and I appreciate her taking the time to talk to us about this; I genuinely do appreciate that – is that if this has been going on for at least a decade, which I think is the suggestion, then I guess the thing that strikes me is that you cannot really have corrupt unions without having corrupt bosses, because there have clearly been a whole lot of people there. We did suggest –

**Evan Mulholland** interjected.

**David ETTERS HANK:** I am happy to come to Cbus, because that opens a whole other Pandora’s box. I will actually pick that one up; I will come to that. You cannot have corrupt unions without corrupt bosses. More than that, there are a whole lot of issues here which an inquiry, as we see it, will not address. How do we address the question of phoenixing, which we know is endemic in this industry? Builders who just live to die and recycle their finances – (*Time expired*)

**Bev McARTHUR** (Western Victoria) (16:34): I am pleased to rise to support Ms Crozier’s motion to develop a select committee into the corruption and misconduct of the – wait for it – construction division of the CFMEU. We have heard about the government setting up its own inquiry. We have got history of the government’s own inquiry. We had the Coate inquiry, where everybody suffered from amnesia. It seems that that was no isolated incident. This government has been suffering from amnesia in relation to the CFMEU for a very long time. When they try to say that they knew nothing about this, well, on 28 March 2020, 120 of us got an email, including the former Premier Daniel Andrews. The now Premier Jacinta Allan got it. The member responsible for the emailer’s electorate, Sonya Kilkenny, got it. It was from a concrete contractor. In fact he addressed it to ‘anyone who can help, please’. He said:

I own a medium size business. We currently employ about 40 staff. We are obviously in severe distress at the moment ...

He went on to cite the issues of coronavirus.

We have had to start making staff redundant. we have an EBA with the CFMEU, and they have been vehemently opposed to what we have had to do, regardless of the circumstances. They have now taken to entering our workplace, intimidating the remainder of the staff and ordering them to down tools, and they have been extremely intimidating to myself and my business partner ... even taking videos of him and posting them on facebook. They are citing safety issues in our workplace but these are completely fabricated and proven so by Worksafe inspectors who have visited our site to review the “suspected” breaches.

Can you please –

and he pleaded with the government and all of us –

make an effort to end this absolute thuggery so we can do the best we can to keep our business viable. I find it an absolute disgrace that the CFMEU want to close our business down and make 40 of their members and the rest of our staff unemployed.

I am sorry to say that that business is no longer in existence, thanks to the thuggery and behaviour of the CFMEU and the complete abrogation of responsibility by this government, who did absolutely nothing despite knowing about it. Then we had the outrageous position of the current Premier saying she did not know. Spare me! We have a situation now where all unions and union workforces are being tarnished because of this outrageous behaviour of a section of a union. Let me tell you what the courts have said about the CFMEU's conduct.

**Harriet Shing** interjected.

**Bev McARTHUR:** Ms Shing, have you got something to say? Do you want to take a point of order or do you want to be quiet?

**The ACTING PRESIDENT (Jeff Bourman):** I can deal with that, thank you, Mrs McArthur. Can we just stop the cross-conversation right in front of me. I am trying to keep track of the member's contribution.

**Bev McARTHUR:** I have a large number of things to say that might interest you, Ms Shing. I want to tell you what the courts have said about the CFMEU's conduct. I quote Judge Salvatore of the Federal Circuit Court:

... the most recidivist corporate offender in Australian history ...

I will go on. Justice Jessup of the Federal Court said:

The CFMEU's record of noncompliance with legislation of this kind has now become notorious ...

That record ought to be an embarrassment to the trade union movement.

Let us talk about Judge Jarrett, again from the Federal Circuit Court, who said:

As the very many reported cases reveal –

very many reported cases –

it is an organisation with a long and sorry history of industrial disputation in which its willingness to disregard the industrial laws of this country seems to know no bounds.

Judge Jarrett again:

The CFMEU has an egregious record of repeated and wilful contraventions of all manner of industrial laws ...

Justice Tracey of the Federal Court said that the CFMEU had 'a pattern of repeated disregard for the law'. There are a litany of quotes from eminent jurists about the bad behaviour of the CFMEU, and this government, this current Premier, the minister for the Big Build, tries to tell us that they did not know and they did not want to do anything about it – businesses going broke, corruption and roting on a monumental scale.

Let us go to Mr McIntosh, who mentioned what unions do for women. Let me tell you exactly examples of the CFMEU's conduct against women. Listen to this: the CFMEU organiser Luke Collier has been found to have harassed a female Fair Work inspector and played the song *Who Let the Dogs Out* on a loudhailer when she entered the worksite. He was also said to intimidate a female inspector on a Barangaroo site in Sydney: 'effing slut' and 'effing dog'. On 20 April 2015 he pleaded guilty to a charge of assaulting his former partner Nicole. In 2015 John Setka made a Valentine's Day video offering advice to male union members on what lingerie they should buy their partners. How about that, Ms Shing? CFMEU New South Wales boss Brian Parker was found to have attempted to intimidate a policewoman on a Barangaroo site in Sydney in 2017.

**Harriet Shing:** This is Sydney. Can we go to Melbourne? Can we go to Victoria?

**Bev McARTHUR:** This is an example of how this union behaves towards women.

*Members interjecting.*

**The ACTING PRESIDENT (Jeff Bourman):** Order! Mrs McArthur, one moment. It is getting a bit loud. Can we just hold it down, and if we are going to interject, do it from our own places.

**Bev McARTHUR:** Let us go to Mr Setka. He has got a rap sheet longer than this building. He has been involved in 59 offences, including assaulting police five times, assault by kicking five times, wilful trespass seven times, resisting arrest five times, theft once, attempted theft by deception once, intent to coerce nine times, coercion 10 times and adverse action once. These are serious accusations, but he was convicted of various things. He was sentenced to 60 days jail for contempt of court in 1990 and sentenced to four months jail for contempt of court again in 1990. In relation to entry to the Laverton site, Setka entered the site with three others and attempted to force open a door to a site office and punched and kicked a Leighton employee. Do not tell me about protection of workers – this thuggery from the Victorian division of the CFMEU construction business was threatening and abusing their own workers. He kicked a Leighton employee and threatened another Leighton employee with a steel bar.

Is that good union behaviour? I ask you, Mr Galea, would you support that sort of behaviour? Other incidents involving Mr Setka include a \$6000 penalty in the Federal Magistrates Court for threatening behaviour in 2008. Setka told Bovis Lend Lease staff that he would ‘quit my effing job and get you’. When asked by one of the staff, ‘Are you threatening me?’, John Setka replied, ‘I’m not effing threatening; I’m effing promising. I will get you and you,’ at which point he pointed to the two BLL staff. Setka was ordered to pay \$6000. Subsequently it was reduced to \$3000 on appeal. He threatened a Grocon manager to not give evidence against him in 2003, and we could go on. As if you do not need an inquiry into this egregious behaviour by this particular union but also the complicit behaviour of this government, who have left no stone unturned to protect this abusive –

**A member** interjected.

**Bev McARTHUR:** Read the Premier’s statement.

**A member** interjected.

**Bev McARTHUR:** An inquiry? Is it open to the public? Are we going to be able to compel witnesses? Will it be any different to the Coate inquiry? It will be a complete farce and a complete waste of money. We need a proper select committee to inquire into this egregious behaviour not only of the division of the CFMEU but of this government’s complicit behaviour with them.

**Ryan BATCHELOR** (Southern Metropolitan) (16:44): I am pleased to join this lively debate – affray – unto the breach, to discuss Ms Crozier’s motion which seeks to establish a new select committee to inquire into various matters associated with allegations of illegal conduct surrounding actions of the CFMEU construction division in the Victorian building industry. When the allegations were raised in the media through some very extensive investigations by some journalists who have just returned back to work having taken protective industrial action over the last five days with their union, these investigations uncovered some exceptionally serious conduct, some exceptionally serious and potentially criminal conduct – the alleged infiltration of organised crime into the building industry and into parts of the union – and put in front of the community at large serious allegations of criminal conduct that demanded investigation.

I think the crux of the debate that we are having today is: what is the best place to conduct an investigation of alleged criminal activity and alleged criminal behaviour? I think what you saw in the very swift response from the government and from the Premier to those allegations being aired was –

**David Davis** interjected.

**Ryan BATCHELOR:** Get into your seat if you are going to interject, Mr Davis.

**The ACTING PRESIDENT (Jeff Bourman):** Mr Davis, if you are going to interject, do it from your place.

**Ryan BATCHELOR:** We think the crux of this debate is: what is the most appropriate forum for investigations into alleged criminal behaviour? Absolutely the best place for investigations of alleged criminal behaviour is by Victoria Police –

*Members interjecting.*

**The ACTING PRESIDENT (Jeff Bourman):** Order! Both Minister Shing and Mr Davis, this is Mr Batchelor's time to contribute, so if –

*Members interjecting.*

**The ACTING PRESIDENT (Jeff Bourman):** Please do not force me to stand up.

**Ryan BATCHELOR:** The Premier referred these matters to Victoria Police for investigation. She also referred them to the Independent Broad-based Anti-corruption Commission for investigation when she received them. And we have just heard an interjection across the chamber in response to a question that Ms Shing raised as to what Mr Davis did as a local member when he received an email in 2020. He said that he –

**David Davis:** No, no. It was a different –

**Ryan BATCHELOR:** Oh, different –

**David Davis:** I referred the CFMEU to IBAC in April 2023.

**Harriet Shing:** So not in relation to that matter.

**David Davis:** No, in relation to the Indigenous matters on sites.

**Harriet Shing:** On a point of order, Acting President, I just want to withdraw any insinuation that I may have made that Mr Davis had taken action as a local member in 2020 when he received that email. He has in fact clarified that he did not.

**David Davis:** Further to the point of order, Acting President, I just want to be clear that when I became aware of CFMEU matters with Indigenous community members I did actually refer that to IBAC. IBAC took 14 months to respond.

**The ACTING PRESIDENT (Jeff Bourman):** Thank you, Mr Davis. There was no point of order. As Minister Shing and you both know, it is not a point to have another go. Can we all keep it quiet and let Mr Batchelor have his remaining 5-and-a-bit minutes.

**Ryan BATCHELOR:** I think what this exchange over the chamber demonstrates is that there are bodies who are appropriate to receive allegations of criminal and improper conduct in this state – Victoria Police and the Independent Broad-based Anti-corruption Commission. Mr Davis, as he says he has done in the past, referred such matters to them for their review – just not the matter he received as an email in 2020, but other things subsequent.

The point of this discussion I think is to illuminate the fact that they are appropriate bodies that should be tasked with the investigation of the allegations of criminal and improper conduct – that is, Victoria Police and IBAC. That is exactly who the Premier referred those matters to when these investigations came to light in the media in recent weeks. But that was not all she did. She asked immediately that the federal government – who hold industrial relations powers in this state, following the decisions of the Kennett government in the 1990s to refer our industrial relations powers to the Commonwealth under the terms of the Commonwealth constitution – allow the Fair Work Commission to conduct reviews of enterprise bargaining agreements entered into, and she also sought action, under the powers that the federal employment workplace relations minister has, to seek to step into the shoes of the construction division of the CFMEU. Former minister Burke and current minister Watt have been very, very clear that the federal government is seeking to use those powers to appoint an administrator to the union to begin the task of cleaning up the registered organisation, so that the union members,



who deserve to have a union representing their interests and working in their interests, in fact have one that is doing so.

That action in part was initiated by a request from the Victorian Premier. The Victorian Premier at the time also requested that the national executive of the Labor Party take action to suspend the construction division of the CFMEU from their affiliation to the party here in Victoria, and that was immediately actioned. The Victorian Premier also initiated an independent review of the contracts around the Big Build sites, which will be led by eminent former public servant Greg Wilson. Other speakers in the debate have gone into a lot of detail as to the context of that review and what it is seeking to do. In relation to the anti-bikie laws that are on the books, which they are working on, the Attorney-General and the Premier have both said that where they can be strengthened, they will be. That is all immediate action that has been taken by the Premier, by the Victorian government, following the allegations that have been raised to the appropriate authorities for them to investigate with their full sets of powers. And there are other actions that the federal minister, the new minister taking on the action of the previous minister, is continuing to do.

We know that construction workers in Victoria need a strong union to support them, but they need a clean union to support them. As the Premier said when these allegations were aired in the media, what we are seeing is not unionism, it is thuggery. It is self-interested thuggery that besmirches the good work that so many hardworking union officials do and that so many hardworking union members do first and foremost to keep themselves safe at work and to keep the community safe. It has not been a long time since people died on building sites, and they are not just construction workers who die as a consequence of poor safety practices on building sites. It is not just workers who are –

*Members interjecting.*

**The ACTING PRESIDENT (Jeff Bourman):** Order! Please, we are so close to the end. If Mr Batchelor could just continue in relative silence.

**Ryan BATCHELOR:** Thank you, Acting President. It is not just construction workers who are put at risk by poor safety practices in the building industry; it is also members of the general public who have also lost their lives in this state, in this city, as a result of poor safety practices in the construction industry. This is an issue that affects us all. I do not have time, given all that is in the context of this debate, to go through just how important strengthening safety and strengthening worker protections are and how those opposite's track record demonstrates that they do not care about that at all. They have got no interest in protecting workers in this state. They have got no interest in making sure that workers' entitlements are protected and their safety is protected. I cannot go into it in any more detail because I am out of time.

**The ACTING PRESIDENT (Jeff Bourman):** Mr Welch, you have got just under 2 minutes, so go for it.

**Richard WELCH (North-Eastern Metropolitan) (16:54):** Thank you, Acting President. I will try to be efficient. I am going to talk about one group that has not been mentioned in this entire debate, and that is the community of Victoria. The community of Victoria are disgusted. They are disgusted at the bullying. They are disgusted at the idea of legitimate business people being thrown off sites. They are disgusted at the coercion. They are disgusted at enterprise bargaining agreements that promote and institutionalise corrupt practice. This would not be tolerated in any other workplace. In fact we would decry it in any other workplace. The community suspected it because they saw on the Big Build and Suburban Rail Loop sites the CFMEU signage going further and being more boldly branded. They knew it when the projects blew out and stories flew around of inflated wages, and they knew it when they saw that they were so emboldened that they could threaten the AFL. Something was very wrong, and for every rumour exposed, the suspicion was that there were 10 more stories to be told. The community suspected it. But guess what, the leadership of the SRL Authority and members of this government knew, and we know they knew. In the private sector CEOs would be

forced out and entire boards would resign. You have been caught, and you know you have been caught. You did nothing, and now you admit that you did nothing for two years. It is a cover-up, and it is all too little, too late. There are recordings. There are letters. You cannot hide it. What more did the victims need to do – perhaps make a donation to the Labor Party – in order to be heard?

**Georgie CROZIER** (Southern Metropolitan) (16:56): It has been a fiery debate because this is a serious issue. It is clear that the government have no intention of being accountable or transparent to the Victorian public and neither do the Greens and those other minor parties that are not supporting this important inquiry. I just want to address a couple of concerns that have been raised. As I said, this inquiry was to look into the nature, extent and impact of misconduct, kickbacks, standover tactics, corruption, waste, intimidation, bribery and the infiltration of criminal elements and any other illegal conduct or misconduct involving the CFMEU or others on Victorian government projects, including the Big Build initiatives. I went on to say this was not about those workers that have been caught up in this. It is not an attack on ordinary CFMEU members.

**John Berger** interjected.

**Georgie CROZIER**: They are good, honest people in the CFMEU, and I know some of them. I said that; you obviously were not listening. You just went on about how we were attacking unions. We confined it to the construction division of the CFMEU because it is corrupt. Labor are protecting them and so are the Greens. The Greens welcomed the bold CFMEU plan to fix the housing crisis with corporate super profits, so they are in bed with the CFMEU. Labor takes donations from the CFMEU. Mr McIntosh, who is a member of the CFMEU, was wrong when he said that the final report of the Royal Commission into Trade Union Governance and Corruption found that there is a widespread and deep-seated culture of lawlessness among many union officials. The royal commission revealed allegations involving multiple examples of bribery, extortion and blackmail in the nation's construction industry. The report listed 79 recommendations to improve the governance of registered organisations, to improve the management of construction worksites across the country and to make unions more transparent and accountable to their members. The royal commission also made 93 referrals for proceedings relating to possible breaches of law; more than half relate to potential criminal prosecutions.

So, yes, there has been a lot done. But under Labor in this state, in Victoria, nothing has been done. You turned a blind eye. As Mr Davis said, he referred to IBAC the issue around Indigenous labour hire workers. He referred that, and it took 14 months for IBAC to come back to him. Mrs McArthur referred that email in 2020 to industrial relations lawyers. There has been a lot more done by this side of the house than your side, who have done nothing. You have covered it up. You shamelessly are in bed with CFMEU. The corruption, the misuse of taxpayers money, has cost the state up towards \$40 billion – I say again: \$40 billion – in waste and mismanagement, and corruption is caught up in that. It is Victorian taxpayers who are missing out. But worse than that, it is Victorian communities that are missing out. Health, education, law and order, roads, mental health support – all of these things could have been provided with that investment. But no, it has been squandered. Now you have got a cover-up, and we cannot get to the bottom of that as elected officials.

We have got a number of inquiries going on already in this house going to a range of issues: local government funding, cultural and creative industries, climate resilience, the state education system, workplace drug testing, food security, the renewal of Melbourne's public housing towers as well as the Commonwealth Games bid. These are important inquiries that this house is doing, but by God we should be doing an inquiry into this. If ever the Victorian public wanted us to come into this place and do the work that they elected us to do, it would be to find out about the depth of this corruption, the extent of where it has gone to, how it has impacted on the delivery of projects in this state, and the waste and mismanagement of tens of billions of dollars of taxpayers money. Victorians deserve those answers. They deserve this inquiry, and it is a slap in the face to them that Labor and the Greens are siding to protect their CFMEU mates and not going ahead with supporting this inquiry – the work that this house should be doing. I would just say again it is an important inquiry. It is about corruption. A

lot is at stake here – the criminal element, the corruption and the waste of taxpayers money. It needs to be dealt with far more than just with the Mickey Mouse review that the Premier is doing.

**Council divided on motion:**

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

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

**Motion negatived.**

*Business of the house*

**Notices of motion and orders of the day**

**Lee TARLAMIS** (South-Eastern Metropolitan) (17:08): I move:

That the consideration of the remaining notices of motion and orders of the day, general business, be postponed until the next day of meeting.

**Motion agreed to.**

*Statements on tabled papers and petitions*

**Department of the Legislative Council**

*Report 2022–23*

**Michael GALEA** (South-Eastern Metropolitan) (17:08): I rise to speak on the annual report 2022–23 of the Department of the Legislative Council. We in this place are very privileged to be able to come in and debate on matters of importance with the expertise of our wonderful clerks, attendants and other officers. As with other states across Australia, Victoria enjoys a twinning relationship with other Commonwealth parliaments in the Pacific. In our case, that is Fiji, Nauru and Tuvalu. It was wonderful to join with my colleague Ms Lovell from this place and Hūhana Lyndon MP from the New Zealand Parliament in a parliamentary induction for Tuvalu's new MPs following their election earlier this year. This was the first time such an induction program has taken place in Tuvalu, so it was it was extra special to have 15 of the 16 Tuvaluan members of Parliament in attendance to exchange discussions and ideas with us, including Speaker Iakoba Tacia Italeli and Prime Minister Feleti Penitala Teo. Among the many topics we discussed were the role and detailed function of standing committees and private members bills and motions. The attitude of the MPs and their willingness to embrace new ideas was impressive, to say the least. We too learned much in return from them. We in this country are fortunate to have good neighbours like Tuvalu. Indeed it was a special opportunity for us to learn too of some of the challenges facing our colleagues and friends in this part of the South Pacific.

It would be imprudent to talk about Tuvalu without acknowledging what is almost certainly its biggest issue: Tuvalu is at the epicentre of our world's climate crisis. It is expected to be one of the first countries in the world to be submerged by rising sea levels. Current predictions show that may happen as soon as the year 2100. Indeed already now, when there is a king tide event on the island of Fongafale, in the Funafuti atoll, home to around 7000 of the nation's 11,000 people, the waves are so strong that they cross from the Pacific right over the entire landmass to fall into the lagoon on the other side. Visiting Tuvalu is a stark reminder that the decisions that we make in places like this have a dramatic impact on people many thousands of kilometres away. Treaties such as the Falepili Union, signed between our nations, will provide a pathway for Tuvaluans to migrate to Australia to escape

rising seawaters, but it is abundantly clear that the best solution for this nation would be for them not to have to leave at all.

The Tuvalu Coastal Adaptation Project, or TCAP, is an exciting program which is showing much promise. As well as building sensitive anti-erosion measures on some of the outer islands, it involves a large-scale land reformation program at the west of Fongafale, the main island. The first major stage has recently been completed, and Ms Lovell, Ms Lyndon and I got to walk onto the new land, which sits several metres above and several hundred metres across the existing coastline. This land will be ready to be built on in 12 months, and its promise, when realised, will hopefully lay the groundwork for much larger ambitions to extend TCAP across an area of several square kilometres, offering an opportunity for Funafuti to relocate and to remain. I would like to acknowledge the people leading TCAP as well as the many workers at Hall Contracting, an Australian company currently delivering it, for graciously having us onsite. Special thanks to Hannah Wilson, a bright young woman who is the senior project engineer, who showed us around.

Our visit was also a very special opportunity to immerse ourselves in Tuvaluan culture. On our final night Hūhana and I had the opportunity to attend a cultural celebration of the islanders of the outer island of Nukulaelae, from which a couple of dozen of islanders had just returned from representing Tuvalu at the FestPAC festival. We were very privileged to see that same performance again ourselves. I would like to especially thank Seve Paeniu, one of Nukulaelae's MPs, for his warm invitation and hospitality there as well.

The parliamentary induction program was funded by the UN Development Programme, the Commonwealth Parliamentary Association and the New Zealand Parliament. I take this opportunity to thank them and also in particular our UNDP facilitators Thomas Gregory and Komal Khushboo, with special thanks also to Warren Cahill, a former clerk of the New South Wales Legislative Council, for his expert guidance and support. It was a real honour for us to take part in this program. Also, particularly thanks to both the PM and the Speaker for their leadership in running this induction. I am very excited to see the work that is going to come from Tuvalu's parliament, and I think we can expect to see big things and big ideas emanating from them. I look forward to doing my bit to nurture the friendship between our two great parliaments and our two great cultures.

### **Department of Justice and Community Safety**

#### *Report 2022–23*

**Wendy LOVELL** (Northern Victoria) (17:13): I rise to speak on the Department of Justice and Community Safety annual report 2022–23 that was tabled on 1 November 2023. This report states that \$2.1 million was spent on completed capital projects at the Dhurringile Prison: \$800,000 for domestic hot water uplifts, \$400,000 for main generator uplift and \$900,000 for a security system uplift. That is \$2.1 million spent on a prison that the government was planning to close. These maintenance and repair works created the impression that the government was invested in the continued operation of the prison. That is the impression that some of my constituents had when they left other jobs to take up employment at the prison, some as recently as this year, looking forward to a long and stable career serving the community as a prison officer. That is the impression prison staff had when they took out mortgages on homes and entrenched their families in the Goulburn Valley, where their children attend schools and partners have careers.

But prison staff were left completely shocked on Wednesday 26 June, when staff were gathered together and told the prison would be closing in just eight weeks and they had just four weeks to decide whether to take a redundancy package or completely uproot their families and move across the state to work at a different prison. I have heard from staff that the online redundancy package calculator returned inaccurate results and there was no clear advice available on whether super would be paid on the redundancy packages, nor was there any clear advice about whether relocation expenses would be paid if they decided to transfer to another prison – no clear advice, yet these government employees were being forced to make a life-changing decision in just four weeks.

The government's handling of the closure has been appalling. There was no consultation undertaken with staff, the community, the City of Greater Shepparton or local members of Parliament. Local MPs were not briefed, and we were given no information. This made it extremely difficult to assist the staff who were contacting my office and the partners or mothers of staff who contacted me, concerned about their loved ones' mental health. I had to telephone the minister and his staff to get the limited information that they were prepared to share with us.

The closure of the prison will have significant impacts on our local economy. Not only is it at least 160 highly paid prison jobs – which the staff tell me are FTE and that the closure will actually affect around 250 individual employees; that is 250 jobs lost in our local area – the closure will also affect many local businesses that supply goods and services to the prison, so there are possible further job losses in those businesses. We will also lose the valuable community service work that the prisoners did as part of their reintegration into community life. This included gardening and lawn mowing for elderly residents and participating in vital landcare activities, and during the floods the prisoners were invaluable in filling thousands of sandbags. The government is also throwing away an enormous amount of goodwill for a prison in a community. When you try to establish a new facility like Dhurringile there is usually enormous pushback and fear of the unknown, but in Greater Shepparton the community was extremely supportive, and the government has just thrown that away.

It would be very interesting to know the real reason for the closure and also the timeline for decision-making about the closure, not only to understand the real reason for the closure and why staff were given such short notice that their jobs were ending and the tight timelines for deciding their future. It would also help us to understand why the government has made this decision and has no idea what it is going to do with the facility. I have carried out my own survey, which asked people: would they support the facility being used as a prison farm and school for nonviolent youth offenders? More than 85 per cent of respondents so far have supported the use of the facility for this purpose. There were a few others who did not oppose the use of the facility for this purpose but who thought it could be better used another way or were concerned about violent offenders being housed there. Some of the other suggestions have been a refuge for women and children escaping domestic violence, housing for the homeless, a trade school, a drug and alcohol rehab facility, and the list goes on, including tourism. I have not closed my survey yet, but when I do I will present the information to the government for their consideration.

The decision to close Dhurringile Prison is shortsighted and will have a significant detrimental effect on the Greater Shepparton community. It is appalling that the government made this decision without any consultation with our community.

### **Electoral Matters Committee**

#### *Inquiry into the Conduct of the 2022 Victorian State Election*

**Sarah MANSFIELD** (Western Victoria) (17:19): The Greens welcome the Electoral Matters Committee report tabled yesterday, and there are a broad range of recommendations made, including how to make voting easier and more accessible for Victorians, which is something that I think everyone should be supporting. Importantly, recommendations have been made about the need for reform of the upper house voting system. Firstly, it recommends abolishing group voting tickets, which are fundamentally undemocratic. While it also recommends considering upper house reform, it finds that group voting ticket reform should not be linked to upper house reform. In other words, we do not have to wait for a referendum on upper house structure to get rid of dodgy GVTs.

Victoria is the only jurisdiction that maintains the outdated GVT system, and it is embarrassing that a state that prides itself on being progressive continues to allow it. My arguments against GVTs are in no way a criticism of the individuals who stand elected in this place – they have been legitimately elected under the current system and have every right to be here – nor are my arguments being made because I want to put an end to the button-push process that is still triggering to think about; it was like some sort of torturous game show as computers very slowly crunched through a complicated

calculation created by GVTs to determine the outcome of different upper house seats. Our longstanding call for the abolition of GVTs is not personal, it is a matter of principle. We are not alone in this view. Integrity experts, psephologists and a large and growing number of members of the public have been demanding change. In its submission to the inquiry the Victorian Electoral Commission reported that it had been inundated with calls from the public about the undemocratic nature of GVTs. In a preferential voting system voters should control and know where their vote goes. Their preferences should not be determined by secret deals between parties – deals that are complicated and obscure and leave voters totally unaware of where their vote is going.

In this system a voter who would consider themselves ultraconservative can end up having their vote end up with a candidate who is ultraprogressive, who they never would have intended to vote for. It can also lead to completely absurd results. People can be and have been elected on less than 1 per cent of the vote, ahead of people who have received more than 10 times the number of votes. This has enabled some to profit from gaming the system. Infamous preference whisperers, such as Glenn Druery, have been able to charge a fee for helping to organise deals that warp the system further. Effectively GVTs create the opportunity for people to buy a place in Parliament rather than having to earn the necessary votes. GVTs completely disenfranchise voters.

I have spoken today already about the importance of public trust in democratic institutions, and having a fair and transparent voting system is a basic foundation for building that trust. It is well past time that Victoria caught up with the rest of the country and abolished GVTs. This can and should be done before the next election. Labor already knew this, but it needed further justification, and now it has recommendations from a parliamentary report from a committee that it chairs. We urge the government to heed the advice of the Electoral Matters Committee and give voters the power to choose who represents them.

### **Commissioner for Environmental Sustainability Victoria**

#### *Strategic Audit 2022–23: Implementation of Environmental Management Systems by Agencies and Public Authorities*

**Sheena WATT** (Northern Metropolitan) (17:22): I rise today to speak on the *Strategic Audit 2022–23: Implementation of Environmental Management Systems by Agencies and Public Authorities*, submitted to this place by the commissioner for environmental sustainability and tabled earlier this year on 20 March. Over the last few months we have seen Europe experience some of the hottest heatwaves ever. We have also seen the hottest average surface temperature in modern history since the statistic was first recorded in 1940. The earth has experienced its warmest day in recent history, according to Copernicus Climate Change Service data, and on 22 July 2024 the daily global average temperature reached a new record high of 17.16 degrees Celsius. This exceeds the previous record of 17.09 degrees Celsius set just a day earlier, and a year earlier that number was 17.08. So there you go; it is quite a considerable jump in such a short period of time.

The *Strategic Audit 2022–23* report has found that in order for Victoria to achieve the target of net zero greenhouse gas emissions as well as the interim greenhouse gas emission reduction targets it is important that Victorian government departments make considerable progress to reduce net GHG emissions from their operations, and significantly reducing emissions from the energy sector is critical to achieving this.

I think I have been particularly interested in some of the work coming out recently from the Climate Council, and they have found that the overwhelming majority of Australians have been directly affected by at least one climate-fuelled disaster since 2019, spanning heatwaves, floods, bushfires, droughts, destructive storms and landslides. I am sure we can all think about an example in our community in the not-so-distant past. The truth is the climate is changing for the worse, and those on this side of the place understand that. We have continued to make changes to try and combat the very worst of its effects and to combat the change itself. In the last three years Victoria's population and economy have grown while emissions have declined. Victoria's emissions have declined by 27.6 per

cent between 1990 and 2021 while the economy has in fact grown by 126 per cent and our population has increased by 49.5 per cent, as more Victorians become Victorian. Our per capita emissions in 2021, a measure of the state's total net emissions divided by its population, were well below the national average, and this smashed our initial reduction target of 15 per cent by 2020. We have cut our net emissions by almost a third since 2005. This is not really about doing what is popular or what is easy. This is about continuing to do what is right by the people to deliver on climate action solutions and drive down energy prices and emissions for Victoria and Victorians to safeguard their future and the future of many generations to come.

I hold that there is more work to be done. We acknowledge that, so we are getting on with it. That is why we are not sitting back and we are not growing complacent. We are still driving real change, still listening to experts, still pushing for industry reform and still driving down Victorian emissions. This sector is not a set and forget. It is really important to note that. We are getting on with the hard work in the lead-up to our 2045 emissions target. This government remains committed to ensuring that we reach net zero by 2045. It is no longer a nice to do. As the statistics said before, this now is a must do.

### Department of Treasury and Finance

#### *Budget papers 2024–25*

**David DAVIS** (Southern Metropolitan) (17:26): I want to point to a particular report today and that is the state budget and particularly the energy outputs in that state budget, which lay out the government's plans for new energy infrastructure – perhaps in a shabby way and an inadequate way, but there is some attempt. In recent weeks we have seen the release of the *Draft Victorian Transmission Plan Guidelines*. There is a short document and then a longer document which seek community input. I hasten to add that nobody thinks this is a genuine attempt at consultation by the state government. Nobody believes that is what is going on here. This is the next step in the government imposing its will on the Victorian community – the AEMO-inspired and VicGrid-inspired plans to cover vast areas of country Victoria with a range of renewables.

I make the point very clearly and very strongly that our renewables sector is an important sector. There will be more renewables. We support more renewables and we support more solar and wind as part of the options going forward. But the plans need to operate in a way that does not destroy prime agricultural land and does not destroy communities through unsophisticated plans to roll out these massive transmission systems.

The government has not got the consultation right, and this is a further step in that failure to get the consultation right. It is clear that the government's decision is to cover 70 per cent of agricultural land in Victoria – that is what the document on the website said. That document has now disappeared, but that is clearly where the government is going. The vast swathes of territory that have been laid out for renewable energy zones I think will worry many in the community. They have certainly worried people like Emma Germano at the Victorian Farmers Federation, and I invite people to look at the statement on the VFF website. It is clear that there is vast and strong concern across farmers and many in country communities about how these massive transmission lines will operate and how the renewable energy zones will impact on our prime agricultural land.

There is a balance that has got to be struck. It is a balance that has got to be struck sensibly and it has got to involve proper communication with local communities. At the moment the communities that I talk to in the country and the people who I talk to indicate that there is no proper balancing of these decisions. The state government is very much focused on just imposing its version into the future, making sure that it just rolls over country communities in a way that is fundamentally undemocratic. We know the problems that have been pointed to with the integrated plan that has been laid out by AEMO. We know the understandings that have been put into that that have perhaps been best laid out by the Centre for Independent Studies and in particular in the work of Aidan Morrison, which lays out many of the presumptions that are behind the document.

Again, this is another step. This document, this transmission document or plan, whatever you want to call it – guidelines, plan – lays out large swathes of country Victoria that are actually going to be covered with renewables. There is not local community support for these changes in that way. I am not, as I say, a person who quibbles about our climate objectives, but I do think that you have got to do this in a sophisticated way. Even in the last few days we have seen Bob Brown down in Tasmania pointing to problems with some of the wind farms and the impact on birdlife. You do actually have to have a proper process here, and this process is shoddy. It is not up to scratch. It is not the process that I think the community believes is sufficient, and I say the state government, and in particular the Minister for Energy and Resources Lily Ambrosio, needs to go back to basics.

AEMO is a deeply unaccountable and distant body. It is a body that does not listen to the community. VicGrid is showing all the signs of repeating the mistakes of AEMO in the way that it has outlined these things. I say people need to look at this very closely and sceptically, because this is not about community consultation, this is about overriding communities.

### State Electricity Commission

#### *Constitution of SEC Victoria Pty Ltd*

**Ryan BATCHELOR** (Southern Metropolitan) (17:31): I rise to make a statement today on the new constitution document for the State Electricity Commission, which was tabled on 20 June pursuant to section 75(a) of the State Owned Enterprises Act 1992. Obviously bringing back the SEC is an initiative of the state government as both a publicly owned company and a body that is going to help facilitate Victoria's transition to a renewable energy future. But more than that, the SEC is putting power back in the hands of Victorians by delivering a pivotal one-stop shop for information and guidance for members of our community, constituents and residents about how they can reduce their energy bills. And it will support households in their transition from the ever-increasing costs of gas in their homes to much cheaper electricity, particularly renewable electricity.

Research has shown that an average Victorian household which has both gas and electric appliances can reduce its annual energy bill by as much as 32 per cent by switching to all electric, and that could be as much as \$1400. In a time of rising energy costs and rising living costs, the work undertaken by the SEC in supporting residents in the electrification of their homes comes as welcome cost-of-living relief. It is just one of the mechanisms that the Labor government is putting in place to help people make the transition to electrification and save money on their energy bills.

The Victorian energy upgrades program is an initiative which over the next three years will help reduce Victoria's greenhouse gas emissions by around 28 million tonnes. There are real and transformative stories behind the success of the VEU program. Recently, along with the Minister for Energy and Resources Minister D'Ambrosio, I visited Bob and Pat, who live in a little unit in Hampton, in the Southern Metropolitan Region. We were there visiting Bob and Pat, who were, on a very brisk winter's morning, in the middle of replacing their old gas ducted heating system with the support of the VEU program. They were getting rid of their old, costly-to-run gas heating and –

**David Davis:** How's that going at the moment, the VEU program?

**Ryan BATCHELOR:** Well, for Bob and Pat it is going really well, Mr Davis, because they have replaced their old and costly ducted gas heating with a brand new, well-insulated ducted reverse-cycle air-conditioning unit installed by Coldflow Mechanical, a local company from Clayton South employing local installers, who are seeing record demand for these services. We support people getting opportunities to lower the cost of their energy bills and lower the cost of their heating, and we support local jobs being created to help do that. We know that things like heat pumps, which were installed by Bob and Pat, using reverse-cycle air conditioning technology, are a very efficient way, a much more efficient way, of providing the heated air and are much more efficient and much more cost-effective than their old gas system was. Bob and Pat, having already started the journey towards electrification on their own – they installed induction cooktops – were very eager to take up the opportunity to use



the VEU program to install their new heat pump system, receiving about \$3000 in rebates to do so and saving potentially around \$1000 a year on their energy bill. We went to their house on a cold morning, one of the many cold mornings that we have seen in Melbourne this winter. As I am sure we are all doing, we are reaching for the heating dial as the cold winter mornings surround us.

We know that many Victorians are facing increased costs for heating as a result of the increasing costs of gas in their homes. This program, the Victorian energy upgrades program, and the work that the new SEC is going to do to help Victorians with electrification is providing them with support to reduce their cost of living on an ongoing and permanent basis. I look forward to hearing more stories like that of Bob and Pat, who are saving money, helping the environment and bringing enormous benefits. I am sure the SEC in its new form will do exactly this.

### **Victorian Auditor-General's Office**

#### *Access to Emergency Healthcare*

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (17:36): I am pleased to rise to make a contribution on the Victorian Auditor-General's Office report entitled *Access to Emergency Healthcare*. This report was tabled in this place last month and is another very informative report prepared by Victoria's Auditor-General. I take this opportunity to commend and thank the Auditor-General and the team for their ongoing diligent work on behalf of all Victorians. I note that the work of all the oversight agencies continues to be very challenging, particularly when they are dealing with a generally uncooperative Labor government that is desperate to remain in power at all costs. The concerns of Victorian residents on any issue come a distant second to the desire of this incompetent government to cover up its countless mistakes and stay in power. Let me explain why, when it comes to this particular report.

This report looked at whether the Department of Health and responsible agencies addressed Victorians' need for timely and equitable access to emergency health care. It found a range of things, including that for the period of 2013–14 to 2022–23 the health services did not meet their targets for patients to be transferred from ambulances to the emergency department within 40 minutes, for patients to be seen within clinically recommended times or for the length of stay in the emergency department. I am going to run out of time to go through some of these important things, but what I want to say is this: in the South-Eastern Metropolitan Region, which I represent, it can be readily seen at major hospitals – Dandenong, Frankston and Monash – that, if you go past them at any particular time, we still have issues with ambulance ramping. It is a crisis in our health system that the government has completely failed to address, despite knowing about it for many years. In fact even the ambulance people are feeling stretched in the things that they are actually being expected to do.

One of the areas that the report highlights which the government has not been prepared to act on is for the department to improve its public reporting on timely access to emergency health care by publishing long-term performance data for Victoria's public health services and updating it regularly. I note that reviewing and updating its budget papers and service delivery measures to ensure they are consistent with health service targets and show trends over time is also something that the government is not prepared to do. Interestingly, it has only accepted this in principle. So it stands to reason, given that this government has consistently and deliberately covered up health data, with a view to keeping Victorians in the dark about what was going on in the health system, that it is of course an attempt to hide from the public what any Victorian who has any recent experience with the health system already knows – that it is in a complete shambles, that Victorians are at risk and that there are unreasonable demands being made on ambo workers and other healthcare professionals.

I have to note the dedication and incredible hard work of all our health workers, in particular the ambos, the nurses, the doctors and all the hospital staff, who work tirelessly to keep this broken system going. After 10 years of Labor governments, the health system is in crisis as a direct result of Labor's incompetence and mismanagement under Premier Allan. In conclusion, I again thank the Auditor-General and his staff for their work and commend this report to all members and indeed all Victorians

who are interested to see what is going on in our health system. I do note, as an aside on top of this, that we continue to have WorkSafe issues in the health sector, with health workers continuously finding their health and wellbeing at risk from unacceptable violence and abuse in the workplace. These are courageous workers, many of them committed to making sure that Victorians have the services that they need, and this government is letting them down and is not protecting them. It is not meeting performance targets, and it is not allowing the Victorian people to see why.

### *Petitions*

#### **Lord's Prayer**

**Evan MULHOLLAND** (Northern Metropolitan) (17:41): I move:

That the petition be taken into consideration.

It is really a privilege to stand here tonight in support of a petition of almost 11,000 Victorians to retain the Lord's Prayer here in the Legislative Council. This is an important issue because it is a symbol of the place of faith in our society as well as here in the Parliament. It also forms part of the history of our country, of this Parliament and of the Westminster system. It is well known that our parliamentary system here in Victoria and in Australia descended from the Parliament of the United Kingdom, the so-called mother of the parliaments. The layout of the House of Commons, as faithfully honoured in this chamber and the Legislative Assembly, is the result of one of its earliest meeting places, the original St Stephen's Chapel in the Palace of Westminster. The benches facing each other, as in a church, and even the position of the Speaker's chair on high like an altar, come directly from this legacy.

I would also like to acknowledge those from the northern suburbs that have assisted with this petition, particularly the Catholic, Assyrian, Chaldean, Syriac, Orthodox, Muslim and Maronite communities, many of which are here today. I thank you for that. I was proud that almost 11,000 people supported the Lord's Prayer. Of those, almost half were from the northern suburbs of Melbourne. I am conscious that my faith communities in the north have seen this film before. It starts with religious ridicule, then goes to the removal of faith from society and it ends with the very persecution that forced them to flee and to come to a free country like Australia.

I want to specifically mention Faarah Nur. Faarah is a Somali of Muslim faith in Preston. He is a former member of the Greens, and he cares deeply about religious freedom, which led him to make the very sensible decision to leave the Greens political party. Faarah was a sponsor of this parliamentary petition, and it is a credit to him that he has been able to use his voice to stand up for freedom of religion and for all faith communities. He recognises that freedom of religion is not just a Christian issue, which is why you see even the board of imams supporting the Lord's Prayer.

Since 1857 the Lord's Prayer has been a longstanding and formal part of both houses of the Victorian Parliament. The recitation of the prayer is a common tradition of the Westminster system. Together with the acknowledgement of country, every day it provides a vital link between these two very important facets of our society. Multifaith communities play a very important role in our multicultural society. Any move to secularise parliamentary proceedings would send a clear message from this Parliament that faith has no place in Victoria anymore, and that would be a very sad day.

I am not opposed to people boycotting the prayer every day, and those who often do are the first to preach to us about tolerance. I could not think of anything more intolerant of faith communities in Victoria than if you sought to remove faith from this place. It would be sending a very clear message that faith has no place in Victoria. The Our Father, at its heart, is a simple prayer and a call to love and serve others before ourselves. To serve others before ourselves is exactly what we are here to do as elected members of Parliament.

When I brought a motion to this house about the Lord's Prayer, a member of the Labor Party jeered across the chamber, 'What about the separation of church and state?' It is completely misused in the

Australian context. The phrase draws its origins mostly from the US context, where it was predominantly put forward to protect not necessarily the state from religions but to protect those of fervent religious beliefs from the threat of overbearing government. It certainly does not mean you need to leave your faith at the door.

As representatives we will make decisions informed by our values, and those values at times are inseparable from our faith. Some would say – and have said – the Lord’s Prayer is exclusionary. It is evident to those who support the retention of the Lord’s Prayer that it is deeply inclusive, which is why you see the board of imams supporting the Lord’s Prayer, the Hindu Council of Australia supporting the Lord’s Prayer, the Anglican Diocese of Melbourne supporting the Lord’s Prayer, the Catholic Archdiocese of Melbourne supporting the Lord’s Prayer and the Australia/Israel & Jewish Affairs Council supporting the Lord’s Prayer. So I call on all members to reflect the role not only of faith but of diversity and values in the deliberations you and all of us take in the execution of our duties in this place. Almost 11,000 Victorians have signed this petition in just a few weeks, and they undoubtedly represent thousands more who wish to see faith represented, acknowledged and respected in this Parliament.

**Jaelyn SYMES** (Northern Victoria – Attorney-General, Minister for Emergency Services) (17:46): Mr Mulholland, what are you doing? You are an elected member of Parliament. You have the opportunity to have conversations with MPs about your views on the Lord’s Prayer rather than spending your time going outside this place and whipping up something that is nothing. There is no proposal to remove the Lord’s Prayer from the Parliament. We have not been considering a proposal. What your petition is saying is that we should oppose a ‘move to abolish the reading of the Lord’s Prayer’. Who is proposing that we abolish it? We have started some minor conversations about ‘Is there an opportunity to modernise the start of the day? What could that look like? Would it be something that is the Lord’s Prayer, plus? Could it be something else?’ But rather than you being mature and having those conversations, you are using this as a platform to feather your own political bed.

Go and speak to people who think that there are moves to remove faith from the Parliament. I have not met anyone that thinks we should remove faith from the Parliament, of the MPs that I have spoken to, at all. There are some people that do not have a religion; I have not met an MP in this place that is not respectful of people’s beliefs. Do I think that our current start of our day is a good reflection of society? I actually think we could do better. But do I think that we should be out there scaring people and saying we are going to eradicate faith from this place? That is such poor practice. I know you are a new MP and I know you want to shore up your future, but the way you are doing it, you are abusing those people in the community and saying to them that any move to secularise parliamentary proceedings would send a clear message from the Parliament that faith has no place in Victoria. How about you have a conversation with people out there and say, ‘Is there anything that we could do that would make you feel more included in Parliament?’ And if it is the Lord’s Prayer for some people, that is fine, but that is not everyone. I stand for representation of all people of Victoria in this place. The current practice we have is arguably exclusionary. We should have conversations around how we make everyone feel included in this place. You are doing the opposite. You are seeking to divide. You are seeking to send a message to people. Your petition is dog whistling. It is not about ‘What about this place being inclusive and welcoming of people?’ You are trying to cause division, and it is actually, frankly, quite disgraceful.

The other issue that I have, honestly, is that I think that if adults sat in the room, we would probably come up with a proposal that everyone was really comfortable with, regardless of their religion, their faith or the fact that they might not have a faith. The problem I have with that is that I thought that would be easy. I thought that we could sit round, we could make sure that everybody –

**A member** interjected.

**Jaelyn SYMES:** I actually thought it would be possible. I thought that there would be adults in the Parliament that could come up with something that did not offend anyone. I am wrong. I am clearly

wrong, because the minute we start to even embark on a thought of a change, you go out there telling anyone of religion that the government – and I can tell you now, there is division on the government side about what you would do as well. This is a parliamentary thing. You have made it a political thing, and that is poor. But I digress. I thought it would be easy as Leader of the Government in this place to sit down and probably come up with something people agree with. I am wrong, I get it – it is not happening. If I was to embark on that conversation, it would divert my attention from the issues that are important to Victorians, not the first 30 seconds of the day of Parliament each day. It is about –

**Evan Mulholland** interjected.

**Jaclyn SYMES:** We are not opposing your motion. I am telling you I do not have time to go and sit down and get an agreement, because it is clear that it is not –

**Georgie Crozier** interjected.

**Jaclyn SYMES:** It would have been a good idea; I thought it was a good idea that we could be more inclusive and could do better than what we are. But the fact that it is being used for division and being used to try and convince people that the government are anti-religion is absolute bull-dust, and you know that. I have better things to do with my time. I want to represent and bring about fairness, equality and tolerance in Victoria. I will do that through my ministerial responsibilities, and if someone else wants to come up with an idea that makes everyone happy, they can go for it, but it will not be me.

**David ETTERS HANK** (Western Metropolitan) (17:51): I rise to make a respectful contribution to the petition before the chamber, and I thank the Attorney-General for her thoughtful perspective. The Lord's Prayer has been a fixture in this chamber since 1857 and in the other place since 1928 – and fun fact: we actually have different versions of the Lord's Prayer. But let us crunch some numbers to get a little historical perspective on this debate. The 1921 census indicates that, at the time, some 97 per cent of Victorians identified as Christians, with about 39 per cent being Church of England and 21 per cent being Catholic. Fast-forward a hundred years and those numbers have declined somewhat. In the 2021 census about 41 per cent of Victorians identified as Christian, 39 per cent nominated no religion and about 13 per cent described themselves as non-Christian religious or did not respond at all. So 41, 59 – it is not exactly a photo finish, and that is reflected in this chamber. Of the 41 upper house MPs sworn into this Parliament to date, only 16 of those 41 took the oath compared to the 25 who took the secular affirmation, indicating that the majority do not identify as Christian.

Notwithstanding that multiple faith agencies have supported the retention of the Lord's Prayer, the fact is that it is a Christian prayer. In fact it is an Anglican prayer, and Anglicans currently represent 8 per cent of the Victorian population. The recitation of this Christian anthem every sitting day may not be the benign, feel-good ritual it used to be. I am going to say that 16 members of this Legislative Council may want to desperately retain it and the rest perhaps do not. Those members will say that their electorates, their constituents, are very religious, and that is fine, although the stats I quoted earlier suggest that Victorians are not as religious as those members may think. If they do practise a religion, there is less than a 50 per cent chance that it will be in the form of Christianity, and yet in this place, our state's most important democratic institution, we deliberately privilege one religious world view over all others. I wonder if those multiple faith agencies have been running the numbers themselves and realise that based on current trend data next year's census will show that Victorians with no religious affiliations outnumber Christians, and those identifying as religious other than Christian will have also further grown.

More than that, the daily Lord's Prayer is not simply a neutral thing, and to the many Victorians who are survivors or the descendants of survivors of the care meted out to our First Nations people by Christian missionaries or to those who survived abuse in Christian-run schools, children's homes or orphanages, I dare say the Lord's Prayer is a painful reminder of trauma and loss. I believe this daily recitation of the Lord's Prayer impinges on our democratic principles. The separation of church and state is a fundamental element of a liberal democracy, and it is not just an American thing. We see the

havoc wreaked on people's lives when a state is captured by religious dogma in the US, and it is imperative that we be ever vigilant in maintaining that separation. If members feel I am being hyperbolic, look at what has happened in the US, where the rise of Christian nationalism has seen the rights of LGBTQI+ people, women and religious minorities persistently attacked by the Christian right. Australia is not immune to this sort of corrosion.

The petition states that the Lord's Prayer is a strong reminder that Parliament is not the ultimate authority for building a just and caring society. Who is it reminding? Do members need a greater authority to build a just and caring society? Is that not what we are here to do? Has anyone heard of the voters? If we lack the empathy or the will to recognise injustice or the capacity to care for our communities, an acknowledgement of a higher power will not help. I do not have anything against Christians. I respect Christians. Some of my best friends are Christians and members of many, many faiths. I have worked for Christian organisations. As long as your beliefs do not oppress or damage others, you have every right to hold them. But in this place, that should not mean that you get to impose those beliefs on others.

**David DAVIS** (Southern Metropolitan) (17:56): I do feel this is a little bit of *deja vu*, and I do think there is legitimate concern for all who would look to our traditions and to the history of our chamber, to the history of our Western civilisation and indeed to the history of our Judaeo-Christian traditions as reflected directly into the Westminster system. Mr Ettershank spoke about it just being a Christian matter. It is a Christian prayer; of course it is. But it is much more than that. It actually does symbolise our long history, and not just in this chamber, where it has been spoken every morning since 1857. There is actually a tradition and a history in this chamber, in our state, which is worth preserving in and of itself. In the same way a beautiful old building would be preserved, you should think about that history and that tradition. But it is much more than that. It is actually a direct link back to Westminster. It is a direct link back to our Judaeo-Christian traditions. It is a direct link back to the idea of individualism and the idea of a higher authority, which is applicable for people of many different religions. I say that the symbolism of the prayer is much more than just simply a Christian tradition and Christian background.

There was a red-hot go in the last Parliament to knock over the prayer and replace it with I do not know exactly what, but it was not a well thought through proposal. It was a proposal that went first to a parliamentary committee, and then the government got cold feet and tried to close down the parliamentary committee. The report is there for anyone to read if they wish. We heard from the Leader of the Government that there are no plans to do this. Well, I invite people to go back and read *Hansard* from 4 August 2021 and see what the Leader of the Government said then. The Leader of the Government said more in the *Age* on 10 January 2024 and the Leader of the Government said more on 7 March 2023 in *Hansard*. People can go and read those. The fact is there are some in the chamber who would tear down this tradition. There are some in the chamber who do not see the value in the Lord's Prayer and what it symbolises. As I say, it is not just a Christian prayer. It clearly is a Christian prayer, but it is actually a prayer that has a lot more resonance and a lot more significance than that.

We have always had a diverse and multicultural community, from the very first. Victoria became a separate jurisdiction in 1851 on 1 July, and we were a diverse community then. Certainly in the months and years after that, with the enormous influx of people from all over the world for the gold rush, we became an extremely diverse community from the earliest times. Self-government in 1856 actually saw the recognition of that diversity and of full election, for the Assembly at first, of male suffrage. It was some time – I can freely confess and see as a negative – until women were able to vote. Nonetheless, from those earliest days – from 1857, a very early point in our period of electoral and democratic activity – we were using the Lord's Prayer every single morning. That multiculturalism and diversity is important.

As I said, there was a parliamentary inquiry. One of the points we made in the minority report from that inquiry was that the Lord's Prayer should not be ditched, should not be torn away, without the involvement of the community. If you are going to get rid of it, there should be a proper, broad, open

inquiry where people can actually have their say. My colleague has so eloquently laid out a range of religious communities that have strong views. I know when I consulted in that period in the last Parliament I was overwhelmed by the number of religious communities – not necessarily Christian communities – that came to me and said, ‘I want the Lord’s Prayer retained.’ They see the value as a symbol. Many have come to the country because of its democratic heritage, because of the individualism, because of the protection of law – (*Time expired*)

**Moira DEEMING** (Western Metropolitan) (18:01): I was very interested to see this petition come up, because I had not heard about the issue being raised in this term of Parliament, but I still am very honoured to stand in support of all the people who signed it. I agree that we should not be getting rid of the Lord’s Prayer for many of the same reasons my colleagues have spoken about.

Australia has been profoundly and positively shaped by Christianity – the Christian right and the Christian left. This is a prayer, and if you do not believe in God or you do not believe in the Christian God, then you should not be threatened by a prayer. It is part of our historical and cultural connection to this land, to this people and our shared identity for the future. We should be aiming to conserve and honour the best of our heritage. To characterise the Lord’s Prayer as some kind of heinous, traumatic, triggering idea that brings up all the worst of colonialism is extremely insulting to people of all faiths, no doubt. I would like to point out that reciting the Lord’s Prayer is different to being forced to pray the Lord’s Prayer. You cannot be forced to pray. Reciting some words out of respect is actually a lovely thing to do. When we go and visit mosques, we stand and we sit when we are told to. We go along with the cultural traditions of lots of other religions without being triggered by it.

I was also interested to hear about the crunching of the numbers. I would have thought the people on that side of the house would love to stick up for minorities, so if Christians are indeed the minority now, I look forward to increased support and less victimisation. That will be great. If it is true that we do not need God to be a better society, then why is it that tomorrow we will debate an entire bill dedicated to setting up an entire new regime for parliamentary standards of behaviour and integrity of MPs. We are not doing such a great job, I think. So praying for help to honour people, to serve people, to do well for all people is not a bad thing. It does not matter if you believe in the particular religion at all. It is not a harmful prayer. It is not inciting hatred. There is absolutely no real reason to oppose reciting this prayer, which is a part of our history and our shared identity. It is nothing disrespectful.

I would just like to point out also that people on that side of the chamber love to bring up the idea of women’s rights when they cannot define a woman and to reel off those letters – the LGBTQ+ community. That is not one political group. It is actually very insulting. It is like when you tell a person they have gone off the plantation if they have a skin colour that you think should align with a particular political set of values. It is insulting.

That is what I wanted to say about this. I hope that we retain it, and I am glad to hear that there are no plans to get rid of the Lord’s Prayer. There are lots of people from my own political party here tonight. It is great to see their support.

**Sarah MANSFIELD** (Western Victoria) (18:05): At the outset I will say that although we do not share the views of the petitioners, we acknowledge their democratic right to be able to use this process to raise their concerns. We also believe that as part of the democratic process the Parliament should take note of these concerns. We often have petitions tabled in this Parliament that members may not agree with, but nonetheless it is an important mechanism by which citizens can bring their views into this place.

On the substance of the petition, the Greens have been campaigning to replace the Lord’s Prayer in Parliament, not because we have a problem with the prayer itself but because we believe that the Parliament should be inclusive of everyone while also respecting our history. In 2016 we did move a motion calling for the Parliament to consider suitable alternatives to the daily prayer. We have also successfully campaigned for an acknowledgement of country at the opening of each sitting day.

Victoria is a multicultural and diverse community with members of all religions and faiths. Opening a sitting day of Parliament with the Lord's Prayer is an outdated tradition that no longer reflects the diversity of our community.

We acknowledge that many people in Victoria come from a Christian faith background. We fully respect and acknowledge that. However, our community and indeed our Parliament includes people from many different faiths and people of no faith at all. Many other parliaments around the world have different ways of opening parliament that reflect their multicultural society while also respecting their history. For example, the ACT starts parliament with a moment of silent reflection. The US Congress rotates between prayers of different faiths. We need to realise that Victoria is one of the few places left that recites only a Christian prayer, and we need to be aware that this excludes some members of our community. We believe that the Parliament should be open and accessible to everyone regardless of their faith. I and my Greens colleagues will continue to support measures and push for a Parliament that is more inclusive and representative.

**Gaëlle BROAD** (Northern Victoria) (18:07): I rise to speak about a petition tabled by my colleague Mr Mulholland to retain the Lord's Prayer in the Legislative Council proceedings that received nearly 11,000 signatures. I was also contacted by others who missed out on signing it and were keen to do so. But we have heard from the Attorney-General today that Labor has considered changing this procedure. I have received correspondence from residents across Northern Victoria, including Marysville, Seymour, Wangaratta, Eaglehawk, Bendigo, Wodonga, Kyabram, Kangaroo Flat, Golden Square and Euroa, all of whom wanted to see the Lord's Prayer retained in Parliament. I received a letter from a resident of Echuca that says:

This is a beautiful prayer and much more than a few words from an old book. Its place in Parliament helps parliamentarians to respect religion and people of faith in general – who make up over half the population. Reading the Lord's Prayer teaches respect of others' views even if they differ from your own. Its themes of humility, dependence and forgiveness are all extremely important and relevant to political debating.

I also received another letter that says:

... this prayer should also resonate with all people regardless of religion. It is a humbling prayer which highlights the frailty and dependence of humankind. It also speaks of forgiveness – reminding us that we should forgive others just as we ourselves wish to be forgiven.

And earlier this year I received a letter from Victorian religious leaders who wrote to all members of Parliament, including the Catholic Archbishop of Melbourne, the Anglican Archbishop of Melbourne, the secretary of the Board of Imams Victoria, the president of the Hindu council, the Australia/Israel & Jewish Affairs Council and a rabbi. The leaders urged the Parliament to ensure that this practice continues. It says:

The recitation of prayer is a common tradition of the Westminster system, and together with the Acknowledgement of Country, provide a vital link to two important facets of our heritage.

Secularising parliamentary proceedings would send the wrong message – that faith has no place in our community – when we should honour the faith and diversity of all those that we are here to represent. For more than 100 years the Lord's Prayer has been read in the Legislative Council. It reflects our heritage. The Nationals are a party with a long history, strong values and respect for freedom of religion and for people to express their faith, and we support retaining the Lord's Prayer in Parliament.

**Evan MULHOLLAND** (Northern Metropolitan) (18:10): I rise in jubilation because we have somewhat of a backdown, an admission from the government that they will no longer pursue workshopping a replacement for the Lord's Prayer. I note that the Leader of the Government said, 'I don't know any MPs who want to remove the prayer.' Can I point to an article from 2021, which says:

Attorney-General Jaclyn Symes was the only government MP to speak on the motion and confirmed Labor would 'commit to workshopping a replacement model that is purpose fit for Victoria' ...

Another MP who wants to get rid of the prayer, the member for Frankston, said that he sees no need for it. The Attorney has several times committed to workshopping a replacement for the prayer. We see a backdown, that she is no longer willing to do that, and that is a good thing.

I am glad we have been able to use the parliamentary process, as is our democratic right, to call on our community to support us. This petition was supported by the Catholic Archdiocese of Melbourne, the Anglican Diocese of Melbourne, the Board of Imams Victoria, the Hindu Council of Australia Victoria chapter and the Australia/Israel & Jewish Affairs Council. Can I just say how extraordinary it is that you get all of those religious communities on a unity ticket to support the Lord's Prayer. It is not about, as Dr Mansfield said, being exclusionary, not being representative or representing just Christian prayer. It is an acknowledgement of responsible service to the people of Victoria. That is what the Lord's Prayer is.

Leadership starts at the top. There is a reason why radical secularists target the Parliament, because they know it is at the top. We use the example of the ACT. Look at the path they have gone down. They have just nationalised a Catholic hospital. I do not think that is a good example of where to start. I am glad the government has backed down on this. It is a great day for Victoria.

**Motion agreed to.**

### *Adjournment*

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (18:12): I move:

That the house do now adjourn.

**David Davis:** On a point of order, President, my colleague over there made an offensive remark just at the end of these proceedings, and I ask that he withdraw it.

**The PRESIDENT:** I did not hear it.

**David Davis:** He called Mr Mulholland a showboater.

**The PRESIDENT:** I think it is up to Mr Mulholland if he finds offence. I am not too sure if 'showboater' is the biggest insult that has got through, in parliamentary terms. I did not hear it, so I think we should just move on.

### **Cladding rectification program**

**Bev McARTHUR** (Western Victoria) (18:13): (1007) My adjournment debate for the Minister for Planning concerns the cladding rectification levy (CRL), another Labor tax stacked on the back of the productive sectors of Victoria's economy, hitting developers and builders but passed on to all Victorians through higher rents and prices. This tax, which took effect on 1 January 2020, was sold to us as a temporary, necessary, carefully targeted measure. Accordingly, we were all told it would last just five years. The Premier's media release on 16 July 2019 said the building permit levy would raise \$300 million 'over the next five years'. The Victorian Building Authority website still refers to the funding to be raised 'over the next five years'. In debate in this place on 12 November 2019 Ms Terpstra, apparently reading the party line, said:

... the levy increase will be effective from 1 January 2020. The cladding rectification program is a five-year program, and it is expected that the additional building permit levy will apply over that five years.

Mr Erdogan said the same day:

As the program is set to undertake rectification of non-compliant cladding over five years, the levy is set to apply for only those same years.

At the same time, some of us called this non-ring-fenced charge a badly disguised tax grab. It seems we were right. There is nothing so permanent as a temporary government program.



The Cladding Safety Victoria review was tabled on 7 March this year. Funnily enough, this was not accompanied by a ministerial press release. Five years of the CRL would expire on 31 December this year, yet the report I mentioned references a CRL review, required no later than January this year, which has apparently determined there is an ongoing need to continue usage of the cladding rectification levy to fund cladding rectification works and associated programs. For how long will it be extended? When will this be publicly announced? Has the minister told the industry, the people who will have to pay more for longer, or did she just hope that nobody would notice that the sneaky extension of this time-limited tax would get lost in the forest of other taxes choking our economy? The action I seek from the minister is the release of the CRL review and a public statement explaining why this tax will not as promised be abolished on 31 December this year.

### Cost of living

**Rachel PAYNE** (South-Eastern Metropolitan) (18:16): (1008) My adjournment matter is for the Treasurer. Victorians are not having sex like they used to. Analysis from KPMG has shown that Australia is experiencing a sharp drop in births, or what they are calling a baby recession. The number of births in 2023 was at its lowest since 2006. Such a sharp drop in births has not been seen since the 1970s, making this the sharpest decline in over 50 years. Capital cities like Melbourne and in particular inner-city suburbs were the worst affected. In Melbourne births were down by 7.3 per cent in 2023.

You might ask whether a new super-effective contraceptive has hit the market, and you would be right to think so. The cost-of-living crisis is the new birth control, and it is a tough pill to swallow. Young people are experiencing increasing housing unaffordability, hefty grocery bills and ballooning HECS debts. Because of this they often have no choice but to live at home or in a share house for longer and longer. It is no wonder that people are putting off the decision to have kids and all the added costs that come with it. With that being said, I will mention that for a number of reasons increasing numbers of people, including me, are making the valid decision to not have children. So this is not about saying that everyone must be running out there and having as many kids as they can. This is about saying that for some people the choice to start and grow a family has been taken away.

I was happy to see that Clyde North in my region was highlighted as one of the 10 suburbs in Melbourne with the highest fertility rates, but despite how much I may want them to, people should not have to move to my region for the chance to be able to afford to raise a family. The action I seek is that the Treasurer ensure that those in Victoria who need it are given cost-of-living support so that they can choose to start and grow their family regardless of their postcode.

### Housing

**Ann-Marie HERMANS** (South-Eastern Metropolitan) (18:19): (1009) My adjournment is to the Minister for Planning and the Minister for Environment, as I have been redirected in my request for action by the Minister for Housing to approach both ministers, as this is allegedly their dual responsibility. The action I seek from these ministers is to take action and not sell the property at 42N Ballarto Road, Frankston North, and to turn it into short-term social housing. I have met with the Seaford Housing Action Coalition, which is known as SHAC, a community organisation concerned that adequate support be available to people who find themselves homeless and in need of crisis accommodation in the Seaford and Frankston areas, and I want to shout out to those who were actually protesting today very peacefully on the steps of Parliament about the housing crisis that we find ourselves in. There were many housing support workers that were out there advocating for their services and for the lack of services that this Allan Labor government has provided.

I did work as a housing support worker once, so I totally understand the need – in fact not just as a housing support worker but as a volunteer, and as a lead tenant in housing crisis accommodation – and I know what it is to not have enough accommodation. In fact in the south-east we are so short that we still only have the system that was developed decades ago and has not taken in the growth corridors that exist in the south-east. It does not even consider the need for crisis accommodation and how much

that has increased. It still has only one service, for instance, provided in Mount Martha, which is not even in the south-east.

SHAC has called on me to support its application to consider plans for social housing at 42N Ballarto Road, Frankston North, believing that this location will help address the current crisis in social housing in Frankston and Seaford and no doubt in the surrounding areas. The total number of people living in crisis housing in Frankston has been estimated to be in the thousands. People need safe, affordable housing. The scale of the population living with these issues of poverty and unsafe housing has a significant impact on the local communities and street culture in Frankston. There are frequent calls for police, ambulance and by-law officers at the commercial rooming houses.

Labor's \$5.3 billion Big Build program, the SRL and road funding have diverted much-needed funds away from housing. In fact think about those budget blowouts that have been taking place and what part the CFMEU has played in those budget blowouts. We have another delay in projects with the current state budget, which expects to see its debt hit \$187.8 billion by June 2028. Even the Productivity Commission in their recent midyear report have questioned whether Labor is doing enough for Victorians at risk of homelessness after being in power for almost a decade. Frankston is doing it tough, even though we have support agencies who are doing a fantastic job.

**The PRESIDENT:** Sorry, Mrs Hermans, your time has expired. Mrs Hermans, the standing orders only allow us to direct an adjournment matter to one minister.

**Ann-Marie Hermans:** This was a request of the Minister for Housing. That was the response they gave me.

**The PRESIDENT:** I have to go by the standing orders. I am going to put my neck out and say it sounds more like planning, so if it goes to the Minister for Planning and you get a letter that it is not her, you can blame me, and I will follow up for you.

**Ann-Marie Hermans:** This is the second time I have brought this up.

**The PRESIDENT:** I will follow up for you.

### **Housing affordability**

**Aiv PUGLIELLI** (North-Eastern Metropolitan) (18:22): (1010) My adjournment matter tonight is to the Minister for Consumer Affairs, and the action that I seek is that she make renting more affordable in Victoria. What does a sardine have in common with a renter? The answer is that they are both getting packed in. Admittedly, sardines are going into cans with oil, but renters are being forced more and more often to move into share houses to keep up with the ever-rising cost of rent. Most of us, I would think, have some good memories of the fun of share houses filled with friends and good times. But equally we all have a horror story or two about an awful housemate, one who never quite had the rent money or did not seem to understand the function of the shower curtain so the shared bathroom would be flooded every other morning when you headed to uni, or perhaps they bought a new speaker and decided to blast Fleetwood Mac, the same song every other day, all the time, to the point where you got breach notices from the neighbours. The possibilities are endless. Sharing a house can be great, and it suits many people, but it should not be the case that people are sharing out of desperation because it is all that they can afford.

For some people, it is just not even an option. For various reasons there are those who need to live in a place on their own because of their physical requirements or their mental health or whatever it might be. We need to live in a state where people can afford this option too. The same stats that show the increased popularity of share houses also show that they are going up in price significantly. Surprise, surprise: rents for houses with five bedrooms or more rose 8.7 per cent over the year to June, and a flow-on effect of this is that larger families are now also having trouble finding affordable homes that suit their needs. No shade on share houses, but we need this Labor government to get involved and stop rents from continuing to rise. We cannot just force more and more people to live together. Rising

rents are already stretching people to breaking point. It is just not sustainable for them to continue to rise. Labor, step in now, limit rent rises and keep rents at affordable levels.

#### **Wild dog control**

**Gaelle BROAD** (Northern Victoria) (18:25): (1011) The action I seek is for the Minister for Agriculture to urgently announce a commitment to continuing the wild dog program in Victoria. I had a stand at the Australian Sheep and Wool Show in Bendigo recently, and farmers across the state are very concerned. Sheep graziers in my electorate have had up to 30 lambs mauled in a single night. In many cases the dogs do not actually kill stock but maul them to such an extent that they suffer a very slow and painful death. I know farmers in the north-east that have been waiting very patiently to meet with the minister to talk about this issue, because they have been told that they will be consulted as the government undertakes a review of the program in that area.

In March in the north-west, without any consultation and with only a few hours notice, the government revoked an unprotection order on wild dogs. Farmers have been advised that what was previously considered to be a wild dog is now a protected dingo. Since revoking the unprotection order the government has rejected applications for authority-to-control-wildlife permits. Victoria is Australia's largest sheep meat producer, and by value we account for over 50 per cent of Australia's wool exports. The sheep and wool show attracted thousands of people to Bendigo and showcased a world-class industry, including food, fibre and fashion industries – industries that this government should be supporting. The wild dog program is needed, and I ask the Minister for Agriculture to ensure that it continues.

#### **Firewood collection**

**Rikkie-Lee TYRRELL** (Northern Victoria) (18:26): (1012) My adjournment matter this evening is for the Minister for Environment in the other place. For three years my constituents in the Moira shire have been crying out for somewhere to collect firewood. For three years they have been forced to either pay excessive prices to buy firewood or travel hours out of their way to be able to collect it themselves. During this cost-of-living crisis it is getting harder and harder for those on fixed incomes or families to be able to afford to keep themselves warm. I have asked time and time again for the minister to open places for my constituents to collect firewood from. It has so far fallen on deaf ears. So imagine my dismay at being told by constituents near Barmah forest that the Department of Energy, Environment and Climate Action is piling up many tonnes of fallen wood from the forest floor ready to burn, some of which they have already started burning. This is good, sturdy wood that northern Victorians would be happy to take away and use to keep themselves warm during this frigid winter; instead the government would rather see it literally go up in smoke. How is it any different burning this valuable resource in people's homes than what the government is doing in the open air?

Many people cannot afford to replace their heating with expensive electric heaters like the government wants them to. We are being continually told by the government that firewood is a finite resource, yet here we see piles of good, useful firewood going to waste. The action I seek is for the minister to ease the burden on the people of the Moira shire: cease burning this valuable resource and allow the residents access to collect firewood from these piles in the Barmah forest.

#### **Wonthaggi planning**

**Renee HEATH** (Eastern Victoria) (18:28): (1013) My adjournment is for the Minister for Planning, and the action that I seek is for her to correct the statements included in her disappointing, dismissive and unapologetic response to the petition about the Wonthaggi audit overlay that was tabled this morning. Putting aside the fact that many residents are still waiting for formal notice that the Wonthaggi North environmental audit overlay (EAO) has been removed from their property, the

response is also incorrect and misleading. The response from Minister Kilkeny states that funding has been provided by the government and the local Bass shire council:

... to undertake a preliminary risk screen assessments (PRSAs) for existing titled lots in the precinct that have been affected by the overlay.

This implies that every titled lot affected by the EAO either has or will have a preliminary assessment undertaken, with costs to be covered by the council and the Victorian Planning Authority. This is simply not the case.

Locals have been informed that a number of properties which have not yet had a PRSA will not be assessed, as they are large blocks which have been rezoned from farming to urban. The justification is that they are likely to be subdivided in the future and another assessment will be required then. However, the facts have not changed. These properties were also subject to the southern and retrospective overlays and deserve to be treated as any other. As one constituent said in correspondence to my office:

... as the overlay was retrospective, a blight had been put on their title and should be removed at no cost to them ...

... we feel those owners deserve the same assistance as other owners.

I could not agree more with them and call on the Minister for Planning to either correct the record or commit to treating those properties the same as the others.

#### **Container deposit scheme**

**David LIMBRICK** (South-Eastern Metropolitan) (18:30): (1014) My adjournment matter this evening is for the Minister for Environment. My request is: how much income has been made by the container deposit scheme since its inception, and how much money has been paid out to members of the public for items they recycle through this scheme?

#### **Cost of living**

**Trung LUU** (Western Metropolitan) (18:30): (1015) My adjournment matter is for the Minister for Roads and Road Safety regarding car registration fees. The action I seek is for the minister to consider easing the burden on Victorian families by reducing the car rego fee to align with the rates of other states like New South Wales. In the middle of a cost-of-living crisis, the average Victorian family is struggling to put food on the table, yet Victorians are paying the highest rego fees amongst all states. Victorians are paying 116 per cent more than Western Australians and 76 per cent more than people in New South Wales. These figures tell a dark story about the Allan Labor government's budget mismanagement and how Victorians are paying the price.

My constituents in the western suburbs are already left bearing with too few transportation options, and Premier Allan cancelling the electrification of the Melton and Wyndham railway lines has worsened the connectivity out west. On average in the western suburbs families own two to three cars to ensure that all members of the family can get to work – because of the lack of transport. As Graham Currie, professor of public transport at Monash University, has stated:

There's no choice for them to have a car, there's very little public transport on the fringe ...

Minister, rather than accelerating the financial burden on hardworking Victorian families, it is time we shift the gear and put the cost of rego in reverse. So I ask again: will the minister consider reducing the car registration fee to align with the rates in other states like New South Wales to help Victorian families deal with the cost-of-living crisis and make the west a more livable place for Victorian families?

### Southside Justice

**Georgie PURCELL** (Northern Victoria) (18:32): (1016) My adjournment matter is for the Attorney-General, and the action I seek is for the reinstatement of Southside Justice's sex worker legal program funding. As many of you will know, I know all too well the stigma and discrimination that sex workers face – so much so that I never thought I would be standing here as an elected member of Parliament. Since I have this platform, I must use it to protect other sex workers and to ensure their rights are upheld and that they are treated as any other workers in the state. I was alarmed to learn that Southside Justice's sex worker legal program, one of the only specialised legal services for sex workers in Victoria, no longer has government funding. Southside Justice has supported and protected sex workers for 50 years, long before the government and society saw fit to provide them with basic working and safety rights. In 2022 they received funding for two years from the Victorian government to establish this statewide sex worker legal program. However, it ended on 30 June 2024.

The full decriminalisation of sex work in Victoria cannot be achieved without the corresponding investment to fully realise and socialise these important new laws. This requires the Sex Work Decriminalisation Act 2022 to be litigated and individuals to be protected by it through the provision of specialised legal services for sex workers. Two years of funding is insufficient to give effect to these new rights at work for sex workers. The government had the opportunity to grant funding with Southside Justice's prebudget submission, but it refused to fund the continuation and modest expansion of the statewide program, without which the expansion to engage with sex workers from migrant backgrounds who require specialist legal knowledge in immigration law cannot go ahead, leaving many sex workers without legal protection or even awareness of their newly acquired rights. Fortunately, the Victorian Legal Services Board has stepped up to provide one year of further funding to prevent their immediate and imminent closure.

This is the second sex work advocacy organisation that has not been properly funded. It is crucial that legal centres are able to offer free legal support to people with financial disadvantage and precarious income arrangements, as is often the case with sex work. An act is only as good as its implementation. I know that the government is committed to ensuring the decriminalisation of sex work as reflected in the act, and I ask the minister to reinstate financial support to Southside Justice and other sex work advocacy organisations to ensure the fulfilment of this aim.

### Wind farm regulations

**Wendy LOVELL** (Northern Victoria) (18:35): (1017) My adjournment matter is for the Minister for Planning, and it concerns the planning rules for wind energy facilities. The action that I seek is for the minister to review the setback distance of wind turbines from homes in light of increasing turbine heights and consider enlarging the setback in Victoria.

Wind turbines generate a persistent low-level noise that can be very troubling for nearby residents. This is especially true in rural and regional areas, where there is little or no traffic or background noise and where residents treasure the peaceful silence of living in the country. Having that peace disturbed by a wind turbine that produces constant noise is known to impact mental health and cause significant anxiety and stress. For that reason, there are rules for how far wind turbines must be set back from people's homes. Originally Victoria did not have any rules around turbine setback distances, and wind energy installations caused frequent complaints. The Liberal–National coalition went to the 2010 election, and won, with a policy to introduce a wind turbine setback distance of 2 kilometres. This allowed new wind energy projects to bring new energy onto the grid whilst protecting residents from being disturbed by noise and visual impact. The Labor government then reduced that setback from 2 kilometres to 1 kilometre in 2015, and 1 kilometre is the current setback distance today.

Fera Australia recently hosted a community meeting with locals from Nanneella, in my electorate, to discuss their proposal to install 40 to 50 wind turbines on two farmland sites between Nanneella and Koyuga. There was strong community opposition to this proposal, and although no planning application has yet been submitted, the minister should be aware of local sentiment in the area. During

the meeting concerned residents noted that when Labor changed the setback from 2 kilometres to 1 kilometre wind turbine heights were typically 150 metres at the tip. But the newest turbines that Fera is proposing to install in these locations are larger, closer to 230 metres at the tip. The meeting heard that these larger and higher turbines will cast noise further than the smaller turbines that the 1-kilometre setback was modelled on. The community members in the meeting were adamant that a 1-kilometre setback from homes is simply not adequate to protect them from the noise of the larger, newer turbines.

In his 2021 annual report the Australian Energy Infrastructure Commissioner recommended that state governments introduce a default setback of 1.5 kilometres for wind turbines with a tip of 200 metres to limit noise and shadow flicker effects and consider a longer setback to minimise impact on visual amenities.

### State forest access

**Melina BATH** (Eastern Victoria) (18:38): (1018) My adjournment matter this evening is for the Minister for Environment. This is a tale of two concurrent investigations, both of which are causing considerable distress to thousands of my constituents in the Eastern Victoria Region and indeed across the state. One is the eminent panel – these are your words, Minister, not mine – for the Central Highlands state forest, which is about to deliver its final report and recommendations through VEAC, the Victorian Environmental Assessment Council, to you, Minister. The other is the Great Outdoors Taskforce’s future of our state forests taskforce – again, your terminology, not mine – that you announced on 1 April this year. I quote you:

Victorians have a landmark opportunity to help design the future of the state’s public land estate – which now includes more than 1.8 million hectares of forest previously used for timber harvesting.

The Great Outdoors Taskforce is supposed to be assessing all state forests, including that of the Central Highlands, so you are double dipping in these two different organisations. There is cross-membership in these, of some but not all. Karen Cain and VEAC’s Mellissa Wood are in both, and both have a history of advocating for the locking up of more Crown land into parks and reserves. Mr Dear and Mr Robinson I know are very good people from Gippsland, and I am sure they are seeking a balanced analysis, where the former clearly have a bias.

There are 17,000 Victorians who have already signed the petition that I am sponsoring on behalf of bush users, and they want to send a clear message to you and your bureaucrats: no more new national parks. The petition and movement are in response to massive community concern at Labor’s woeful management of the public land estate as it is, noting that the reclassification of state forests to national parks will not ensure greater health for the environment or the preservation of biodiversity. It will only seek to exclude traditional pursuits that provide wellbeing to thousands and thousands of Victorians. Public exclusion of traditional pursuits does not equate to better conservation; better land management and active management of our forest estates, whatever the land tenure, is far more important. This government has 60 per cent of the Department of Energy, Environment and Climate Action workforce sitting in metropolitan Melbourne. We need more boots and less suits in our environment. Bush users such as hunters, four-wheel drivers, horseriders, trail bike riders, prospectors and fossickers, anglers and those Victorians who like to camp in state forests with their family and their pet will face exclusion. You are saying in the *Guardian* that the Nationals are running a scare campaign. The action I seek, Minister, is for you to rule out the curtailment of traditional bush-user activities right across this investigation and allow people public access to public land.

### Windsor Community Children’s Centre

**David DAVIS** (Southern Metropolitan) (18:41): (1019) My matter is for the minister herself tonight in her capacity as Minister for Skills and TAFE. I refer specifically to Swinburne University and land that it owns in Windsor currently used by the Windsor community childcare centre which is under threat because Swinburne has decided to sell the land despite it having been gifted to Swinburne University – indeed, by the state government. The action I seek from her is to intervene, as she has the

capacity to do under various acts of Parliament, including the Swinburne University of Technology Act 2010, to ensure that there is a solution found where this important childcare centre is not closed.

This is a complex matter, but I would be very much appreciative if the minister was prepared to visit the Windsor community childcare centre with me to see the issues at play, to see the children there, to see the strong community spirit and to see the decisions that have been made to refurb and build up the centre. It is actually doing very well. It is a very popular centre, and I think that the minister would benefit from seeing this at close range.

There are of course rules for the disposal of government land, which the minister and others are bound by. There has got to be an offer to other departments. It is my understanding that no such formal offer has been made to a wide number of other departments, and likewise to the council. I understand that it may be that the council did not initially manage this well, but I understand that at a recent meeting – indeed, the Monday just gone, or it might have been the Monday before that – the council made the decision that they would oppose planning changes for this childcare centre. The government of course wanted those planning changes because it is going to flog the land, and it wants to maximise the sale price by flogging the land. I think the community is very angry about this. I went to the open day and have been back to see the committee of management and some of the members of the staff, and indeed some of the students, to actually talk through a lot of these issues. I am informed about the council side of this as well. It is a terrible situation.

One of the problems that we face is that the government is now desperate for money, and it is now looking to sell and flog everything that is not nailed down for miles around. In this case, even though it is land, they think they can scissor it off, put a planning permit on it and flog it to the nearest and highest bidder. So, Minister, please stop this and come and visit.

### **Victorian Comprehensive Cancer Centre Alliance**

**Georgie CROZIER** (Southern Metropolitan) (18:44): (1020) My adjournment matter this evening is for the attention of the Minister for Health, and it is regarding very worthwhile cancer research funding. Earlier this year during Public Accounts and Estimates Committee hearings the Minister for Medical Research was asked about a significant funding cut in this year's budget for the Victorian Comprehensive Cancer Centre, the VCCC Alliance, which was reduced from \$9.5 million each year from 2021 onwards to just \$7.5 million over the next four years. It has been a massive cut of 75 per cent, and it has just been extraordinary, the outburst in terms of the public's perception about what is happening here. Of all things, we need to have cancer research funded properly, and that 75 per cent cut is just massive. The minister responded that it was a question for the Minister for Health and the Department of Health.

The VCCC Alliance brings together academic, clinical and medical research expertise from 10 institutions, working in collaboration to improve cancer outcomes for Victorians. As I said, this is incredibly important work, especially when the incidence of cancer is increasing in our growing and ageing population, with new diagnoses expected to increase from 35,000 in 2022 to more than 50,000 in 2030. A 75 per cent funding cut to the alliance will slash that vital cancer research and the programs that they undertake, result in job losses – which have already started – and impact patient support. Issues affected include research into treatment for liver cancer and hepatitis B, a platform that allows researchers to access detailed cancer data throughout a patient's journey and an education program that upskills medical practitioners working with cancer patients. It also has a very big impact in the regions – of course they are having significant funding cuts due to the government's directives – and a massive impact on rural and regional Victorians.

But back to this issue. Professor Grant McArthur, the CEO of the VCCC Alliance, said:

Medical research is a major jewel in Victoria's crown and the reduction in funding from previous levels is concerning ...

At a time when the incidence of cancer continues to increase, the VCCC Alliance model of collaboration between major health, academic and research institutions is more important than ever to achieve the best possible outcomes for Victorians affected by cancer.

The action I seek is for the minister to explain why the government has cut millions of dollars in funding for cancer research when the incidence of cancer is set to rise significantly. These very significant institutions that do so much good work are being punished because the government cannot manage money and cannot manage our health system, and it is of course Victorians across the board that are paying the price.

### Responses

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (18:47): There were 14 matters that were brought to the chamber this evening in the adjournment debate. There was one that was specifically directed to me, and that is in relation to the Swinburne University Windsor children's centre, and I am aware of this issue. It has also been in the media, as there are concerns from families that have children at that centre. It was gifted, as I understand it, to Swinburne by the previous Liberal coalition government, and it is this government that will continue to work closely with the Stonnington City Council and local early childhood education service providers to support children in the area to access services and attend kindergarten. This includes working with the Windsor Community Children's Centre on long-term options that support the ongoing delivery of kindergarten programs in the local community.

Discussions between the Windsor Community Children's Centre and the Swinburne University of Technology are matters between those parties, and the Windsor Community Children's Centre, as I understand it, at the moment can continue to operate from the Union Street site until late 2025. I hope that there is a settlement between those parties as soon as possible.

**Georgie CROZIER** (Southern Metropolitan) (18:49): About outstanding adjournment matters that have gone beyond the 30-day period, I would ask the relevant ministers to address those outstanding matters. They relate to health adjournment matters 785, 800, 905, 959 and 979; ambulance services adjournment matters 849 and 879; mental health adjournment matter 989; and multicultural affairs adjournment matter 941.

**The PRESIDENT:** Yes. Minister, if you could commit to following them up.

**Gayle TIERNEY** (Western Victoria – Minister for Skills and TAFE, Minister for Regional Development) (18:49): Yes.

**The PRESIDENT:** Therefore the house adjourns.

**House adjourned 6:49 pm.**